

STAFF REPORT

July 26, 2021

Topic: Request to declare a portion of Rotary Park as surplus

Discussion: The City has received a written request from The Belknap Mill Society to declare a certain portion of land in the immediate proximity of the patio outside of The Powerhouse of The Belknap Mill as surplus so the City could convey it to The Belknap Mill Society for expanded use of community events. Please see the attached drawing.

The Parks Commission supported this request at their June 21, 2021 meeting.

The process for the City would be to move this item to a Public Hearing for the purpose of declaring it surplus.

§ 183-8 [Sale of surplus property through a written offer from a private party.](#)

[A.](#)

The City Manager may at any time, with respect to any tract or parcel of real property that the City owns and has acquired by means other than tax deed, receive a written offer to purchase the property from any private party. Upon receipt of any such offer, the City Manager shall provide a copy of the offer to the Mayor and City Council and evidence that the property is eligible for sale according to § [183-7](#) of this chapter.

[B.](#)

Once the City Council has received a proposal and determines it is eligible for sale, the City Manager may be authorized to obtain an appraisal on the subject property from a State of New Hampshire licensed/approved and qualified appraiser.

[C.](#)

Following receipt of the appraisal, the Mayor and Council may, at their option, either control the negotiations with the offeror acting through the City Manager or authorize the City Manager to finalize the negotiations, subject to the approval of the Mayor and City Council.

[D.](#)

Any Council vote authorizing the sale of City-owned real estate according to this section shall be by a margin of two-thirds vote.

[E.](#)

The City Council retains the right to reject any and all offers made on such property.

If the declaration of Surplus Property is approved by the City Council, the intent would be to have City staff work with legal counsel to determine the most efficient way to execute this land transfer. Possible options may include, but are not limited to, a license, a land lease or a boundary line adjustment. This transfer would also include a nominal payment as the "offer to purchase".

Fiscal Impact: All City expenses relating to the transfer of this property would be covered by The Belknap Mill Society.

Staff Recommendation: I recommend the City Council schedule a public hearing for August 9, 2021, to receive public input on declaring the property in proximity to the patio outside The Powerhouse of The Belknap Mill as surplus.

This report submitted by: Scott Myers, City Manager

Proposed motion:

“I move to schedule a public hearing on August 9, 2021, during the regular City Council meeting regarding the declaration of a portion of Rotary Park as surplus.”