City of Concord

City Council

Meeting Minutes - Final

Monday, January 12, 2026	**7:00 PM**	**City Council Chambers** **37 Green Street** **Concord, NH 03301**

Non-meeting with legal counsel in accordance with RSA 91-A:2, I (b) followed by a non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition to begin at 6:00 p.m.

1. Mayor Champlin called the meeting to order at 7:00 p.m.

2. Invocation.

3. Pledge of Allegiance.

4. Roll Call.

   Present: 15 - Councilor Stacey Brown, Mayor Byron Champlin, Councilor Mark Davie, Councilor Nathan Fennessy, Councilor Jeff Foote, Councilor Amanda Grady Sexton, Councilor Michele Horne, Councilor Aislinn Kalob, Councilor Fred Keach, Councilor Jennifer Kretovic, Councilor Judith Kurtz, Councilor Jim Schlosser, Councilor Kris Schultz, Councilor Ali Sekou, and Councilor Brent Todd

5. Approval of the Meeting Minutes.

   December 8, 2025 City Council Draft Meeting Minutes.

   Action: Councilor Grady Sexton moved approval of the December 8, 2025 Meeting Minutes. The motion was duly seconded by Councilor Kurtz.

   Councilor Kretovic noted for the record that on pages 16 and 17 the minutes accurately reflects discussion regarding tabling the compensation study. However this item involves compensation for all departments and she believed it was appropriate to acknowledge if there was a potential indirect conflict of interest. She indicated that she is not suggesting any impropriety, as there was a lot going on that evening. She felt it was just an oversight. , She stated her concern was simply that when matters of compensation come before City Council it should be explicit about disclosures or the absence thereof to ensure consistency and public confidence in the process.

The motion passed with no dissenting votes.

6. Agenda overview by the Mayor.

7. Crosscurrents of Change: Concord, N.H. in the 20th Century book presentation by Jim Milliken, Concord Historical Society.

Action: Mayor Champlin welcomed Jim Milliken, the Chairman of the Board of the Concord Historical Society.

Mr. Milliken presented a copy of Crosscurrents of Change: Concord N.H. in the 20th Century to each member of the City Council. He explained in detail that Crosscurrents of Change documents how leadership and civic decisions shaped Concord in the 20th century and continue to influence the city today, emphasizing the value of historical context in governance. The book includes chapters by 18 local authors, including Mayor Champlin and Councilor Kretovic, highlighting the connection between history and public leadership. Key contributors to the project included John Milne, Dick Osborne, Becky Kinhan, and Jeff Forester. Produced entirely in Concord, the book was designed to be accessible and readable, serving both as a historical record and a reference for informed decision-making.

Mayor Champlin and the City Council expressed their appreciation. Mayor Champlin also recognized the students from St. Paul's School political magazine who were in attendance, noting that St. Paul's School is featured throughout the book and reflects the long-standing connection between the school and the City of Concord.

Consent Agenda Items

Action: Councilor Grady Sexton moved approval of the consent agenda. The motion was duly seconded by Councilor Kretovic. Mayor Champlin noted that item 20 had been pulled from the consent agenda for discussion. The motion passed with no dissenting votes.

Items Tabled for February 9, 2026 Public Hearings

8. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 35, Classification and Compensation Plan, Schedule D of Article 35-2, Compensation Plan, modifying the position of the Municipal Appraiser; together with a report from the Director of Human Resources and Labor Relations. (Public Testimony Received.)

Action: Ordinance moved to set for a public hearing.

9. Resolution authorizing the City Manager to enter into a lease agreement with Concord Coach Lines, Inc. concerning the City owned parcel located at Tax Map 6414Z, Lot 92 (the former Tsunis Property) for use as an overflow parking area to support the busing and transportation services offered at the Concord Transportation Center located at 30 Stickney Avenue; together with a report from the Assistant Director of Community Development and the Deputy City Manager - Development.

Action: Resolution moved to set for a public hearing.

10. Resolution appropriating the sum of $10,000, in the Parks & Recreation Grants & Donations Skate Park subproject for the construction of a skate park and accepting the sum of $10,000, as a donation from the Concord Skate Park Association for this purpose; together with a report from the Parks and Recreation Director. (Public Testimony Received.)

Action: Resolution moved to set for a public hearing.

From the City Manager

11. Positive Citizen Comments.

Action: Received and filed.

Consent Reports

12. Diminimus gifts and donations report from the Library Director requesting authorization to accept gifts and donations totaling $2,622.97, as provided under the pre-authorization granted by City Council.

Action: Consent report approved.

13. Diminimus gifts and donations report from the Parks and Recreation Director requesting authorization to accept monetary gifts totaling $3,407.00, as provided for under the pre-authorization granted by City Council.

Action: Consent report approved.

14. Report from the Library Director recommending acceptance of the gift of materials to the Concord Public Library from Children’s Literacy Foundation that total in value at $500.00.

Action: Consent report approved.

15. Report from the Co-Chairs of the Ad-Hoc Semiquincentennial & Tri-Centennial Committee requesting City Council approval of Committee Logo Design for 250th and 300th Anniversary Activities.

Action: Consent report approved.

16. Report from the Transportation Engineer, on behalf of the Traffic Operations Committee and Transportation Policy Advisory Committee, in response to a referral from City Council regarding a communication from Kim Pooler requesting a crosswalk on Regional Drive at Chenell Drive.

Action: Consent report approved.

17. Quarterly Land Use Change Tax Report from the Director of Assessing.

Action: Consent report approved.

