

A regular meeting of the Board of Aldermen was held Tuesday, October 13, 2020, at 7:30 p.m. via teleconference.

President Lori Wilshire presided; City Clerk Susan Lovering recorded.

Prayer was offered by City Clerk Susan Lovering; Alderwoman-at-Large Shoshanna Kelly led in the Pledge to the Flag.

President Wilshire

As President of the Board of Aldermen, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:

To access Zoom, please refer to the agenda or the City's website for the meeting link.

To join by phone dial: 1-929-205-6099 - Meeting ID: 870 7107 1871 Passcode: 761034

The public may also view the meeting via Channel 16.

We previously gave notice to the public of the necessary information for accessing the meeting, through public postings. Instructions have also been provided on the City of Nashua's website at www.nashuanh.gov and publicly noticed at City Hall and Nashua Public Library.

If anybody has a problem accessing the meeting via phone or Channel 16, please call 603-821-2049 and they will help you connect.

In the event the public is unable to access the meeting via the methods mentioned above, the meeting will be adjourned and rescheduled. Please note that all votes that are taken during this meeting shall be done by roll call vote.

Let's start the meeting by taking a roll call attendance. When each member states their presence, please also state whether there is anyone in the room with you during this meeting, which is required under the Right-To-Know Law.

The roll call was taken with 15 members of the Board of Aldermen present: Alderman Michael B. O'Brien, Sr., Alderman Patricia Klee, Alderwoman Shoshanna Kelly, Alderman Richard A. Dowd, Alderman June M. Caron, Alderman Benjamin Clemons, Alderman Thomas Lopez, Alderman David C. Tencza, Alderwoman Elizabeth Lu, Alderman Ernest Jette, Alderman Jan Schmidt, Alderman Brandon Michael Laws, Alderman Skip Cleaver, Alderman Linda Harriott-Gathright, Alderman Wilshire.

Mayor James W. Donchess, Corporation Counsel Steven A. Bolton, were also in attendance.

ROLL CALL

Alderman O'Brien

I am present, I am alone, and I can hear the proceedings.

Alderman Klee

I am present, I am alone at the moment, I can hear the proceedings and I just need to accuse Alderman Lopez of stealing my family room. That's all I have to say.

Alderwoman Kelly

I am here, I am alone, I can hear everyone.

Alderman Dowd

I can hear the proceedings, I am alone, and I am practicing social distancing in accordance with the Governor's Order.

Alderman Caron

Yes, I am here, I am alone and I can hear everyone.

Alderman Clemons

Hi, I am here, I am by myself and I can hear everybody.

Alderman Lopez

I am here, I am alone in my own apartment, I can hear and see everybody.

Alderman Tencza

I am present, I am alone and I can hear everyone. Thank you.

Alderwoman Lu

I am present, alone and I can hear everyone.

Alderman Jette

I am here, I can hear everything and I am staying safer at home with my wife.

Alderman Schmidt

I am present and I am alone.

Alderman Laws

I am here, I can hear you and I am alone.

Alderman Cleaver

I am here, my daughter is with me. I am practicing social distancing.

Alderman Harriott-Gathright

I am present, I am in this room alone, and I am practicing social distancing and I can hear everyone.

President Wilshire

I am here, I am alone and I can hear everyone and I am social distancing.

Susan Lovering, City Clerk

You have 15 in attendance.

President Wilshire

Thank you. Also in attendance is Mayor James Donchess and Corporation Counsel, Steven Bolton. Mayor, do you wish to address the Board this evening?

REMARKS BY THE MAYORMayor Donchess

Yes, Madam President. There are a few items that I wish to speak to you about tonight. First, on our Agenda is a very important recognition of the people who have organized and conducted the very beautiful kayak parade; the lighted kayak parade on two different occasions as well as other kayak events. Bev Monagle, Trish Mullen and others. I remember one Friday or Saturday night I was at home and I saw on Facebook a photo of what they had accomplished that first time and the beauty of it and the spontaneity and just the commitment that it took. It just was something that I greatly admired and since then they have built on this. This is what we are trying to accomplish with respect to our improvements along the river. This is a great asset that people can enjoy and our lighted kayakers are showing us the way. So later on we have a recognition for them, Madam President, which I know we will read at that time. But I wanted to thank them.

One major item on the Agenda tonight, Madam President, is R-20-071 which is the bonding authority to complete the Performing Arts Center and provide the parking necessary to move forward on the School Street Housing. As we've discussed already, the Committee and the City have raised the \$4 million dollars that we need to satisfy the commitment on the bonding. That constitutes the New Market Tax Credits as well as the private funds raised. Now the New Market Tax Credits is a deal that we have to close later on, but there seems to be no doubt that we can do that and get that money. Of course, without it we would never proceed, because the \$4 million dollars wouldn't be satisfied.

The Performing Arts Center will help us build a stronger economy, build a stronger tax base. It's a project as a result of a stronger economy, stronger tax base that will benefit everyone in every neighborhood of the City. It will support our small businesses and bolster them. And it will attract private investment into the downtown. We have already seen that occur because the School Street housing, a proposed 150 units, is the first time a private investor has been willing to build from the ground up apartments in downtown without a conversion; Conversion has special, very lucrative tax incentives -from the ground up, in 120 years. So we have disinvestment in terms of apartments downtown, at least ground up apartments for 120 years.

These smaller units that will be part of the project, studios and one bedrooms and desperately needed in our market. You will be hearing soon that that the rents for one bedroom apartments in the last ten years have climbed 40% as compared with 20%, well 20% is still a lot but half that rate for apartments in general. So we are in critical shortage regarding one bedroom apartments, apartments needed by very small families, by single individuals who would like to live downtown.

Now, of course, some people have expressed a concern regarding affordable housing, a well placed and a concern that we share because we want all families and all individuals to have an affordable place to live, something we have been working on, on and off for decades. But if you look at the City's record over the last four years, four or five years, you will see that in the downtown areas, now again not in the central business district but a little bit distant, we have promoted the development of 500 units and 150 of those have been affordable. So what we have achieved is a 30% affordability rate.

We need to continue working on this problem of a shortage of housing and a shortage of affordable housing, project by project. So a project which will accompany the School Street Housing is the Bronstein Conversion, which Boston Capital proposed to do with the Housing Authority, guaranteeing those people living there to return in an equal or better unit than they have now. That will add 150 affordable units two blocks from School Street. In addition, and maybe Ms. Marchant is on this call, we have committed HOME Funds to another affordable housing project on Amherst Street, close by to the School Street up on the early part of Manchester Street. And we are working with Neighborworks and other projects, other ideas, to promote the idea of affordable housing. And, of course, we have a study that is about to come out.

But again this project demonstrates that the Performing Arts Center will attract private investment, because the taxes generated by the School Street Housing will pay for not only the public parking that will be retained there, but will also pay for the additional bonding capacity for the Performing Arts Center asked for in R-70-021. These are linked, at least conceptually because we've always said the Performing Arts Center would attract private development and the developer of the School Street Housing, Peter Flotz, has said that's why he got interested in Nashua. He's the first developer, builder of housing from the ground up, apartments that has been willing to work in the central business district, in more than a century. So I hope you all will support R-20-071 and we can make two projects successful. And, in addition to that, develop affordable housing where we know we can do it.

R-20-016 I wanted to mention Madam President, this is the Energy Performance Contract. I don't have a lot to say about that. I think it's been in two committees, but it will convert the high schools to more efficient energy use, both LED lights and other features. It will reduce the carbon emissions at the two high schools by 1,600 tons of carbon per year, the equivalent of taking 348 cars off the road. This will not cost the City in the sense that the guaranteed savings are greater than the amount we will have to pay in basically rent for these improvements. And we expect also to save \$10,000.00 but probably significantly more money per year in energy costs in addition to all the carbon reduction. It is something we've worked very closely with, with the School Department. It's a big project and it just shows how much we can accomplish if we keep going in this direction. We will nearly have reached our goal of 25% carbon reduction by 2025 once this project is completed.

Finally, Madam President, I wanted to mention with some concern Ordinance O-20-032. This has to do with the reduction of the overnight parking fines. I think if you are inclined to vote for this we should hold this because you need to understand the implications. If we reduce revenue, supporting the parking enforcement function by \$225,000.00 to \$250,000.00 which is the fiscal note it would put parking enforcement deeply in the red. We can't run – especially now with all the financial issues we are facing, COVID, the Pension Increase, the Health Care, we cannot afford to run Parking Enforcement deeply in the red. So were this to pass we would need to go into effect, we would need to significantly reduce parking enforcement to balance the budget there, probably by letting some people go, probably by little enforcement at night. I think you should understand the implications before you vote on it. So I would ask if you are inclined to vote for it, I mean I obviously I don't support the idea at least in the current environment. But I would ask members that are considering it to think about holding it so that we can have a more in-depth discussion about how this could be handled and the implications it would have in terms of parking enforcement.

But back to kayakers, I can't wait until we get to the recognition because they have done such a beautiful job for the City. Thank you, Madam President.

RESPONSE TO REMARKS OF THE MAYOR - None

RECOGNITION PERIOD

Nashua Area Kayak Explorations Destinations Group

Mayor Donchess

Alright, thank you Madam President. Of course you and I and other members of the Board of Alderman had discussed this wonderful accomplishment numerous times. So we have come up with this Resolution that I hope you will all endorse and I am sure you will, celebrating Nashua Area Kayak Explorations Destinations. Whereas the Nashua Area Kayak Exploration Destinations is a special group that makes Nashua a great place. Founded 5 years ago, its 1,400 members are kayak and some paddle board enthusiasts; good stewards of our waterways and they are dedicated to bringing the community together. And whereas founding members, Trisha Mullin and Beverly Monagle say the camaraderie, the fun, exercise and chance to get outside are what they love most about being in this group. Nashua Area Kayak Exploration Destinations is focused on bringing kayakers together to set on the water and kayakers of various ages and skill levels getting to know each other.

Nashua is a unique and special place for kayakers with the Nashua River running through downtown. And whereas during what has been a difficult year, Nashua Area Kayak Explorations Destinations has brought joy into our lives with its Halloween Kayak Parade and two nighttime kayak parades in the Nashua River featuring kayaks adorned with bright, colorful light. In previous years, the group joined in our downtown music events and helped with the duck herding for the Annual Rotary Duck Race. Its members have lent a hand in monthly clean ups of Mine Falls Park.

They've also seen a rise in membership this year as Nashuans were looking for fun, outdoor activities. And whereas thank you, Nashua Area Kayak Explorations Destinations for lighting up our hearts this summer; for giving Nashuans something to smile about and for helping community members find a new, fun past-time. And now, therefore, I, Jim Donchess, Mayor of the City of Nashua and the Nashua Board of Aldermen do hereby recognize the Nashua Area Kayak Explorations Destinations as a special part of the Nashua Community. That concludes it Madam President.

President Wilshire

Thank you and congratulations to the Nashua Area Kayak Explorations Destinations Group. We appreciate everything you've done and it was fantastic to see the lighted kayaks out on the river. It's great to see the river being used. Thank you for that.

Alderman Lopez

Madam President?

President Wilshire

Alderman Lopez.

Alderman Lopez

Just as a point of order I would like to clarify that we just recognized our naked citizens.

READING MINUTES OF PREVIOUS MEETINGS

There being no objection, President Wilshire declared the minutes of the Board of Aldermen meeting of September 22, 2020; Special Board of Aldermen meetings of September 28 and October 6, 2020 accepted, placed on file, and the reading suspended.

Alderwoman Lu

Yes I noticed an error in the meetings from the last Board of Aldermen Meeting that I'd like to bring up.

President Wilshire

Ok. Which meeting, Alderman Lu?

Alderwoman Lu

The meeting of the 22nd, September 22nd or was it the 23rd?

President Wilshire

We met on the 22nd.

Alderwoman Lu

OK, that's the one. I had made reference to the escrow of \$50,000.00 to a study for the dog park and I listened to the tape and it sounded to me like 50 and the amount I meant to say was 50 and I'd like that to be corrected and it was transcribed as 15.

President Wilshire

Ok duly noted. Thank you.

COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS
FROM LIAISONS

From: Donna Graham, Legislative Affairs Manager
Re: Communications Received from the Public

From: Sarah Marchant, Community Development Director
Re: Bronstein Housing Relocation Update

From: Julie Chizmas, Transportation and Long-Range Planner, Community Development Division
Re: Referral from Board of Aldermen: Ordinance O-20-031 – Prohibiting Dogs in Fenced-In Tot Lots

From: Jill Stansfield, Parking Manager
Re: Concerns Relative to O-20-032: Reducing the Fine for Overnight Parking Violations

From: Doria Brown, Energy Manager
Re: Nashua School Energy Performance Contract with EEI

There being no objection, President Wilshire accepted the communications and placed them on file.

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

President Wilshire

We have a lot of people on, 65 people on this meeting and I am going to have to limit your time because we will be here until 2:00 in the morning. So I am going to call for Public Comment right now. Mr. Teeboom?

Fred Teeboom, Cheyenne Ave. Do you recognize me?

President Wilshire

Yes, I do.

Mr. Teeboom Ok my name is Fred Teeboom and I wish to comment on three of the items on the Agenda. First of all, R-20-071. I did not support that in the past and I now fully support it. My comments are in the minutes of the Public Hearing but just to summarize briefly there is no second-floor deathtrap in the current design which is excellent. There's no need for a \$4 million-dollar endowment fund to support operations, because the operator will operate the theater for the cost of \$1.00 per year. And finally, the \$5 million dollars, can you hear me ok? The \$5 million dollars which have been deliberately underfunded as was first proposed and ignored the professional estimate for Fennesy, that will now be covered pretty much by the \$5 million which is now proposed at the current bond. So given these three conditions, I am now fully in support.

The second item I want to comment on is R-20-077, the naming Columbus Day as Indigenous People's Day. I think that some Alderman here that carry a personal agenda but that agenda is mistaken. First of all, Columbus Day is a regularly scheduled, recognized Federal Holiday one of 10 federal holidays. It's also a State holiday and I think yesterday, I don't know if the City formally recognized it but I think the City at least took it as a holiday as well. In the comments, in the Administrative Affairs Committee, what is being considered and discussed, Alderman Lopez, one of the strongest supporters of it mentioned, I quote, Page 17, I quote, "I think we give the opportunity to the public to debate the issue". The public has not seen this. The public certainly hasn't debated it. He also says, I am quoting again, Alderman Lopez, Page 17, I must also agree that there are going to be people who want to be heard and I want to hear from them. This board has not given the opportunity for the public to be heard, for instance, the American Italians, in whose honor Columbus Day was initially passed about 100 years ago, maybe 150 years ago. I think this ought to be put on the Agenda of the next election as a non-binding election question so the public can debate it. This may be well intentioned but this a misplaced personal agenda item that should be placed before the voters.

Finally I would like to comment on the – let's see – O-20-009, Public Comment. Many years ago, I was the first Ordinance passed in 2000 and 1994 O-94-001 there was a public comment period, no condition. (inaudible) more conditions placed for public participation and this Ordinance is no exception. On the other hand, the Aldermen placed absolutely no restrictions on the comments even if they are not on the agenda. Case in point; on the Public Hearing of R-20-071 out of 20 pages, that's maybe 100 minutes, 5 minutes a page of discussion, 9 ½ pages of 45 minutes was Aldermanic comments. Well Aldermanic comments are not on the Agenda for public hearing. There should be no Aldermanic comments on the Public Hearing that's for the public. And I score Chairman Budget Committee Dowd for completely losing control of the intent of that public hearing. So even though there are ever long restrictions for the public comment on the public comment period of these meetings, there seems to be unrestricted uncontrolled Aldermanic comments on the Public Hearing, which are designed to hear public comment and for the public to ask questions and what they propose. So this is bad news. This ought to stop, the public hearing is for the public not for Aldermen. Discussion of the Aldermen who are unprepared and just use that period to try to get information which they shouldn't, discuss during the Committee Meeting not during the Public Hearing. Thank you.

Latha Mangipudi Thank you Madam President and Board of Aldermen. I am here in support of R-20-071 Performing Arts Center. It is a critical piece of our culture downtown that will add to the vibrancy and also bring people to downtown. Arts & Culture is the heart of a community and having such a diverse community you are in Nashua. This will only enhance and bring more people to downtown and bring the vibrancy. So I am really eagerly looking forward to seeing this project come to fruition and just like the lighted kayak parade, we will have more concerts and more performances downtown and that would be a joy. Thank you, Madam President.

President Wilshire

Thank you. Bob Keating?

Bob Keating Hello, can you hear me?

President Wilshire

Yes.

Mr. Keating Ok, thank you. My name is Bob Keating and I live at 5 Colburn Woods in Nashua. And I am speaking as a member of JSOP on behalf of the residents of Bronstein and other low income families in our neighborhoods. There are many, as we know, of low income households with over 3,000 on the Housing Authority and Redevelopment, Housing & Redevelopment Authority's list both for public housing and for Section 8. I am going to read the opening of the petition signed by 28 households of Bronstein. Hopefully you've had a chance to see it. It sets the stage for the expression of the residents hope.

Dear Mayor Donchess, Board of Aldermen, and Board of Directors of NHRA, We the residents of Bronstein are asking the Board of Director of Nashua Housing & Redevelopment and our elected officials to make every effort to enable each family who wants to remain in our neighborhood to be able to do so. This will allow our children to attend their same schools which is very important. It will allow us to maintain our relationships with our friends as much as possible, we also more easily work and go to our doctors and use other services and shop at the stores we use.

It is difficult to move especially when you do not choose to do so. We hope you will keep this in mind as you think about the demolition of Bronstein which means we lose our homes.

The essence of this petition is to give the residents of Bronstein more choices in what happens to them about their future in regards to the homes that they will lose. The parking garage nor the Performing Arts Center will have no direct benefit for the Bronstein residents nor likely many low income residents. Probably few residents will be able to attend events at the Performance Arts Center because of the cost, the case of the proposed School Street project; none will be able to be houses as the project has studio and one bedroom apartments.

The development of the project may, in fact, actually lead to increased rental costs in the area as has been true in many other communities that have gone through a process of gentrification. We know in our own community that despite adding a certain amount of housing, that rental costs have continued to go up. And in fact with that I know many of the residents, many of the Aldermen have spoken about this, that without assistance low income households and we are talking about families that make less than 50% of our mean, so about 36,500 and many families are making far less than that. So they are without some kind of price support, vouchers, tax credits, they will not be able to secure affordable housing, meaning housing that will be less than 30% of their income.

So the Aldermen today have a chance to assist 48 families of Bronstein in their transition. They can help to enable residents to stay in their neighborhoods by ensuring that the design of the new project at School Project, if it goes through, allows those families from Bronstein who wish to be able to move, can stay in their same neighborhood. I feel that there are families lost in relocation will enable (inaudible) inside about 170 families or thereabouts to have affordable housing that previously would not be able to be housed as a result of the redevelopment of Bronstein. Because of their loss if you will, I think it's all the more appropriate that they deserve our support in the sense of all the people in our community, they are the ones who are experiencing the loss, it is their relocation that is enabling our community to serve more people, which is what we want to do to get affordable housing.

So I would ask in closing here that, that's the official position of Bronstein and GSOP and we are just minimally asking well for the Board of Aldermen and for the Board of Nashua & Housing Development

Authority to sit down with the residents and to look at ways in which we can honor what is happening with them. Because I do know from people I know on the various boards that nobody here wants to see people be relocated when that is not what they wish to do. And I know none of us, I don't know that for sure, but I am venturing that none of us would want to be relocated without our own choice.

So I am going to end with what the petition says and it says, "We would like to meet with the Board of Nashua Housing & Redevelopment Authority, the Mayor and the Board of Aldermen as soon as possible. We ask that no decision be made about School Street Flats before we meet. Thank you, The Tenants of Bronstein".

So like I said, there are many other things that we can honor them in terms of cash payments and all that but if we had enough money to build a \$25 million dollar Performing Arts Center and a \$2.5 million for the parking garage, sitting down with the residents there and looking at how the School Street Project could be redesigned for those families who wish to move there. So that's the simple request and I hope that, although tonight it will not be the final decision because I know we have to come back and see, if it goes forward tonight, then you still would have to sell the lot. But before signing the dotted line please reach out to the residents, sit down with them and look at ways that they too can get something directly out of this move. So thank you, appreciate it.

President Wilshire

Thank you. There are a lot of people who want to speak; some people still have their hands up that have already spoken. If you would please do me a favor and lower your hand, because there are 64 people on here and a lot of them would like to speak. And I recognize those of you who are on chat, I have written down your names. So I am going to try to take this in order. I have Aron DiBacco?

Aron DiBacco Thank you very much, my name is Aron. I Aron DiBacco work with Granite State Organizing Project its (audio cuts out) because he said a lot of what I was going to say. So I will save you some time there. For us, Granite State Organizing Project (audio cuts out) will be among communities of faith and we have been working with the residents of Bronstein and our main concern is that the residents of Bronstein (audio cuts out) and voice in the way that this coming highly disruptive process is managed. While we are appreciative of what the Mayor (audio cuts out) to affordable housing, we also really recognize that there's opportunity for creative interaction between the two projects given that the School Street Flats Project is very close as you mentioned about two blocks. And should it work to use that as part of the temporary housing during the move, that would enable people to stay in their neighborhoods and not lose their communities and their support systems. So for us it is very much about the residents of Bronstein having a say in how this move is handled and that they get to explain what their needs are and how they would prefer to have them met. And also this is GSOP is in support of R-20-077, the adoption of Indigenous People. Thank you.

