

**MINUTES OF CITY COUNCIL MEETING
CITY OF SOMERSWORTH
JULY 21, 2014**

The meeting was called to order by His Honor, the Mayor, and upon roll call the following Council members were present: Pepin, Soldati, Hebert, McCallion, Messier, Tapscott, Witham, Collins and Sprague.

MINUTES OF THE PREVIOUS MEETING.

MINUTES OF CITY COUNCIL MEETING HELD ON 06/16/2014.

Councilor Tapscott, seconded by Councilor McCallion, made a motion to accept the minutes of the meeting held on June 6, 2014 as recorded. The motion passed.

COMMENTS BY VISITORS.

Maddie De Santis, 4 Maple St, Ward 1, spoke on behalf of Resolution No. 7-15 (which would direct the City Manager to draft a resolution to bond \$3M to bring Hilltop School in compliance with current building and life safety codes.) The Friends of Somersworth, FOS, believe this is the next logical step in the public/private partnership. She emphasized that this is a “community resource” which will bring people into the City, and help maintain the integrity of neighborhoods and revitalize downtown.

Thomas Kefalas, 9 Granite Way, a long time merchant downtown as owner of the Somersworth House of Pizza, offered appreciation and thanks as well as his disappointment regarding the efforts extended after the brutal attack made on his colleague on July 2, 2014. He said that the Police Department did everything in their power and he said it made his decade today when they apprehended the third suspect involved in the beating of his employee of 12 years who now faces a long recovery. He said the people of the town have offered so much help to Brandon Patterson, including financial help. He then expressed disappointment with those in City Council Chambers, with one exception, saying that no-one walked to his doorstep to offer sympathy or ask what happened or if there was anything they could do. The last Mayor who walked through his door, introduced himself, gave him his card and asked how he was doing was Jim McLin. He is troubled by this. He concluded that something isn't right, things like that do not happen in small town America. The Police Department cannot do it on their own: they need the community, but the community needs leadership. Walk the beat and find out what is going on in your community. Thank you for listening, he said.

Sarah Duclos, FOS Board member, 228 Main Street, Ward 5, also spoke in favor of Resolution No. 7-15. She brought a friend on a walking tour of Somersworth; he was charmed by ...the City but commented that he never knew that any of this was here. She said right now that Somersworth is a place that you drive through. What this City needs

now is a reason to stay. She quoted a recent study which states that communities that draw cultural tourists experience additional boost of economic activity and ... that arts tourists spend more than the average traveler. "A vibrant arts community not only keeps residents and their discretionary spending close to home but also attracts visitors who spend money and help local businesses thrive." Arts and cultural organizations had a positive impact of \$115M on the NH economy, \$44M in Portsmouth alone, which was a struggling community a short time ago. She urged the Council to think of the possibilities with those numbers in mind. We are investing in our streets, have established a Rail Service Advisory Committee, but, she asked, what is going to bring people here and make them stay. Investing in the Hilltop School could be a key to Somersworth's economic transformation. Portsmouth, Dover and Rollinsford all have arts scenes and Somersworth has a unique opportunity to stake its claim as the dance capital of NH. Her stake in this is as founding artistic director of Neoteric Dance Collaborative, the Seacoast's first and only professional contemporary dance company. They have committed to make Somersworth their artistic home, but their ability to program here is limited. There is no mid-size space that is appropriate for their company between Portland and Boston and she said that the gym at Hilltop could fill this void for them and the State of NH while allowing them to expand programming. She outlined her professional history and said that if Portsmouth had not made an investment similar to the one Somersworth is considering to the Connie Bean Center, her dance education would not have been possible and she might not be standing here today.

Lindsey Gagnon, 10-B Maloney Street, Ward 1, the President of the Somersworth Festival Association, thanked Councilors Tapscott, Pepin and McCallion for their help at the Festival. She thanked Councilor McCallion for coming to the after party. She mentioned that she has recently joined the FOS and she supports that. She said that growing up in Somersworth; it was kind of hard to find her niche. Any art programs (at Hilltop) would be nice. They do the best they can at the schools, but there is only so much they can do. Something at the Hill would offer more to not only the young people, but to older people who may want enrichment.

Alexis Kochka, Linden Street, moved here from Somerville, MA. She was the Chairman of the Board of the Somerville Arts Council which had a huge role in revitalizing Somerville. Property values have doubled. The Arts Council has done tremendous programming for the city; it serves its residents and is also a draw for artists to move to that city. She sees the same potential for the Hilltop School. There is a need for that type of programming and there are people who are willing to support it. There is potential two-fold benefit here: serve youth and the city and also to attract people to come into the city.

Diane Griffith, 52 Grove Street, thanked the Council for the work they are doing for the community. She is Vice-Chair of the FOS. She knows the numbers are daunting. She wants to tell a story. She said that it is the people who make this place a livable place. She said that she and her husband picked Somersworth because it is where they wanted to live. She opened the phone book and there were all those French-Canadian names and she said, "Now I know I'm home." She said that to bring back the focus to the fact that

we (Council members and residents) are all hard working people and we want to make a go of this place. She thanks all who do their volunteer work, Boy Scouts, baseball and karate...they try to do everything they can in this community. This is the place that she is happy to be. She said her daughter went to school in the Boston area but she doesn't want to live there. This is where she wants to live and settle. What is it about Somersworth that has made her feel that this is where she wants to be. She wants to recognize that.

ANNOUNCEMENTS BY CITY COUNCILORS

Councilor Soldati announced that on August 22nd at the American Legion, there will be a fundraising silent auction for Mr. Brandon Patterson. The Chamber is working to get businesses rallying around this cause for his medical bills. She is confident that the City and business community will rally around him. Save the date.

Speaking of the arts, Sole City Dance moved from Rochester to the City of Somersworth, Route 108, and they will host a Business after Hours on August 21st. from 5-7 pm. The whole community is invited. The Chamber is very pleased that they chose Somersworth. She encourages everybody to go to the Chamber Facebook page

COMMUNICATIONS.

RESIGNATION OF PAUL ROBIDAS FROM THE STRAFFORD REGIONAL PLANNING COMMISSION (SRPC).

Email from Paul Robidas, addressed to Councilor Brian Tapscott
Subject: SRPC

Brian as you might have noticed I have experienced a difficult time attending SRPC meetings. Our corporation used to conduct weekly management meetings every Thursday at 10a. They have now changed the day to Fridays. These meetings are mandatory. I will have to resign my position on the SRPC effective immediately. As always I appreciate your continued support for me.

PRESENTATION OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE.

There are no petitions.

MAYOR'S REPORT.

Mayor Hilliard presented the following:

MAYORS REPORT FOR CITY COUNCIL MEETING MONDAY JULY 21, 2014

- Like the majority of Somersworth citizens I was left disheartened by the recent attacks on 29 year old Brandon Patterson, a Somersworth High School graduate,

citizen and model employee from the Somersworth House of Pizza. The crimes committed against Brandon are unspeakable and like all crimes leave our small community reflecting upon some difficult questions. Since this act took place, I have been processing the differences of how our community has changed since I roamed what I consider the safe neighborhoods of my childhood in Somersworth.

Our Community differs itself from surrounding cities and towns by the true meaning and practice of the word community. A true community is a place where neighbors help neighbors and look out for each other and each other's property. I can recall as a kid the unofficial neighborhood watch which was installed by all parents, insuring that the kids made it home for dinner time and that nobody was injured or harmed. That is the Somersworth that I remember: this is the Somersworth that we must restore.

The individuals who committed the crime against Brandon Patterson are not true citizens nor are they welcome as part of our community. Those who continue to think Somersworth is the place to lay the foundation of illegal activity or engage in harm against true residents and citizens will soon meet the fate of the criminal justice system, as shown by how quickly our Police Department was able to make two, and now three, arrests in connection with the recent attacks.

To our men and women in blue, thank you for all that you do. Thank you for keeping our streets safe and taking an oath to reaffirm the values the true citizens hold dear.

To the residents of the community, now more than ever is when we need to re-unite and affirm those values. Don't sit back, become the "Nosey Neighbor", if something looks out of place or does not add up, call the Police. Protect your fellow residents and their belongings which they have worked hard to acquire.

Work with law enforcement, to continue to build a community where all of us can be safe and where all of us can take pride in calling home. Somersworth will only continue to grow with its citizens in every neighborhood united for common goals. If you believe as I do, that we are truly the "Best Kept Secret on the Seacoast", then let us continue to reach our goals as a community, keeping each other safe and letting "everyone know what is so great about the secret."

- On Saturday August 23rd 9:00-10:30 at City Hall I along with Councilor Hebert will host the third Mayors community forum. As previously announced this is an opportunity for the public to come share a cup of coffee and pastries with the Mayor and members of the City Council and School Board, (the Ward 3 School Board seat is still vacant at this time,) in a non-formal setting. Its purpose is to continue to create dialog, exchange ideas, voice concerns and continue to keep our community moving forward. Again a friendly reminder to all other Councilors and Board members, to meet guidelines of the State RSA, you are respectfully asked to find other activities during the Saturday forums.