Consent Resolutions

18. Resolution authorizing the City Manager to submit an application for Better Utilizing Investments to Leverage Development (BUILD) grant funding from the U.S. Department of Transportation for the purpose of designing and constructing a portion of the Merrimack River Greenway Trail (CIP #543); together with a report from the Director of Special Projects and Strategic Initiatives.

Action: Consent resolution approved.

19. Resolution authorizing the City Manager to enter into a Municipal Work Zone Agreement (MWZA) with the State of New Hampshire Department of Transportation (NHDOT) concerning proposed pavement improvements along NH Route106 (Sheep Davis Road) and US Route 3 (Manchester Street); together with a report from the City Engineer.

Action: Consent resolution approved.

20. Resolution establishing committee guidelines and term limits for the Committee for Concord's Plan to End Homelessness; together with a report from Mayor Champlin. (Pulled from consent by Councilor Brown.)

Action: Pulled from consent for discussion.

Appointments

21. Mayor Champlin's Proposed Appointment to the Energy & Environment Advisory Committee: Mark Fagan.

Action: Appointment approved.

22. City Manager's Proposed Appointment to the Heritage Commission: Randall Cotton.

Action: Appointment approved.

23. City Manager's Proposed Appointment to the Library Board of Trustees: Sarah Fortin.

Action: Appointment approved.

24. Mayor Champlin's Proposed Appointment to the Transportation Policy Advisory Committee: Marcus Flynn.

Action: Appointment approved.

25. Mayor Champlin's Proposed Appointment to the Transportation Policy Advisory Committee: Ganesh Sharma.

Action: Appointment approved.

26. City Manager's Proposed Appointment to the Zoning Board of Adjustment: Ann M. Rice.

Action: Appointment approved.

End of Consent Agenda

Public Hearings

27A. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Article 28-2, Zoning Districts and Allowable Uses, by amending Section 28-2-3-The Zoning Map, 28-2-3(b)(1) The Zoning Overlay District Maps; together with a report from the Assistant City Planner - Zoning.

Action: City Manager Aspell explained that the City of Concord participates in the National Flood Insurance Program through FEMA, which requires the adoption of floodplain management regulations for flood-prone areas in exchange for access to lower-cost flood insurance for residents. To remain in compliance, the City must adopt FEMA's updated Flood Insurance Rate Maps, effective January 23, 2026. The Planning Board reviewed and approved the recommendation to adopt the updated maps.

Mayor Champlin opened the public hearing. There being no public testimony, the

Mayor declared the hearing closed.

27B. Resolution appropriating the sum of $100,000, in the Water Main Replacement Project (CIP #85) for the construction of water distribution infrastructure improvements as part of the New Hampshire Department of Transportation's (NHDOT) Bridge Rehabilitation project and authorizing the issuance of Water General Obligation Bonds and Notes in the sum of $100,000, for this purpose; together with a report from the City Engineer.

Action: City Manager Aspell noted that in September, the City Council appropriated $300,000 for water main infrastructure improvements near the north and south parapet walls of the East Side Bridge in conjunction with the NHDOT's bridge rehabilitation project. In October, the NHDOT sent a letter to the City indicating that they had received bids for construction and repair of the rehabilitation project, including the improvements to the city's water main infrastructure, which were 30% higher than the engineer's cost estimate for the project. The State indicated they are prepared to recommend award of a contract to the low bidder, including the water infrastructure work, contingent upon City approval and payment of the estimated total cost of the water infrastructure work ($358,019.20). City Manager Aspell recommended City Council appropriate an additional $100,000 to complete the project.

Mayor Champlin opened the public hearing. There being no public testimony, the Mayor declared the hearing closed.

27C. Resolution appropriating the sum of $18,500, to assist the library's mission in providing a variety of equitable services to patrons at the Concord Public Library and accepting the sum of $18,500, in donations from the Concord Public Library Foundation for this purpose; together with a report from the Library Director.

Action: City Manager Aspell explained that the check covers the period from January 1 through December 31 of the current year, 2026, and noted the Concord Public Library Foundation's continued generosity to the Concord Public Library. He recommended acceptance of the funds.

Mayor Champlin opened the public hearing. There being no public testimony, the Mayor declared the hearing closed.

27D. Resolution clarifying/revising Capital Reserve Account purposes, closing Capital Reserve Accounts and transferring remaining balances; together with a report from the Deputy City Manager - Finance. (Public testimony received.)

Action: City Manager Aspell explained that the resolution clarifies the purpose of the City's capital reserve accounts, closes inactive accounts, and transfers remaining balances to appropriate reserve accounts. These reserves are used to help manage operating and capital expenditures and stabilize the tax rate. He noted that under RSA 34:11, any change in the purpose of a capital reserve fund requires a three-quarters vote of the full City Council following a properly noticed public hearing, and that adoption of the resolution after the public hearing would satisfy those requirements.

Councilor Brown asked whether the Trustees of Trust Funds who oversee the City's capital reserve accounts receive training based on the Department of Justice Trustees of Trust Funds Handbook.

Deputy City Manager-Finance Brian LeBrun indicated that the Trustees of Trust Funds are not provided with the Department of Justice handbook.

Councilor Brown inquired about what training, if any, is provided to the Trustees prior to their service, noting that misuse of funds outside the stated purpose of an account may constitute a misdemeanor.

City Manager Aspell indicated that no formal training is currently provided to the Trustees of Trust Funds.

Mayor Champlin opened the public hearing.