President Wilshire

Thank you. Mike Apfelberg?

Mike Apfelberg Good evening, Mike Apfelberg, President of the United Way of Greater Nashua located at 20 Broad Street in Nashua. I would like to speak this evening in favor of R-20-071. To be sure, United Way is not an Arts Organization. Our focus is typically on the health, education and financial stability of the communities we serve. So you might ask where does a project like the Performing Arts Center fit into this value scheme. You have and will of course hear about the economic value of the Performing Center, the PAC. This includes, of course, the generation of business revenue as theater goers go out to eat, and shop in our downtown. It will also very likely increase property values as Nashua becomes an even more attractive community to live in and work. One aspect of the Performing Arts Center you might not have thought about is the value in the community to health as well as community connectedness.

Specifically, we know from extensive research that the health of any given individual and the community in general, is primarily a function of factors related to the quality of life or lifestyle factors. This is why communities invest in things like bike lanes and green spaces as well as the Performing Arts, In fact, it has been demonstrated that the overwhelming majority of a person's good health outcomes are due directly to these social determinates and to a much lesser extent, the factors which we often think of such as medications, doctors and surgeries.

A second aspect I would like you to consider is civil unrest. All of us have borne witness unfortunately over the past several months to the civil unrest in so many parts of this country. This unrest fueled largely by social media and prejudice is much more likely to occur in communities which are not closely connected. The connectedness of people to one another is often cited as a major factor in community resilience. It is kind of like an inoculation against unrest. Aldermen and Alderwomen, I appreciate the importance of your decision this evening and I hope that you consider a vote in the affirmative for R-20-071 and take into account not just economic value but also the many positive health and community consequences of a strong and vibrant arts community. Thank you for your time.

President Wilshire

Thank you. Lindsay Rinaldi?

Lindsay Rinaldi Good evening, can everyone hear me alright?

President Wilshire

Yes.

Ms. Rinaldi That's great. Hi, my name is Lindsay Rinaldi, thank you everyone for giving me the opportunity to speak. My name is Lindsey Rinaldi and I am here speaking on behalf of the Nashua Arts Commission. I am the Chair of the Nashua Arts Commission.

Alderman Caron

Can we just add addresses please?

Ms. Rinaldi Sure the Nashua Arts Commission address is the Hunt Memorial Building. I would have to look that up real quick.

President Wilshire

I believe its 6 Main Street.

Ms. Rinaldi 6 Main Street is the address for the Nashua Arts Commission, so thank you. On behalf of the Nashua Arts Commission, as the Chair, I would like to speak in favor of all Resolutions related to moving the Performing Arts Center project forward. I believe that is R-20-071 and O-20-030. The need for a Nashua Performing Arts Center was expressed in the City's Arts & Culture Plan from 2014. This Arts & Culture Plan was put together on the basis of input from several different arts organizations and the general public.

At this time we saw so many people speaking in favor of needing a Nashua Performing Arts Center, not just for the health and well being as Mike spoke to, as well as the cultural benefits. But also for the incredible opportunity in terms of economic development. The Nashua Arts Commission plans on having the Nashua Performing Arts Center become an integral part of the next phase of the Nashua Arts & Culture Plan which is currently being updated and in motion.

The next thing that is really exciting to share is that the Nashua Arts Commission has just completed an economic study with American for the Arts taking a look at the economic impact in the Nashua Region. That study was able to show that the Nashua Region Industry brought in \$11.3 million dollars within that year that studied. The same study was actually completed in Concord, New Hampshire a sister study. It is also by the American for the Arts. It is used to evaluate the arts and economic prosperity of any given City. And I think a quick comparison of the result would be very helpful and telling and to show hopefully all of the Aldermen the tremendous economic impact and opportunity that was there. In Concord, the total local non-profit and artistic cultural economic activity was \$31.2 million dollars. And as a result of that study they saw that number, they reached that \$31.2, they say that number as a result of an increase of \$13.5 million dollars in just five years. That's a potential 43% increase in economic activity.

What's very exciting is that if we parallel that to Nashua, if we are so fortunate to have similar results with our number being \$11.3, that could potentially increase our economic activity in the area by \$4.86 million dollars in a matter of five years and potentially could be more than that considering the size of the venue that we are looking to build is significantly larger and has a little bit of a larger capacity to it, bringing more people to the downtown area.

As a member of the Nashua Arts Commission, what is further exciting is that we do have an intention to hopefully repeat that study again in the future. So that would also give us the ability to measure that impact assuming the project moves forward and is completed. So that way we would be able to see and measure the impact within a few years of the Performing Arts Center being open. And I think that having that measurable, that ability to create that type of measurement and to have access to that type of data will hopefully reaffirm the decision to move forward with the project today at its new budget point. So with that being said, I ask all of the Aldermen to please consider voting in favor of all of the Resolutions that are related to moving the Nashua Performing Arts Center Project forward. Thank you.

President Wilshire

Thank you. Next we have Faustin; Faustin if you could give your name and address for the record?

Faustin Greetings everybody, my name is Faustin. I live in the Nashua Bronstein building. I hope everyone can hear me. All I needed to say they are about to switch this building and we have got to move. So I have to give a little story about my parents. My dad he came from a place named Congo, tough place they used to have wars and stuff; they used to be moving all kinds of places. And they switched places and kids would have to switch schools and all that stuff. And me hearing that we have to move to a different place that we are, it's a whole different thing. Bob Keating from GSOP came and told us that they are about to building some buildings, School Street Flats. And we were talking about it and we said it would be a good thing if we could move close to there, if those buildings are done, those who want to move from here to there it would be a great idea. So I am asking the Aldermen if they could make that happen because I am speaking on behalf of my family and all the people that live over here, they all signed a petition. The petition was to say that we all want to move close to hear and we heard about the School Street Flats and everybody was so glad that they could (inaudible) and move over there, of course if the Mayor and Aldermen agrees to the idea, that would be very helpful. And I think a good thing to think about (audio cuts out) you know because given the story of my dad, this idea of moving it's really hard, you know. So Basically I was asking if you understand the petition and try to help us. That's basically all. Thanks for listening.

President Wilshire

Thank you. Next I have Brian Grip.

Brian Grip Yes hello, Madam Chair, it's an honor to be with all of you, it's Brian Grip, Ledgewood Hills Drive, Ward 5, Nashua. So I had an opportunity to speak at the Budget Committee Meeting so I will be very brief. I primarily wanted to again just acknowledge to all of you, we, my wife and I Kelly live here and we started our careers here in the 1980's and had an opportunity to work in downtown Nashua, both of us

did. Later we raised our family in Bow, New Hampshire and had the very good fortune to be able to serve on the Board of the Capitol Center for the Arts in Concord. And that's the primary thing I just wanted to relay on to all of you as you are getting ready to make this important decision tonight and also acknowledge the hard work that all of you have been doing, it's an important question and important issue for the City of Nashua.

But as a resident of Nashua, having had the opportunity to live in the Concord area and participate on the Board of the Capitol Center for the Arts from 2001 to 2007, really had an opportunity to see first-hand the exciting change that really did take place in Concord. The way that I see the community by the way coming together in Nashua is really wonderful and exciting. I have to say I have heard some comments on the negative side from some folks who are concerned, well this is really not going to benefit everybody in the community. That just could not be further from the facts based on what I know them to be from the time that I served on the Board and beyond that time period watching what happened in Concord. School children, community groups, non-profit organizations all benefited from that organization and continue to do so. I see the same thing happening here, frankly in a very energized way.

So for all of you, you are really sort of at the ground base here of something that I think is going to be so additive to what my wife and I have found to really be an amazing quality of life, right? Things from Mine Falls, the Nashua Rail Trail, the Nashua Library all serve a special purpose to this quality of life that is really building and evolving and really developing a wonderful reputation for Nashua. So we are excited to be here to be part of it. I will also say that my employer, Bank of American, I am very proud as many of you we made the leading donation here, \$250,000.00 which was one of the leading grants that we've done here in New Hampshire to date as an investment of the future of downtown Nashua and a belief in downtown Nashua.

Our roots are here, dating back to Indian Head Bank so we are part of the community, we have employees that work here as well. So speaking for Ken Sheldon who is our company president and others, we believe in what is happening here. So just speaking to you tonight as a resident, I am excited for all of you. It's an important decision but it is the right decision. Thank you, thank you very much.

President Wilshire

Thank you. I have Catherine Sofikitis.

Catherine Sofikitis Hi, thank you. I am State Representative Catherine Sofikitis from Nashua Ward 7. My address is 54 Marshall Street and tonight I have come to speak about R-20-077, Indigenous People's Day. It is often quite easy here in Colonial New England to think that the history of this area started when it was "discovered" by European Explorers. Nothing could be further from the truth. Our archeological history brings the indigenous people back 11,000 years in this history in this area; The Penacook, The Winnepesaukee, The Pequawket, Soco, Key, Koasek and Ossipee among other. They all spoke related dialects of the Abenaki Language (audio cuts out). Strong, vital indigenous people thrived here.

They did not own the land. They hunted and fished in their homeland area. They lived in small family bands and joined to form tribes and confederations as their needs dictated. By the late 1600's their population was declining due to interactions that brought sickness to the tribes and skirmishes for land. Between 1615 and 1620, there were epidemics of the flu and smallpox. A remnant of Abenaki Descendants remained in their homeland including present-day New Hampshire. They are working hard to preserve their customs, language, and culture. Their current status is as a pre-constitutional tribe that has filed for Federal Recognition with the Bureau of Indian Affairs Petition Number 151. They were originally recognized by George Washington as the nation was being formed.

I believe that is vitally important to honor our indigenous peoples and recognize the rich history they have given us and the contributions they continue to make. We are a state rich in indigenous history and names for towns, lakes, mountains, and rivers. It just remains for us to honor their past. Thank you.

President Wilshire

Thank you. Next up I have Rich Lannan.

Rich Lannan Good evening I am Rich Lannan with offices in 7D Taggart Drive in Nashua. I spoke a fair amount two weeks ago so I will make it brief. I am the Chair of the Nashua Community Arts, the non-profit for the PAC. And just wanted to make a point to the Board and the public is listening in for the first time tonight that even in spite of what we have all witnesses in the last 8 to 9 months with COVID, the Capital Campaign Committee has continued to raise funds even though we had our hiatus for a little while due to COVID that made our lives a little difficult. But we are here, as you already know that the total of the \$4 million dollars has been raised, including \$1.5 million dollars of private money along with the New Market Tax Credits. We have I believe it's about 174 individual donors that made up that. So it's not just two or three or four big ticket donors, it just shows that there is a lot of commitment from the public, from the businesses. We continue, we are not done, we are not at the end of our road. We are going to continue, we are in conversations with many, many other business owners and individuals throughout Nashua that are very committed. We are seeing a lot of people; the interest level has just continued to rise. And just a lot of people have been involved in this with the various committees and the boards and obviously employees of Nashua that have committed a lot to this. And we've gone this far and we are right at the end pretty much on that finish line and I hope that the Board of Aldermen can see that and see all the people that have been talking about it at least so far this evening. This is not important just for downtown but the entire City of Nashua and quite frankly the region. So we would love your support this evening and look forward to that. Madam President, I have a question if I could. Kate Luczko of the Chamber asked me to read just a couple of quick sentences, since she couldn't be with us tonight if that's ok with you.

President Wilshire

It is Rich.

Mr. Lannan. Yeah and Kate did read, she was part of the meeting two weeks ago and she read not a lengthy letter but a letter with a lot of facts from the Art Economic Impact Study which I will not repeat. There are a lot of very interesting facts about benefits of Performing Arts Centers from all over the country and again it's already in the minutes. So basically Kate just wanted me to reiterate from the Chamber and the Board on behalf of their entire membership stand in support of this Performing Arts Center. And she wanted to thank everybody for their time, thank everybody who has contributed to the project and encourages the Board to please vote affirmatively this evening. Thank you.

President Wilshire

Thank you. Next we have Fawn Gaudet? We need your name and address for the record please?

Ms. Gaudet My name is Fawn Gaudet I live in Rumney, New Hampshire. Ok, hello, my name is Fawn Gaudet, I live in New Hampshire and I am requesting Columbus Day change to Indigenous People's Day. I have strong pride in ancestry and I am a descendant of the Black Feet Nation. Growing up in New Hampshire as a child I was keenly aware of the injustices committed against Native Americans, this being our nation first. Before the Columbus era, there were millions of indigenous people in North America, Central America and South America. The Abenaki known as the people of (inaudible) lived in New Hampshire long before colonists arrived. There is the (audio cuts out) Abenaki that are strong leaders that Catherine just spoke about. And indigenous people lived here and thrived in harmony with (audible) which means world for the Abenaki. Their culture is rich with tradition, honor and respect for their people, land and wildlife. For me, Columbus Day is not a day of joy, it is a day of mourning. During this period of terrorism, indigenous people were massacred, raped, enslaved, tortured and genocide occurs. Changing this Holiday to Indigenous People's Day offers honor and respect to our people. As Columbus Day, the Day only marks a false representation of what happened in the past. We must never repeat this. By changing the name to Indigenous People's Day, you will offer truth. It is a chance for New Hampshire residents, indigenous and non-indigenous to honor those who came before them and respect indigenous

people who survived to carry out such rich native traditions for our future generation. Please, I humbly ask that you change Columbus Day to Indigenous People's Day. I just want to note that 12 states in the United States have changed it including Washington, DC and 130 towns and cities have changed it. Thank you so much.

President Wilshire

Thank you. Next we have Paul Shea.

Paul Shea Thank you, Madam President, Mr. Mayor, Board of Aldermen. My name is Paul Shea and I live at 102 Towle Street in French Hill in downtown Nashua. I serve as the Executive Director for Great American Downtown and this evening I am speaking on behalf of our organization and Board of Directors. As you may know, our work is centered around economic and cultural vibrancy in downtown Nashua. Our mission is to provide coordination, collaboration and partnerships that unify that entire Nashua Community around a common vision for an attractive downtown that is vibrant, viable and truly reflects the character of our City.

This evening, you are taking up a measure which will establish a Tax Increment Finance District to actualize the potential of the School Street Lot as well as provide a funding mechanism to service the bond relative to the construction for the Performing Arts Center. We know that the Performing Arts Center, one of the additional benefits beyond the direct, tangible enjoyment that people receive by going to shows will also work to drive development. We here in Nashua are in a housing crisis and interest from developers in under-utilized parcels will help to address some of that need through a combination of market rate and workforce housing.

This School Street Development as I understand from taking in the last meeting, is largely driven, the interest is largely driven by the impending arrival of this Performing Arts Center. So for us, it makes a lot of sense that this Tax Increment Finance District would be established to facilitate the funding for the Center as well as address the needs of adjacent businesses to the School Street parcel through the establishment of the parking structure and will hopefully be not the last of the level of interest from developers to bring more housing to Nashua.

On a personal level, my wife and I have committed to the project. We are looking forward to hopefully someday sitting in some seats with our name on a little tag. We know that there are many Nashuans who will continue to step up to support this project through their donations, their time, their interest, their support and eventually their patronage as attendees at the performances at the facility. This action being considered by the Board tonight will represent the culmination of many moving parts, many professional and volunteer efforts that have been taken up in earnest over the span of several years. We commend the Board of Aldermen, the Performing Arts Center Steering Committee and Nashua Community Arts as they work continues to making a vision for Nashua's Performing Arts Center a reality.

Though the progress for Nashua's Performing Arts Center has largely taken place recently in the past few years, this vision for Nashua's Performing Arts Center has been developed and recommended for some time. Establishing such facilities is represented in the City of Nashua's 2000 Master Plan and the 2015 Nashua Arts & Culture Plan, both of which will be updated in the year ahead to reflect and build upon this great progress as well as the 2003 Downtown Master Plan and recommended by the Performing Arts Center Feasibility Study.

The vision for Nashua's Performing Arts Center has been developed and refined over many years with great attention to detail. Nashua stands to benefit a great deal from this good work as we approach execution in the months ahead. It is your dedicated work and diligence and through it that we will see the Performing Arts Center thrive and in doing so bring more opportunities for enjoyment and economic growth to our downtown and to our City as a whole. Thank you all for what you do continually to improve city life not just with this piece of business but every day, every week that you dedicate yourselves to Nashua. This is going to bring arts and culture to the citizens of Nashua and the surrounding area. We want to thank you

for your continued support for making this community -driven vision a reality. Thank you.

President Wilshire

Thank you. Next we have Kramer.

Nathan Theriault Sorry this is my first time. So I am taking part in this for the overnight parking, lowering of the fine, I'd like to see it disappear to be honest. But lowering it I feel like is a great compromise. I know we are talking a lot about the Art Center, you heard the term "starving artist". Most of the people in the community that is policed heavily by the overnight parking is the Tree Streets and Crown Hill and by the way 28A Lowell Street, Nashua is my place of dwelling. Nathan Theriault is my name. So I see it a lot in the morning, I see the tickets overnight. I mean I understand it's a lot of revenue in the City but up until a year ago we didn't have 20 overnight parking enforcement officers or vehicles, it was policed by the Police Department.

So we have created a business on ticketing people and the ones most ticketed are ones parking overnight because they live in affordable housing in the City that has no overnight parking. So you are let to park on the street. It's not just people that live downtown, its people that work downtown. So it's the people that work at your Dunkin Donuts, it's the people that – your favorite bartender. It's your favorite server, those people work downtown. Yeah they can park in the parking garage, most of the people in this community are afraid to park in the parking garage. But we are having employees of local businesses downtown send their employees to the parking garage to walk down there and go in there at 2:00 in the morning when most of the people that are opposed to getting rid of the overnight parking ban and the ticketing wouldn't go down there themselves.

So I think it's an unfair poor tax, I know Alderman Laws said that and people disagree, but for myself I have an overnight parking pass but during COVID I paid for it but it took four weeks for them to process it in City Hall. I got ticketed three times; I had to call every day, I took hours out of my day, waited to get call back a week later and got ticketed even after I got my sticker because overnight parking department it was a new person, they had never worked the street before. If we can't process these tickets through City Hall, and people can't get an overnight parking pass and they are not even processing the mail for a week for someone that paid their ticket but in 7 days their ticket goes up to \$35.00, like I had the time to do it. Most of the people in my neighborhood in French Hill do not have a computer, they do not have internet access, they frankly just don't have the time to deal with it. So I am against overnight parking tickets, but I would take the compromise to help the people in my neighborhood and the people in the City that area or don't have a voice here tonight because one – they are probably working; two – they don't have the internet or they don't have the time or even the knowledge that this is going on. So Nathan Theriault, 28A Lowell Street, Nashua, New Hampshire, that's my thing.

President Wilshire

Thank you Mr. Theriault. Next we have Tracy Pappas, you're up Tracy, name and address for the record please?

Tracy Pappas Tracy Pappas, 12 Swart Terrace, Nashua, New Hampshire. I am glad to call in on a night where folks aren't getting cut off by the Board President. I am here to speak regarding Public Comment period and I also would like to speak regarding the overnight parking. So prior to 2017 members of the public were permitted to speak during the first public comment period regarding new ordinances. This was very helpful and the public was able to state their position to the entire Board of Aldermen before the members had made up their mind regarding Legislation. Additionally, it was a way for other members of the public to be aware of upcoming Ordinances. In 2017 this (inaudible) was put, was put on the public comment period and as an example of this Board's objection to listening to the public Additionally the Board President began to object and interrupt members of the public with who she disagreed. Those she disagreed with were interrupted, but before the five minutes were up, those she agreed with were not, were able to go on for quite some period of time. The example I have is 12/23/19 I spoke regarding the DPW

Facility. I was interrupted by the President several times. The Assistant Police Chief was allowed to go on at length regarding a 3% raise for one of the unions which I have no problem with that gentleman being able to speak to that, but I don't think I should have been interrupted because I did have some very important information and that was that those members of this Board who did go ahead and vote for the office facility were ignoring our two facilities that were in most need of repair.

And in order to replace those facilities, that would be an extra \$50 to \$60 million dollars and I was unable to state that. So I suggest that this Board send the Legislation back to Committee on Personnel and Administrative Affairs and amend the Ordinance regarding the public comment period so that members of the public are able to speak during the first reading of new Ordinances, because I think it's really important that the officials do listen to the public. If members of this Board don't want to listen to the public perhaps they should ascertain as to whether or not they want to run for office again.

Regarding overnight parking, I heard I was not going to speak to that. The last gentleman who spoke to it I thought was very eloquent. I was very delighted to hear when we first allowed folks who have very limited parking in the Tree Streets and in French Hill that they were able to do overnight parking. The initial plan was to expand some of the parking so that other folks in the community would be able to park on the street overnight. And I think due to COVID, a lot of people have, even if you have parking, children who would normally be out on their own, like when I say "children" I mean in their 20's but due to COVID there are not jobs out there. So a lot of times it means starting your day moving cars all over the place and if there's plenty of parking that's really not necessary. So I think reducing the parking, the overnight parking from \$25.00 to \$10.00 I think is a good idea. And I haven't even thought about how it impacted other people; it was very upsetting to hear that this gentleman had an overnight parking permit and still had to pay fines because it took so long for City Hall to react to those. So I fully support reducing the fine to \$10.00 for overnight parking. Thank you.