- I am pleased to announce that under the planning and direction of local Boy Scout David Brackett, that a Cleanup Day for Willand Pond has been organized for Sunday August 3rd at 1:00 pm. The event will be sponsored by the local Boy Scout troop and is being organized as a true community event. I along with the Boy Scouts welcome all and any participation from local residents, who enjoy the Willand Pond recreation area and wish to continue to protect its natural beauty. Even 20 minutes of help will go a long way at helping pick up trash and raking.
- I would also like to extend thanks to David Brackett for this continued restoration work at the historic bear cages at Willand Pond. As part of earning his Eagle Scout rank, David has been engaging in the restoration of the bear cages and creating and placing information signs along the trail area of Willand Pond. I wish him the best as he continues his work and look forward to attending the official unveiling of his work and his future Eagle Scout ceremony.
- This week I was proud to join over 500 of my fellow Mayors throughout the country supporting ending marriage discrimination in all 50 States. “Mayors for Freedom to Marry” is a bipartisan diverse group of Mayors from across our nation, united by common commitments: fairness and equality. I am honored to add Somersworth’s name to the cities throughout our country, reaffirming the values and principles outlined in the Declaration of Independence and United States Constitution. Together united as cities and a nation, we will continue to grow to ensure that our vision created over 238 years ago will come to fruition.
- This evening before Council for a first reading is Ordinance No. 1-15 and Resolution No. 7-15 both dealing with moving forward with seeking funding for the revitalization of the former Hilltop School Building.

Since taking office I have been working closely with Friends of Somersworth to help move forward the plan of reopening Hilltop School as a cultural arts and community center. For months meetings have been taking place with city, state and federal officials. The purposes of the meetings have been searching for funding sources and working to build a cohesive plan which will address the existing structural problems of the building while living within the means of what the taxpayers can afford.

We have now reached the point where as a Council we must make some decisions of how we will progress forward with the building so we do not make the same historical mistakes of the past. Two different funding options are now before this body to help move this project forward.

The re-opening of Hilltop will only occur through a partnership between city, state, federal and private entities. While as a community we may truly not be able fiscally afford the project, we can also not afford, not to invest, in the future of Somersworth. I believe the re-opening of Hilltop is part of the foundation block

to continue to build our bright future. The unlocking of the doors will symbolize a new day and chapter within our history.

I am looking forward to the debate finally coming to this chamber at our next meeting and respectfully urge your support and partnership on one of the two options.

- I have accepted the resignation of Bill Sweeney as a member of the Planning Board. I would like to thank Mr. Sweeney for his years of dedicated service of helping move our community forward. I wish Mr. Sweeney all the best, and welcome him back for future service if he chooses.
- Nominations, Appointments and Elections:

Under Nominations, Appointments and Elections, the following are being brought forward this evening for appointments. In accordance with Council Rule 17 Appointments, the nominations shall remain open until the August 11th, scheduled Council meeting.

- Planning Board
Mark Richardson and Harold Guptill, terms to expire 04/2017.
- Conservation Commission
Scott Orzechowski, Frank Richardson, Elizabeth Wilson and Imants Millers (alternate), terms to expire 04/2017.
- Supervisor of the Checklist, Ward 2
Nancie Cameron.

The following appointment, named by Mayor, does not require confirmation by Council (City Charter Section 3.5C).

- Christmas Parade Committee
Fred Zinkevich

REPORTS OF STANDING COMMITTEES.

FINANCE COMMITTEE

Councilor Witham reported that there had been a very lengthy agenda for the meeting on July 9th. Please see the following minutes submitted by City Clerk, Diane DuBois:

MINUTES OF FINANCE COMMITTEE MEETING
EXECUTIVE CONFERENCE ROOM
JULY 9, 2014 – 8:30 A.M.

Committee Members present: Councilor David Witham, Chair
Councilors Dale Sprague and Denis Messier
Councilor Jennifer Soldati arrived at 9:00 a.m.

Administration/Staff present: City Manager Bob Belmore
Finance Director Scott Smith
Superintendent Jeni Mosca
Fire Chief Keith Hoyle
City Clerk Diane DuBois

Chairman Witham called the meeting to order. He indicated that Mayor Hilliard appointed Councilor Messier as a temporary member of the Finance Committee in order to have a quorum.

1. APPROVAL OF MINUTES.

Councilor Sprague, seconded by Councilor Witham, made a motion to accept the minutes of the June 5th meeting. The motion passed by a vote of 2 yeas, Councilor Messier abstaining.

2. SCHOOL AGREEMENT WITH ROLLINSFORD REGARDING OUTSTANDING DEBT SERVICE PAYMENTS.

City Manager Belmore indicated he received a memo and draft resolution from Superintendent Mosca regarding Rollinsford's financial obligations to Somersworth. Rollinsford owes us some money regarding bond debt in accordance with the AREA Agreement. We would need to set up a Trust Fund and the money would be plugged into the budget each year for two years. There would be a public hearing process and budget approval process each year. A resolution is necessary in order to receive this money.

Chairman Witham asked if there is other bond debt that Rollinsford would be subject to. Superintendent Mosca replied that they are precluded from debt incurred after they have started the withdrawal process from the AREA Agreement.

Councilor Messier made a motion to support a resolution regarding accepting outstanding debt payment from the Town of Rollinsford according to the AREA Agreement. The motion was seconded by Councilor Sprague, and passed 3-0.

3. CAPITAL RESERVE FUND MANAGEMENT FEES RE: TRUSTEES OF TRUST FUNDS.

Finance Director Smith said the Trustees of Trust Funds met last week and voted to support a resolution authorizing the payment of capital reserve fund management fees. HB 297 contained a provision that allowed that management fees be paid from income of

capital reserve funds. The amount of the fees is ½% of the total fund. As the funds grow, so would the amount of the fees paid. This provision would need to be authorized by the governing body. He is requesting that the City Council sponsor a resolution giving them this authority.

Councilor Messier asked for a definition of capital reserve funds. Director Smith replied they are funds that are created by the Council, such as building maintenance, municipal transportation, retirement, etc.

Director Smith indicated the Trustees of the Trust Funds chose the company out of Hampton after going out to bid. They received 3 to 5 proposals. This company specializes in management of trust funds.

Councilor Messier made a motion to support a resolution authorizing the payment of management fees from Capital Reserve Funds. The motion was seconded by Councilor Sprague and passed 3-0.

4. TAX DEEDED PROPERTY LIST.

City Manager Belmore said this is a list of mobile home units. He indicated the Council might want to carve out the top 5, who are all 6 years in arrears in payment of taxes.

Chairman Witham said we went through this process last year and he asked how that worked out.

Director Smith said the process is not done yet. We actually deeded 4 mobile homes, and one person exercised their rights of redemption.

Chairman Witham asked if anyone is living in the 5 mobile homes, indicating if someone is living there we have a chance of redemption. If a property is vacant, it is probably in need of repair. He is not so sure that we should go after vacant properties.

Councilor Sprague wondered if people are getting the message of what we are doing. He wondered if we could send them a letter letting them know what we are doing.

Director Smith replied that they are aware of what we are doing. A lot of them are just having financial problems.

Councilor Sprague said they have the option of selling their properties and renting a place.

Councilor Messier made a motion to not accept tax deeds on mobile homes 87-307M through 87-208M on the list of mobile homes subject to tax deeds, and to not accept tax deeds on 1 Winter Street, and 2 properties on Wexford Lane. The motion was seconded by Councilor Sprague and passed 3-0.

5. SHERWOOD GLEN MHU – ATTORNEY LETTER.

City Manager Belmore said a letter was received from Attorney Donald Routhier representing Penta K. Realty, owner of Sherwood Glen MHP, offering to pay the last two years of property taxes and asking that the balance of taxes be forgiven. The trailer is in disrepair and they cannot market it as is.

Councilor Messier said he feels we should follow past practice, which is that we want our money. He does not feel we should do this.

Councilor Sprague said he sees no hardship. He doesn't see any reason why we should give Penta K. Realty the option of just paying 2 years of taxes.

Councilor Messier made a motion to deny the request from Donald Routhier on behalf of Penta K. Realty to pay the last two years of property taxes and forgive the balance. The motion was seconded by Councilor Sprague and passed 3-0.

6. REPORTING.

Finance Director Smith said we are going to see a decent increase in Fund Balance. We have a General Fund surplus of \$400,000. We have a surplus on the revenue side which will increase the Fund Balance by about \$1M. We may be using a portion towards High Street. Perhaps the City Council would like to increase what will be going towards lowering the tax rate.

City Manager Belmore said his concern is not to have a spike next year. We could use \$500,000 over the next 3 years if we are fiscally prudent.

Chairman Witham wondered, if we did lower our tax rate by using Fund Balance, what that would do for the tax cap.

Director Smith said it would reduce the amount we would use to calculate it. It would be kind of a wash.