Roy Schweiker, resident, testified making several statements regarding the City's trust funds, noting concerns about the Nelson Legacy Fund balance and lack of interest generation, the continued existence of inactive funds, and whether trust fund activity is sufficiently transparent, including its absence from the City budget. He referenced GFOA auditing standards, stating that each fund should be audited individually, and expressed concern about whether this is occurring. He also referenced a previously circulated letter outlining public concerns about trust fund management, including allegations raised to state officials. Mr. Schweiker stated that the City should request a review by the Department of Revenue Administration to independently examine trust fund management practices, which could either confirm compliance or identify areas for correction and reassure the public.

Councilor Schultz stated confidence in the City's finance staff, particularly Deputy City Manager-Finance Brian LeBrun and his team, and expressed concern that the

seriousness of the issues raised warranted a response. She asked whether the rules could be suspended to allow staff to address the statements made, noting respect for Mr. Schweiker and the importance of not leaving the concerns unanswered.

Mayor Champlin noted that Council can addresss Mr. Schweiker's questions during the discussion phase.

Councilor Kretovic thanked Mr. Schweiker for his testimony and asked whether he knew the source of the alleged $100,000 in questionable activity.

Mr. Schweiker stated that the concern originated from a comment by the Deputy City Manager regarding $100,000 for which the disposition was unclear. He noted that residents remain concerned and expressed the importance of confirming that trust fund processes are being properly managed.

Councilor Kretovic asked whether the discussion regarding the $100,000 was related to the purchase of furniture, accessories, or pens included in the Recreation Department budget.

Mr. Schweiker indicated that he was unsure whether the issue related to the pens or other Recreation Department items. He emphasized that he is only reporting how others interpreted the situation and stated that a review by the Department of Revenue Administration would provide clarity and reassure residents, noting that lingering questions about trust fund management are unhealthy for the City.

Jason Gerhard expressed concern about questions surrounding the use of reserve funds, including Recreation Department funds, noting public distrust of government accounting. He cited RSA 34:10, which restricts the use of reserve funds to their intended purposes, and noted that misuse can be a misdemeanor. He suggested pausing further actions and recommended independent oversight. While he expressed skepticism about using the Department of Revenue Administration for review, he highlighted the investigatory role of the county grand jury as a neutral mechanism to examine government operations and recommend corrections if improper conditions are found. He also referenced the brief November meeting of the City Trustees of Trust Funds as an example of potential transparency issues. Overall, he urged caution, transparency, and independent review to ensure funds are managed properly. He indicated that he will be going to the Superior Courthouse on Wednesday, noting that grand juries may investigate public issues even without the suspicion of a crime.

There being no further public testimony, the Mayor declared the public hearing closed.

27E. Resolution appropriating the sum of $2,050,000, as a transfer to Reserves and authorizing the use of $2,050,000, from Fiscal Year 2025 General Fund Assigned Fund Balance for this purpose; together with a report from the Deputy City Manager-Finance.

Action: City Manager Aspell provided an overview of the Fiscal Year 2025 financial report, noting that total General Fund expenses were $2,139,300 under the amended budget, with some line items over and some under. The attached resolution proposes transferring funds to reserves for initiatives not included in the FY26 budget or arising afterward, with recommendations from the Fiscal Policy Advisory Committee to allocate $1,500,000 to the Paving Program/Highway Reserve, $50,000 to Technology Infrastructure and Equipment Reserve, $150,000 to Equipment Reserve, $250,000 to the Recreation Reserve, and $100,000 to the Economic Development Reserve, totaling $2,050,000. An additional $655,000 is recommended for budgetary use of fund balance, bringing the total allocation to $2,705,000.

City Manager Aspell explained the resolution also recommends a supplemental appropriation of $46,000, including $16,000 for new furniture and fixtures for the Accounting, Human Services, and Welfare offices, $20,000 for Prosecutor's Office overtime to implement new software and scan legacy files, and $10,000 for education and training. Mr. Aspell then summarized enterprise and special revenue fund results, highlighting positive variances in the Parking Fund ($653,900), Airport ($52,600), Housing Revolving Loan Fund ($81,500), Golf Fund ($53,900), Solid Waste ($542,900), NEOQTIF ($99,000), Penacook Village ($20,700), Water ($323,700), and Wastewater ($8,300), with minor deficits in the Arena ($51,100) and Sears Block ($1,100). Overall, these funds exceeded budget by $1,784,300, and he commended all departments for their outstanding financial management.

Councilor Brown raised concerns regarding the recommended allocations in the resolution, noting $250,000 to the Recreation Reserve and $100,000 to the Economic Development Reserve. She observed that last year $400,000 was approved for the Recreation Reserve, intended for future projects related to the citywide Community Center, yet a bond of $130,000 was already approved for the same CIP. Councilor Brown questioned why funds continue to be deposited into the Recreation Reserve if they are not being used for their intended purpose. She

also referenced prior inquiries regarding withdrawals, noting that $200,000 had been withdrawn from the Recreation Reserve and Mr. LeBrun stated at that time that he could not account for it. Additionally, $100,000 had been withdrawn, and she asked at the December meeting where those funds went. Regarding the Economic Development Reserve, originally intended for investment in an office park, industrial park, and civic center, she noted that $150,000 had been used for events during the budget process, which is not consistent with the purpose of capital reserve funds. Councilor Brown expressed concern about continuing to deposit funds into accounts whose usage cannot be fully tracked.

City Manager Aspell clarified that when he refers to “we,” he means the City Council, noting that all deposits to and withdrawals from the reserve accounts have been authorized by public vote of the City Council, including actions taken by Councilor Brown. He emphasized that many of the concerns about how funds were deposited, withdrawn, or unaccounted for are ultimately related to decisions made by the City Council.

Councilor Brown exclaimed that the City Council did not approve 100,000.