President Wilshire

Thank you, next speaker is Jonathan Spira-Savett.

Jonathan Spira-Savett Hi, I am Jonathan Spira-Savett, I'm in Ward 1, I live at 39 Colburn Avenue. I am also the Rabbi at Temple Beth Abraham and one of the conveners of the Greater Nashua Interfaith Housing Justice Group. I just wanted to speak just to stand behind Faustin who spoke earlier as a resident of the Bronstein Apartments and to echo the words that he said supported by Bob and Erin too, hoping that all of you will use your good offices to make sure that he and his neighbors are able to speak with you and all the appropriate people in authority to help settle things and to make their lives good and for all of us to pitch in together and collaborate with them on a good solution for our community as their area is redeveloped for more affordable housing.

Our group had a chance to meet last week. I wanted to say publicly a thank you to Mayor Donchess, to Director Marchant, to Director Cummings for sitting with a group of us talking about these kinds of issues as they related both to Bronstein and School Street and everything else. And just so encouraged by your increasing and increasingly vocal support for affordable housing issues and goals. Thank you.

President Wilshire

Thank you. And I have a first name of Lisa? Is there a Lisa who would like to speak?

Lisa Bissonnette Can you hear me.

President Wilshire

Yes, if you could give your name and address for the record please?

Lisa Bissonnette Thank you Madam President, my name is Lisa I Bissonnette, I work for a Real Estate Development Firm at 30 Temple Street in Nashua and I am also the Board President of City Arts Nashua, a Nashua-area non-profit organization that advances the arts. And I also sit on Mr. Lannan's organization, Nashua Community Arts which is involved in the development of the Performing Arts Center.

I wanted to speak tonight in favor of the Legislation for the Performing Arts Center. I had a chance to speak two weeks ago at the Budget Meeting so I won't repeat the remarks I made that evening. But the Performing Arts Center adds much needed vitality to downtown Nashua. It creates lots of jobs and it serves as a catalyst for people who want to live, work, stay and play in downtown Nashua and for businesses who might want to open their business, relocate their business or develop new business including affordable housing in downtown Nashua. It is a fantastic project. It has been worked on very diligently for many years by many people including fantastic consultant and wonderfully dedicated staff at the City and amazing volunteers who in difficult circumstances have raised millions of dollars.

The New Market Tax Credits and the TIF Financing are creative solutions to funding the project and we applaud their use in Nashua. They are used very successfully in many other communities to bring forward successful projects. Thank you for your time.

President Wilshire

Thank you. I don't see anyone else with their hand raised so I am going to make a last call for public comment at this phase of the meeting. Is there anyone else?

Laurie Ortolano 41 Berkeley Street. I'll move through it quickly. Resolution 20-077 Indigenous People Day I really believe that belongs on the ballot, that that should go out to the folks of the City to vote on. Parking I am in support of the reduction of the ticketing for parking. I think it's a great idea. I am sensitive to the Mayor's comments regarding the loss of revenue and the budget issues. If you are going to support this, I think you have to make the cuts in the positions, people, personnel to justify the reduction in the revenue. And I think that's fine but make certain you do both of those things if that's going to be the case and we just don't keep ourselves heavy on people when we don't have the work for them.

I'd like to jump over to Ordinance O-20-009, Public Comment. I have some real concerns with the language of this and what the Legal Office brought forth. I agree with Ms. Pappas that I think the first Public Input should be open for anything on the Agenda. I really think there's a benefit to that to the community to allow those comments to be made on any item being discussed; not just final approval because it will make people more receptive to what is going to be voted on. And it will give more input to the Committee that's taking it off to review it.

I also think these comments that were made in the Personnel meeting regarding public comments; they are not speeches, all discussion should be relevant to items that fall under the purview of the Board of Aldermen or the Committee conducting the Hearing. You know, that's very restrictive and it's not easy for a person coming in as a member of the public to even know that. So Alderman Dowd, I think you are way off base when you make a statement like that. There are people tonight who dialed in who had pre-written statements who essentially made speeches. And they were fine, you know, that should be ok and we shouldn't be putting restrictions on that.

The other thing I am really concerned about is the use of a light is great I think that's awesome. I think Alderwoman Kelly raised the issue of what we think is civil and what rude or profane remarks would be prohibited. I have found President Wilshire very condemning on remarks that I have made that I feel were unworthy. And just at the last meeting on the 22nd, I addressed comments directly made by the Mayor in his opening statement and she shut me off, she said, please stop directing your comments to the Mayor. Well the Mayor opened up the discussion by speaking about two residents, one in particular, who had placed all this hardship on the City with Right to Know Requests and opened up a discussion on the law suit as a plaintiff that she had filed on the City. He made a lot of statements about these Right to Know Requests that I happen to think weren't right.

I feel the door is open for the public to come back and comment on that. And to have Ms. Wilshire jump in and say, don't comment on the Mayor. That's democracy and that's a healthy debate that is happening there. And it has happened to me repeatedly with this Board. You know, also this concept that language on civil, rude, profane remarks was all put in by the Legal Office. I think that's a big mistake. The Legal Office is making Public Comment very restrictive in the City and this Ordinance is really tightening the screws down over a period of four or five years that Mayor Donchess has been in office and I think it's going completely in the wrong way. And this latitude that you give to the President of the Board to shut people down if she doesn't like the comments. God knows it is happening to me. I have to fight for my time. I don't want to have to challenge this in Court, really, I've got enough on my plate. I'd like you to just let these comments be opened up.

The concept that we don't like – Alderman Lopez's comments were disturbing to me. He wants everything tucked in nice and neat and all pretty and everyone using good words and everything, you know, a niceness policy works well for him. I think he's out of touch. This concept that you can't criticize individuals is unconstitutional. And this concept that we should only be the public coming to the Board to discuss matters that the Board covers, I don't know what you cover. I had personnel issues. I went to the Personnel Committee Meeting, they said, hey we don't cover that. I went to the Human Resource guy, he says, hey I don't cover that. I come to the Aldermen you are upset because you don't want it covered there. I don't know where you cover this stuff and I really don't give a crap. If I want to discuss it and I have something to say about a personnel matter, I am going to come most likely to the Board to say it. Because I am concerned; look at the stuff that I dug up. You've got 12 more sanctions that were brought down by the DRA last week. At some point you should stop saying, it's her; maybe there was something legitimate I was talking about.

I also think Fred Teeboom made a very valid point. Start taking that light that's going to be on the wall and start using that on yourselves some of the time. Because there's a lot of extraneous communication going on at that table that could make these meetings a lot shorter. So I think you should bring this Ordinance back into the Committee and think long and hard about Legal's recommendation for some of the language in here. They are not doing this City a favor when it comes to transparency and openness of Government. Thank you.

President Wilshire

Thank you. Is there anyone else wishing to give public comment. Seeing none, Communication Requiring Final Approval.

COMMUNICATIONS REQUIRING FINAL APPROVAL - None

PETITIONS - None

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Appointments by the Mayor

The following Appointments by the Mayor were read into the record:

Animal and Dog Park Advisory Board

Kathy Abel (New Appointment)
41 Manchester Street
Nashua, NH 03064

Term to Expire: October 1, 2023

Conservation Commission

Maya Friday (New Appointment)
17 Chaucer Road
Nashua, NH 03062

Term to Expire: May 31, 2021

Cultural Connections Committee

Samba Halkose (Reappointment)
58 Winter Street
Manchester, NH 03102

Term to Expire: July 30, 2023

Lauren Osowski (Reappointment)
57 Profile Circle
Nashua, NH 03063

Term to Expire: December 31, 2022

There being no objection, President Wilshire accepted the Appointments by the Mayor as read and referred them to the Personnel/Administrative Affairs Committee.

REPORTS OF COMMITTEE

Budget Review Committee..... 09/21/2020

There being no objection, President Wilshire declared the report of the September 21, 2020 Budget Review Committee accepted and placed on file.

Jnt. Mtg. - Budget Review Committee and Planning and Economic Development Committee 09/28/2020

There being no objection, President Wilshire declared the report of the September 28, 2020 Joint Meeting of the Budget Review Committee and Planning and Economic Development Committee accepted and placed on file.

Pennichuck Special Water Committee..... 09/29/2020

There being no objection, President Wilshire declared the report of the September 29, 2020 Pennichuck Special Water Committee accepted and placed on file.

Committee on Infrastructure..... 09/30/2020

There being no objection, President Wilshire declared the report of the September 30, 2020 Committee on Infrastructure accepted and placed on file.

Personnel/Administrative Affairs Committee..... 10/05/2020

There being no objection, President Wilshire declared the report of the October 5, 2020 Personnel/Administrative Affairs Committee accepted and placed on file.

Budget Review Committee..... 10/06/2020

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

Finance Committee..... 10/07/2020

There being no objection, President Wilshire declared the report of the October 7, 2020 Finance Committee accepted and placed on file.

CONFIRMATION OF MAYOR'S APPOINTMENTS

Cultural Connections Committee

There being no objection, President Wilshire confirmed the reappointments of the following individuals to the Cultural Connections Committee: Eric Drouart, 52 Main Street, Unit 206, Nashua for a term to expire December 31, 2020; Mohammed Mustak Arif, 1 Kinsley Street, Nashua for a term to expire February 28, 2023; Adelina Hernandez, 56 Chestnut Street, Nashua for a term to expire July 30, 2023; and Jessica Gorhan, 97 Western Avenue, Henniker for a term to expire December 31, 2023.

Oath of Office administered by Corporation Counsel for those present; Oath of Office to be administered at a later date for those not present.

Master Plan Committee

There being no objection, President Wilshire confirmed the new appointment of Jonathan Spira-Savett, 39 Coburn Avenue, Nashua, to the Master Plan Committee.

Oath of Office administered by Corporation Counsel.

Nashua Arts Commission

There being no objection, President Wilshire confirmed the reappointments of the following individuals to the Nashua Arts Commission: Judith Carlson, 15 Manchester Street, Nashua, and Paul LaFlamme, 28 Lutheran Drive, Nashua, for a terms to expire April 1, 2023; new appointments: Steve Ruddock, 5 Town Crier Road, Amherst, for a term to expire: July 30, 2023; and Travis Tripodi, 34 Lawndale Avenue, Nashua for a term to expire: April 1, 2023.

Oath of Office administered by Corporation Counsel for those present; Oath of Office to be administered at a later date for those not present.

Tax Increment Financing Advisory Board

There being no objection, President Wilshire confirmed the new appointment of Angelina Spilios, 15 Technology Way, Nashua, with a term to expire September 30, 2021 to the Tax Increment Financing Advisory Board.

Oath of Office administered by Corporation Counsel.

UNFINISHED BUSINESS – RESOLUTIONS

R-20-071

Endorsers: Mayor Jim Donchess
Alderman Richard A. Dowd
Alderman-at-Large Ben Clemons
Alderman-at-Large Shoshanna Kelly
Alderman Patricia Klee
Alderman Skip Cleaver
Alderman Tom Lopez
Alderman-at-Large Lori Wilshire

AUTHORIZING THE MAYOR AND CITY TREASURER TO ISSUE BONDS NOT TO EXCEED THE AMOUNT OF EIGHT MILLION DOLLARS (\$8,000,000) FOR TWO CONSTRUCTION PROJECTS, CONSISTING OF A PUBLICLY ACCESSIBLE GROUND LEVEL PARKING GARAGE (\$2,500,000) AND ADDITIONAL FUNDING FOR THE PROPOSED PERFORMING ARTS CENTER (\$5,500,000)

Given its second reading;

MOTION BY ALDERMAN LOPEZ FOR FINAL PASSAGE OF R-20-071, BY ROLL CALLON THE QUESTION

Alderman Cleaver

Thank you very much, Madam Chair, Madam President. I move to divide the question, these are two very different projects, two very different scenarios and two very different backgrounds and they need to be developed and discussed separately.

MOTION BY ALDERMAN CLEAVER TO DIVIDE R-20-071 INTO TWO SEPARATE QUESTIONSON THE QUESTION

President Wilshire

OK the Motion is to divide. I might need a little help Corporation Counsel.

Steven Bolton, Corporation Counsel

If this motion passes it will require additional public hearings on each separate project.

President Wilshire

And in that case we might not be able to close if our closing for the Performing Arts Bond has to be done by December 15th, is that right?

Attorney Bolton

I think you would run into a time crunch; it might be averted by having special meetings or something but the Public Hearings do have an advertising requirement with the necessary delay that that would entail.

President Wilshire

Ok so the motion Alderman Cleaver is to separate the two issues in this bond Resolution. Any discussion on that motion? Alderman Lopez?

Alderman Lopez

Yeah we did discuss this in Committee and I am still opposed to it because the concept that is linking these

is the neighborhood that they affect and the TIF and the bonding relationship. I did find in comments that were made earlier in public comment to be unfortunate in my opinion. Both Bob Keating and (inaudible) have petitioned us to help the residents of Bronstein but this participation is new. They did reach out to me previously and throughout the year and as long that (audio cuts out). But they've been taking steps on their own independent, including offering to the residents of Bronstein solutions that are not feasible or realistic. (audio cuts out) Bronstein, I know families that are there and not for going out and getting to know them so that I could use their voice but because I have worked with them for years on volunteer project, and just seeing them around the community. They don't want to raise their families on a School Street Apartment Building. Who can think that's it is realistic that would let anywhere near the number of families in Bronstein move into School (audio cuts out). There's very little chance to coerce a developer taking on the project and the expense that it unfolds too, there's been no offer from GSOP or any of these members (audio cuts out) to implement this program via any support.

Trying to combine different projects run by two different parties and (audio cuts) economy I think. The Housing Authority has been working on this for years, realigning their full status so that they would be able to take on projects like this recognizing the larger amount of need for housing as well as the shortage of public funds available to provide that housing. They saw the housing capacity shortage long before anybody else did and started working on steps to mitigate that. And I think it does a tremendous amount of disservice to people who are authentically trying to help people in public housing to (audio cuts out). When you are talking about people who won't get into housing for the next couple of years because it won't exist, because you will have sidetracked the discussion focusing on one smaller project that has nothing to do with the other one is really not meant to be a permanent housing or for housing (audio cuts out) and went over that and I advocated for that at the beginning too and it just did not make financial sense. You would throw away an opportunity to build affordable housing with the public housing program and drag them into this; I think that's very unfortunate. I think that the survey that they sent out is clearly their own words. I question their commitment to letting Bronstein residents speak for themselves.

That phrase that's in the petition that they have, the School Street flats, has literally only ever been used with GSOP. No one has referred to it as that. We've called it the School Street Project here and the developer is willing to move with one bedroom apartments because that's how he can make his project work. For community agency or organization that is newly formed and not fully engaged in the community, to try to speak on behalf of both elected officials who do work with the residents and developers who are actually putting money on the table while offering neither is extremely ill advised I think. It's unfortunate. There's a lot of other projects that we could be working on or GSOP could be providing really useful information or guidance on that other public housing programs like to focus on. But I would point out that the Public Housing Authority is the biggest provider in town. They are not the ones that we need to be focusing on. They do have a relationship with their residents and they have been meeting with them throughout this project and they set up two housing navigators to address this problem. Where I think duplicating that and creating a completely (audio cuts out) and asking for meetings with different stakeholders, is disingenuous. That does not improve the projects for you. It does not help those individuals in housing that's appropriate for them. I don't think it accomplishes anything but distraction. So I don't think these two issues should be separated at all because Bronstein should never have been introduced as a component in this.

This School Street lot it's an empty parking lot. Right now it can be developed to actually bring in tax revenue and put people into that neighborhood that can spend money in those stores and resources. The actual abutting neighbors who are all opposed to this are now in favor of it and supporting it; Harbor Homes, Nashua Wall, I have talked to them. I don't know whether GSOP has and I don't see a reason that these need to be separated. I think this is a good fit, it's exactly what the Performing Arts Center was supposed to be doing, bringing in economic development and stimulus and this is a good use of bonding and TIF money.

President Wilshire

All set, Alderman Lopez?

Alderman Lopez

Yeah, thanks for your attention.

President Wilshire

Alderman Cleaver.

Alderman Cleaver

Yes, Alderman Lopez brings out all the points and the reasons why these two should be separated. The Performing Arts Center should go ahead; I am strongly in support of it. I think most of my constituents are strongly in support of it. The School Street has a lot of issues not associated with Bronstein that need to be discussed. They are separate issues and they should separately addressed. Thank you.

Alderman Klee

Thank you, Madam President. I am not going to repeat what Alderman Lopez said, well maybe a little bit of what he said. But the truth is he made all the valid points about Bronstein so I will leave it at that. The points that I want to make are about the parking garage and the need for that. As Alderman Lopez had commented, when the abutters had found out that they were going to be losing that parking lot, they were quite upset by it. The truth of the matter is, you know, they were told well you can use the High Street Parking Garage but we all knew that some of those spaces would be leased out to this housing project. So the long and the short of it was that they were angry, they were upset, they went to City Hall. They made a lot of phone calls; I know I received phone calls and I am sure many of the other Aldermen did.

I think City Hall reached out, they worked out an arrangement. They worked out an arrangement with the abutters. They worked out an arrangement with those that were doing the project. And everybody kind of put everything on the table. They came up with the parking garage and then we would basically lease or sell the airspace above the parking garage. The City would still maintain that, it would not be used by those that live within the apartment and it would still be City revenue, it would still be used by those people that are the abutters. So it became a win/win/win situation. The PAC, the additional cost for the PAC actually got bundled into this I believe just because of the TIF. This developer had decided that yes he was there because he knew what we were going to be doing with the Performing Arts Center. And so as not to create another bond that would be a tax burden, they created this TIF. So this was revenue that although is not realized from the taxes, it was going to be used specifically and dedicated for the payment off of the bonds, of both of those bonds.

So to me, it all does go together. To separate it, to take the chance that we would delay the acceptance of the – you know to be able to do our closing, because we can't do our closing without having a bond for this. So that would mean, I think as Attorney Bolton said, it would mean having to have public hearings. It would also mean having to now create a funding source for the Performing Arts Center when this entire package does that. It's a one stop shop, it helped the abutters, it helped with revenue that has not yet been realized. It kept everybody kind of happy without putting undo burden on the taxpayers. I think it's a win/win situation and I think we'd be making a mistake if we tried to separate it. And while I truly respect everything that Alderman Cleaver said, I really can't support that. Thank you.

President Wilshire

Anyone else on the motion to split? Alderman Tencza.

Alderwoman Kelly

I had my hand up too.

President Wilshire

OK, I'll get to you right after Alderman Tencza.

Alderman Tencza

Alderwoman Kelly did have her hand up first so I have no problem deferring to her waiting until after if you'd like to recognize her first Madam President.

President Wilshire

Alderwoman Kelly?

Alderwoman Kelly

Thank you, Alderman Tencza, unnecessary I just wasn't sure if you could see me, I'm a little dark in the room I'm sitting in. So I just will keep this brief, I think I appreciate what Alderman Cleaver is trying to do here. But I will not be supporting it. I think a lot of people before me have explained how a lot of these things go hand in hand. We are talking about vibrancy of downtown. And because we are talking about a Performing Arts Center, we now have multiple opportunities to develop and because of that, we also need to look at parking expansion in our downtown. I would be remiss if I didn't say that as my years of Alderman, parking is one of the things I hear about the most. And so I think adding parking in downtown is just a smart thing to be considering with all this development. Thank you.

President Wilshire

Thank you, Alderman Tencza.

Alderman Tencza

Thank you and Madam President in defense of Alderman Cleaver's motion. We all received a letter from City Hall on July 1st about this situation. The letter states that there are 130 surface parking spaces down in this area without bonding the \$2.5 million dollars to raise this building. And then you are about 270 spaces available in the garage which was significantly more than the number of parking spaces that the owners of the businesses downtown said that they needed at their peak hours. We have talked about this School Street Development, making it into housing for some time. When we discussed it, raising the building and making a parking garage underneath was not part of that process or part of that plan until more recently.

So I believe that nothing has changed since July when we got that letter. That parking is an issue all over downtown but there are ways that we can make the current situation feasible for everyone involved. Also, too in the Infrastructure Committee we have been telling people for probably over a year now that there's a parking study which is going to start in spring of 2021 for downtown parking. Certainly if the parking study came back and said yes, you need these parking spots, I think that would be different and then we would have an expert who could tell us that this necessary for us to spend the money. Third, the City has been talking about this Performing Arts Center for 30 years trying to make it a reality. People have been working very hard over the past three, four, five years to bring the current PAC into fruition, raising money, doing the architecture. I don't understand why we are muddying all the work that they've done in trying to put this parking, this \$2.5 million dollar bond along with it. So I will support Alderman Cleaver's motion. I think like him, I support the \$5.5 million dollars. I think we can still do the TIF, we can still develop that School Street lot but I don't believe that we need to spend the additional \$2.5 million dollars for the parking space. Thank you.

President Wilshire

Thank you. Anyone else? Alderman Dowd?