Councilor Sprague said it sets the benchmark a little bit lower.

Councilor Soldati arrived at this time.

Councilor Messier said it looks good on paper, but he doesn't see how it would benefit us. He would rather put that money towards CIP projects.

Director Smith said our MS4 does not get filed until 9/1/14. This is not a decision that has to be made today.

Chairman Witham said if we did not have a tax cap he would want to give it all back to the taxpayers. He will not set us up for failure. He feels the taxpayers like to see something tangible for their tax dollars.

Councilor Soldati said she is getting many calls about our poor sidewalks. The City had developed a sidewalk improvement plan, but has not spent any money on it.

Councilor Sprague said we have not taken action on getting enough money in that account to do anything. It is great that we have a process in place, but we are not funding it. We will be doing Constitution Ave. when the construction is done.

Following further discussion, Chairman Witham requested this be on the agenda for the next Finance Committee meeting to determine how we will allocate the money.

7. FIRE DEPARTMENT PORTABLE RADIO PURCHASE.

City Manager Belmore said this was a CIP item that was approved by and budgeted by the City Council. This will need a resolution. If we move it quickly, we can achieve some savings.

Chief Hoyle said this will replace some older radios, and also they are adding call firefighters that will need radios.

Councilor Messier made a motion to sponsor the radio equipment acquisition resolution. The motion was seconded by Councilor Soldati and passed 3-1, Councilor Sprague voting in the negative.

8. COMCAST BROADCASTING EQUIPMENT PURCHASE.

City Manager Belmore said we received a quote for \$16,900 plus 10% contingency, bringing it to \$18,600. This would come from the Comcast Cable Franchise Fund. This would allow us to add the school channel in August.

Councilor Sprague said he is not comfortable with this because they only got one quote. He does not feel this was vetted out as it should have been.

Councilor Messier said he would like to see this up and running in August. This is money that people have paid.

Councilor Witham said they tried to solicit multiple quotes and did not get a response.

Motion by Councilor Messier to table this item. The motion was seconded by Councilor Sprague stating we need more tangible information.

Finance Director Smith asked if they would consider authorizing the Comcast quote.

Councilor Messier moved to accept the Comcast quote of \$8,113.75 plus 10% contingency. The motion was seconded by Councilor Sprague and passed 4-0.

Find word boy

9. MISCELLANEOUS.

High Street resurfacing - Chairman Witham said this will cost us an additional amount of money, but we will not know how much more until we receive bids. It is not too early to begin discussions about funding. It is appropriate for staff to come forward with a recommendation at the next Finance Committee meeting.

TE Grant – Councilor Sprague said the funding has been delayed in Washington. Chairman Witham said it would be helpful for staff to determine a new timeline for the TE Grant.

Police Dept. recording equipment – City Manager Belmore said the Finance Committee approved expending \$20,900 for Police Dept. equipment. They applied for a grant for 35% and have received word that they have received the grant. The City will receive \$7,300 and will need to fund \$13,000. He asked the Finance Committee to vote to accept this money.

Councilor Messier moved that we accept grant money in the amount of \$7,300 for Police Dept. recording equipment. The motion was seconded by Councilor Sprague and passed 4-0.

10. REALTOR PROPOSALS TO SELL CITY TAX DEEDED PROPERTIES.

Councilor Sprague recused himself and left the room.

Finance Director Smith said this is to request and accept proposals to sell City-owned property, including 3 mobile homes, 213 West High St., and 2 properties on Green Street. Three proposals were received as follows:

<u>Agent</u>	<u>Commission SF/Commercial</u>	<u>Commission Mobile Homes</u>
Re/Max	6%	8-10%
Keller Williams	5%	8%
Avalar	4.5%	7.5%

Following discussion, Councilor Soldati moved to support awarding the bid to Keller Williams. The motion was seconded by Councilor Messier, and passed by a vote of 2-1, Chairman Witham voting in the negative.

11. ADJOURNMENT.

A motion was made by Councilor Messier to adjourn. The motion was seconded by Councilor Soldati, and passed 3-0. The meeting adjourned at 9:40 a.m.

GOVERNMENT OPERATIONS COMMITTEE

Councilor Soldati reported on the meeting held on July 17, 2014. The following minutes were submitted by Deputy City Clerk, Elise B. Brelis:

Government Operations Committee
Executive Conference Room
July 17, 2014
8:00 AM

Committee Members Present:

Councilor Jennifer Soldati, Chair
Councilors Collins, Tapscott and Witham

Administration/Staff Present:

City Manager Bob Belmore
Finance & Administration Director Scott Smith
Human Resources Manager Linda Corriveau
Deputy City Clerk Elise Brelis

Others Present:

Mayor Dana Hilliard

Councilor Soldati, Chair of the Government Operations Committee, called the meeting to order at 8:02 AM.

APPROVE MEETING MINUTES.

Councilor Tapscott, seconded by Councilor Collins, made a motion to accept the minutes of the February 7, 2014 meeting. The motion passed 4-0.

City Manager Belmore introduced the Human Resources Manager, Linda Corriveau, to those present who had not yet met her. She was welcomed.

COUNCIL RULES AND REGULATIONS.

Mayor Hilliard arrived at 8:04 AM.

Mayor Hilliard suggested that Councilor Soldati, as Chair of the Government Operations Committee, form a subcommittee to examine Council Rules and Regulations thoroughly: including restructuring Council's agenda and adding rules that incorporate our switch to wireless, etc. There was some discussion about continuing with (some) paper documents for those Councilors who prefer, at least for a time. Councilor Soldati stated that she wants, at least, to have a paper agenda to refer to during meetings. Mayor Hilliard mentioned that losing signals can be a problem when you rely on wireless. After discussion, the Mayor said he will announce the formation of the subcommittee at Monday night's Council Meeting. Councilor Soldati, Councilor Collins, Bob Belmore

and Dana Hilliard (ex officio, as time permits,) expressed interest in sitting on the committee. The Mayor would like to have recommendations by the second Council meeting in September. Councilor Soldati wants to begin meetings no later than 8:00 AM. The suggestion was made to introduce it as one amendment with sections that could be easily changed instead of multiple separate amendments

ADD HUMAN RESOURCES MANAGER POSITION TO CHAPTER 4, PERSONNEL RULES AND REGULATIONS.

The new Human Resources Manager position needs to be added to Chapter 4. Councilor Tapscott, seconded by Councilor Witham, made a motion to introduce an Ordinance sponsored by all four members of the Government Operations Committee to include this new position as an exempt, salaried position with Labor Grade 25. The motion passed.

RECREATION SUPERVISOR, RECOMMENDATION TO INCREASE LABOR GRADE, CHAPTER 4.

The Council recognized that the salary for this position (is not commensurate with the amount of work and responsibility.) The City Manager, Finance Director and Human Resources Manager looked at how the salaries ranges of other towns and cities compare to Somersworth and are proposing to change this position from Labor Grade 13, which pays approximately \$29,200 to \$35,600, and which the Council has previously budgeted, to a Labor Grade 19, which pays approximately \$39,059 to \$47,600, depending on steps.

There was some discussion about various duties and responsibilities of the position.

Councilor Witham fully supports this increase, making a motion to increase the Recreation Supervisor position from Labor Grade 13 to 19. After being seconded by Councilor Collins, the motion passed 4-0.

RECOMMENDATION-PART TIME GOVERNMENT/EDUCATION CABLE ACCESS CHANNEL COORDINATOR.

The City is getting ready to create a new, part-time position for a “Government/Education Cable Access Coordinator” to coordinate, manage and improve services related to the public access channels for both the city and the schools. Finance Director Smith said that they are currently still quite focused on meetings, but they can do more. Money will come from the Cable Franchise fees to fund this position (as well as related expenses such as camera operators, training, equipment upgrades and repairs and programming). After a suggestion from Councilor Soldati, and agreement by the Committee, a paragraph was struck from page two of the proposed draft of the job description and the title of the position was changed from “Government/Education Channel Coordinator” to “Cable Access Coordinator.” Councilor Witham, seconded by Councilor Tapscott, made a motion to add this hourly, part-time position of “Cable Access Coordinator” to Chapter 4, (probably 20 hours/week without benefits). It will be at Labor Grade 18. The motion passed, 4-0.

PUBLIC WORKS DIRECTOR POSITION UPDATE.

City Manager Belmore identified areas in the Administrative Code, Chapter 29, having to do with employment requirements and conditions for department heads, particularly Fire, Police and Public Works, which he feels negatively effects prospective employees' decision to accept positions in Somersworth, as well as his ability to negotiate with them. Residency requirements, pay levels and vacation/leave were all identified as areas to consider. There was discussion about the residency requirement. Councilor Witham mentioned changing the requirement to living within a radius of Somersworth, rather than in Somersworth itself.

Mayor Hilliard thinks this should be (completely) re-examined... He said that the top paid position in Somersworth, the Superintendent, is not required to live in Somersworth, while that position can affect the tax rate. He thinks the Council could make a statement and perhaps the School Board could look at this.