Deputy City Manager of Finance Brian LeBrun addressed concerns regarding the Recreation Reserve funds. He explained that the $200,000 from FY25 was part of the original budget and had been transferred from the Recreation Reserve to the Recreation Department’s revenue line, and is fully accounted for. He clarified that any previous uncertainty about how the funds were spent (e.g., pens or pencils) was due to the transfer into the department’s general revenue line. Regarding the $100,000 for FY26, he confirmed that it was reduced from the prior $200,000 and also transferred to the Recreation Department’s general revenue line, and is fully accounted for. He noted that any statements suggesting otherwise are inaccurate.

Mayor Champlin asked Deputy City Manager of Finance Brian LeBrun whether a detailed budget document had been provided to the Finance Committee members during the FY26 budget process. Mr. LeBrun confirmed that the budget detail document was distributed to all Councilors on May 9th, 2025. Mayor Champlin sought clarification regarding page 42, which noted a $100,000 transfer from the Recreation Reserve to the Parks and Recreation Department’s revenue line. Mr. LeBrun confirmed that this was a budgeted item approved by the City Council. Mayor Champlin asked whether the City Council voted on this transfer when adopting the FY26 budget. Mr. LeBrun noted that the FY26 budget was adopted on June 5th, 2025, and, to his knowledge, the adoption was unanimous, which

Mayor Champlin confirmed would generally indicate that all Council members present voted in favor.

Councilor Brown reminded the Council that funds in the Recreation Reserve are designated for specific purposes and are not intended to be used to pay down the general fund or debt. She stated that at the October Trustees of Trust Funds meeting, she asked whether withdrawals were verified as required, and was told that the Trustees have never conducted such verification. Councilor Brown noted that when she requested minutes for withdrawals approved between July 1 and October 31, Deputy City Manager LeBrun indicated the Trustees would approve them in January-after the withdrawals had already occurred. She emphasized that this procedure does not comply with proper protocol, as withdrawals should be verified by the Trustees to ensure they align with the fund's intended purpose before being executed, describing the current practice as "closing the barn door after the horse has left."

Mayor Champlin asked Deputy City Manager of Finance Brian LeBrun whether funds had been transferred out of the Capital Reserve Funds appropriately. Mr. LeBrun confirmed that all transfers were made either to the general fund or to capital funds as approved by the City Council.

Mayor Champlin then asked City Solicitor John Conforti if this aligned with his understanding. Mr. Conforti confirmed that it did, noting that he had reviewed the transfers with Mr. LeBrun and worked with the Trustees of Trust Funds to ensure they understood their statutory obligations. He added that the previous agenda item was intended to provide additional clarity and transparency regarding Council resolutions. When asked if he was confident the City is in compliance with state statutes, Mr. Conforti stated that based on his review, the City is in compliance, and he saw no issues with how the activities had been carried out.

Councilor Brown asked City Solicitor Conforti whether the Trustees of Trust Funds had received training on their responsibilities for verifying withdrawals, and if so, when and how frequently that training occurred. Mr. Conforti responded that he could not discuss any attorney-client privileged communications with the Trustees and stated that he is not aware of any training they may have received directly through the City or the Attorney General's office.

Mayor Champlin opened the public hearing.

Mr. Schweiker, resident, testified expressing concern about the City's use of reserve funds. He referenced a recent situation in which a labor contract required additional funding, and it was stated that taxes would need to be raised rather than using reserve funds. He noted that there now appears to be sufficient reserve funds being used for items such as furniture, and suggested the Council might consider reprioritizing those funds. He emphasized that funding negotiated contracts for public safety personnel should take precedence over non-essential expenditures like furniture.

There being no further public testimony, the Mayor declared the public hearing closed.

27F. Resolution appropriating the sum of $46,000, in the General Fund for furniture and fixtures, overtime, and education/training and authorizing the use of $46,000, in reserve funds for this purpose.

Action: City Manager Aspell noted this was covered in the previous item.

Mayor Champlin opened the public hearing. There being no public testimony, the Mayor declared the hearing closed.

Public Hearing Action

28. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Article 28-2, Zoning Districts and Allowable Uses, by amending Section 28-2-3-The Zoning Map, 28-2-3(b)(1) The Zoning Overlay District Maps; together with a report from the Assistant City Planner - Zoning.

Action: Councilor Kurtz moved approval of the ordinance. The motion was duly seconded by Councilor Grady Sexton and passed with no dissenting votes.

29. Resolution appropriating the sum of $100,000, in the Water Main Replacement Project (CIP #85) for the construction of water distribution infrastructure improvements as part of the New Hampshire Department of Transportation's (NHDOT) Bridge Rehabilitation project and authorizing the issuance of Water General Obligation Bonds and Notes in the sum of $100,000, for this purpose; together with a report from the City Engineer.

Action: Councilor Fennessy moved approval of the ordinance. The motion was duly seconded by Councilor Keach and passed with the required two-thirds majority.

30. Resolution appropriating the sum of $18,500, to assist the library's mission in providing a variety of equitable services to patrons at the Concord Public Library and accepting the sum of $18,500, in donations from the Concord Public Library Foundation for this purpose; together with a report from the Library Director.

Action: Councilor Grady Sexton moved approval of the ordinance. The motion was duly seconded by Councilor Kurtz and passed with the required two-thirds majority.

31. Resolution clarifying/revising Capital Reserve Account purposes, closing Capital Reserve Accounts and transferring remaining balances; together with a report from the Deputy City Manager - Finance. (Public testimony received.)

Action: Councilor Fennessy moved approval of the ordinance. The motion was duly seconded by Councilor Keach.