Alderman Dowd

Yes I am going to try to be brief as possible. These things are really tied together. The development on School Street came to fruition because of the Performing Arts Center. The fact that the parking garage had to be talked about going under that was a compromise to all the neighbors who, if we separate this, and not do the parking underneath is an affront to all those people in that neighborhood. And it will be a hardship to them. So this is like dominos. Also the TIF the wording also includes the two items. If we separate these we will have to have two new public hearings, we may not be able to close by December. And I work with a contractor every single day that is involved with the Performing Arts Center, if we don't close in December the price is going up and the \$5.5 million will not be enough. We need to get this done now. So I will not support separating these.

President Wilshire

Anyone else on the motion to separate the bond into two separate Resolutions? Seeing none, the Motion is to split the issue. Alderman Lu?

Alderwoman Lu

Thank you I didn't raise my hand because I thought Alderman O'Brien would be called on. I just had a question. I don't understand about the December 15th bond closing. Are we talking a bond closing or the closing on the Performing Arts Center construction?

President Wilshire

I am going to let Alderman Dowd. Alderman Dowd that went to Budget, do you have that answer?

Alderman Dowd

I think Attorney Bolton wants to address it.

President Wilshire

Ok, Attorney Bolton.

Attorney Bolton

The closing that's being referred to as being scheduled for December is on the New Market Tax Credit arrangement.

Alderwoman Lu

Thank you, just a follow up. Did I miss a meeting? I have not heard that we have a closing date for that? It seems that everyone else is aware of it. Was that discussed?

President Wilshire

We've talked about it. We've talked about it at least at Budget.

Alderwoman Lu

December 15th?

President Wilshire

I don't know...

Alderman Lopez

I think you were at that meeting.

Alderwoman Lu

Pardon me?

President Wilshire

December 15th is the date we have to close for the New Market Tax Credits or we won't get them this time around.

Alderwoman Lu

Great, thank you.

Alderman Dowd

Also, Director Cummings is on if you'd like to get some input from him, President Wilshire.

President Wilshire

Director Cummings did you want to add something to that?

Tim Cummings, Director of Economic Development

No, Madam Chair, I believe you've covered it with the responses.

President Wilshire

Alderman O'Brien.

Alderman O'Brien

If I may? Thank you, I did have my hand up you may have perhaps not seen it.

President Wilshire

Well there are a lot of people on it's hard to see everybody, if you raise your hand ...

(Overlapping speaking)

Alderman O'Brien

But thank you, Madam President for recognizing me. I would like to echo basically and to be brief exactly what relayed to be Alderman Dowd and although I agree with some previous speakers who said there is a pending traffic study. But one thing we've always heard with this particular project of the Performing Arts Center and we all heard it, parking, parking and parking. And yes, we did make commitments in the neighborhood and particularly with this developer to increase parking. But putting in additional parking yes it's relatively close to a parking garage but if there's one thing – if we are going to get the people, which I

think we are going to get the people that are going to come in, let's not be short-sighted. And look at the people who will be attending the events at the Performing Arts Center and allow them to enjoy their evening with plenty of adjacent parking to the facility. So I think it does fit and I agree with Alderman Dowd, this is a hand in glove issue, the question should not be separated. Both are germane to each other and I would recommend fellow members of the Board to support it, because it will increase the enjoyment of our citizens. Thank you.

President Wilshire

Anyone else? The motion is to split the bond \$2.5 million for the garage and \$5.5 million for the Performing Arts Center. That's the motion; any further discussion on the motion. Would the Clerk please call the roll?

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

Yea: Alderman Caron, Alderman Tencza, Alderwoman Lu, Alderman Jette, 6
Alderman Cleaver, Alderman Harriott-Gathright

Nay: Alderman O'Brien, Alderman Klee, Alderwoman Kelly, Alderman Dowd, 9
Alderman Clemons, Alderman Lopez, Alderman Schmidt, Alderman Laws,
Alderman Wilshire

MOTION FAILED

President Wilshire

And that motion fails. The motion before us is for final passage of Resolution 20-071. Further discussion on the motion? I'm not seeing anyone? Alderman Jette?

Alderman Jette

Thank you, Madam President. So I am going to be voting against this. You know, I've said it before and I hate to repeat it again, but three years ago we asked the voters to express their opinion about this Performing Arts Center and I told the voters of Ward 5, my Ward, that I would vote the same way that they voted and they voted against this Performing Arts Center. The City was split, you know, it passed citywide with less than 51% of the vote. So 51% in favor, 49% against. So people were hardly overwhelmingly in favor or this which at the time was a \$15.5 million dollar project. Now it is a \$25 million dollar project and who knows how people would vote if they had the opportunity again. But I doubt very much that the people who were against it at \$15.5 million would be in favor of it at \$25 million.

What this Resolution does is it adds \$5.5 million to the cost of this performing arts center. And it also adds \$2.5 million for the cost of building this parking garage. The developer of the parking garage provided a proposal which is still the proposal that's pending and he proposed to build this apartment building with a deal where he would purchase the School Street Parking Lot for \$900,000.00. The City would have to spend \$100,000.00 on infrastructure improvements, but we would get a net of \$800,000.00. He is also going to be providing payment for parking and the High Street parking garage for his tenants. This parking garage that's being proposed came about as a result of very hard lobbying by one business in particular that enjoys having free parking across the street from its business in the School Street Parking lot and was upset about losing that free parking for his customers.

And at the time I was sensitive to the idea of losing the parking in the School Street parking lot. But the Mayor and Director Cummings convinced me with facts about how much parking was available and that parking really would not be a problem, that the patrons of this particular business would have plenty of alternative parking even with the loss of the School Street Parking lot. However, that business was able to convince apparently the Mayor and Director Cummings and some Aldermen that this parking was necessary so this proposal to raise the building and build a parking lot or parking garage essentially

underneath the apartment building, 50 spaces at a cost of \$2.5 million dollars. So the deal that the developer originally proposed where he would pay us a net of \$800,000.00 is now turned into a deal where we are going to pay \$2.5 million to build this garage plus \$100,000.00 in infrastructure improvements in exchange for getting \$900,000.00. So the net that I see is selling this building to this developer is going to cost us, instead of getting money, we are going it's going to cost us \$1.75 million dollars.

Now the argument that is made is that the tax revenue generated by this new apartment building is going to pay for all of this. The revenue that is estimated and by the Fiscal Note says that the revenue that we are going to get is going to be between \$1.4 to \$1.5 million over five years. So that's \$280,000.00 to \$300,000.00 a year in tax revenue from this new building. The \$8 million dollar bond that we are being asked to authorize, the Fiscal Note says is going to cost us \$426,569.00 a year. So the revenue from the new building is not going to pay for this bond, it's going to be short. Plus, the Performing Arts Center, don't forget, the original \$15.5 million dollar bond, the Fiscal Note says that's going to cost us \$1,075,000.00 a year so the original \$15.5 million plus this \$8 million dollar bond we are being asked to authorize tonight, you know the total combined is going to be \$1.5 million dollars a year in cost, it's going to cost us \$1.5 million dollars a year to service this debt.

So this doesn't sound like a good deal to me. This doesn't sound that we ought to be going ahead with this. So for those reasons I am going to be voting against this.

President Wilshire

Anyone else? Alderman Clemons?

Alderman Clemons

Thank you, Madam President. I appreciate the opportunity to speak tonight. So obviously things change, projects change, timelines change, it's the world we live in. I was supposed to go to Las Vegas for the first time this April and it didn't happen because of COVID-19. So you know, stuff comes up and then you've got to deal with it. So we have the project for the Performing Arts Center which was approved by the voters back in 2017. So that was 3 years ago and the project came across a couple of different changes that had to be made that were unforeseen at the time because nothing is perfect. And you have to approach things that sometimes things are going to change.

The key here is that the spirit of the project is still well intact. We have raised the \$4 million dollars for the Performing Arts Center and we have also fulfilled the cost gap that the \$5 million dollars here and paying for that without affecting taxpayers negatively. So yes I believe that this project is very, that this School Street Project is very tied to the Performing Arts Center. The School Street Project itself has gone through iterations, back from when it was originally proposed to be developed. I was on a steering committee back in, I want to say it was 2016 and that was with the former Alderman from Ward 9, his name escapes me. And Alderman McCarthy and we were talking in that meeting in what was an RFP that was going out for what would be the uses of that particular lot. And the things that were discussed at that time were the potential of a hotel being there. And of course retail was also discussed as well as building an apartment unit.

My preference obviously back then and up until recently was to build a hotel. I also didn't like the project because it took away the parking. And I thought that was a need that wasn't addressed properly the way that it was originally designed. So you know, as all plans come out, the public hears it, the public gets word of it, especially the abutter and they shared my concerns as well. All of them. And in that process the City came up with a compromise and the compromise was, well we will pay for the parking that we are going to keep and you can utilize that and yes it will reduce some of the spaces but you'll get to keep the majority of them and will still get to build the project. Nothing in life is perfect. But I can tell you this, having been a part of this project since its conception in 2016, really 2015 before that, this is a project that has gone through iterations like any other project. And the good news on this one is that we have a developer that's willing to work with us, that's willing to listen to the needs of the abutters and the businesses that are there.

And in addition to that, we have a developer that is going to fill a need in the City that the Mayor spoke about earlier which is a need for smaller unit apartments, studios and one bedrooms. I have to say that I agree 100% with everything that Alderman Lopez had brought up previously. I couldn't have said it better myself, to be honest. And you know, it's one of those things where I wasn't elected to simply be an echo chamber. I was elected to make decisions that are going to be for the benefit of this City, not only in the moment but for years down the road. The decisions that we make today have impacts that will last through this City for generations to come. And there are many examples of that and I am proud of some of the accomplishments that I've had. And I hope that I can add this one as a feather in my cap as well.

And again, none of these things have happened without compromise. Look at the Broad Street Parkway. It was supposed to be a four lane parkway that was going to be designed or going to be built with no taxpayer money. Well that didn't happen but we still got it done. It's a beautiful road and it serves our City well. We weren't supposed to buy the Pennichuck either. We were going to take it over by eminent domain. But we bought it and it is run as a private company. That wasn't originally the plan. Nothing- Nothing that comes before this Board is usually the way that it originally came in, especially with big projects like this. It's just the reality of life. And we should accept that and we should understand that compromise is not a dirty word.

I can understand the need or the want for wanting the project to have affordable housing component, not liking the fact that we are raising it, maybe it's ugly to some people. I'm going to lay it on the line for your folks, this is it; if you want the Performing Arts Center to happen, then you should vote "yes" on this, because otherwise it's not going to happen. I can tell you that right now. This is our chance, this is our chance. So my recommendation would be that we move forward with this and we understand and we recognize that it is a compromise that is not perfect, that has a lot of moving parts. However, it is the best option that we have to get to our end goal, which is to have a Performing Arts Center in this City. So I would strongly, strongly encourage my colleagues, if you want to see a Performing Arts Center in Nashua, I would strongly encourage you to vote "yes" tonight on this because I don't foresee us having the opportunity to do it for much longer. Thank you.

President Wilshire

Thank you. Alderman Schmidt?

Alderman Schmidt

Thank you, Madam President. I'd like to echo two things that Alderman Clemons just said. He said that this is about the future and all things go through an evolution. That's how Cities run. We don't make a decision and make it happen immediately; things have to be talked over, discussed, planned and changed when necessary. And this was certainly something that needed to be evolving. Before I was elected, Alderman McCarthy started talking about having a Performing Arts Center in the City. And this was so exciting, so exciting that I took some time to study what was going on in Concord and in Portsmouth with their arts and performance programs that they had. It was stunning the amount of people that were coming in, the business that was hitting downtown, keeping it a healthier and more vibrant area. And this is what I knew we needed downtown because sometimes you go down and it's dead. So I firmly support the Performing Arts Center because of what I studied, because of so many people in Ward 1 that I talked to that said they wanted it, just under 50% of the people in Ward 1 voted for this. I had one criteria that we had to come up with the \$4 million dollars, it's there, we've got it. I'm so pleased.

The other part of this is the building that's going to be new housing downtown. We need this, it's perfect for that area but I wouldn't vote for it until we had something to do with more parking in the area, because we know that that was a real need down there. We couldn't just go ahead and build more housing without having prepared something for the future. So that evolved as well and so a garage underneath is perfect. Aligning these two together in one bill is absolutely, it's the smartest thing to do. I am supporting this 100%. I hope everybody will join me in this. I think it's good for the City's future. Thank you.

President Wilshire

Alderman Lopez.

Alderman Lopez

I just wanted to comment on some observations that were made earlier that I kind of want to make sure (audio cuts out) efficiently here. We were talking about how many single parking spaces were being added by the parking garage versus how many were lost. Now we don't need a parking study to tell us that if we put a building on a parking lot, we lose those parking spaces. And we don't need it to tell us that if we raise that building, we don't lose those parking spaces. And it is important to remember that if we did lose those parking spaces, then we have to get those parking spaces from somewhere. So what was being told to us from Economic Development was that they were going to get the parking from the parking garage, which is staking spaces away that (audio cuts). The businesses that benefited from having parking across the lot from them, there is a business that has its own parking lot that was objecting strenuously, they weren't going to live or die by that particular change. They were, in fact, much more concerned about the impact construction might have on them and they resolved those concerns.

There was another business which didn't benefit from having free parking it needed it, the same way that other restaurants and other businesses need parking because you don't make any money or generate any revenue if people can't park in proximity to your location. It wasn't like a want or a wish it was an absolutely for that business to survive, especially given the climate where you know now we are dealing with COVID-19 and closing down restaurants. And that business also rightly pointed out that they have contributed a huge amount of revenue to non-profit organizations over the years (audio cuts out) of their presence downtown. So it is important to consider the economic impact of taking away what they need. And I think that with the planning that we were able to recognize a compromise that actually improves the situation by adding new residents right across the street from them and maintaining their parking.

So there's a lot of ways that this project actually improves the situation there other than detracting from it. There was also a non-profit organization that was concerned about where employees would park (audio cuts out) first and foremost by not giving away those parking spaces in order to provide a new housing program. So those parking lots that we were talking about, they are not just individual units that we are going and being added in simple arithmetic it was a much more dynamic that was at work. And they found a good solution. I was very pessimistic towards this when it first began, I myself was more focused on affordable housing, not there, not with that footprint and not in that particular area but I did think it was (audio cuts out) for workforce housing. Now that opportunity still exists assuming you have the building.

You have a developer who is willing to build a building then things may change over time or over the years, but this project we get a developer developing a building. He has the opportunity to succeed. And it may be some future days workforce housing, if that's the way things turn. In the meantime we can focus our efforts on expanding affordable housing and low income housing in areas and scenarios that are appropriate for them. I don't think it's ever an appropriate solution to try to move the poor by shoring them into an extremely inconvenient spot just because you are not willing to look for other options. We have other parts of the City that need development. We have other buildings that really need to be repurposed and reimaged. I know Elm Street has been brought up but there's also buildings on Main, there's buildings on Spruce Street.

We do need to look at affordable housing but we should be putting our effort and our time into places that will yield results that will build quality housing and effective scenario for the people that are going to take it. So I think the housing project and the subsequent dispute over whether or not there's parking has immensely distracted from the other parts of this and I think they need to be considered in total. I think it was commented that perhaps the Nashua public wouldn't vote for the Performing Arts Center if it were introduced again. I don't know that that's the case. I think first and foremost personally, I'm not really that interested in the Performing Arts Venue, I'm really interested in an economic anchor downtown, because that's what we were actually trying to do in the first place. We lost Alec's Shoe Store. We have never been

able to regain the momentum and the inertia that having such a draw and such an attraction brings to the traffic downtown.

Paul Shea and Great American Downtown has come up with 20 different ways that we have never (audio cuts out) in the intermediate time whether it is the New Muse Festivals or Farmer’s Market or all that kind of, you know, keep the pilot light alive and keep businesses downtown having customers come to them. Even most recently with the COVID-19 when we had to manage how to give them outdoor seating, we have been working very hard to keep downtown (inaudible) and flourishing place. But that is taking its toll and I think those are opportunities that if we actually had the anchor we lost in Alec’s Shoe Store, those efforts would be much, much more effective. So I think we need to look at the bigger picture here. We need to move this Performing Arts Center forward, my biggest dissatisfactory note as Alderman, that we have taken so long to push this project forward when it is so needed downtown.

And I understand what the need was for process and I am glad we’ve managed to bring some of the more advocate opponents such as Mr. Teeboom around by making sure that it was designed in a way that was well thought out, but it is well passed time that we do this. We need it more than ever, we are looking a likely economic downturn and the first thing that people are going to want to do in the next year and the year following is go out and be around people again. And this is an opportunity for us to give our residents the opportunity to do that in a new venue and a new place while giving it the best possible chance for success. So I hope Aldermen will join me in doing this because this effort and this project that we are working on has now already yielded results, it’s time to harvest it, it’s time to move forward, it’s time to get the building projects off the ground. It’s time to start building housing and it’s time to start building a Performing Arts Center.

President Wilshire

Anyone else? The motion is for final passage? Not seeing anyone. Would the Clerk please call the roll?

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

- Yea: Alderman O'Brien, Alderman Klee, Alderwoman Kelly, Alderman Dowd,
Alderman Clemons, Alderman Lopez, Alderman Tencza,
Alderman Schmidt, Alderman Laws, Alderman Cleaver,
Alderwoman Harriott-Gathright, Alderman Wilshire 12
- Nay: Alderman Caron, Alderwoman Lu, Alderman Jette 3

MOTION CARRIED

Resolution R-20-071 declared duly adopted.

R-20-076

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

AUTHORIZING AN ENERGY PERFORMANCE CONTRACT AND LEASE FINANCING ARRANGEMENT

MOTION BY ALDERMAN HARRIOTT-GATHRIGHT FOR FINAL PASSAGE OF R-20-076, BY ROLL CALL

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,
Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws,
Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire 15

Nay: 0

MOTION CARRIED

Resolution R-20-076 declared duly adopted.

R-20-077

Endorsers: Alderwoman-at-Large Shoshanna Kelly
Alderman Jan Schmidt
Alderman Skip Cleaver
Alderman-at-Large Ben Clemons
Alderman-at-Large Brandon Michael Laws
Alderman Linda Harriott-Gathright

RENAMING COLUMBUS DAY AS INDIGENOUS PEOPLE DAY IN NASHUA

Given its second reading;

MOTION BY ALDERWOMAN KELLY TO AMMEND R-20-077 TO CHANGE PEOPLE TO PEOPLES', BY ROLL CALLON THE QUESTION

I feel badly that as a writer I did not see that grammatical error and I hope that the Board will indulge me for a moment to make sure that that gets done correctly.

President Wilshire

Ok do you have a motion Alderwoman Kelly?

Alderwoman Kelly

I said I move to amend.

President Wilshire

OK, any discussion on that?

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,
Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws,
Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire 15

Nay: 0

MOTION CARRIED**MOTION BY ALDERWOMAN KELLY FOR FINAL PASSAGE OF R-20-077 AS AMENDED, BY ROLL CALL**ON THE QUESTIONPresident Wilshire

The Motion is for final passage as amended; discussion on that motion?

Alderman Lopez

She can talk first, this is her motion.

Alderman Kelly

This is the second time I did this tonight. It was not intentional, thank you. I will keep it short. I just want to thank everyone for entertaining this piece of Legislation. Most of what I had planned to say was brought forward by other constituents. As you can see by the people who came to speak at Public Comment and also the letters that we have received there is definitely support especially in Nashua and also in our indigenous people in New Hampshire. So I think this is an important piece for us to do. And I just want to thank everyone for coming forward and sharing their stories. So thank you.

President Wilshire

Thank you, Alderman Lopez.

Alderman Lopez

I just want to clarify some comments that were made earlier and observations in public comment. I feel slightly maligned just because the commenter himself is usually extremely diligent about detail and he kind of did not provide some context for the comments he objected to. But when I was saying that we need to have an opportunity for the public to discuss this and to debate it and weigh in on it that was being taken into account by the Committee. I had initially – like this is a big step and other members had said we shouldn't necessarily move on this without getting any kind of input. I had objected to just changing the name cosmetically without getting any kind of input and creating that kind of dialogue from the community in general.

But as we all know, Columbus Day has passed so this Legislation doesn't impact anything until next year. And as was stated in the meeting, we can amend or enhance the Legislation further. We change or we (audio cuts out) names or we make declarations of certain days as a City all the time. This one in particular I guess is special but I just was advocating in those comments for making sure that we had not only just a name change but a celebration or some substance behind it where we actually talked about the history of indigenous peoples in Nashua and maybe took a careful look at how we described the history of our City in that context. Because there definitely are some merits when it comes to what was going on during (inaudible) War and King Philips War. We sort of just start up in the middle of the era and go from there.

So I look at this as an opportunity, Alderman Kelly has started the ball rolling and this is the opportunity for us to recognize that we have something to celebrate. But I think we do have to have that dialogue coming up over the next year over how we are going to celebrate it and what it actually means.

President Wilshire

Alderman Clemons.

Alderman Clemons

Thank you. Yeah I will be brief as well. I know I also want to clear up something that was said in public comment and I do want to also recognize that I completely understood from the perspective that Alderman Lopez was talking about in the sense that my objection that evening was to see if we could move it to get it done for this Columbus Day which was not possible due to the calendar. I think people brought up that we wanted to hear from constituents and have more time and things like that. The Bill went through the normal process. Just like anything else, so to say that it didn't have, you know, that nobody knew about it or anything like that is just false. It went through our normal Legislative Process.