Mr. Belmore said that it is a challenge to recruit given the restrictions having to do with residency, pay, benefits and vacations. He mentioned the fact that newly hired employees get only one week vacation, the first year, a fact that staggered the committee members and the Mayor, who outlined the difference in terms for School employees. Councilor Witham said that they need to be able to negotiate for these top level positions. The Mayor said again that it all needs to be re-examined.

Councilor Soldati will form a subcommittee to look at this issue. Councilors Witham and Soldati expressed interest, as well as Mayor Hilliard, ex officio, a final report on recommendations is expected by the end of the year.

City Manager Belmore also spoke about removing the requirement that the Director of Public Works be an engineer, (P.E.). He said that we have a City Engineer and we hire engineers for all our major projects. He believes we need more of a manager, with managerial skills and experience.

Discussion ensued regarding a reasonable residency requirement based on distance and /or time from Somersworth and the Mayor said he sees this in terms of time and suggested 30 minutes/30 miles.

Councilor Witham, seconded by Councilor Collins, made a motion to allow the City Manager to negotiate for the Public Works position with flexibility in terms of residency, (30 minutes/30 miles,) vacation and the removal of the engineering requirement. The motion passed 4-0.

This discussion will be put on the next agenda under "Other" and be brought to the full Council for a vote.

Councilor Witham believes this change will put us in a better position (in terms of hiring.)

CITY ORGANIZATIONAL CHART AND STAFFING LEVELS.

Councilor Soldati found the organizational chart and staffing levels to be very helpful.

MISCELLANEOUS.

Councilor Soldati mentioned that, given that the City Manager's contract has been extended for two years, and questioned whether an evaluation need be done this year. Whether one is done or not, the City Manager would like the Council to consider two issues which he identified. Mayor Hilliard outlined two procedural ways for the Council to consider these issues. Councilor Soldati asked that this be put on the agenda for the next meeting and the Council will go into non-public session to consider as moved by Councilor Collins and seconded by Councilor Tapscott. The motion passed.

Mayor Hilliard believes that (organizational) restructuring may be advisable under the tax cap, particularly with respect to the Finance Director and the Human Resources positions in the City. He feels there is unnecessary duplication between the City and the Schools and that we should research and consider consolidation of services. Franklin and Portsmouth were mentioned as being communities that we might want to look at. Councilor Soldati suggested that the Mayor talk to Bob Lister.

At the Chair's suggestion, Mr. Belmore asked Linda Corriveau, Human Resources Manager, to research an "earned time off" program for consideration.

ADJOURNMENT

Councilor Tapscott, seconded by Councilor Collins, moved to adjourn. Motion passed 4-0. The meeting adjourned at 9:14 AM.

ECONOMIC DEVELOPMENT

Councilor Witham reported the minutes of the Economic Development Committee meeting to the Council. The following are minutes of the meeting as submitted by City Clerk, Diane DuBois.

MINUTES OF ECONOMIC DEVELOPMENT COMMITTEE MEETING EXECUTIVE CONFERENCE ROOM JULY 11, 2014 – 8:00 A.M.

Committee Members present: Councilors Sean Collins, David Witham, Dale Sprague
Councilor Jonathan McCallion, Chair, arrived at 8:15 a.m.

Administration/Staff present: City Manager Bob Belmore
Finance Director Scott Smith
Director of Planning and Development Dave Sharples
Economic Development Manager Christine Soutter
City Clerk Diane DuBois

Vice Chair Witham called the meeting to order at 8:06 a.m.

1. APPROVAL OF MINUTES.

Councilor Sprague made a motion to accept the minutes of the April 17th meeting. The motion was seconded by Councilor Collins and passed 3-0.

2. RAIL SERVICE ADVISORY COMMITTEE, RE: RFP DEVELOPMENT.

Councilor Sprague said they considered it was time to put out an RFP study on passenger rail service and open a line and possible connection to the Downeaster Rail. Tony Donovan wrote the RFP and we put it into our standard form. A draft was sent out yesterday.

Councilor Witham said this would put data behind it such as the current condition of rails, population centers, and the best site for it, etc.

Councilor Sprague said it would give us a number on what it would cost to do the work.

CM Belmore said it would look at different types of facets such as economic development, businesses, commercial, industrial, etc.

Councilor Witham said the thing that strikes him as beneficial is that it tees us up for grants that might be available.

Councilor Sprague said we have to have a study that gives information. We need the RFP to have a transparent process. This could cost between \$15,000 and \$20,000. There might be some grants available for this. Senator Watters plans to put this in the ten-year highway plan for study for the seacoast. Portsmouth is really talking about this also and other communities want to get on board. The rail that goes through Portsmouth services the Navy Yard. The more people you have on board the better off you are.

City Manager Belmore said because we had the presentation and workshop on rail service and because we have a Rail Advisory Committee, he feels comfortable with working with staff to get this RFP out. We are spending staff time and going with it without going to the full body. We will get this on Channel 22 and the City web site. He would like guidance on who should receive direct mailings.

Councilor Sprague said there is a Rail Committee that would have all the correct contacts for this type of thing.

Dave Sharples said he will reach out and see if he can find out the right contacts to mail this to.

Chairman McCallion arrived at this time.

City Manager Belmore mentioned that the Transportation Fund could be utilized for this if we get a proposal that looks worthwhile and affordable.

Councilor Sprague made a motion to have staff develop an RFP with regards to a rail service study. The motion was seconded by Councilor Collins and passed 4-0.

3. HILLTOP SCHOOL BUILDING REUSE, RE: ECONOMIC DEVELOPMENT.

Chairman McCallion mentioned the Mayor has met with various officials plenty of times at the Hilltop building.

City Manager Belmore stated there has been some development regarding the Hilltop School Building. Mayor Hilliard and Councilor Soldati will be sponsoring a resolution to see if the City Council wants to direct the City Manager to engage the Bond Council to pursue a possible bond for needed improvements. We have met several times to see if we can get the numbers down from what was presented by the architect. We were able to eliminate one improvement to one side of the building that brought the cost down by \$250,000. It would still cost between \$3M and \$4M to bring the building up to code. We could go after some grants for fixtures, etc., and as much as \$1M through a federal Economic Development Grant, but then we might still be looking at bonding between \$2M and \$3M. There will be a resolution so the City Council can discuss whether they want to go after the money or come up with a different plan.

Finance Director Smith explained that there would be two parts if the Council decides to go for a bond:

- City Council will have to hold public hearings to develop and establish that the project is for economic development purposes.
- Find out whether it is taxable or non-taxable for municipal financing.

It is a little different than traditional practices and we want to go through the proper process. We would be looking at bonding for ten to fifteen years. Based on a twenty year bond, we would be looking at about \$240,000 per year.

Councilor Sprague said he does not know what the plans are from the Hilltop Committee. He does not see this. It was supposed to be the hilltop people, now it has become our funding project.

Councilor Witham said he floated the idea of the bond so the Council could discuss it and make an informed decision. Those that strongly support this feel that arts and culture would benefit the community and be part of an economic development strategy.

Councilor Sprague said before he agreed to spend that much money on this project he could vote to hire more cops to clean this City out so that more people would move in.

4. MISCELLANEOUS.

Councilor Witham said we had discussed the idea of selling the parking lot behind Nard's and wondered what became of that.

City Manager Belmore said it was tabled until the downtown project is done.

Councilor Sprague said he thinks we should, as a City, pull out of the Chamber of Commerce. He feels it is a conflict of interest because we have a Council member who is the Director of the Chamber. When we have been looking at bids we have sometimes been asked if they are a member of the Chamber of Commerce. We should be thinking as a City of pulling out of our own Chamber.

Councilor McCallion said that if something inappropriate like that happens it should go to the Mayor to be referred to Government Operations or the Ethics Commission. The Chamber of Commerce is like a cheerleader for businesses. They have to have a good relationship with the City and community members to grow businesses.

Councilor Witham said he believes the City belonging to the Chamber of Commerce is a valuable relationship. He does not have a strong compelling need to take us out of the Chamber.

Director Sharples said that SB347, relative to municipal enforcement of land use ordinances, was signed into law on 5/27/14 to be effective 1/01/15. We are researching what action needs to be taken by the City Council to enact this legislation.

City Manager Belmore said we have a landlord who owns 3 properties on Main Street that are in disrepair. He has taken care of the more immediate hazards, but we still have a series of code violations that concern us. We will be holding a conference call with our City Attorney to finalize what action we will take and where we go from here. The Fire Chief has contacted the State Fire Marshal's Office. We will partner them with our legal counsel and will move forward.

Councilor Sprague asked if there is any way we could put someone on probation for two years when we encounter these kinds of situations. City Manager Belmore said we had a discussion regarding that a couple of years ago. We can revisit this.

Chairman McCallion commented that if we adopt SB347 it will help our community. He wondered if there is a way we can expand on it. Director Sharples stated we can only do what State law allows.