Councilor Schultz stated that the primary questions raised by Mr. Schweiker had been addressed. She indicated her support and cited her trust in Mr. LeBrun and his staff and her satisfaction with their work. She added that if any of Mr. Schweiker's questions remained unaddressed, she encouraged fellow councilors to raise them, noting the value of citizen questions.

Councilor Kalob echoed Councilor Schultz's comments regarding confidence in staff. She raised a question regarding the Recreation Reserve, specifically the addition of the phrase "and other recreation-related purposes as approved by City Council," and expressed curiosity as to whether this change could potentially detract from the original intent of the Capital Improvement Project for which the reserve was established.

Mayor Champlin asked whether Mr. Conforti or Mr. LeBrun could address that question.

City Solicitor Conforti explained that the original Recreation Reserve resolution was adopted under a statute governing non-capital reserve funds, which allows broader uses than capital reserves. While the resolution was initially related to the community center, both the resolution and the accompanying report referenced use for debt service, operating expenses, and potentially other purposes as determined by the Council. He noted that the historical record lacked clarity as to whether the reserve was intended to be exclusively tied to the Community Development Center or available for broader uses, and that Council actions had reflected broader use

over time. The proposed language was intended to clarify Council intent and clean up inconsistencies in the original resolutions and reports by expressly stating the broader purpose of the reserve.

Councilor Horne made a motion to amend the proposed resolution, to move forward with closing the reserve account suggested and transferring their funds as suggested, which was 5836, 5906, 6824, 6901, Downtown Economic Development, 8628, and the SVMS. Also supporting a change to the Resolution 6901 to better add the definition to support the replacement of the fire apparatus as approved by City Council. She then proposed to not make any further changes to the verbiage to the 14 Reserve that would add variables of and other acts related purposes as approved by City Council.

Mayor Champlin asked Councilor Horne if she could provide a written copy of the amendment to the City Clerk.

The motion was duly seconded by Councilor Brown.

Councilor Kretovic asked whether this would also mean that the proposed transfer of $250,000 into certain reserves would not occur, noting that such funds would otherwise be restricted to specific purposes rather than available for broader recreational uses.

Councilor Horne explained that she was just addressing this specific resolution. Councilor Horne further stated that she had conducted extensive research on reserve funds, relying primarily on guidance from the New Hampshire Municipal Association and the Department of Revenue Administration. She emphasized that reserve funds must have clear, specific purposes so that voters understand how the funds will be used. She expressed concern that describing a reserve as available for whatever a future Council may decide creates confusion, uncertainty, and skepticism, particularly given fragile public trust in government spending. Citing NHMA and DRA guidance, she noted that overly vague purposes can create conflicts regarding proper expenditures. She concluded that the phrase “and other related purposes as approved by City Council” is too vague and undermines the statutory intent and clarity required for reserve funds.

Councilor Kurtz stated that she had also reviewed the New Hampshire Municipal Association presentation and referenced RSA 34:1, noting that the statute allows reserve funds for either a specific capital improvement or a type of capital

improvement. She explained that, when considered alongside the NHMA examples, establishing funds for defined types of improvements-such as economic development, community development, and recreation-is reasonable given the scale of City operations. She characterized the issue as one of statutory interpretation regarding what qualifies as a "type" of improvement and stated that she disagreed that the proposed language would undermine public trust. She added that the item before the Council was intended to clarify that the funds are set aside for recreation-related purposes and that similar language changes to the other capital reserve funds were intended to increase public clarity while leaving final decisions to the elected Council.

Councilor Fennessy stated that he would not support the amendment but expressed appreciation for Councilor Horne's statutory research, noting his own professional familiarity with such statutes. He stated that, as revised, the proposal makes sense and observed that much of the NHMA guidance is geared toward town meeting contexts, where voter understanding of trust fund purposes is paramount. He noted that the City Council operates differently, as the Council has the authority to amend trust funds by vote. He emphasized the importance of Council understanding the categories for which funds are set aside and ensuring that the stated purposes are reasonable. While acknowledging the desire to narrowly define purposes, he stated that the purposes should be sufficiently broad to allow flexibility without requiring repeated supermajority votes to repurpose funds.

Councilor Brown stated that RSA 35 applies to towns, while RSA 34 governs cities. She referenced public testimony emphasizing that reserve funds are created for specific purposes and expressed concern that the proposed changes make the funds more generic rather than specific. She cited the Fire Apparatus Replacement Fund as an example, noting that the City bonded a fire truck instead of using available reserve funding, resulting in approximately $400,000 in interest costs. She stated that the Council should more carefully examine future needs and savings strategies. She further noted that guidance she received from financial training, other municipalities, and auditors emphasized that reserve funds should be established for specific purposes. She referenced the Council's responsibility under RSA 41:9 for internal controls over public assets. While she stated her support for the amendment, she emphasized that reserve fund purposes should not be overly generalized and that the Council should more carefully evaluate future priorities before committing additional funds, including proposed contributions to the Recreation Reserve and Economic Development-related reserves.

Councilor Schlosser stated that he could not support the amendment. He explained that the definition of "specific" can reasonably refer to a category or type of improvement, such as recreation, highways, or community improvements, rather than a particular project or piece of equipment. He stated that identifying a reserve by type clearly communicates its intended use to the public. He cited the example of adding "and other highway-related purposes as approved by City Council" as clarifying that such funds are limited to highway uses. He characterized the proposed changes as a necessary cleanup of existing language and housekeeping to clarify Council oversight and responsibility, and stated that for these reasons he could not support the amendment.