The other thing that I want to clear up as well is that it is not without precedent that this City changes the name of a Holiday because we have done it before. When New Hampshire refused for years to adopt Martin Luther King, Jr. Day, Nashua did it well before. There is precedent here for doing that and I think that we should move forward and adopt Indigenous Peoples' Day for all the reasons that have been stated by my colleagues. Thank you.

President Wilshire

Thank you. Alderman Klee?

Alderman Klee

Thank you, Madam President. I have to say that I went through school like so many other people learning that Columbus discovered America. The truth is that I have now learned that Columbus didn't discover America, he discovered the lands that were called the Americas. And he never stepped foot on the soils of North America. And it confused me why within North America we were celebrating a man that never actually stepped on our soil. So I decided to do a little homework as to why we are here. So if you don't mind, I'd kind of like to share some of my knowledge, very little knowledge. And you know what they say about people with little knowledge.

The very first recorded day of celebrating Columbus Day was New York City in 1792. That was the 300th Anniversary of his voyage to the Americas. This was lobbied by the Knights of Columbus which was primarily an Italian Roman Catholic membership to create a proclamation urging Americans to celebrate the day. In 1937, FDR created the first federal observance of Columbus Day. In 1972, President Nixon established the modern holiday by Presidential Proclamation.

So what I learned is that this Holiday was originally created to celebrate Italian Americans. And the name of Christopher Columbus was just kind of "insert here". So I believe that, as I said, Christopher Columbus was an easy grab. The truth is I'd love to see we celebrate and honor Italian Americans and not celebrate Christopher Columbus who never set foot on our soils. While I am giving my opinion I'd also like to see an Indigenous Peoples' Day created and become a Federal Holiday. I don't think that they should get a recycled holiday. I know it's to cover up the Columbus, the name of Christopher Columbus and I don't blame people. I'm sorry, but from everything I've read about everything that he's done, it is horrendous. He was taken back in shackles to Spain because of some of the things he did as a Governor, granted, political reasons 6 weeks later they released and gave him money for another voyage, but that's another story for another day.

Having said this, I know that I am not going to be popular with my colleagues, but I would like to make a motion to put this on the ballot for November 2021. And the reason I want to do this is simply because I think that we are making a chance and it's not like Martin Luther King Day where we took Civil Rights Day that New Hampshire wanted and we changed it to Martin Luther King Day. We didn't alienate any group. By doing this, we are alienating another group. I would love to see a Proclamation that made a particular day here in Nashua, Indigenous Peoples' Day. I think that would be the right thing to do. I think on the Federal Level I would love to see a Federal Holiday. But having said that, I don't know the protocol of putting a motion through, I feel that it won't go but I also do want to put it to my colleagues. Attorney

Bolton?

President Wilshire

So your motion would be to put this on a ballot?

Alderman Klee

That's correct. Is it appropriate for me to do that now?

President Wilshire

Yes.

**MOTION BY ALDERMAN KLEE TO PUT R-20-077 AS AMENDED ON THE BALLOT, BY ROLL CALL
ON THE QUESTION**

Alderman Laws

Point of order. What is the date of the next election that this could actually be on the ballot for?

Alderman Klee

I think its November 2021. Is that correct Attorney Bolton?

Attorney Bolton

Well you could schedule a special election and do it sooner but the next municipal election is in November of 2021. I think appropriately this would be considered as being an amendment to the proposed measure amending it to put the question on the ballot in a non-binding referendum. There is no provision of NH Law that would allow the Board of Aldermen to delegate its authority to a referendum on matters such as this, matters within the authority of the Board. But a non-binding referendum has been done before.

Alderman Lopez

So I guess I have a question for Attorney Bolton. If we do this, like we amend this then that means we do not change the name of the city level celebration of next Columbus Day, therefore we do not have an Indigenous Peoples' Day we just put it on the ballot and then kick it down to another year. Is that correct?

President Wilshire

Correct.

Attorney Bolton

Closer to a year plus.

Alderman Lopez

Because we'd have to wait for another (inaudible). Thank you for explaining.

Alderman Clemons

Yes, thank you. I won't support the – with all due respect to Alderman Klee – who I have the utmost respect

for, but I can't support putting this on the ballot. And it is going to sound weird but to me it almost is, let me preface this. I understand the Italian Heritage; I get it and I get the Knights of Columbus. Although I am not Italian I come from a Catholic background and I understand. I've worked in Boston heavily Italian areas and don't go to the north end on Columbus Day to try to go to eat without a reservation it's a bad idea, you know, stuff like that. I get it. However, I think that you know we have in this country we have done some terrible things to our Native Peoples. And you know to have a Holiday that celebrates basically a person a conquistador in all truth who didn't even know where he was going and just ended up in Santa Domingo, I think is just, you couldn't have come up with a better person to represent the Italian Americans.

Alderman Lopez

Marco Polo.

Alderman Clemons

He wasn't even an American. So the thing is that I felt very similar a few years ago. In fact, on Facebook if you were to go back into my Facebook profile you will find that about 4 or 5 years ago I put a post that was very similar to what Alderman Klee said and that is why would we recycle a Holiday. In other words, why would we want to give a holiday in the name of Indigenous People and sort of replace that with a day of somebody who savaged indigenous people? Why would we want to do that? We should give them their own day that is not associated with that.

However, as was mentioned earlier, 12 States have already done this. We are down the road now where this is going to eventually become the standard. And so we might as well get on board and we may as well do it effectively through our leadership here. I do not believe it is appropriate to put on the ballot a question of pitting one group of people against another and basically saying, duke it out. That is what southern democrats wanted to do through voter suppression and things like that in the 1950's. They would say, well why don't we let the voters decide if we are going to give people Civil Rights? Well if half the population wasn't eligible to vote, then that's an unfair election. And this is similar to that; I have to imagine that there's more Italian Americans in Nashua than there are indigenous people. And that's not to say that people can't choose to do something different, but I just don't think that it's, in my opinion, that it is an ethical choice.

I think, again, we were here we were elected to make hard decisions. We are not here to divide the community on such topics like this. And I really hope that my colleagues can understand that and we can move forward with simply changing the name of the Holiday without having to have the public weigh in, in what will become a battle royal over a man that doesn't deserve the attention. Thank you.

President Wilshire

Alderman Schmidt?

Alderman Schmidt

Thank you, Madam President. I don't this is recycling a date. I think this is overriding a date. I think this is saying, that one was wrong, we are going to do it right this time. Imagine right now, around the country statues are being taken down. Why are they being taken down? Because they have the wrong side of history behind them. This also does, this needs to come down and it needs to have the name changed. That's what I think and I really would like everybody to agree with that. Thank you.

Alderman Klee

Thank you so much. First let me make it very clear that I am definitely for an Indigenous Peoples' Day. I think its longtime coming and it's something that we need to do. I also have no problem taking down statues of Columbus, Christopher Columbus for the reasons as I stated earlier. I also have no problem with getting rid of Christopher Columbus Day as a federal holiday. If we wanted to rename it, I have no

problems with Italian American Day. The thing is that I don't believe that we are pitting our citizens against each other. Truthfully I can honestly tell you that I've had a lot of phone calls on this and it's really been equal. It has not been lopsided one side so I don't feel that whichever way I decided, whichever way I voted I would be alienating any of my constituents because I think it's fairly even on both sides. I don't want to continue to see Christopher Columbus Day. I really don't. I just do not want to send the message that we are trying to do anything to the Italian Americans and I know that that's not what anybody is saying. We are saying let's right the wrong and as Alderman Schmidt truly put I properly, we are not really recycling the day, we are just kind of saying this is not acceptable and let's send him away. And I agree with that, I truthfully do. Everything that I've read, just honestly disgusts me. And the fact that he was never on our soil confuses the crap out of me and pardon me for using such language, but it does. I don't know why we celebrate it other than it was just a name grab. I will stop there. I think I've made my points.

Alderman Dowd

I do support and I think it's long overdue that we have the Indigenous Holiday. I am afraid at this point in time that we are putting Democrats against Republicans. I hope that's not the case, but anyway I do support that part of it. I have two clarifying questions that I'd like to get answered. One is we have several contracts, including some that are coming up before us soon that list Columbus Day. Attorney Bolton, in the contracts when it says Columbus Day for a Holiday is that related to the Federal name of the Holiday?

Attorney Bolton

It's related to the date whereby tradition Columbus Day is scheduled. I'm sure the various bargaining units who have that in their contract won't miss a day off. They will point it out to us.

Alderman Dowd

So we don't need to amend the contracts then?

Attorney Bolton

It'll work out just fine and people will get the day off. I don't think it'll be a problem.

Alderman Dowd

Yeah I'm sure they would. The other question I have is for any of the State Reps, where is this as far as being considered by the State for a State Holiday?

Alderman Schmidt

Thank you, Madam President. The Bill is already being created. It will be coming up in January, hopefully. It will pass this year. It came very close to going through all of the process but we had a very unusual year if you noticed so some things got put aside. But yes, this is definitely something that is coming up again and I do believe that it will pass.

President Wilshire

You're all set Alderman Dowd.

Alderman Dowd

Yes. I think Alderman O'Brien wants to add in.

President Wilshire

Oh yeah, I'm going to get to him. Alderman O'Brien.

Alderman O'Brien

Thank you. I am going to, as most of you know I grew up in Boston and I went to a high school called Don Bosco Technical High School. It was taught by the name Don Bosco who was taught by the selection orders which is predominantly Italian. So let me do some favor to my former teachers in expressing an Irishman coming to the defense of my Italian friends. Growing up in Boston, Columbus Day had a lot of meanings particularly for the Italian American Community. In the north end it was greatly celebrated, it's a moment of pride for them. It's a long-standing holiday before it even became a Federal Holiday. Like Alderman Klee mentioned, it has its roots early in the United States in 1792 in New York by the Tammany Hall Society. And it was also used by the Massachusetts Historical Society to celebrate the 300th Anniversary of Columbus landing in the new world.

But at the 400th Anniversary, in 1892, right before that, there was a lynching in New Orleans where a mob had murdered 11 Italian immigrants. The President at the time, Benjamin Harrison, declared Columbus Day as a one-time National Celebration. The Proclamation was a wide effort to try to placate the Italian Americans at the time and also used to ease diplomatic tensions with Italy. So to say that it doesn't have any embrace by the Italian American Community, it does. I don't understand what Alderman Clemons means by it going to a public vote, pitting on group against the other, because that's exactly what you are doing here. I would like to be very selective when I am going to throw a baby out with the bathwater. I have a lot of empathy to the Native Americans and I support any other effort to recognize an Indigenous Peoples' Day. But to do it on the backs of another group that has by long history, long history embraced Columbus Day as their day. I don't know of any other Italian American Day that they can embrace. I mean to me it would almost be like you are taking away St. Patty's Day away from me. I'd fight you tooth and nail on that one.

The thing is, in 1934 as a result of lobbying and Alderman Klee brings out well I don't know why you support Columbus. Well you've got remember Columbus to America, he wasn't a conquistador he was an explorer. And when Columbus came to American he flew underneath a Spanish Principality Flag of Ferdinand and Isabella, looking for the way to get to China at the time in the near east. It was the Knights of Columbus that pushed for Columbus Day. Mainly because Columbus and the Spanish, it was the first time that the religion of the Catholic Religion was brought to this particular nation. And to the Italian Americans as you know, predominantly like us Irish are Catholic in nature. So it does have a religious connotation equally as well to it and that's why it has the support of the Knights of Columbus. I am a Hibernian; the Knights of Columbus job is to protect churches in the Catholic faith and it's the same as the Hibernians because at one time in our American History the no name party burned Irish Catholic Churches. Because of that, the Hibernians, our job was to protect the priest. And it's the same with the Knights of Columbus.

So they embrace this particular day and other presidents have even done it. And it was in 1966 that it really came to become more and celebrated. In 1969 much to the push by Mario Lucia from Buffalo, New York, an Italian American, to become a National Federal Holiday. And why on this particular day, because believe it or not it also coincides with the Canadian day that they celebrate Thanksgiving. They've been celebrating their Thanksgiving since 1957 and it is recognized by the bond market and the US Postal Service and many other agencies. As a matter of fact, even branches of our military it is very close to the founding father's birthday of the United States Navy which was founded on October 13 in 1775. And believe it or not, Columbus Day being a fellow sailor I guess, also observes Columbus Day as well as the Marine Corps. They are rewarded with a 72 or 96 hour liberty period. I support most definitely like I say my empathy is great on having a day to have an Indigenous People Day. Definitely it needs to be done, but to do it on the back of another ethnic group, prejudice of one group first is to bring up over the prejudice of another group does not equal to a positive reaction. So I am not going to support this although I do support an Indigenous Peoples' Day.

And then I also would like to say, what are we doing? Why is it in this particular venue of a municipality? We could have people that have one leg in Hollis where they say its Columbus Day and person with another leg in Nashua that could be an Indigenous Persons Day. I would feel much more comfortable if this was litigated and heard up at the State. And that the whole State rules on this in particular. And I think that would be a much better venue that have it done here in the municipality.

We've got a lot of things on our plate to worry about. We've got DPW contract that's 3 years in arrears. We've got the Fire Fighters contract that hasn't been done. Yet I am not saying that this isn't an important issue, but we have our own municipal objectives that we need to really focus on. Yet this and by itself a very important subject and I don't mean to say that it isn't. But I question the venue that it's in. I would much rather have it at the State. But I want to go on record I support the concept wholeheartedly. But to do it on the backs of my Italian American friends. I don't want to go down that road so therefore unfortunately I can't support it in its present format. Thank you.

President Wilshire

Thank you. Alderman Harriott-Gathright.

Alderman Harriott-Gathright

I actually was going to give this long speech but actually I would like to move the question and I do support it.

MOTION BY ALDERMAN HARRIOTT-GATHRIGHT TO MOVE THE QUESTION

ON THE QUESTION

Alderwoman Kelly

Alderman Wilshire we've been talking for a while, can you remind people that the motion is to put it on the ballot and not to approve.

President Wilshire

The Motion is to move the question. Right, the question is to put it on the ballot correct.

Alderwoman Kelly

I just wanted to make sure everyone was clear.

Alderman Klee

Yeah I was going to do the same thing thank you Alderwoman Kelly.

Attorney Bolton

This vote is to move the question.

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 Tencza,
Alderwoman Lu, Alderman Schmidt, Alderman Cleaver

Nay: Alderman Lopez, Alderman Jette, Alderman Laws, Alderman Harriott-Gathright
Alderman Wilshire

5

MOTION CARRIED

President Wilshire

The motion before is to amend Resolution 20-077 and putting it on the ballot.

MOTION BY ALDERMAN KLEE TO AMEND R-20-077 AND PUT IT ON THE BALLOT

Alderman O'Brien

Excuse me, point of order. Was that a vote on moving the question?

President Wilshire

That was a vote on moving the question.

Alderman Dowd

Now it's the question.

President Wilshire

Now it's the question, right.

Alderman O'Brien

OK thank you.

President Wilshire

The Motion is to put the R-20-077 question on the ballot. Would the Clerk call the roll?

Alderman Jette

Madam President, I have a point of order question for Attorney Bolton. So the question we would be putting on the ballot is renaming Columbus Day as Indigenous Peoples' Day in Nashua. Not selecting another day as Indigenous Peoples' Day which I think was what Alderman Klee was looking for. I just want to make sure we understand what we are voting on. What we would put on the ballot is the question of renaming Columbus Day as Indigenous Peoples' Day am I not correct about that.

Attorney Bolton

Yes I think the question would actually read something like, Shall the Board of Aldermen or should the Board of Aldermen vote to rename Columbus Day as Indigenous Peoples' Day or words to that effect. And I know this was coming, I could have been more thoughtful as how to word it all. I think that's how it would come out.

Alderman Klee

Madam President?

President Wilshire

We've had a motion to move the question.

Alderman Klee

No I just wanted to clarify that Alderman Jette is incorrect. I did want to just put the question as it stands now on the ballot. That was my intention. Thank you, I'm sorry.

President Wilshire

Would the Clerk please call the roll? The Motion is to put this on the ballot?

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

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| Yea: Alderman O'Brien, Alderman Klee, Alderman Dowd, Alderman Caron, Alderman Jette | 5 |
| Nay: Alderwoman Kelly, Alderman Clemons, Alderman Lopez, Alderman Tencza, Alderwoman Lu, Alderman Schmidt, Alderman Laws, Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire | 10 |

MOTION FAILEDPresident Wilshire

That Motion fails. We are back to the Motion for final passage of Resolution 20-077 by roll call. Would the Clerk please call the roll?

MOTION BY ALDERWOMAN KELLY FOR FINAL PASSAGE OF R-20-077 AS AMENDED, BY ROLL CALL

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

| | |
|--|----|
| Yea: Alderman Klee, Alderwoman Kelly, Alderman Clemons, Alderman Lopez, Alderman Tencza, Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws, Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire | 12 |
| Nay: Alderman O'Brien, Alderman Dowd, Alderman Caron | 3 |

MOTION CARRIED

Resolution R-20-077 declared duly adopted as amended.

UNFINISHED BUSINESS – ORDINANCES**O-20-009, AMENDED**

Endorsers: Alderman-at-Large Richard A. Dowd
Alderman-at-Large Ben Clemons
Alderwoman Linda Harriott-Gathright
Alderman Patricia Klee

RELATIVE TO PUBLIC COMMENT

MOTION BY ALDERMAN DOWD TO AMEND O-20-009 BY REPLACING IT WITH THE GOLDENROD COPY OF AMENDMENTS MADE AT THE PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE, BY ROLL CALLON THE QUESTIONAlderman Dowd

I'd like to speak to it. I'd like to explain the rationale for the Golden Rod revisions to O-20-009, which makes changes to the Board of Aldermen's rules and order of business, Section 5-14 Order of Business. This Ordinance and the clarifications proposed for revision this evening is not meant to overly restrict the public's input to the Board of Aldermen. Rather its intent is to provide some clarification and guidance to these procedures. The full intent of the Ordinance is to establish guidelines to structure public comment to allow more than one person to comment on an evening's agenda or comment in the general at the end of the meeting. The Board has had the aforementioned rules in place for some time limiting public comment to 15 minutes with a provision to allow that it be extended if there were more people who wanted to provide input and the majority of the Board were OK with extending the period of public comment.

For the most part, this has been the practice we have followed, though we have often on occasion has a period monopolized by individuals who often went beyond their 5 minute restriction of the time with their comments and some went beyond the 15 minute allowance. Some also commented at the first 15 minute period on items not provided for by the rules of order. The first Public Comment Period is restricted by current rules to communications requiring final approval by the Board of Alderman that evening or other items that are going to be acted upon with final approval for that evening.

Let me be clear that we don't wish to limit what anyone can provide for comment from the public. That is why we have allowed for public's ability to provide written comments to the Board and have them included as part of the meeting minutes. As part of the meeting minutes these comments are available as well to the General Public on our web site. All public input requires a name and address included with both oral and written comments in order to be accepted. This revised Ordinance also clarifies what may be addressed at each public comment period as a guide to whoever is Chairing the Full Board Meeting or Chairing the Committee Meeting.

It further clarifies that a speaker providing oral comments in either public comment period be limited to 3 minutes and that they only get to speak once. This allows a person to clearly state their position on any items of business and no one may delegate any part of their time to another speaker. This is a rule followed by most Board of Alderman or Selectmen meetings in the State of New Hampshire. While the specifics of timing people is not in the Ordinance at this time, we have had the timing light system installed in the new Aldermanic Chambers and will use it hopefully when we return to our new chambers.

Further clarification identifies that this public comment period is for comment only and not for question and answer period with the Board of Aldermen. Only the Chairperson may receive a question and determine if someone answering this question will help clarify the item being discussed for the Board of Aldermen. The Chairperson may answer the question or delegate the one person who may answer the question. Questions and dialogue are only allowed during public hearings on subjects that require public hearing by law. Public Comment periods are not to allow speeches on any subject and all discussion should be relevant to items that fall under the purview of the Board of Aldermen or the Committee conducting the Hearing.

The second Public Input Period is for comments relative to the purview of the Board of Aldermen or City Government and have the timing spelled out in the revised Ordinance. Again, the public has the ability to provide written comments to the Board on any subject, via mail or e-mail, which may be included in the minutes of the Full Board or Committee Meetings, having justification on that subject. Matters that are under the purview of the Administration Branch of the City of Nashua should be addressed to the Mayor's Office. Thank you.

President Wilshire

The motion is to amend Ordinance 20-009 by roll call. Any further discussion? Alderman Clemons?

Alderman Clemons

I want to clarify something that was said earlier and that is that there is no restriction in this the way that we are amending this to prohibit comments outside of the purview of the Board of Aldermen on the second comment period. Is that the case? Can I have Attorney Bolton answer that question?

Attorney Bolton

I don't know if that's the case. This has been amended since my Department looked at it and I don't know what it says in the Golden Copy on the subject.

Alderman Clemons

OK. I can tell you that I don't feel comfortable with that. I think we should have a public comment period that allows people to speak to whatever they want to speak to. I do think it should be limited in time to 3 minutes. I agree with the changes on there that made sure you are being reasonable and respectful and things like that, those are obviously not mandatory and they are guidelines. But I guess I just want that clarified if we could. Thank you.