Chairman McCallion said he noticed a big sign on the Garabedian property. He wondered if they have contacted anyone in the City regarding any plans they have for the

property. The sign has been up for a couple of weeks. We should start some dialogue with them if they haven't contacted us.

City Manager Belmore said the RFP's for the former police station are due on 7/17/14. We usually get bids a day or two before the due date.

5. ADJOURNMENT.

Councilor Sprague made a motion to adjourn. The motion was seconded by Councilor Collins and passed 4-0. The meeting adjourned at 8:53 a.m.

PUBLIC SAFETY COMMITTEE

Councilor Pepin said that the next scheduled meeting of the Public Safety Committee will be on July 24, 2014 at 8:30 am. They will discuss the following:

- Police Department Update
- Rescue Tool Purchase
- Fire Grant for the Call Department
- EMS update.

PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE

Councilor Witham reported on the meeting held on June 26, 2014. The following minutes were submitted by Deputy City Clerk, Elise B. Brelis:

MINUTES OF PUBLIC WORKS & ENVIRONMENT COMMITTEE MEETING
EXECUTIVE CONFERENCE ROOM
JUNE 26, 2014 – 8:00 A.M.

Committee Members Present:

Councilor David Witham, Vice-Chair
Councilors Soldati and Messier

Administration/Staff Present:

City Manager Bob Belmore
Finance & Administration Director Scott Smith
Interim Public Works Director Carol Murray
Contracted Engineer Joe Ducharme
Deputy City Clerk Elise Brelis

Others present:

HTA Project Engineer Bill Davidson
HTA Project Engineer Shawn Reynolds
Foster's Daily Democrat Reporter Casey Conley

Chairman Sprague was unable to attend the meeting; therefore Vice-Chair David Witham opened the Public Works and the Environment Committee meeting at 8:02 am.

APPROVE MEETING MINUTES

Councilor Soldati, seconded by Councilor Messier, made a motion to accept the minutes of the June 5, 2014 meeting. The motion passed, 3-0.

DOWNTOWN PROJECT UPDATE FROM HTA PROJECT ENGINEERS BILL DAVIDSON AND SHAWN REYNOLDS

HTA Engineers Bill Davidson and Shawn Reynolds reported on the Downtown Project saying that Severino is on schedule to meet completion. Last week they worked paving Station, Market and Prospect Streets. The rain storm last night created issues, but even so, they were fairly well prepared.

Foster's Daily Democrat reporter Casey Conley arrived at 8:06 am.

Councilor Soldati reported that there is a problem now with the basement at the Chamber of Commerce.

The Downtown project will be transitioning to Phase II: they will be working on the other side of the road.

Councilor Messier asked how close they are to switching over. The answer was the week of (July) 7th. The utilities are not done and they are just starting the drain-work, curbing, etc.

Councilor Soldati reported that businesses are being very patient; they are not angry and resentful. She commented that the asphalt is beautiful!

Councilor Messier said that people will start to see that (as the project goes on.)

Councilor Witham remarked that he wants it on the radar that Market Street at Winter Street is supposed to be 3 lanes wide. He was assured that although it is not yet, it will be. He is also concerned about resident's access to water and the temporary water lines. Eventually they will all be tied in and they will not have this problem.

Councilor Witham wants to be sure that the traffic signal at the High Street/West High Street intersection includes traffic preemption for emergency vehicles.

He is pleased with the work progress.

HIGH STREET \$1.1M BOND REPAVING - NEW BID SPECIFICATIONS, ENGINEER JOE DUCHARME

City Engineer Joe Ducharme reported on core samples that had been collected. They had a total of 6 cores from High Street between Sinclair Avenue and the Dover City line analyzed by two companies, Bell & Flynn and Allstate Paving, and the results were very similar. He said that some sections are in better shape than others. They discussed probable causes and problems of those sections of which the pavement is very brittle and about 4" thick.

Mr. Ducharme detailed the following pavement repair alternatives under consideration:

ALT-1: Mill off 1.5" and repave full length with 2" overlay (not recommended but included as a basis for comparison as bid in April 2014- Cost \$1.1M).

ALT-2: Remove all old pavement, add gravel for leveling; repave with two 2.5” lifts of base paving followed by 1.5” wearing course (cost-2 times ALT-1).

ALT-3: Mill off 1.5”, make spot repairs/seal cracks, apply SAMI to -1100-ft, repave full length with 1.5” wearing course (cost -1.3 times ALT-1).

ALT-4: Reclaim 8” depth; remove and stockpile 3.5” of reclaim for PWD use; inject liquid asphalt 6” into reclaim; place 2” base paving; place 1.5” wearing course (cost -1.7 times ALT-1).

In discussing the brittle pavement, Councilor Soldati wondered if this is a problem throughout. Mr. Ducharme answered that they did not do cores everywhere but he thinks it may run the whole length.

Interim Public Works Director Carol Murray said that the mix had passed all test and requirements, but explained that when it is reheated, it burns out “what’s good.”

The committee agreed that they wanted to do it right the next time and as Councilor Messier put it, “Learn from our mistakes.”

Mr. Ducharme said that they do not want to put good pavement over bad. He wants a program in the city where they assess condition of roads so that they *understand* the road conditions; some may need less (repair), others may need to be completely rebuilt. He said he understands that doing this may be a step back, but Carol Murray said that it is a “smart” step back.

Councilor Witham likes where we are going with these core samples.

Mr. Ducharme said that Dover also wants to do cores in the fall and that Somersworth and Dover might potentially combine bid projects in the spring.

The committee discussed the “horror show” of paving High Street with ALT-4 which would require keeping vehicles off for at least 12 hours. Councilor Messier doesn’t know if it is do-able.

Joe Ducharme agrees, saying that it is a very good repair method for the City, but not here.

Councilor Messier likes ALT-4 elsewhere in the City.

There was discussion about the various impacts of the different alternatives. The committee agreed to eliminate ALT-1 and ALT-3, and said that the cost difference between ALT-2 and ALT-4 would be between \$300,000 and \$400,000. ALT-2 is a more traditional paving job with a life of about 15 years. ALT-4 would last about the same amount of time.

City Manager Belmore brought up the difference in traffic control and police presence between the two options. There was agreement that ALT-4 would be more complex and there was some expectation that some contractors would be scared away.

Councilor Soldati supports ALT-2.

Councilor Witham asked Finance Director Scott Smith where the money would come from. Mr. Smith said he probably wouldn’t make a recommendation until the bids came out but there would be two choices: fund balance or bonding.

Councilor Messier, seconded by Councilor Soldati, made a motion to ask Engineering to develop specs for ALT-2 and authorize staff to put the project out to bid for consideration by the Council. The motion passed 3-0.

Councilor Messier does not want to eliminate ALT-4 for other City roads. He asked if we have changed specs for hot top at the plant. Carol Murray said yes, that they increased virgin asphalt and decreased RAP, (recycled asphalt product.)

PUBLIC WORKS DEPARTMENT ORGANIZATIONAL STRUCTURE DISCUSSION

City Manager Belmore spoke about redefining the highway foreman position and also about moving to using a “utility” crew, rather than maintaining the current separation between “drainage and sewer” versus “water distribution”. He said he is increasingly concerned about the cost of overtime and believes that they need to have a total plan, especially when it comes to the supervisory position. He is reluctant to (make decisions) about this now before hiring a new Public Works Director; considering the various current staffing situations and levels, the timing is not right.

Councilor Soldati said she is concerned when she sees people doing other people’s jobs when they are spread so thin and thinks we need to look at staffing levels.

Councilor Witham said he likes the notion on paper (of a utility crew); he sees the model in other places, but said we have a lot of moving parts.

Councilor Messier agrees that it would be good to stand back and do our homework.

CM Belmore would like to see a change in the Administrative Code to open up the residency requirement for the Director of Public Works position because he sees that there are people who live in other towns who apply who do not want to move or they are not paying enough, he also considers 2 weeks vacation to be a problem.

There are five department heads: 2 are union, Police and Fire and the other 3 are covered under the Administrative Code.

Councilor Messier said that they need to be able to negotiate; especially when the economy improves otherwise they will have a hard time getting people.

MISCELLANEAOUS

Councilor Messier asked where we stand with respect to the TE, (Transportation Enhancement,) grant.

Councilor Witham said that we are talking about (possibly not receiving) \$.5M.

Carol Murray thinks it is likely that Congress will do something last minute. She suggests that we consider having the municipality contact the Congressional Delegation.

Councilor Messier said for the July meeting they should send letters and call.

Carol Murray agreed that they should be pro-active.

Councilor Messier doesn’t support holding up the project; he said there is a “liquidated damages date” ...that we can’t change.

Carol Murray respectfully suggested that we keep going.

Councilor Soldati said that we are not alone.

Councilor Witham is concerned that if Congress and the Feds drop the ball we will have beautiful streets and gravel sidewalks, no trees, and then if they authorize it, there will be heavy equipment on the streets. He is ... not happy.