Councilor Todd stated that he agreed with Councilor Schlosser's comments and added that reserve accounts exist to ease the tax burden on residents. He explained that the purpose of separate funds, such as reserve accounts or enterprise funds, is to provide transparency and clearly show where money is being spent. Reserve funds allow the City to avoid large annual tax increases by using these funds strategically, similar to the use of grant funds. While he appreciated Councilor Horne's research and effort, he stated that he could not support the amendment for these reasons.

Councilor Kalob requested a second reading of the amendment.

City Clerk Janice Bonenfant read Councilor Horne's motion: Councilor Horne moved to amend the proposed Resolution. She would like to move forward with closing Reserve accounts suggested and transfer their funds as suggested (5836, 5906, 6824, 6901 Downtown econ dev, 8628, and SVMS). She would also support a change to Resolution 6901 to better add the definition of "to support the replacement of fire apparatus as approved by City Council. She would then propose to not make any further changes to the verbiage to the 11 reserves that would add variables of "and other x-related purposes as approved by City Council". This includes 5906 Durgin block, 6570, 6572, 6859, 8427, 8517, 8575, 8576, 8935, 9537, 9605, 9650, 9627, 9608.

Councilor Kalob stated that she was considering the original intent of the Recreation Reserve and noted that it had been used for multiple projects beyond the Heights Community Center. She asked whether, instead of broadening the language of this reserve, it might make sense to create a separate reserve account for other projects while keeping this one specifically for the Community Center.

She acknowledged that this was her first day on the Council and appreciated Councilor Horne's detailed research on the issue.

Councilor Keach stated, for the record, his objection to the electronic testimony that was recently introduced, and questioned its appropriateness.

Mayor Champlin clarified that, under City Council rules, the Mayor may require a written copy of any proposed amendment. He stated that he was not requiring a written amendment in this instance and was allowing Councilor Horne's electronic submission to be considered due to the work she had put into it. He noted that in the future, the Mayor could require a written copy and refuse to consider amendments submitted without one. He then invited further discussion.

Councilor Kretovic asked City Solicitor Conforti whether precedent plays a role, noting that the Council has previously used and replenished funds in various reserves. She asked whether the proposed changes are consistent with past practice and whether the intent is to clarify that precedent for the Council.

City Solicitor Conforti stated that precedent is not the primary issue. He explained that the resolutions before the Council have been adopted over many years, and changes in staff and templates have led to inconsistencies in language. The current proposal is intended to clarify the Council's intent regarding the use of reserve funds. He noted that the Council may choose to allow broader language, maintain more restrictive language, or create separate reserve funds, and emphasized that it is ultimately the Council's responsibility to ensure that the resolutions reflect their desired use of these funds going forward.

Councilor Kurtz addressed Councilor Kalob's suggestion regarding maintaining a reserve specifically for the Heights Community Center. She explained that most of the City's reserves are categorized by type, such as highway, wastewater, and water. While a specific Heights Community Center reserve was created in 2016, she stated that the proposed language aligns the Recreation Reserve with the structure of other capital reserves. She added that creating a separate reserve would be cumbersome and unnecessary, as the Council can allocate funds to various recreation facilities as needed.

Councilor Brown noted that budget details are not currently publicly available, as line items like the Recreation Reserve do not specify their intended purpose, and she expressed a desire for this information to be made public going forward. She

thanked Councilor Kalob for the suggestion and indicated she would support an amendment to the amendment to create a separate Recreation Reserve specifically for Memorial Field. She stated that allocating $250,000 to this reserve would align with RSA 34:1, II, which allows for reserves for construction or reconstruction of a type of capital improvement, and noted that it would help address the City's multiple upcoming projects.

Mayor Champlin stated that he would not consider an amendment to the proposed amendment. He explained that Councilor Kalob could offer an amendment after a vote on Councilor Horne's amendment, but that multiple layers of amendments would be confusing, and only the single amendment before the Council would be considered.

Councilor Brown raised a point of parliamentary procedure, noting that an amendment to an amendment is typically allowed.

Mayor Champlin responded that his ruling as Mayor was to not allow it.

Councilor Brown asked for a roll call.

City Manager Aspell noted that the original reserve account language often describes broad categories, such as "highways and roads," yet funds are routinely used for related projects like sidewalks, drainage, and traffic signals. He emphasized that previous use of reserve funds has been consistent with Council intent and not improper. He cautioned that restricting the use of reserve funds too narrowly could result in funds being left in the general fund, creating a large, unexplained fund balance and limiting transparency. He stated that maintaining reserve accounts communicates priorities to the community, such as recreation and economic development, and allows the City to plan and allocate funds effectively to projects like highway improvements, sidewalks, and park enhancements. He encouraged the Council to continue using reserves to demonstrate planned capital spending rather than letting funds accumulate in the general fund.

Councilor Brown stated that she was confused why the Council could not use the unassigned fund balance for specific projects, noting that such expenditures would still require Council approval. She added that the unassigned fund balance has been used in this manner previously, including at the last meeting, and that it is intended to provide flexibility for unplanned or emerging needs.

City Manager Aspell responded that using the unassigned fund balance instead of a designated reserve makes the purpose less clear to the community, as funds would be held without a specified use.

Roll call vote on Councilor Horne's proposed amendment to this item:

Yes: Councilor Brown, Councilor Horne

No: Mayor Champlin, Councilor Davie, Councilor Fennessy, Councilor Grady-Sexton, Councilor Kalob, Councilor Keach, Councilor Kretovic, Councilor Kurtz, Councilor Schlosser, Councilor Schultz, Councilor Sekou, Councilor Todd

The motion to amend failed.