Alderman Dowd

As I read the golden rod copy, no it doesn't specifically say that so you are right. It doesn't limit, in the second comment period, the subject matter. But there is the time limit.

Alderman Clemons

Thank you and that is how I was hoping that this was going to be presented and I fully support the changes. Thank you.

Alderman Lopez

It's kind of ironic I think that in public comment I felt like it was used to target things that may not accurately be said as well. In the comments made at the (audio cuts out) I was actually objecting to specific behaviors. I was saying that Public Comment should not be used because we as Aldermen are providing validity to this comment. Like you can go to the Aldermanic Chamber and talk all you want when there's nobody in the room. But because we are sitting here, we are lending a certain level of importance and visibility to it. And we are the ones that setting the meeting and running the meeting, so in that case, we bear responsibility for what took place.

So I was bringing up the fact that it should not be a forum where City employees specifically can be targeted by members of the public, where they can prepare in advance and unleash a very detailed complaint or disclosure. I mean such members of the public could go to the Mayor, they could talk to the direct supervisors of those employees, they could go to the newspaper if they want, but that's something that I think is specifically what Aldermanic Meetings should be used for and I think it detracts from other commentators who wanted to make comments as well when those people derail the subject at hand. So I was objecting to that in the meeting that I don't think public comment should be used to target people who are city employees. I also brought up that I didn't think it should be used to target the Mayor, because as Aldermen we don't really have much to do about how much (audio cuts out) is modeled or whatever beliefs or people claim about him. If there's a legal issue, there's a legal issue, there's a civil case to be made, that's fine. But just announcing it in public I think is bad form. And then additionally I think neighbors shouldn't use it as an opportunity to berate each other. I did have an individual in my Ward who for years

would come to every public comment in a meeting even though he was repeatedly told that these concerns were not in the purview of the Board of Aldermen, he would do it anyway. And when asked why he was doing that, he said that he found it amusing, it was a habit and for entertainment, but he was calling his neighbors criminals. He drove them out of their location. When they moved I met with them, shortly before they left and they said that they just couldn't handle being (inaudible) and threatened with criminal action during Board of Aldermen's meetings repeatedly which happened over a course of years.

So those were (audio cuts) I wasn't really, I don't care what kind of language people use. If they want to swear to me in the face, I probably have done it on the record myself so I am not going to throw stones there. But I do think it was worth bringing up that there should be some level of decorum and respect in our rules, if the public demonstrates an inability to (audio cuts out) of their own volition and I think that's the case. I think some members of the public come with an ax to grind and they will (inaudible) people and use it as their personal podium with the bullying. So I raised those concerns but in the course of the Committee Meeting, Alderman Dowd pointed out that essentially my concerns were met by making sure that comments were respectful in tone and were subject to the purview of something that the Board even had relevance to. So I just wanted to clarify the comments that I was making. I wasn't particularly interested in tone policing. I just want to make sure that someone isn't overtly misusing the microphone when we give it to them.

Alderman Klee

Thank you, Madam President. I wanted to kind of speak to something actually before I became an Alderman, before I was actually elected to the Board. I sat through a lot of meetings that you all had had. And there was one in particular that really stuck out with me. It was a meeting that went well into the night, I think it ended somewhere after midnight. And we sat on those very hard benches with the less than adequate cushioning and I was squirmed and wiggled through that entire meeting and couldn't walk for a day afterwards. It was as long as it was more because of the public comment. The public had the right to comment. The public brought some very good points to it and I think it was worth hearing them. The thing is that no matter how much we tell people, please don't repeat themselves. We do it here as Aldermen and people are going to do it because they are there and they want to have their voices heard. It's not that they want their 15 minutes or so on.

But I do think that for the most part, I think when the public is trying to make their point, they can do within a specified time frame, whether it's 3 minutes or whether it's 5 minutes. I do think they can get their points out with that. And like today when you have 64 people who want to speak at a well packed agenda, I think that we do need to have some kind of time limits. I also remember at that particular meeting there was an individual citizen who came and very nastily spoke to an Alderman, directed their comments specifically to that Alderman. I was taken aback by the anger that was in that particular person's voice. When that was done and the Alderman got to speak at the end of the meeting, I remember a couple of Aldermen that almost demanded an apology from that individual who had actually left the room but they wanted it on the record that they were demanding an apology from that particular person.

We don't do that. We sit there and we take the beating or berating and I have no problems with it because truthfully I am elected official and I think I signed up for that and that's kind of the way life is. I do have a problem when a private citizen comes in and not just says something bad about a City employee. They have a right to do that and as was mentioned you have the right to question it. But we have sat through meeting after meeting after meeting where private employees that are hired, not appointed, but hired are called names; names that I think are less than appropriate language. And that's where I think that we do have to show some kindness. And as Alderman Lopez pointed out, no I don't want to be tone police, but I do think that we should try to expect at least some decent conversation. We can disagree politely without having to do name calling, without having to truly rude behavior. And although I do agree with what Alderwoman Kelly said, you know, my definition of rude may be something completely different than hers or Alderman Dowd's or yourself, President Wilshire.

The bottom line is I like the changes that we made to this. I think it's necessary and I do think we need

some civility. So this while it may be coming now I think is probably something that is probably overdue. And I can say that I think it was something that should have been put in by other Boards. I witnessed meeting where, at times, things got out of hand. So I think this is a way of being able to give the public the right to speak but yet make it more concise and not repeat the same thing over and over and over again within the speaking time.

Alderwoman Kelly

Thank you. I want to start out by saying that I support this Ordinance, most of it, as everybody has pointed until my turn here I had some questions around the wording around being rude. And I just wanted to potentially bring up again what my concern was and ask if Attorney Bolton would potentially be able to answer my question. So my concern was this, I absolutely think that we should allow people to have a time limit all those things. My concern is that the term "rude" is very subjective and that it will allow (inaudible) the meeting and while I know Alderman Wilshire does an incredible job, to shut people down because of their definition of rude and I am concerned about that. So my question is, do you see, obviously your office wrote this but do you see the same concern from a legal standpoint.

Attorney Bolton

Yes. I am not only concerned with the word "rude" I am concerned with the word "civil", I would have to say that some of the discussion tonight heightens that concern. The fact is you are talking about creating a public forum. When Government creates a public forum, it cannot regulate the content of the speech. You can have reasonable time, place and manner restrictions, thinking probably cut people off if they are shouting uncontrollably, if they are making threats of violence or try to incite other people to violence. I think you can probably prohibit profane language, although I don't know that I would advocate you doing so. I absolutely am of the opinion that you cannot stop someone from criticizing a public official or employee.

If you let Mr. X get up and say, I think the City Clerk does a wonderful job and the election went wonderfully and she's great, which she is, then Mrs. Y wants to get up and say, I had a horrible experience and I think the City Clerk ought to have done something more to prevent that and goes on and on about how inefficient she thought the situation was and how poorly it was handled. You've got to allow all of that. And if someone wants to criticize the Mayor one of you, you have to allow that. And I think someone could speak pretty strongly and pretty forthrightly and you still have to allow that criticism. If you start letting people heap praise on officials and employees, you've got to allow for the other side. You cannot base whether someone has the right to speak on the content of the speech.

You don't have to allow it. You don't have to create the public forum. You could only have it at Committee Meetings, you could only have it at the end of a Board of Aldermen Meeting, you could only have it at the beginning. You could restrict it on things coming up that evening. There are a lot of things you can do. But using words like "civil" and "rude" to prevent people from saying things you don't like, you cannot do that. Myself and the other lawyers in the office will be in Court day after day and it can cost money. The other side gets attorney's fees in cases like this and they are not hesitant about presenting big bills. So I think this is something to be very careful about when you've got these words like "rude" like "civil". It is fine if they are applied neutrally, but it is awful easy to slip into when you are getting praise, to let that person go. But when it's criticism well that's the definition of uncivil or that's the definition of rude. I would caution you not to do that and as I say, some of this evening's discussion about I don't think City Employees should be criticized or I don't think someone's neighbor should be criticized, you are not going to have the opportunity to prevent that and still have a public forum. So I would recommend you be careful.

Alderwoman Kelly

I would, given Attorney Bolton's response, and thank you for that, I'd love to put it to the maker of this Ordinance to potentially send it back to Committee.

Alderman Dowd

I would suggest to clarify what we were just talking about is to pass the Golden Rod Copy and then further amend it to do away with paragraph C10 on Page 1. I think that takes care of the issues that we were just talking about.

President Wilshire

Ok, so are you making a motion to amend?

Alderman Dowd

I guess I'll ask Attorney Bolton, should we amend the amendment before the amendments even been voted on?

Attorney Bolton

It is permissible to do that; whether you should or not is up to you. But is permissible to do it.

MOTION BY ALDERMAN DOWD TO AMEND THE GOLDEN ROD COPY BY ELMINATING PARAGRAPH C 10 ON PAGE 2 BY ROLL CALL

ON THE QUESTION

Alderwoman Kelly

Alderman Wilshire?

President Wilshire

Yes, Alderwoman Kelly?

Alderwoman Kelly

Alderman Dowd, would you mind just reading that paragraph so it's clear to everyone. I just want to make sure I know which one you are striking?

Alderman Dowd

It says, Remarks shall be civil; rude or profane remarks are prohibited.

Alderwoman Kelly

Ok and that's the only piece that it affects, thank you.

Alderman Dowd

I think the rest of it is fine.

President Wilshire

Ok further discussion on the amendment? Alderman Jette?

Alderman Jette

Thank you, Madam President. I was surprised that this was tabled in Committee for a long time. And I don't know if I missed something but I don't think there was any notice at least to people who weren't on the Committee, I am not aware of any notice that this was going to be taken up at the last Committee meeting. And I did watch that meeting and it seemed to come up at the end of the meeting and I know that Alderman Dowd has worked hard on this. I know that he talked to the Legal Department at length about this. But I am concerned hearing Attorney Bolton say that it was changed from the last time his office really looked at it and he's raised some issues.

If I had known it was going to be brought up at the last Committee Meeting, I would have attended. I don't think it has had a full hearing. You know the Committee didn't really talk about it much, maybe they had a chance to review it and were satisfied with it. But I think that especially in view of Attorney Bolton's comments and some of the questions other Aldermen have raised. I have some questions. I would, I am in favor of what Alderman Kelly suggested and that is to refer it back to the Committee you know, rather than trying to amend in on the fly here. You know things don't go well when you do things in that way. So if it's appropriate I would like to move to refer it back to the Committee.

MOTION BY ALDERMAN JETTE TO REFER O-20-009 BACK TO COMMITTEE BY ROLL CALLPresident Wilshire

OK so we have three motions right now. We have a motion to amend with the Golden Rod Copy, a motion to amend to delete paragraph C10 on Page 2 and a motion to re-refer. Can you help me out Attorney Bolton?

Attorney Bolton

The motion to amend and to amend the proposed amendment, adhere to the proposition and if the motion to refer to Committee or re-refer to Committee is in order, and basically the whole kit and kaboodle goes together to the Committee and the Board could expect back the recommendation of the Committee on the proposed amendment to the proposed amendment and a recommendation on the motion as it may or may not be recommended for amendment.

President Wilshire

I don't think you clarified for me enough. OK we are going to take up the motion to re-refer. That's in order, right?

Attorney Bolton

Yes.

President Wilshire

Thank you. Alderman Dowd.

Alderman Dowd

I will just say that months ago this Legislation went through Personnel. There were some issues with it. At the next Personnel Meeting I went and spoke to some of these changes and we agreed at that meeting to have those changes reviewed by Legal and they were reviewed and wording suggested by Attorney Leonard. The wording that is in this amendment is from Attorney Leonard. I have no problem with taking out C10 but I don't think we need to refer this back to Committee to hash out what should have been available to be hashed out at several Committee Meetings. You know everybody has the opportunity to go

to a Committee Meeting. And as I have told many people on many occasions when something is tabled in a Committee and it goes to that Committee, it can be brought up. And in this instance it was and it got a unanimous approval at the Committee. So I think we should not refer it back to the Committee.

President Wilshire

Any further discussion on re-referring? Alderman Klee?

Alderman Klee

Thank you, Madam President. I am not being critical in any way of any of my colleagues but I can tell you that I have often contacted Alderman Dowd when he's been Chair of a Committee and in this particular case, Alderwoman Caron relative to this. When I see there are tabled items I send an e-mail message, will these tabled items be brought up? Alderman Dowd knows that I've done it to him many times. And in this particular case I also did it with Alderwoman Caron and asked would these tabled items come up, will they be voted on, will they be spoken to. In this particular case, that was one of the reasons why I attended that meeting, is I did know that it was going to be brought up and it was going to be discussed.

President Wilshire

Further discussion on re-referring? Alderman Lopez.

Alderman Lopez

I don't know that the "he said, she said" is really serving us at this point. I think some issues were brought up. I was at the meeting too and debated it at length and then the public comment mentioned my contributions to it. But after hearing Attorney Bolton's assessment of it I am a lot less clear on what my opinions should be, so I would appreciate having it go back to Committee and being able to review it. I think we are talking about moving something that has to do with free speech, with all due respect to the effort that Alderman Dowd has put in, he's a seasoned legislator, I know he knows what he's doing. And the fact that Legal did give him advice that may or may not have been fully communicated internally. There's still questions here and I think it is better handled with the time that we actually need to give it. This is a pretty big important question I think and we should just send it back to Committee and not rush it.

President Wilshire

Further discussion on re-referring? Seeing one, would the Clerk call the roll please?

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

| | |
|--|---|
| Yea: Alderwoman Kelly, Alderman Caron, Alderman Lopez, Alderwoman Lu, Alderman Jette, Alderman Laws | 6 |
| Nay: Alderman O'Brien, Alderman Klee, Alderman Dowd, Alderman Clemons, Alderman Tencza, Alderman Schmidt, Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire | 9 |

MOTION FAILED

President Wilshire

The motion before us for final passage of Resolution 20-009 as amended.

Alderman Dowd

No, we haven't amended it yet and we've got to amend the amendment.

President Wilshire

Ok. So we have two amendments at this point. We have the amendment with the goldenrod copy and we have the amendment to remove Section C10 on Page 2.

Alderman Dowd

If we address the C10 first then we can approve the goldenrod copy with that change.

President Wilshire

We will do that. That sounds good. Ok so the motion is to amend O-20-009 by taking out paragraph C on Page 2. Discussion? Alderwoman Kelly?

Alderwoman Kelly

If I could ask a question to Attorney Bolton through you. Given our previous discussion are you comfortable with removing that as a change that will put us in a better spot with this Legislation. I am trying to work this correctly.

Attorney Bolton

It addresses many, if not all, of the concerns I raised.

Alderman Clemons

So we are eliminating all of Section C is that this amendment?

Alderman Dowd

No, no, no. C10 - just that one paragraph.

Alderman Clemons

Which says what?

Alderman Dowd

I can read it.

Alderman Clemons

I am not sure if I have the right copy in front of me, that's why I am asking.

Alderman Dowd

C10 says "Remarks shall be civil. Rude or profane remarks are prohibited". We are removing that because of the concerns that Attorney Bolton had.

Alderman Clemons

Thank you. What about the line that says excessive repetition and irrelevant remarks are discouraged?

President Wilshire

That's in there now.

Alderman Dowd

Yeah, that's in there now.

Alderman Clemons

Ok. So we are just So it's just that one, OK I understand thank you.

President Wilshire

Further discussion on the motion to amend? Seeing none would the Clerk please call the roll?

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, Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws, Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire | 15 |
|---|----|

| | |
|------|---|
| Nay: | 0 |
|------|---|

MOTION CARRIED

President Wilshire

That motion carries. We are back to

Alderman Dowd

Approving the goldenrod copy with that change.

President Wilshire

Ok I was getting there, thank you. Discussion on the motion. Alderman Jette?

Alderman Jette

I have an inquiry, somebody just said, I think you just said Madam President that Alderman Clemons asked you, he said what about something....

President Wilshire

Repetition.

Alderman Jette

Repetition being discouraged and you said it's already in there. I am looking at the current Ordinance. I don't see it in there.

President Wilshire

OK I was mistaken.

Alderman Jette

I mean is it there?

President Wilshire

I don't have it in front of me Alderman Jette.

Alderman Dowd

I can tell you that's a non-descript statement. I mean it's discouraged, it's not prohibited. If somebody keeps repeating themselves it allows the Chairperson to say please clarify, you've been repeating yourself. So it does not prohibit it, it's not a prohibitive statement.

Alderman Jette

I'm sorry Alderman Dowd I think I have the floor. My question was that Alderman Clemons said, what about that? And he was told it is already in there and so I am just trying to clarify that it isn't already in there. You are adding it. Now you are arguing as to why it should be added, that's fine. But I would just like to remind my colleagues that we are passing what I think is a very important Ordinance. And as others have pointed out, we are talking about free speech. We are talking about the public's right. Attorney Bolton has told us that this is a very dangerous area. And I don't understand the reluctance to send it back to Committee and allow Attorney Bolton to meet with the Committee and other Aldermen who are interested to make sure that what we pass is something that is going to be solid. I also noted that Remarks by Aldermen at Committee Meetings has been struck out. What does that mean? Aldermen aren't going to be able to make remarks at Committee Meetings at the end of Committee Meetings? Is that intentional? Did you mean to strike that out?

President Wilshire

Are you asking Alderman Dowd?

Alderman Jette

Yes, through you.

President Wilshire

Alderman Dowd, do you care to answer that?

Alderman Dowd

I think that struck out because the wording was changed slightly. But I don't think the intent was changed. There's no intent to not allow Alderman to comment.

Alderman Jette

May I respond?

President Wilshire

Alderman Jette, yes.

Alderman Jette

The goldenrod copy on B (3) has struck out "Remarks by Aldermen", is struck through. There's no language replacing it. It's completely struck through.

Alderman Dowd

Not on my copy.

Alderman Jette

Well this is the goldenrod copy that was provided with the Agenda.

Alderman Dowd

Which one are you talking about?

Alderman Jette

I am looking at the goldenrod copy that was provided with the agenda and its paragraph B and the third paragraph (3).

Alderman Dowd

That's because it was repetitive, it's in the original Ordinance. It didn't need to be there because it's in the original Ordinance. I just want to point out that we've had months to do the homework on this. This Golden Rod Copy has been around for a long time. And all the motions that were made to it were made months ago.

President Wilshire

Are you OK with that answer Alderman Jette?

Alderman Jette

Well no I am not. I think it is fine to say that you know I should have been at all of these Committee Meetings and ready to be aware of when this was going to be brought up when it was going to be untabled or removed from the table. It was removed from the table and the Committee voted on it and I think what we have in front of us has got a lot of questions. And I think we are on dangerous ground. I think passing this without reviewing it one more time by the Committee with Attorney Bolton I think is a mistake and I am going to vote against it.

President Wilshire

Well we have already voted on the re-referring. So the motion is to amend to the goldenrod copy. Further discussion? Would the Clerk please call the roll?

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 Schmidt, Alderman Cleaver,
Alderwoman Harriott-Gathright, Alderman Wilshire 10

Nay: Alderman Lopez, Alderman Tencza, Alderwoman Lu, Alderman Jette,
Alderman Laws 5

MOTION CARRIED

MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF O-20-009 AS AMENDED, BY ROLL CALL

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

Yea: Alderman O'Brien, Alderman Klee, Alderman Dowd,
Alderman Caron, Alderman Clemons, Alderman Schmidt,
Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire 9

Nay: Alderwoman Kelly, Alderman Lopez Alderman Tencza,
Alderwoman Lu, Alderman Jette, Alderman Laws 6

MOTION CARRIED

Resolution O-20-009 declared duly adopted as amended.

O-20-030

Endorsers: Mayor Jim Donchess
Alderman Patricia Klee
Alderman-at-Large Michael B. O'Brien
Alderman Jan Schmidt
Alderman Richard A. Dowd
Alderman Tom Lopez
Alderman-at-Large Shoshanna Kelly
Alderman-at-Large Ben Clemons
Alderman-at-Large Lori Wilshire

ADOPTING A TAX INCREMENT FINANCING (TIF) DEVELOPMENT DISTRICT UNDER RSA 162-K AND NRO 295-11, THE "SCHOOL STREET TIF" AND A TAX INCREMENT FINANCING DEVELOPMENT PROGRAM AND FINANCING PLAN FOR THE NEW TIF

MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF O-20-030, BY ROLL CALL

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 1

MOTION CARRIED

Ordinance O-20-030 declared duly adopted.

O-20-031, Amended

Endorsers: Alderman Patricia Klee
 Alderman-at-Large Ben Clemons
 Alderman-at-Large Brandon Michael Laws
 Alderwoman Elizabeth Lu

PROHIBITING DOGS IN FENCED-IN TOT LOTS**MOTION BY ALDERMAN KLEE TO AMEND O-20-031 BY REPLACING IT WITH THE GOLDENROD COPY OF AMENDMENTS MADE AT THE PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE, BY ROLL CALL**ON THE QUESTION

Alderman Klee

And if I may speak to that?

President Wilshire

Alderman Klee.