ADJOURNMENT

Councilor Messier, seconded by Councilor Soldati made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 9:04 am.

RECREATION COMMITTEE

Councilor Pepin said that the Recreation Department will meet next on July 24, 2014 at 9:30 am. The agenda is as follows:

- Staff Update
- Ash Street
- Noble Pines
- Mast Point Dam

SUSTAINABILITY COMMITTEE

Councilor Soldati reported on the Sustainability Committee meeting which was held on July 17, 2014 at 6 pm. They had a guest speaker from Waste Management about their “recycle bank” program that partners with the City, and households can earn points for increasing their recycling. The more a community recycles, the more points are awarded to each household to be redeemed at local businesses for discounts. Points are also awarded for taking recycling quizzes and reading recycling articles on the website in an effort to get people in the community more involved with recycling. ...If it works, let’s do it. The committee has to work with the City to see if this is actually cost effective because she believes we are still charged by our tonnage for recycling. The committee will investigate further. It sounded interesting and they would like to explore it.

Next month they will have Mr. Fox Composting as their guest speaker. She said that they partner with households, businesses, schools and the City to help reduce waste that is diverted into the landfill. There is a lot of vegetable waste that is diverted into the landfill when, in fact, there are new companies springing up which take your compostable materials (directly.) You pay (a small monthly fee?) for the removal and then you get back bags of compost for your garden needs. Very innovative. This is a great way to make soil again out of waste. Mr. Fox will be at the Sustainability Committee meeting on August 21, 2014 at 6:00 pm.

COAST BUS

Councilor Pepin reported that the COAST Bus Directors met on June 25, 2014 at 8:30 am at the McConnell Center in Dover. They are looking into purchasing a couple of busses to increase the Clipper connection service, in order to bring down the cost of that. They are also working with the Ship Yard Commander to see if they will be able to actually get onto the base which would increase ridership and be more convenient for the workers. There are problems with that as far as clearance and background checks of the drivers, cameras on the busses, etc.

The Board discussed shared revenue as far as putting signs up at the pick up stations to bring down costs, as well.

RAIL SERVICE ADVISORY COMMITTEE

Councilor Sprague reported that the Committee met on July 14, 2014 at 4:00 pm. They told the Committee about the RFP and put together a mission statement:

- “To return passenger rail service to the City of Somersworth. To advance regional connectivity, economic development and quality of life.”

Short and simple, but boy, it took a while, he said. They will meet again next month and hopefully organize a trip to Freeport by train and hopefully the RFP’s will be back and they will start to get some work going on that.



CITY OF SOMERSWORTH *Office of the City Manager*

TO: Mayor Dana Hilliard and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, July 18, 2014

**SUBJECT: City Manager’s Report for Monday, July 21, 2014
City Council Agenda**

*6:30 p.m. – City Council Workshop
Re: Design Elements of the Downtown/TE Project*

Old Business (under Section 13 of Agenda)

Ordinances:

- A. Ordinance No. 1– 15 Supplemental Appropriations for Building Improvements for the Reuse of the Former Hilltop School.** I recommend the City Charter required Public Hearing be held prior to Monday’s August 11th meeting starting at 6:30 pm.

- B. Ordinance No. 2-15 Amend Chapter 4, Personnel Rules & Regulations, Appendix 1, Assignment of Class to Grade for Human Resource Manager, Recreation Supervisor and Cable Access Coordinator.** This recommendation is being forwarded from the Government Operations Committee. The attached memorandum provides actual pay scales and the job descriptions for Recreation Supervisor and Cable Access Coordinator. City Council approved up to \$44,179 in this year's budget for the establishment of a new pay grade for the Recreation Supervisor. The Cable Position if approved will be funded with Cable Franchise Fee revenue. Presently, we have approximately \$75,000 in the Fund. Please note that the Coordinator Position will assist in both the City and School Channel operations.

New Business (under Section 14 of Agenda)

Resolutions:

- A. Resolution No. 1-15 To Establish a Trust Fund for the Purpose of Holding Post-Withdrawal Capital Payments Made by the Rollinsford School District to the Somersworth School District Pending Payment on Outstanding Bonded School Debt, 1996 – Series C Bonds, Dated August 15, 1996.** The Finance Committee is recommending passage. Both the School Department Attorney and City Attorney Mitchell have approved this action item to meet both our Area Agreement and NH State Law. Attached is a memorandum from Superintendent Jeni Mosca providing a further explanation for the establishment of this Trust Fund. A Public Hearing is suggested for 6:30 pm on August 11th prior to the next regular Council meeting (The Hilltop Hearing would immediately follow).
- B. Resolution No. 2-15 To Authorize the City of Somersworth Trustees of Trust Funds to Pay Fees for Banks, Brokerage Firms, Portfolio Management Firms, and/or Investment Advisors from Capital Reserve Income.** The Finance Committee is recommending passage as requested by the Trustees of Trust Fund. Attached is an article that provides some detail as to the recent change in State Law that allows this type of expenditure from Capital Reserve Funds.
- C. Resolution No. 3-15 To Notify the City Tax Collector that the City Council shall not Accept a Tax Deed on Property Located at 1 Winter Street, Tax Map/Lot Number 11-181A.** This is the former Breton Cleaners property site that has been listed in the State of NH contaminated property inventory.
- D. Resolution No. 4-15 To Notify the City Tax Collector that the City Council shall not Accept a Tax Deed on Properties Located on Wexford**

Lane Subject to an Unredeemed Tax Lien. The City has information that confirmed there is some level of buried trash and/or debris on these properties.

E. Resolution No. 5-15 To Notify the City Tax Collector that the City Council shall not Accept a Tax Deed on Certain Properties Subject to an Unredeemed Tax Lien.

Attached is a list of Manufactured Housing Units/Mobile Homes that the Finance Committee reviewed, approved and has provided for full City Council consideration.

F. Resolution No. 6-15 Authorize the City Manager to Contract with 2 Way Communications Inc., of Newington, NH for the Purchase of Portable Radios for the Fire Department.

The Finance Committee discussed this purchase with City staff. This is a budgeted CIP item. The Finance Committee is planning to ask Council Rules be waived in order to make the purchase by August 10th. Fire Chief Hoyle's memorandum explains an available \$500 per radio discount. CIP note: \$36,000 was appropriated; this is the first year of a 4-year Budget Plan to replace radios for the Fire Department.

G. Resolution No. 7-15 To Direct the City Manager to Draft a Resolution to Bond \$3,000,000 (Three Million Dollars) To Bring Hilltop School in Compliance with Current Building and Life Safety Codes.

The Architect's revised plans dated June 17, 2014 is located on our website under "News & Announcements". If you would like a hard copy of these plans please let me know and I will have a copy for you at Monday's meeting.

Other:

A. Vote to Close Down a Portion of Main Street between Washington and Fayette Streets on Saturday, August 9, 2014 between the Hours of 8:00 A.M. and 6:00 P.M. for the Friends of Somersworth Jakarta Fair.

B. Installation of Poles for "Banner" Signs for City Events and Non-Profit Partner Events. I will have some information to provide on Monday. The poles would be located in the Downtown area and perhaps another set elsewhere outside Downtown.

C. Vote to Temporarily Waive Section 29.3.5 of Chapter 29, Administrative Code, Requiring the Director of Public Works & Utilities to Reside within the City and to Authorize the City Manager to Impose a 30 Mile/30 Minute Residency Requirement for this Position.

The Government Operations Committee has endorsed items C, D and E, and now brings them forward for full City Council consideration. I have

attached pertinent pages of the Administrative Code and Personnel Rules & Regulation regarding these discussion issues.

- D. Vote to Waive Section 7.6.2 of Chapter 4, Personnel Rules & Regulations, for the Purposes of Recruiting a New Director of Public Works & Utilities and to Authorize the City Manager to Negotiate an Appropriate Annual Leave/Vacation Hire Credit.**
- E. Vote to Approve the Removal of an Engineering Degree (P.E.) as a Requirement for the Position of Director of Public Works & Utilities.** Attached is a copy of the revised job description.

City Manager's Items (under section 10 of Agenda)

A. Information Items:

- 1. High Street Bonded Project 2014 Paving Bid Recommendation.** Attached is a copy of an email from our City Engineer. The new estimate for the High Street repaving project has changed from approximately \$1.1 million to \$2.5 million. There is utility work that will be funded from Enterprise Funds included in these estimates. Please note that the General Fund estimate has more than doubled. I also wanted to remind the Council that we have \$620,000 in appropriated road resurfacing funds (\$306K encumbered \$314K in current Budget).
- 2. TE Grant Funding.** The Mayor and several Councilors have expressed concerns about the TE Grant Project funding being held up due to the Federal funding legislation. In light of these concerns, I was asked to "Draft" a letter to our Congressional Delegation. Attached is a "Draft" for your review and consideration.