Mayor Champlin indicated that the original motion was now before City Council.

Councilor Sekou stated that he voted no for two reasons. He emphasized that Council retains authority over all reserve funds, so even if the language is broad or vague, the Council still makes the final decisions on how funds are used. While he agreed that clarity is important, he noted that, as the City Manager explained, the Council will have the same opportunity to vote on expenditures regardless of whether the reserve definitions are broad or specific.

Councilor Fennessy thanked Councilor Brown for raising the issue, noting that it provided an opportunity for staff to review longstanding reserve accounts and clarify ambiguities from prior Councils. He expressed appreciation to the Deputy City Manager, City Solicitor, and City Manager for their work in evaluating and closing accounts that had served their purpose. He emphasized that the review helps ensure reserve funds have clear purposes going forward. He agreed with the City Manager that placing all funds in the unassigned fund balance would reduce transparency, whereas designated reserve accounts signal to the public where the City plans to spend money and its anticipated priorities.

Councilor Kalob stated that she voted no, expressing a preference for a level of specificity somewhere in the middle. She noted that the Council has opportunities to review, close, or adjust reserve funds. She also asked whether there is a timeline or urgency for approving the proposed changes.

Deputy City Manager Finance LeBrun explained that there is no immediate urgency

to approve the changes, but noted that clarifying the reserve funds is important to provide the Council flexibility in managing City operations. He stated that previous confusion over fund usage could create challenges during the upcoming budget process. Using the Highway Reserve Fund and paving program as an example, he noted that proper use of reserve funds helps manage tax rate impacts and capital needs. He added that the Council could create additional capital reserve accounts if desired, but timely approval of the current clarification would assist the City Manager in preparing the FY2027 budget and resolve ongoing uncertainties about fund usage.

City Manager Aspell noted that he is reviewing project closeouts and expects to have the capital budget largely completed within the next few weeks, as it informs associated operating costs. He suggested that a new reserve account may be needed for the Merrimack River Greenway Trail, a $13 million project requiring ongoing staffing, equipment, and improvements. He offered to work with Councilors on creating such reserves and allocating funds, including potential donations, as appropriate.

Councilor Schultz echoed Councilor Fennessy's remarks and thanked Councilor Brown for raising questions. She explained that the urgency stems from concerns about public perceptions of fiscal impropriety or malfeasance, noting that social media and prior discussions suggested such concerns. She emphasized that she does not believe any wrongdoing has occurred and supports addressing the matter promptly to clarify the record and reassure the public.

Councilor Brown agreed with previous comments, noting the principle of "trust, but verify." She suggested that trustees should receive proper training if they have not already. She also raised concerns about the budget process, noting that at the June 5th workshop the Council approved $205,000 from the Community Improvement Reserve, but $449,000 was later withdrawn. She observed that the additional expenditures-$100,000 from the Recreation Reserve and $244,000 from the Community Improvement Reserve-were not discussed during the budget workshop or reflected in the minutes, and emphasized the need for greater transparency and discussion regarding reserve fund use.

Deputy City Manager Finance LeBrun clarified that the June 5th meeting minutes reflect all approved expenditures, including $205,000 from the Community Improvement Reserve, $244,000 from additional Community Improvement and Recreation Reserve funds, and $150,000 from the Economic Development

Reserve. He emphasized that every dollar transferred was approved by the City Council and fully included in the adopted budget.

Councilor Brown called a point of order to state that $244,000 was not approved by Council, emphasizing that she countered his statement.

Councilor Sekou moved the question. The motion to move the question was duly seconded and passed by the two-thirds required majority.

The original motion passed by the required three-quarter majority.

32. Resolution appropriating the sum of $2,050,000, as a transfer to Reserves and authorizing the use of $2,050,000, from Fiscal Year 2025 General Fund Assigned Fund Balance for this purpose; together with a report from the Deputy City Manager-Finance.

Action: Councilor Fennessy moved approval of the ordinance. The motion was duly seconded by Councilor Kretovic and passed with the required two-thirds majority.

33. Resolution appropriating the sum of $46,000, in the General Fund for furniture and fixtures, overtime, and education/training and authorizing the use of $46,000, in reserve funds for this purpose.

Action: Councilor Todd moved approval of the ordinance. The motion was duly seconded by Councilor Schultz and passed with the required two-thirds majority.

Reports

New Business

Unfinished Business

34. Report from the Director of Human Resources and Labor Relations recommending adoption of the PaypointHR Classification and Compensation Report. (Pulled from consent by Councilor Kretovic.) (Action on this item tabled at the December 8, 2025 City Council meeting.)

Action: Item remains tabled.

35. Presentation on the Memorial Field Master Plan from the Parks and Recreation Director. (Presentation given at the November 10, 2025 City Council Meeting.) (Action on this item tabled at the November 24, 2025 City Council Meeting.) (Communication from Concord School District received.)

Action: Item remains tabled.

36. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Section 18-1-7.1, Parking Prohibited During Certain Hours and Months in Designated Places, Schedule IX; to modify parking requirements on School Street between Pine and Liberty Streets; together with a report from the Assistant Director of Community Development. (Action on this item tabled at the August 11, 2025 City Council meeting.) (Public comments received.)

Action: Item remains tabled.

37. Resolution appropriating the sum of $84,000 to support efforts by Concord's Plan to End Homelessness and authorizing a transfer in from the Community Improvement Reserve in the sum of $84,000 for this purpose; together with report from Councilor Jim Schlosser. (Action on this item tabled at the April 14, 2025 City Council meeting.)

Action: Item remains tabled.