Alderman Klee

Thank you so much. The animal, I am blanking on the name... the Committee that we put together, thank you very much Alderman Lopez. They made three very, very good recommendations to the original Ordinance. And that was to change the prohibiting dogs in fenced in tot lots, just prohibiting pets in fenced in tot lots. At their Committee they had discussed that we live in a City of multi kind of pets from lizard type things to chickens to everything. And they just felt that it was more encompassing to change it from "dogs" to "pets". I would hope that someone is not going to bring their pet chicken to run around there but you never know. It was just a better way to go. The second thing that they changed was to add in that so for instance it says "bring in a pet into the following fenced in tot lot except for service animals". I had not addressed that perhaps service animals should be able to go in there and they picked that up right away and asked for that to be added and the Personnel/Administrative Affairs Committee did make that.

And the other thing that they asked was that we reference "future" fenced in tot lots. So those are the three amendments to that. Once we vote on that I can address the Ordinance itself.

President Wilshire

The Motion is to amend with the Golden Rod Copy. Further discussion on that motion. Seeing none would the Clerk please call the roll?

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

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|---|----|
| 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, Alderwoman Harriott-Gathright, Alderman Wilshire | 15 |
|---|----|

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| Nay: | 0 |
|------|---|

MOTION CARRIED**MOTION BY ALDERMAN KLEE FOR FINAL PASSAGE OF O-20-031 AS AMENDED, BY ROLL CALL**

ON THE QUESTIONAlderman Klee

And may I speak to it for a moment?

President Wilshire

You may.

Alderman Klee

Thank you so much. The reason that this Ordinance that this came about was a number of phone calls from constituents that had gone into the Shattuck Street Tot Lot and there was a lot of excrement to say the least I guess. So it became quite an issue. And then I heard from constituents who had been to other tot lots and experienced the same thing. When I originally had asked for this to be drafted, I had asked for all tot lots. But in speaking with Public Works, Parks & Recreation, it was made very clear that would be difficult to say all tot lots because there are some tot lots, for instance, the Salem Street tot lots where people just kind of walk through it. It's almost a pass through so to say that someone could not bring their dog just doesn't make any sense.

So we decided that it would be fenced in tot lots. And at this point in time we have only four fenced in tot lots in the City. So we have the Shattuck Street, the Belvedere Bridge Street, the Erion Field, Robinson Road, Jeff Morin Playground at Roby Park and then we did add the item of any other tot lots that become fenced in. So that's really where this came about and I think it's a good idea, as a person who has dogs, I just don't think that it is appropriate for them to go into any area where children are going to be playing on the ground and so on. And even if they did pick up the excrement, there are other liquids that are deposited by dogs as well. So that's where this came from and it's a long evening so hopefully we can just go to a vote.

President Wilshire

The Motion is for final passage of Ordinance 20-031 as amended. Alderman Lopez.

Alderman Lopez

I just want to add support to this. I think it was a good idea to propose it. I think the Animal Park Advisory Board did a good job of making recommendations and that Personnel/Administrative Affairs Committee also reviewed in in good conscious. I think it's going to be a positive addition to our Legislation.

President Wilshire

Anyone else? Seeing none, the motion is for final passage of Ordinance 20-031 as amended by roll call. Would the Clerk please call the roll?

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

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| 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, Alderwoman Harriott-Gathright, Alderman Wilshire | 15 |
|---|----|

| | |
|------|---|
| Nay: | 0 |
|------|---|

MOTION CARRIED

Resolution O-20-031 declared duly adopted as amended.

O-20-032

Endorsers: Alderman-at-Large Brandon Laws
Alderman Thomas Lopez
Alderman Jan Schmidt
Alderman Skip Cleaver
Alderwoman-at-Large Shoshanna Kelly
Alderwoman Elizabeth Lu

REDUCING THE FINE FOR OVERNIGHT PARKING VIOLATIONS**MOTION BY ALDERMAN LAWS FOR FINAL PASSAGE OF O-20-032, BY ROLL CALL**ON THE QUESTIONAlderman Laws

If I could briefly speak to it?

President Wilshire

Alderman Laws.

Alderman Laws

Thank you. You've all heard the arguments for this. It absolutely will result in the City losing some of the fine revenue. I spoke with Director Cummings today for awhile and we hashed it out and before the late fees, the number we came up with was with the \$10.00 parking fee the difference is going to be somewhere in the ballpark of \$112,000.00/\$113,000.00 a year that the city isn't making in parking fee revenue. Now that is a substantial amount of money, he promised me that it doesn't mean that anybody is going to lose their jobs. Because of the way it's structured right now, he basically is just giving people extra hours. I am paraphrasing him and he can correct me if he finds anything I say to be misleading or wrong. But he basically gives people hours to go out and do this so there's not set schedule, and there's no set people doing it. It's not someone's particular job to go out and do overnight parking tickets. So no one is going to lose their job because of this.

He says that it is going to be difficult to find other ways to find this \$112,000.00 but there are going to be ways to do it. And I would just like to make the simple argument that this is \$112,000.00 that is disproportionately shouldered by people who live in our lowest income neighborhoods; people who work in the service industry, who go out to the car after work and get a parking ticket because they got out of work late. And people who go to the restaurants and bars and future Performing Arts Center that we all pretend that we care so much about and want to be responsible and not drive home afterwards after having a few drinks.

So I mean I am OK with taxing people broadly, but I believe in equity in the tax and I don't think that this is fair to all of our residents when only a few of them are the ones that have to shoulder this burden. So that's where I am at. Thank you, Madam President.

President Wilshire

You're welcome. Discussion? Alderman O'Brien?

Alderman O'Brien

Thank you, Madam President. I hate to do this but I would like to come up with another motion and that is to re-refer this to Committee.

MOTION BY ALDERMAN O'BRIEN TO RE-REFER O-20-032 TO PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEEON THE QUESTION

And the reason and may I speak to that? Thank you Madam President. We did hear in the beginning, particularly from the Mayor and the loss of revenue with this. And I have always been of the opinion that parking and parking regulations is not really for a City to really generate revenue. But however it is to keep order. The reason we do have parking meters is to keep a flush of the traffic so people aren't taking too long or using that to all day parking, it's for the betterment of the merchants so that they get a flush of people that come in and come out and everything else. But why are we having a problem with all night parking?

A lot of this comes down to right now of the things that have happened in the City where it was traditionally a two-family, 2 ½ story wood framed home was reconverted into four apartments. Now when it was a 2 family home, maybe you know the old days, probably dad was the only one in the house that had the car. It was a case like in point like with my mother's situation. She didn't get her license until a much later date. But those families have moved on and they don't live in those types of buildings anymore. Yet what was the second floor was a whole family it's now been turned into 2 apartments. You have the original person that may be on the lease and then you may also have an overnight guest that may come in. And there's only so much linear feet in front of a house that people could park at.

So the thing is, wouldn't it be great if the landlord's took some of their backyards or whatever it could be and pave them and to make it better for off-street type of parking? Some have, some have not. And it seems like something that has gotten away from us a bit. Now if it's somebody that's in the service industry, if this came before the Infrastructure Committee, I think in order to help out people in the service, I would have been quite content to delay it an hour so that those people could have got out and still got to their car and perhaps not got a ticket as one of the solutions. And maybe if it goes back to Committee that could quite easily be done.

But the thing is, if somebody wants to make the choice of not driving home when they are drunk, well you know, leaving your car out on the street is one of the penalties for not the wise choice of taking your vehicle out to begin with. I'm glad that they sought out an alternative means of getting home but one of the things is that they left the car there. I'm sure we are all grateful that they are paying their fine and the ticket for leaving their vehicle there as to making the choice of driving home. But it's a small price to pay compared to a DWI charge.

So therefore this problem is really bigger than what it is led to believe. My committee in Infrastructure have heard this, we've heard a lot of cases very much similar to this and it is why we want to have the parking study. And I want the other Aldermen in supporting me with this, referring it back to a Committee. Parking is such a tenet that once we let go of it, the control feature that us as a municipality have it, will never get it back again. So any type of inroads or changes that we make in it, it will be awful hard if we allowed overnight parking let's say in general, you'll never get that back. And that independent study that is supposed to come out, whatever they come out as part of the solution, we may be talking about readdressing the landlord type of situations and looking for adequate parking. We may be talking about permitted stickered areas where you need a pass or something like that, similar to that they do and I see Director Cummings here.

The thing is the company that is doing this has had experience in cities that are quite similar to Nashua. So I think anything needs to wait as not an emergency with this. So I hope that you do support me because

you have done this if this goes through as proposed, you are never going to get it back. You know, it's going to be extremely difficult to do that. So it doesn't seem to be the house on fire with the issue and I think it could be referred back to Committee. If we are going to do it, let's do it right. Let's do it correctly because ramifications could be quite difficult. So thank you.

President Wilshire

I am going to recognize Director Cummings who is with us. Director Cummings do you want to weigh in on this?

Tim Cummings, Director of Economic Development

Yes, thank you, Madam President. And I'll keep my comments brief. For the record, Tim Cummings, Director of Economic Development. And I just wanted to clarify a couple statements; Alderman Laws was correct in a lot of what he said. But there's just a couple elements that may have been missed that I think are very important to make sure that this body is aware of. I think it's fair to say that we will do everything that we can to minimize any type of layoffs, that's definitely something that is true. It's something that I know the Parking Department would work hard to make sure doesn't happen obviously with a significant loss of revenue I would be misrepresenting it to say that we wouldn't be laying anyone off or we wouldn't be reducing hours of any such, I think that would just be a safe thing that folks should realize would occur, at least in the short-term until we got a handle on the financial situations and then we could look to potentially increasing those hours.

And then similarly the other key element that I think is really important is at least for the time being there would be no more active enforcement of overnight parking. So I just want folks to understand that. That's a very key element that would be happening. Of course, we would strive to do it again and we would once we felt like we could take it on and not have it financially burden the Department. But we would make every effort to try to reincorporate it back in. But it wouldn't be like the way we have done it in the past, in terms of actively enforcing overnight. It would be something ad hoc or when complaints came in or you know when we could do it because we had the financial wherewithal to be able to cover the costs. I guess the last thing I would say is the parking department has worked really hard over the last 2 years to turn that account around.

When the Parking Department took it over it was in the red by something like \$25,000.00/\$50,000.00 year over year and you know last year or the year before was the first year that we saw a surplus in that account by I think \$30,000.00 or \$50,000.00. And we were starting to put that revenue towards parking related expenses. With the reduction in revenue that we are talking about now I think the other byproduct that this body just needs to be aware of is that we would most likely have to see some of those parking related expenses borne back on to the residential property tax base. So these are just some of the elements that I just want everyone to be aware of, that as you are voting on this this evening that you fully know and understand. So anyway I just want to make sure I got those comments out. Thank you.

President Wilshire

Thank you. Alderman Dowd?

Alderman Dowd

Yes, I am going to support Alderman O'Brien's motion. I said in the committee meeting that unless we come up with an alternative source for the funding, because we are in the middle of a Budget Year and this is coming out of 2020 funds. And it's not a lot of money but it has got to come from somewhere. Is it going to come from layoffs? You know, that's going to be up to administration. But you know there's an issue, there's other places it could come from. So I am concerned about that.

The other thing is we are making a reduction of fine across the City when the maker of the motion is talking

about particular restaurants or bars that have an occasional customer that doesn't want to drive. I think an alternative that we could talk about it committee is maybe we gave each one of these bars a parking space where they won't get ticketed. And if they have more than one person getting drunk in there that needs to leave a car, we have got a bigger problem. So I think there's a lot of issues with this that have not been resolved and it ought to go back to committee. And I'm not one for usually sending things back to Committee as you may have seen.

President Wilshire

Alderman Clemons.

Alderman Clemons

Thank you, Madam Chair. I have a question for you to Director Cummings if I could. I believe I heard and please jump in I am wrong Alderman, but I believe I heard Alderman Laws say that the revenue loss was going to be more to the \$112,000.00 range and he said that he spoke to you about that. Can you expand on that a little bit? Is that \$112,000.00 a year because the Fiscal Note said \$250,000.00, well \$225,000.00 to \$250,000.00 would be the potential loss. So I am curious how that other number came into your conversation?

Director Cummings

Yes thank you so a couple points on that. We know on average, and I shouldn't say on average, but somewhere between 40 and 60% say 60% because that's what is has been the last couple of years of the revenue have been from overnight parking. And so I think last year we got something just under \$400,000.00 in revenue actual monies in. Of that, I'm sure some of it was not solely overnight but other fines but when you take 60% of that we came into the range of \$230,000.00 I think is what it is; \$230,000.00.. So that is basically if we were not doing overnight parking just using last year as an example there would be a loss of \$230,000.00 or something to that effect. That is because we wouldn't be doing and I think where Alderman Laws' analysis is slightly different than mine, he's actually adding in the \$10.00 back. But we are not going to be able to cover costs by actually doing the shifts and so it is going to just be lost money. So unless we can do more and no wants to ticket. But if we can make up the revenue by ticketing in some other manner during the days or something like that, then maybe we could do a couple shifts at night to actually you know make up the loss of revenue that we would be seeing.

Alderman Clemons

I am sympathetic to the reason why this came up in the first place. But I think there are other ways we can do this. I think that we have to prioritize our residents and I think that if that means that we have to expand where we allow the overnight parking into areas like where I live on Ash Street, we don't have it. We have a lot of apartments and things like that in my neighborhood, down this end of Ash Street. And I am sure that there are other areas of the City that also are affected. And if we can come up with a way that we can make up for some of that and help our residents out in that way by giving them basically permission to park, then the occasional person that maybe can't drive home can call the Parking Department and have their car put on a list for that night because that's in the Ordinance right now. I am going to support Alderman O'Brien's motion to send it back to Committee, because I don't want to kill this Legislation. I think it's a worthwhile discussion, I think that we need better facts and figures and ideas of what we can do. I think we need to hear more from residents. I think we need to look at and hear from the City Clerk of how many of those parking passes in French Hill and the Tree Streets are actually sold, do we need to expand that or are we sold out, is that the reason we are having a problem. So there's more questions that I have than answers so I am going to support Alderman O'Brien's motion. Thank you.

Alderman Klee

Thank you, Madam President. I've gone round and round with overnight parking. And while I would love to

say OK everybody should park and I do agree with exactly what Alderman Lopez and Alderman Laws has pointed out. It's that the people that are harmed the most are the ones who can afford it the least. But at the same time, as a City we've kind of a disservice to certain locations. So for instance, I'm going to bring up two examples of things. The first one is a home that was transferred into a multi-unit. Zoning gave permission for that and a recommendation of 1.5 parking spaces for every apartment or something of that nature. The problem is, one of their apartments has five bedrooms, it's being rented out by people who work at BAE and there are five people living in there; five vehicles. They do not have enough parking for that so they wanted on-street parking. In this particular area it really wasn't conducive to overnight on-street parking. I talked to Jill Stansfield and so on and there was really kind of an issue with what the location of that is. The problem is is that we have approved too many apartments that need a lot of parking. So what do we do? I have no idea. I had hoped that the parking study this summer was going to help it; now because of COVID it's being pushed off to the spring. I hate to see this continue to get pushed off, but I do think that we do need to do it. Reducing this down to \$10.00 seems really great on the surface, but if I hear Director Cummings properly, we basically for all intents and purposes are going to abandon the overnight parking. If we are not giving out fines and we are not doing it and we are not actually taking, unless someone calls, it's gone. So I think then we don't \$112,000.00 we lose \$240,000.00 which I do believe, I like that Director Cummings said that they would work really hard so that nobody loses their job. But whether they lose hours or not something is going to happen.

The other story I want to tell is about a tractor trailer park and I will say it was right on Mt. Pleasant, it took two parking spaces. He was getting a \$25.00 every night. What would happen is as long as he didn't have three outstanding parking there was nothing we could do. It was cheaper for them to pay the \$25.00 (audio cuts out) night for the violation of the overnight parking than it was for them to pay for parking somewhere else. So bringing it down to \$10.00 is only going to encourage that kind of behavior and I don't want to see that. What was happening there at Mt. Pleasant was the tractor trailer was not leaving on time and the teachers who would normally have parked there or the parents who normally would have parked there, could not park there. I had so many calls from residents within that area. I don't want to see something like that happen. So while I do think that it is really good to keep all of our fines together, I also remember from the Committee meeting that I believe and please correct me if I'm wrong Director Cummings, but he stated that fines are not to penalize someone but it is to help, it's to turn them from doing something we don't want them to do. So we are not trying to hurt anybody in general; what we are trying to is we are trying to look at it as that it is a deterrent. A \$25.00 fee was not a deterrent for a tractor trailer who probably would have had to pay \$50.00 a night to park his vehicle somewhere and he took up two parking spaces but we could only give him one ticket even though there were two parking spaces. So it is a frustrating thing, there's no right answer to this. But I do agree that it should go back to Committee in this particular case. Thank you.

President Wilshire

Alderman Lopez?

Alderman Lopez

Thank you. So my understanding is that this meant to change the behaviors and this is supposed to not be a revenue generator but supposed to be something that manages how parking is available and how streets are available and how they are safe. I think one of the difficulties here is how we are addressing that. If a raised voice doesn't work with a child you don't slap them, you don't just keep doing what you are doing more. You have to look at why they are misbehaving and why they are not behaving the way that you want. We don't that as a City, all we do is fine people and increase revenue. So we have created a system here that is self-feeding. Now at the moment, as Director Cummings has pointed out, he has turned a red funded program which was not generating revenue because it cost more to run that it did to produce revenue into a green one that produces revenue. That does not show that the behavior decreased at all, it shows that the behavior has increased.

It may show that our capacity for in our seeking has increased somewhat, but more likely than not we haven't actually solved the problem of overnight parking, all we have managed to do is make people a little

more creative about how they try to solve their parking problems. So there are other solutions that we can do to address it as a behavior and we are not committed to doing it as a City at all. There have been multiple pieces of Legislation brought before the Infrastructure Committee over the past two years that have addressed different issues that were specific and local; every single one of them was tabled. Every single one of them was put towards the parking study which expanded in scope. And I know it was just stated that it's unfortunate that it was supposed to take place this summer; we were really looking forward to it. But COVID-19 came along, it was actually supposed to take place last summer and it was completely kicked down the road every single meeting that happened. So as the City, we have no incentive for changing our approach. All we are doing is collecting revenue, using that revenue for other projects, other slush funds – you know let's build a whole new parking garage and all that kind of stuff. These are issues that we've kicked around in the past, but we haven't changed the approach.

We haven't looked at - OK it was proposed in the past that we look at daytime parking passes in maybe certain levels of the garage. That never happened because of the study and we never looked at other mechanisms for collecting revenue other than just the parking meters themselves. All we do is the same thing over and over again; we just charge people over and over again. And doing that with overnight people, a couple of the Board members here have been a little bit selective in their hearing as to what the genesis of this is. You can add the stigma to people who might have had a little too much to drink, you can say, Oh we can't put that on the property owner's tax rolls because people had too much to drink, that would be ridiculous. None of the Aldermen here ever have too much to drink or stay out. That's an easy argument to make, but that's not the argument that was being made here. And that's pretty disingenuous to the public commenter that made pretty eloquent comments at the beginning of the meeting with regards to how he as a resident was affected and impacted. This is not just an issue of people who are drinking too much needing to have a little bit of break on their fines, because you can call the Police and tell them you've had too much to drink and they won't do anything with your tickets; they will waive them.

What you can do, however, is ticket people who have a fixed location and don't have a parking solution for them and you know where they are going to be every month, every week and you can repeatedly ticket them over and over again. And that's what we have seen, that's what we have been hearing about, those are the e-mails that we have been receiving over the summer have been about and earlier. I think when they first started it was more directed at me and if everybody recalls, last year in the summer, I had a constituent come up with a parking ticket that he paid for like 8 cars on his street that were all ticketed because his street didn't have on-street overnight parking. And I wanted to add that so that we could have a legal way of paying for access to get parking and that was tabled. So there are areas that need on-street, overnight parking that we as Aldermen and frankly when I say "we" I mean you, because you are the ones who are overriding me. I have chosen not to add to the overnight parking program, we have made that choice not to give them anything other than fines. And we can talk about how there's a bigger problem here and there's bigger plans that need to be done. But if you roll the problem up large enough than you never have to solve it. And that's what we have been doing here for at least two years if not longer.

So I appreciate Alderman Laws actually taking an initiative and making a step, any step in the direction that actually represents constituents' needs. And I think everyone should consider carefully whether they are going to continue doing the same behavior over and over again or whether they are going to claim that they are going to change their behaviors and do things the same as they always have. Because as much as we are trying to change the behavior of the people who are parking overnight in places where they have no other alternative to do it and are just getting tickets. We should probably change our own behavior too and actually take a serious look at parking and not look at it as a form of revenue generating, which is small compared to some of the other Departments and the other forms of revenue. And it doesn't really measure up to any of the other expenses that we have spent even tonight. We have spent much larger amounts just on debt service than we are talking about here. And we are not looking at solutions we are not looking at what our residents need or what people who are parking need. We are just thinking it's late, I'm going to send it back to Committee, I'm going to take the easy way out on this. And that's unfortunate. I don't think we are representing people well at all.

President Wilshire

Director Cummings?