I was contacted last week by Mr. Bill Watson from NH DOT. He said DOT Commissioner Clements and Senator Watters had asked him to call me about the TE funding delay. Mr. Watson stated if the City cash flow could handle the Grant Project until funding was available, there would be no disqualifications so long as we continued adhering to the Grant process. I asked Mr. Watson to send me a letter that outlined these assurances. I have not yet received it.

Note: The Mayor said that if there is no objection from the Council and they are comfortable with the draft letter, he will sign and asked the City Manager to send it to the Congressional Delegation. Councilor Witham said he is comfortable with it: it is a little "softer" than he would have written, but, "Sure, let's get it out," he said.

- 3. Georgetown University Energy Prize (Grant) Application.** The Georgetown University Energy Prize is a national competition open to all

cities and towns in the US with a population between 5,000 – 200,000 for a \$5 million dollar grand prize. It is a multi year program. In the event the City is selected, Director Sharples will work with the Sustainability Committee and the community (residents, businesses, utility providers, etc.) with the goal of reducing our overall energy use. In addition to the grand prize, there will be second and third place awards.

- 4. Recreation Kudo's.** The Somersworth Hershey track program had a great year with three athletes making it to the State Finals where we took home four championships. One athlete, Shelby Anderson qualified for the North American Finals and will be headed to Hershey PA to represent Somersworth. I extend my congratulations to all participants as well as Coach Dave Sharples. Good luck Shelby!

B. Attachments:

1. Department Head Reports.
2. Somersworth Senior Picnic Flyer.

Note: City Manager Belmore reiterated that there will be Public Hearings on Ordinance No. 1-15 and Resolution No. 1-15 on August 11, 2014 at 6:30 pm. (He asked that the Trust Fund Resolution be considered prior to the Hilltop Ordinance.)

Note: Mr. Belmore asked, if Council feels it is appropriate, for them to add to their agenda items and waive the moratorium period, Chapter 12, Streets and Sidewalks, Section 1, Excavate, Obstruct or Encumber. There is currently a three year moratorium on overlaid roads, but there is a collapsed drainage structure by CVS on High Street that needs to be repaired. Mayor Hilliard indicated that, without objection by the Council, this would be added to the agenda: item "F" under "Other."

NOMINATIONS, APPOINTMENTS AND ELECTIONS.

PLANNING BOARD

MARK RICHARDSON, REGULAR MEMBER, TERM TO EXPIRE 04/2017.

HAROLD GUPTILL, REGULAR MEMBER, TERM TO EXPIRE 04/2017.

Mayor Hilliard indicated that these nominations shall remain open until the August 11, 2014 City Council meeting in accordance with Council Rule 17.

CONSERVATION COMMISSION

SCOTT ORZECOWSKI, REGULAR MEMBER, TERM TO EXPIRE 04/2017.

FRANK RICHARDSON, REGULAR MEMBER, TERM TO EXPIRE 04/2017.

ELIZABETH WILSON, REGULAR MEMBER, TERM TO EXPIRE 04/2017.

IMANTS MILLERS, ALTERNATE MEMBER, TERM TO EXPIRE 04/2017.

Mayor Hilliard indicated that these nominations shall remain open until the August 11, 2014 City Council meeting

CHRISTMAS PARADE COMMITTEE

FRED ZINKEVICH, TERM TO EXPIRE 04/2017.

The Mayor indicated that this appointment shall now take effect as it does not require the confirmation of the Council.

SUPERVISOR OF THE CHECKLIST, WARD 2.

NANCIE CAMERON, TERM TO EXPIRE 04/2017.

Mayor Hilliard indicated that this nomination shall remain open until the August 11, 2014 City Council meeting

LAY ON TABLE.

There is nothing on the table.

UNFINISHED BUSINESS.

There was no unfinished business.

NEW BUSINESS.

ORDINANCES

ORDINANCE NO. 1-15 SUPPLEMENTAL APPROPRIATION FOR BUILDING IMPROVEMENTS FOR THE REUSE OF THE FORMER HILLTOP SCHOOL.

Somersworth, NH

July 21, 2014

THE CITY OF SOMERSWORTH ORDAINS THAT pursuant to Section 7.7(A) of the City Charter:

The annual budget for the City of Somersworth for Fiscal Year 14-15 is amended as follows:

Appropriate \$1,000,000 from General Fund Unassigned Fund Balance to the Capital Outlay section of the FY 14-15 General Fund budget as follows:

Original Budget	Amendment	Revised Budget
\$ 255,757	\$ 1,000,000	\$ 1,255,757

Approved as to Funding:

Recorded by:

Scott A. Smith
Director of Finance and Administration

Diane Dubois
City Clerk

Background:

This ordinance appropriates the use of General Fund Unassigned Fund Balance for the purpose of making building and life safety code improvements for the reuse of the former Hilltop Elementary School. This funding could include improvements to the building structure and building site to include any and all ancillary costs such as architectural, engineering and legal fees, financing fees and other associated project costs. Furthermore, this funding will only be used as the City's match toward securing any Federal, State, and/or private grants to make the listed repairs currently estimated at a minimum of \$3,000,000.

This Ordinance requires a public hearing and requires a 2/3 majority vote of the City Council after the public hearing subject to Section 7.4.1 and Section 7.7 (A) of the City Charter.

Introduced by

Mayor Dana Hilliard
Councilor Jennifer Soldati

Approved:

City Attorney

This ordinance will remain in first reading until the August 11, 2014 scheduled City Council meeting.

ORDINANCE NO. 2-15 AMEND CHAPTER 4, PERSONNEL RULES & REGULATIONS, APPENDIX 1, ASSIGNMENT OF CLASS TO GRADE FOR HUMAN RESOURCES MANAGER, RECREATION SUPERVISOR AND CABLE ACCESS COORDINATOR.

Somersworth, NH
July 21, 2014

THE CITY COUNCIL OF THE CITY OF SOMERSWORTH ORDAINS THAT the Ordinances of the City of Somersworth, as amended, be further amended as follows:

1. Amend Chapter 4, Personnel Rules & Regulations, Appendix 1, Assignment of Class to Grade (Covering Classes Classified as Exempt under the Fair Labor Standards Act) as follows:
 - Add Human Resources Manager Grade 25

2. Further Amend Chapter 4, Personnel Rules & Regulations, Appendix 1, Assignment of Class to Grade (Covering Classes Classified as Nonexempt under the Fair Labor Standards Act) as follows:
 - Change Recreation Supervisor from Grade 13 to Grade 19
 - Add Cable Access Coordinator Grade 18

These ordinance changes shall take effect upon passage.

Introduced by Councilors
Jennifer G. Soldati
Sean Collins
Brian Tapscott
David Witham

Approved:

City Attorney

This ordinance will remain in first reading until the August 11, 2014 scheduled City Council meeting.

RESOLUTIONS

RESOLUTION NO. 1-15 TO ESTABLISH A TRUST FUND FOR THE PURPOSE OF HOLDING POST-WITHDRAWAL CAPITAL PAYMENTS MADE BY THE ROLLINSFORD SCHOOL DISTRICT TO THE SOMERSWORTH SCHOOL DISTRICT PENDING PAYMENT ON OUTSTANDING BONDED SCHOOL DEBT, 1996 – SERIES C BONDS, DATED AUGUST 15, 1996.

Somersworth, NH
July 21, 2014

WHEREAS, the City of Somersworth School District has entered into a post-withdrawal Agreement with the Rollinsford School District in which Rollinsford has agreed to make certain offsetting payments against capital debt incurred by the City in support of the AREA Agreement; and

WHEREAS, NH RSA 195-A:14(V) requires that these payments shall be deemed to be trust funds and shall be applied by the Somersworth School District solely in payment of

its indebtedness which was incurred to finance area school facilities and which was outstanding on the effective date of the withdrawal vote,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH, that pursuant to NH RSA 195-A:14(V), and NH RSA 34:1(VII) the Council establish a Trust Fund for the specific statutory purpose of receiving up to the sum of \$163,657.96 in revenue anticipated pursuant to paragraph Ten (10) of the June 9, 2014 Agreement between the Somersworth School District and the Rollinsford School District; said revenue shall be held in trust in accordance with NH RSA 195-A:14(V) and applied solely against payment of the outstanding, bonded school debt, 1996 - Series C Bonds dated August 15, 1996; and

BE IT FURTHER RESOLVED THAT the City Council is hereby designated as agents to expend these funds in accordance with the purpose set forth herein.

Introduced by Councilors

David Witham
Dale R. Sprague
Denis Messier

Approved

City Attorney

In accordance with RSA 34:2, this Resolution requires a public hearing, which must be published and posted at least one week in advance of the public hearing.

This resolution will remain in first reading until the August 11, 2014 scheduled City Council meeting.

RESOLUTION NO. 2-15 TO AUTHORIZE THE CITY OF SOMERSWORTH TRUSTEES OF TRUST FUNDS TO PAY FEES FOR BANKS, BROKERAGE FIRMS, PORTFOLIO MANAGEMENT FIRMS, AND/OR INVESTMENT ADVISORS FROM CAPITAL RESERVE INCOME.