Consideration of Items pulled from the Consent Agenda

20. Resolution establishing committee guidelines and term limits for the Committee for Concord's Plan to End Homelessness; together with a report from Mayor Champlin. (Pulled from consent by Councilor Brown.)

Action: Councilor Davie moved approval of the Ordinance. The motion was duly seconded by Councilor Sekou.

Councilor Brown spoke in support of the report, particularly the recommendation that members who miss three consecutive meetings without notice may be removed. She suggested that similar attendance rules should apply to City Council members serving on committees. She raised concerns about a Councilor on the Fiscal Policy Advisory Committee and the Public Safety Board who attended only one of 14 Public Safety Board meetings in 2023. She also noted that a Councilor with a conflict of interest should not chair a committee and questioned why the chair of the Public Safety Board has not held regular meetings, emphasizing the need for correction to ensure accountability and proper oversight of public funds.

Councilor Grady Sexton stated that the attendance document circulated and published online was incorrect and not a factual public record. She further asserted that any alleged conflict of interest should be raised formally during the meeting, rather than online, and criticized the public posting of allegations regarding staff

and fellow Councilors.

Councilor Brown stated that she believes Councilor Grady-Sexton has a conflict of interest, noting that she is a lobbyist for the New Hampshire Coalition Against Domestic and Sexual Violence, which provides training to law enforcement and receives funds from settlements. She expressed concern that someone in this role should not chair a committee overseeing the police budget and noted that an ethics complaint regarding this matter was filed with the City Clerk today.

Councilor Schultz asked for a point of order.

Mayor Champlin stated that the Public Safety Committee doesn't oversee the Police Department budget.

Councilor Schultz moved the question. The motion was duly seconded by Councilor Kretovic.

Councilor Grady-Sexton responded, stating that she has been misrepresented. She clarified that she does not and has never trained the Concord Police Department. She explained that while her organization does train police officers in general, no monetary value is involved. She noted that, as Chair of an advisory board, she provides recommendations but has no authority over budgets. She asserted that there is no ethical or conflict-of-interest concern and no financial benefit to herself or her organization related to the Concord Police Department. She requested that all such allegations cease immediately and not be made either on social media or during Council meetings.

The motion to move the question passed by the necessary three-quarters majority.

The original motion passed with no dissenting votes.

Action: At 8:47 p.m. following a brief recess, members of City Council voted to enter a non-meeting with legal counsel which passed by a unanimous vote.

At 9:10 p.m. Councilor Kretovic moved to adjourn the non-meeting and re-enter the public meeting. The motion was duly seconded by Councilor Kurtz.

Councilor Grady Sexton was not present for the vote.

The motion passed unanimously.

Consideration of Suspense Item

Referral to the Diversity, Equity, Inclusion, Justice & Belonging (DEIJB) Committee and the Legal Department.

Sus1 Communication from the Attorney General's Office Regarding Review of City Contracts for DEI-Related Provisions.

Action: Councilor Kurtz moved to suspend the rules to consider this item not previously advertised. The motion was duly seconded by Councilor Kretovic and passed unanimously.

Councilor Kurtz moved to refer the communication to the DEIJB Committee and the legal department. The motion was duly seconded by Councilor Kretovic and passed with one dissenting vote, Councilor Fennessy.

Comments, Requests by Mayor, City Councilors

Comments, Requests by the City Manager

Adjournment

Action: Councilor Kurtz moved to adjourn the meeting at 9:12 p.m. The motion was duly seconded by Councilor Kretovic and passed unanimously.

Information

Inf1 August 28, 2025 and November 20, 2025 Transportation Policy Advisory Committee Meeting Minutes.

Action: Information item received and filed.

Inf2 October 21, 2025 and November 18, 2025 Traffic Operations Committee Meeting Minutes.

Action: Information item received and filed.

Inf3 October 30, 2025 Zoning Board of Adjustment Meeting Minutes.

Action: Information item received and filed.

Inf4 November 4, 2025 Architectural Design Review Committee Meeting Minutes.

Action: Information item received and filed.

Inf5 November 5, 2025 Zoning Board of Adjustment Meeting Minutes.

Inf6 November 6, 2025 Heritage Commission Meeting Minutes.

Action: Information item received and filed.

Inf7 November 12, 2025 Conservation Commission Meeting Minutes.

Action: Information item received and filed.

Inf8 November 12, 2025 Conservation Commission Trails Subcommittee Meeting Minutes.

Action: Information item received and filed.

Inf9 November 19, 2025 Planning Board Meeting Minutes.

Action: Information item received and filed.

Inf10 November 20, 2025 Airport Advisory Committee Meeting Minutes.

Action: Information item received and filed.

Inf11 November 24, 2025 Trustees of Trust Fund Draft Meeting Minutes.

Action: Information item received and filed.

Inf12 December 1, 2025 Concord Public Library Board of Trustees Draft Meeting Minutes.

Action: Information item received and filed.

Inf13 December 9, 2025 Ad-Hoc Semiquincentennial & Tri-Centennial Committee Draft Meeting Minutes.

Action: Information item received and filed.

Inf14 December 9, 2025 Rules Committee Draft Meeting Minutes.

Action: Information item received and filed.

Inf15 December 11, 2025 Everett Arena Advisory Committee Meeting Minutes.

Action: Information item received and filed.

Inf16 Annual communication from the Society for the Protection of New Hampshire Forests regarding City's Conservation Easement properties.

Action: Information item received and filed.

Inf17 Communication from Councilor Brown.

Action: At the February 9, 2026 Council Meeting, Councilor Kretovic requested that this document become part of the public record.

A true copy, I attest:

Deborah Tuite
Deputy City Clerk