Director Cummings

Yes thank you Madam President. I just want to quickly clarify a few things that were just stated and want to make an offer again. So this summer, in August I had a meeting with the Infrastructure Committee. I had Desmond our hired consultant for the parking study give me a quote and I offered that we pull out the overnight parking issue and treat it as a stand alone item and I got a quote for that and asked the Infrastructure of there was a desire to pursue that as a stand alone item and the feedback and the consensus at the time was there really wasn't much of an appetite to do that. Maybe folks' opinions have changed, if folks want to do that. I am more than happy to engage our professional consultant that could help guide us in best crafting a solution to this problem. They've already given me the quote on what it would cost us if we had an interest in doing that and I am sure we could reactivate that proposal if there was such an ambition by this body.

In addition to that, I just want to clarify a couple things. One, the Parking Department doesn't go out and "target" certain neighborhoods or certain areas that is by no means what they do. And then in addition to that, the ticketing has pretty much stayed consistent over the years in terms of the amount of volume of tickets that have been written. So I understand the frustration, I've heard some of it. I think the comment that was made about there's been "more ticketing happening and it hasn't been changing the behavior and now all of a sudden the account is in the positive and not the negative". What happened is actually the behavior was occurring and infractions were out there it is just that they weren't getting cited. So they did start getting cited and so that's why everyone is starting to hear and talk about this issue, which I agree is very important.

But depending on where you are in Nashua, there is a different solution for each area. So I think in downtown there may be one solution. And I think when you are outside of the downtown it may be a different solution. So one size fits all approach may not be the best way to handle it. So at any rate, I've probably carried on a little too long for this evening on this. But I would just leave everyone with the fact that if you want to have a conversation about allowing for overnight parking to occur, there's ways to do it that will be safer and more sophisticated that will allow for snow removal to occur without any problems, that will allow for public safety issues to be addressed so there wouldn't be as many problems as opposed to just allowing for there to be overnight parking with no controls in place. So thank you.

President Wilshire

Thank you Director Cummings. Alderman Clemons?

Alderman Clemons

Thank you. I agree with most of what Alderman Lopez said, in particular the fact that we, that regardless of a study we are elected as Aldermen to know what is going on in our constituent's lives and they come to us with issues and it is our responsibility to see if we can come up with a solution. So in the sense of if you wanted to add, regardless of whatever parking study said, if you know that there is a street that the overnight parking program should be added, then we should be addressing that and not waiting for a parking study because it is just common sense. And so in that regard I agree with Alderman Lopez in that we need to look at different approaches and we can't keep holding things up in Committee and that kind of stuff.

On the other hand though I disagree in the sense that this is exactly why this legislation should go back to committee so that we can have a better conversation. So while I agree with most of what was said, I do not agree with this moving forward. I think that would be a mistake. I think that there are too many issues here and we should move this back to committee. Thank you.

President Wilshire

The motion is to re-refer. Further discussion? Alderman Lu?

Alderwoman Lu

Thank you, Madam President. It's really late and I can't think straight so I will keep this brief. After the committee meeting, I sent a question about this \$250,000.00 because it didn't make sense to me considering that was about 60% of the total, current revenue. And my point that I made was this would assume that all of the revenue that we receive currently comes from overnight parking. And I got an explanation that didn't make much sense to me but it continued to assert that it was \$225,000.00 to \$250,000.00 that would be reduced. That the revenue would be reduced by. So I guess my biggest concern is waiting until this meeting to find out that it's \$112,000.00 not \$225,000.00. Because I've been trying – you know scratch my head on that like for a week now. I have the detailed revenue and expense report for the special revenue revolving funds for the traffic violation fund ending June 30th of 2020. And the revenue was \$389,000.00 and the expenses were \$226,000.00. So I believe that was \$155,000.00 in the green.

So now you tell, you have included that it's \$112,000.00 because it's 60% of 60% correct? Well and so my question, you know, it's frustrating to me not to be able to get simple questions like how do you come up with this number answered until the day of. I did send that question. The answer I got was from the Parking Enforcement Department. So my understanding is this equates to about 9,000 overnight parking tickets a year. Is that correct?

President Wilshire

Who are you addressing your question to, Alderman Lu?

Alderwoman Lu

Director Cummings.

Director Cummings

I would say 9,000 high but it is in the ballpark, 7,000/8,000.

Alderwoman Lu

So just a follow up it would have been helpful to understand the loss in revenue accurately. Because I was skeptical for the last week because it just didn't add up it didn't make any sense. Thank you.

Alderman Clemons

Just for the record, I do believe Director Cummings that you did answer the question and you said earlier this evening that the amount of loss is going to be \$230,000.00 because we are not going to enforce overnight parking, is that correct.

Director Cummings

If I may Madam President. You are absolutely correct Alderman Clemons.

Alderman Clemons

Thank you.

Alderman LU

May I follow up?

President Wilshire

Let me hear from Alderman Caron, we haven't heard from her yet.

Alderman Caron

Well I don't like things coming back to committee, but could I ask that we move the question because we are getting late and we are getting into areas that we should be discussing during committee Meetings.

MOTION BY ALDERMAN CARON TO MOVE THE QUESTION

ON THE QUESTION

Alderman Lopez

Could I just ask for clarification because we didn't specify what Committee this is even going back to?

Alderman Caron

It goes back to Personnel.

President Wilshire

It came from Personnel so we would send it back there.

Alderman Lopez

Ok well Alderman O'Brien seems like he was excited, so I don't know if we can send it to both. There's two different elements on this in my opinion, there's the revenue which is really Personnel. Then there's the overall parking scheme.

President Wilshire

Rather than having two meetings, why don't we have a joint meeting so that the City Staff isn't showing up at two different meetings on two different nights?

Alderman Lopez

So it would be like an Aldermen meeting only not at 11:00 at night.

President Wilshire

Yeah that is possible. Are you OK with that Alderman Lopez?

Alderman Lopez

I think that's a good idea.

President Wilshire

Ok. Alderman O'Brien.

Alderman O'Brien

I was just going to say as the Chairman of Infrastructure, looking forward to working with Alderman Tencza, Chairman of PEDC on this issue.

President Wilshire

No, Personnel & Administrative Affairs.

Alderman O'Brien

Personnel, sorry got confused. Alright thank you.

President Wilshire

Alderman Lu, did you have a follow up?

Alderman Clemons

I thought we were moving the question.

President Wilshire

Would the Clerk please call the roll?

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

| | |
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| 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 Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire | 14 |
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|--------------------|---|
| Nay: Alderman Laws | 1 |
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MOTION CARRIEDPresident Wilshire

The motion before us is to re-refer. Would the Clerk please call the roll?

MOTION BY ALDERMAN O'BRIEN TO RE-REFER O-20-032 TO PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE AND COMMITTEE ON INFRASTRUCTURE, BY ROLL CALL

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

| | |
|--|----|
| Yea: Alderman O'Brien, Alderman Klee, Alderman Dowd, Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza, Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws Alderwoman Harriott-Gathright, Alderman Wilshire | 13 |
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|---|---|
| Nay: Alderwoman Kelly, Alderman Cleaver | 2 |
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Ordinance 20-032 is re-referred to Personnel and Infrastructure for a Joint Meeting.

NEW BUSINESS – RESOLUTIONS

R-20-078

Endorser: Alderman-at-Large Lori Wilshire
Dowd, Tencza, O'Brien, Lopez, Cleaver, Gathright

AUTHORIZING PENNICHUCK CORPORATION TO RENEW AND EXTEND ITS LINE OF CREDIT WITH TD BANK, N.A.

Given its first reading; assigned to the PENNICHUCK SPECIAL WATER COMMITTEE by President Wilshire

R-20-079

Endorser: Alderman-at-Large Lori Wilshire
Dowd, Tencza, Lopez, HG, Laws, O'Brien, Cleaver

AUTHORIZING PENNICHUCK CORPORATION AND PENNICHUCK WATER WORKS, INC. TO ISSUE BONDS AND RENEW ITS FIXED ASSET LINE OF CREDIT WITH TD BANK, N.A.

Given its first reading; assigned to the PENNICHUCK SPECIAL WATER COMMITTEE by President Wilshire

R-20-080

Endorser: Mayor Jim Donchess
Caron, GH, Schmidt, Kelly, Tencza, Lopez, O'Brien, Clemons, Laws, Cleaver, Wilshire

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$44,016 FROM THE CENTER FOR TECH AND CIVIC LIFE ("CTCL") INTO CITY CLERK GRANT ACTIVITY "CTCL FY20 ELECTION ADMINISTRATION"

Given its first reading; assigned to the HUMAN AFFAIRS COMMITTEE by President Wilshire

R-20-081

Endorsers: Alderman-at-Large Lori Wilshire
Alderman Richard A. Dowd
Schmidt, HG, Klee, Cleaver, Clemons, Lopez, Laws,

APPROVING THE COST ITEMS OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE NASHUA BOARD OF POLICE COMMISSIONERS AND NASHUA POLICE COMMUNICATION EMPLOYEES N.E.P.B.A. LOCAL 125, I.U.P.A., AFL-CIO FROM JULY 1, 2019 THROUGH JUNE 30, 2023 AND AUTHORIZING A RELATED TRANSFER OF \$186,145

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

NEW BUSINESS – ORDINANCES - None

PERIOD FOR GENERAL PUBLIC COMMENT

Beth Scaer 111 East Hobart Street. I would like to read a letter that my attorney sent to the Mayor this morning. It's about appeal of the citizen flagpole decision unconstitutional viewpoint discrimination. Dear Mayor Donchess, this office represents Beth Scaer a resident of the City of Nashua who applied to the City for and received a permission to fly a flag supporting an organization she supports called "Save Women's Sports". On September 1st, 2020 Ms. Scaer e-mailed Jennifer Deshaies in the Risk Management Department asking to reserve the Nashua City Hall Plaza Citizen Flag Pole for the week of October 11th to fly a 3 foot by 5 foot flag supporting the organization, "Save Women's Sports". Ms. Deshaies responded that the citizen flag pole is available and is all yours. On Saturday October 10th Ms. Scaer and her husband raised the "Save Women's Sports" flag as agreed. She planned to fly the flag all week leading up to a virtual running to be held October 17th to raise funds to benefit the mission of the "Save Women's Sports Organization".

On Monday October 12th, at 9:56 a.m. Ms. Scaer received a call from Ms. Deshaies informing her that you had decided that her flag was to be taken down and that she would not be permitted to fly it anymore. When Ms. Scaer pressed Ms. Deshaies for more information about why her flag had been taken down, she was merely told that she should read the Ordinances and procedures and then she could file an appeal. In a follow up call a few hours later, Ms. Deshaies advised that the flag was removed because the City had

received many complaints and people thought that it represented Nashua's official position on women's sports. So the City took the flag down because it is neutral on that topic. By all outward appearances, however, it seems that the City of Nashua bowed to complaints by people who disagreed with the content of Ms. Scaer's message. An organization calling itself Mutual Aid & Defense NH has a Facebook Page containing posts about the flag. Messages posted on that page express opposition to the message on Ms. Scaer's flag, propose 22 weeks of counter messaging by the flying of various LBGT flags and include a post asking Jim Donchess, why are we flying a transphobic flag in Nashua, not cool.

On a different forum, Nashua NH Civic Sounding Board a person identified as (inaudible) wrote that as word of Ms. Scaer's flag spread through the community, the response was clear. This is not what Nashua stands for. Her post then goes on to say many thanks to Jim Donchess for your quick response. Jan Schmidt and Jen Mortin and Mutual Aid & Defense NH for the calls to action. The post concluded that the author is looking forward to updated guidelines to ensure that future flag requests are vetted more carefully. This same individual tweeted, got a message from Jim Donchess late last night, flag is coming down. We need to have a serious look at the approval process for these things moving forward. It is readily apparent that your decision to remove Ms. Scaer's flag was a direct response to criticism of the content of her expressive activity. This is an illegal and unconstitutional act of censorship under the First and Fourteenth Amendments of the United States Constitution and Part 1, Article 22 of the NH Constitution.

The City does not need to permit members of the public to display flags on the citizen's flagpole, but once it decides to do so it must allow members of the public to do so without being subjected to viewpoint discrimination. On behalf of Ms. Scaer I ask that you reconsider your previous decision to remove her flag. Generally speaking, Supreme Court cases recognize three types of Government controlled spaces for First Amendment purposes; traditional public forums, designated public forums and non-public forums. In a traditional public forum parks, streets, sidewalks and the like, the Government may impose reasonable time place and manner restrictions on private speech. But restrictions based on content must satisfy strict scrutiny. And those based on viewpoint are prohibited. The same standards apply to designated public forums, spaces that have not traditionally been regarded as a public forum which the Government has initially opened for that purpose.

To satisfy strict scrutiny, the Government must prove that its laws and actions are narrowly tailored to achieve a compelling Government interest. The citizen flagpole is clearly a designated public forum. The City Government's specifically provides public property and invites citizens to provide flags to be flown on the pole. In order to justify your censorship of Ms. Scaer based on the message on her flag, you must be able to prove that your action was taken pursuant to an Ordinance that is narrowly tailored to achieve a compelling Government interest. Given the complete absence of an Ordinance providing any guidance whatsoever on this subject matter, there is no possible way that your actions can meet the standard. It simply appears that you or some of your constituents disapproved of the message advocated by Ms. Scaer and you decided to censor her expression as a result. The plainly unconstitutional actions you took in removing Ms. Scaer's flag represents a clear constitutional violation that should not be permitted to stand. Kindly reconsider your action and return Ms. Scaer's flag to its rightful place, atop the citizen flagpole. Thank you. Your turn.

Stephen Scaer 111 East Hobart Street. Very briefly what we were trying to celebrate, what we were trying to commemorate was Salina Soueka and she's having a virtual marathon fundraising. And what happened to her last year was she finished one place short of advancing to the indoor finals at a State Track & Field Championship in Connecticut. She probably would have gone on to regionals, but two biological males who identify as females and had recently competed as male runners took first and second place and bumped her down. Since males are allowed to compete against women, they have taken medals, and shattered records in volleyball, basketball, mixed martial arts, women's football, weight lifting, body building and bicycling. Selena is fighting back saying that her Title 9 rights were violated by this unfairness. This takes great courage.

As you all know as well as anyone, anyone who objects to males competing against women will at least be labeled a transphobic hater. Selena also has been blacklisted by colleges and future employers. There's

little tolerance now for saying that a woman is a biological female even though I would defy anyone to come up with another definition of a woman that isn't based on circular reasoning or outdated sexual stereotypes. So our stance is still having men complete against women, males compete against women is unsafe and Mayor James Donchess had no right to take down a flag just because he disliked an opinion. So please, if you are not going to stand up for females and sports, at least speak to Mayor Donchess and stand up for the First Amendment. So thank you and good evening, I should say good morning.

President Wilshire

Anyone else for public comment?

Bob Keating My remarks will be very brief and they begin with thank you for the hours that you put in, I just can't imagine this coming up at five hours that you've done this meeting. So to respond to some comments that were made earlier that simply, the residents that we have met with are, were quite anxious about their future, the same way as they were in 2012 when GSOP went around with them. We've been involved in this community and the State since 2002, a lot with low income households and in public housing. So we have a long history with that. Once again, thank you for your time. Finally, my thoughts go out to Alderman Harriott-Gathright and I hope your husband pulls through this well and my thoughts go out to your family. Thank you and thanks for the time.

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Alderman Lopez

Well first I do actually want to speak to the Mayor as was suggested in public comment. I want to recommend that we in using this citizen's flagpole consider having the Cultural Connections Committee develop a schedule of when people's cultures can be recognized and how that would take place because that is the stated purpose of the citizen's flag pole. It does also allow for Anniversaries, or accomplishments. I'm not sure if that really fits what was trying to be achieved here. But I think it would be a good idea for people who are putting the flag up to be able to explain themselves a little bit more clearly. Additionally, we are also giving the opportunity for there to be a little bit more activity.

Overlapping Speakers

Alderman Lopez

Ok are we all talking now? Sorry. I would just definitely recommend that he work with the Cultural Connections Committee and consider implementing that. And then secondly I wanted to thank Jay who is graffiti artist working with Revive Recovery Center, Nashua Wallpaper, Nashua PAL, Kenny, Rick and other people in the community. We just worked on created a giant banner for Southern NH Medical Center to thank healthcare workers and remind them that they are appreciated. This is a very important time for us right now in Nashua. We have the (audio cuts out) the outbreak that we see (audio cuts out).

President Wilshire

Alderman Lopez?

Alderman Lopez

Replace or to see a nightmare and make adjustments and accommodations because of the COVID-19 epidemic. But I don't think anybody has had to make more adjustments and more accommodations than both the people who are contracting it and are in the emergency room and the healthcare workers that are working with them as well. And I think they have a very difficult season coming up trying to battle COVID-19 and the Flu. I think as elected officials, it would be a good idea for all of us to reach out to any healthcare workers we know and just thank them and make sure they know they are appreciated and they

are supported. Because to look at the National Media right now or to look at the news cycle and the comments on it, you would think that nobody appreciates anything they do. And I think that couldn't be further from the truth. Thank you.

President Wilshire

Alderman Clemons.

Alderman Clemons

Real briefly, I would be remiss if I didn't mention at the end of this meeting tonight how proud I am that we moved through the final stages at least legislatively to get the Performing Arts Center done. I know that somewhere up in heaven Brian McCarthy is smiling down on all of us tonight and is very proud of our accomplishment. I also would be remiss to say that he probably also is mad at the fact that I am speaking at all right now because it's 12:26 in the morning and he would probably, if it was him, be mad at me but nevertheless it is a great accomplishment and I know he's smiling down regardless. So thank you.

President Wilshire

Anyone else? Alderman Dowd?

Alderman Dowd

Yeah I just briefly wanted to say that the reason I voted against the Indigenous Holiday was the State is taking up and it appears like they thought it was going to pass in January, the next occurrence is next October so I didn't think we needed to act on it right now because if it is a State Holiday it will be a moot point.

Alderman O'Brien

Thank you, Madam President. I want to echo exactly what Alderman Clemons, I am sure next time I visit the gravesite I can't wait to tell Alderman McCarthy the good news. So I am sure he's very pleased. But more important than that, I really want to recognize Alderman Klee for participating in the program, who invited Aldermen over to those tonight, I see by Alderman Lopez's screen shot that it was Alderman Klee's living room and I think her hospitality is genuine and I think it's very good. Unfortunately, according to the screen shots they did look like they were kind of close together, I do recommend the City Ordinance of wearing a mask. So for future people who participate in this program to keep in mind the mask ordinance? So thank you very much.

Alderman Klee

Well thank you very much Alderman O'Brien, I appreciate the reminder of that, I should be putting on a mask. And thank you Alderman Lopez for honoring me by using my home as your backdrop, I truly appreciate that.

Alderman Lopez

It was my pleasure, no problem.

Alderman Klee

It gave me quite the giggle when I saw it there and you have my favorite print up behind me. In all seriousness it's been a long night, I want to say goodnight and I want to thank all of my colleagues for their well thought out comments and so on. And I am happy to see, so far, the Performing Arts Center going

forward. (audio cuts out) And that we have been able to figure out the parking for the High Street/School Street area. Thank you and I'll stop now.

President Wilshire

Anyone else? Alderman Laws.

Alderman Laws

Thank you, Madam President. I just wanted to apologize to each of you, when I was speaking earlier I misspoke at one point and said you all pretend to care about X, Y and Z, but I know that none of you are crazy enough to pretend to care enough about something to be sitting in a meeting until 12:30 in the morning on a Wednesday. It was just the first words that came to mind, and I regret saying it and I just wanted to tell you all that I love you and I appreciate you and I know that none of you are pretending.

Alderman Lopez

Thank you Brandon.

President Wilshire

Alderman Laws you are awesome. Thank you for that. Anyone else? Any more comments or remarks? I'd like to also wish Alderman Harriott-Gathright and her family well. I hope that her husband is better soon. We did have a really good night, a really productive night, even though not everything passed, I think there are things that we have a lot of work to do on. And I look forward to that, especially the overnight parking, I've never really been a big fan of an all-night parking on the street but there are areas that need it and I've been supportive of those I don't think an overall City – allowing parking is the right way to go but I am interested in helping the neighborhoods where we need to. So I think that'll do well back in Committee. Anyone else? Ok, Alderman O'Brien, oh I'm sorry Committee Announcements.

Committee announcements:

Alderman Dowd

Next Thursday 7:00 Joint Special.

Alderwoman Kelly

The Human Affairs Committee meets tomorrow, today – tonight at 7:00 p.m. It was moved from Monday, I just wanted to make sure everybody was clear on that. Thank you.

ADJOURNMENT

MOTION BY ALDERMAN O'BRIEN THAT THE OCTOBER 13, 2020, MEETING OF THE BOARD OF ALDERMEN BE ADJOURNED, BY ROLL CALL

A viva voce roll call was taken to adjourn the Board of Aldermen meeting which resulted as follows:

Yea: Alderman O'Brien, Alderman Klee, Alderwoman Kelly, Alderman Dowd,
Alderman Caron, Alderman Tencza, Alderwoman Lu, Alderman Jette,
Alderman Schmidt, Alderman Laws, Alderman Cleaver,
Alderwoman Harriott-Gathright, Alderman Wilshire 13

Nay: Alderman Clemons Alderman Clemons 2

MOTION CARRIED

The meeting was declared adjourned at 12:32 a.m.

Attest: Susan K. Lovering, City Clerk