Somersworth, NH
July 21, 2014

WHEREAS, the State of New Hampshire amended RSA 34 by inserting Section 34:16 effective July 26, 2014, which allows the governing body, which is the City Council, to authorize the Trustees of Trust Funds to charge fees for banks, brokerage firms, portfolio management departments, and/or investment advisors against the capital reserve funds involved; and

WHEREAS, such authority shall remain in effect until rescinded, and no vote by the governing body to rescind shall occur within 5 (five) years of the original adoption of this article; and

WHEREAS, the City Trustees of Trust Funds held a meeting on July 3, 2014, and voted to support the adoption of this article,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City of Somersworth Trustees of Trust Funds are authorized to pay fees for banks, brokerage firms, portfolio management departments, and/or investment advisors from capital reserve income.

Introduced by Councilors
David Witham
Dale R. Sprague
Denis Messier

Approved:

City Attorney

This resolution will remain in first reading until the August 11, 2014 scheduled City Council meeting.

RESOLUTION NO. 3-15 TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON PROPERTY LOCATED AT 1 WINTER STREET, TAX MAP/LOT NUMBER 11-181A.

Somersworth, NH
July 21, 2014

WHEREAS, RSA 80:76 directs the Tax Collector, after 2 years, to execute to the City a deed of the land subject to the real estate tax lien and not redeemed; and

WHEREAS, the Governing Body of a municipality may refuse to accept a tax deed on behalf of the municipality because in its judgment, acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, or for any reason that would be contrary to the public interest,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Tax Collector be notified that for those reasons the City shall refuse to accept the tax deed on property located at 1 Winter Street, Tax Map/Lot number 11-181A.

Introduced by Councilors
David Witham
Dale R. Sprague
Denis Messier

Approved by:

City Attorney

Note – It is believed that this property contains contaminated soils and/or buried debris.

After a first reading, Councilor Witham, seconded by Councilor Tapscott, made a motion to suspend Council Rules for a second reading. The motion passed.

Councilor Witham, seconded by Councilor Tapscott, moved for the adoption of this resolution.

Councilor Messier asked if there is a creative way to do something with the building on this property, tear it down at our expense and lien the property. I mean, we are going to have a whole new downtown and we have this blighted structure. The structure isn't the contaminated part; it's the land. Is there a way of taking it by it being a public nuisance or public hazard that we can get that building down somehow?

Councilor McCallion said that in his committee, they have debated this many times. He doesn't know what the rush is tonight to get this out of the way. He is interested to hear if the City Manager has (information.)

Mr. Belmore said that they had an attorney brief them on this issue. The DES has a lien and they have actual monitoring wells there. He will reexamine Councilor Messier's point with staff to see if they can bifurcate the issue of the building with the land itself. That is an interesting concept that they haven't fully vetted with DES. He will dig into that a little and get back to the full Council. There is some contamination of the building and the grants didn't cover that, ... but there are always changes in grants and laws and now it is covered. He doesn't think they approached it (that way,) just getting hold of the building and still not be liable for contaminated soil. Let him look into that.

Councilor McCallion said their last estimates involved \$300,000, buying the property and building a structure, and sharing in the monitoring costs. Financially it didn't make sense. ...Renting the spaces as parking, but each one would be \$7,000 per year, (18 spots,) didn't make sense. It would be nice to tear it down.

Councilor Witham noted that if, at any point in the future, new information comes to light they can change this on a dime and take a vote.

The motion passed by a unanimous roll call vote.

RESOLUTION NO. 4-15 TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON PROPERTIES LOCATED ON WEXFORD LANE SUBJECT TO AN UNREDEEMED TAX LIEN.

Somersworth, NH
July 21, 2014

WHEREAS RSA 80:76 directs the Tax Collector, after 2 years, to execute to the City a deed of the land subject to the real estate tax lien and not redeemed, and

WHEREAS the Governing Body of a municipality may refuse to accept a tax deed on behalf of the municipality because in its judgment, acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, or for any reason that would be contrary to the public interest,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Tax Collector be notified that for those reasons the City shall refuse to accept the tax deeds on property located at the following locations:

Location	Tax Map/Lot
5 Wexford Lane	35-12A
7 Wexford Lane	35-12B

Introduced by Councilors

David Witham
Dale R. Sprague
Denis Messier

Approved by:

City Attorney

Note – It is believed that these properties contain contaminated soils and/or buried debris.

This resolution will remain in first reading until the August 11, 2014 scheduled City Council meeting.

RESOLUTION NO. 5-15 TO NOTIFY THE CITY TAX COLLECTOR THAT THE CITY COUNCIL SHALL NOT ACCEPT A TAX DEED ON CERTAIN PROPERTIES SUBJECT TO AN UNREDEEMED TAX LIEN.

Somersworth, NH
July 21, 2014

WHEREAS, RSA 80:76 directs the Tax Collector, after 2 years, to execute to the City a deed of the land subject to the real estate tax lien and not redeemed; and

WHEREAS, the Governing Body of a municipality may refuse to accept a tax deed on behalf of the municipality because in its judgment, acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, or for any reason that would be contrary to the public interest,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Tax Collector be notified that for those reasons the City shall refuse to accept the tax deeds on property located at the following locations:

<u>Location</u>	<u>Tax Map/Lot</u>
141 Colonial Village	81-141M
30 Crystal Springs Way	82-1M
41 Crystal Springs Way	82-16M
32 Jack and Jill	83-32M
102 Sherwood Glen	87-102M
204 Sherwood Glen	87-204M
206 Sherwood Glen	87-206M
208 Sherwood Glen	87-208M
307 Sherwood Glen	87-307M
331 Sherwood Glen	87-331M
510 Sherwood Glen	87-510M
621 Sherwood Glen	87-621M
631 Sherwood Glen	87-631M
5 Ringer Drive	88-10M

Introduced by Councilors

Dave Witham
Dale R. Sprague
Denis Messier

Approved by:

City Attorney

This resolution will remain in first reading until the August 11, 2014 scheduled City Council meeting.

RESOLUTION NO. 6-15 AUTHORIZE THE CITY MANAGER TO CONTRACT WITH 2 WAY COMMUNICATIONS INC., OF NEWINGTON, NH FOR THE PURCHASE OF PORTABLE RADIOS FOR THE FIRE DEPARTMENT.

Somersworth, NH
July 21, 2014

WHEREAS, the Somersworth Capital Improvement Program for Fiscal Years 2015 through 2020 contains a recommendation to replace the portable radios used by the Fire Department over a cycle of four fiscal years; and

WHEREAS, the fiscal year 2014-2015 adopted budget contains an appropriation for the first year of this four year replacement cycle for the purchase of portable radios; and

WHEREAS, City staff recommends purchasing the portable radios by utilizing the State Massachusetts bid list; and

WHEREAS, the Finance Committee for the City of Somersworth has reviewed the recommendation to utilize the State Massachusetts bid list and supports the recommendation,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with 2 Way Communications Inc., of Newington, NH for the purchase of portable radios for the Fire Department at an amount not to exceed \$36,000 (Thirty Six Thousand dollars).

Introduced by Councilors

David Witham
Jennifer G. Soldati
Denis Messier

Approved

City Attorney

Councilor Witham, seconded by Councilor Tapscott, made a motion to suspend rules to allow a second reading. The motion passed.

Councilor Witham, seconded by Councilor McCallion, made a motion to adopt Resolution No. 6-15.

Councilor Tapscott asked if these radios would coordinate with those of the Police Department.

Councilor McCallion made a motion to allow the Fire Chief to speak which was seconded by Councilor Tapscott and passed unanimously.

Fire Chief Hoyle answered that the Fire Department is on a separate frequency than the Police Department.

Councilor Messier asked how many radios they were talking about.

Chief Hoyle said it was 12, and that they were asking now because of a special sale which will give them two additional radios for free. ...They will have 40 personnel with the addition of 20 call firefighters and that will give them 40 radios.

Councilor McCallion questioned the "Massachusetts" bid list and wanted clarification that this special was for "new" radios.

Chief Hoyle assured him it was for new radios and that Motorola does not usually have sales.

Councilor Pepin commented that these radios are multi frequency. He wondered if they can change the frequency to talk to the PD.

The Fire Chief is not aware that they can. He thinks that they might be able to on the mobile, but perhaps not on the portables.

Councilor Witham wholeheartedly supports the purchase. Apart from breathing apparatus, he thinks it is possibly the most important safety equipment that a firefighter has. He described a situation in 1986 when he was a call firefighter in which he was on the second storey of a building on Union Street and they did not then have enough portable radios and they got help by pounding on the side of the building until someone saw them. You will never see an objection from him about portable radios.

Councilor Tapscott asked if it was common for Fire and Police to be on different frequencies. (Fire Chief: "Yes, it is.") He then referred to communications problems back on 911.

The motion passed by a unanimous roll call vote.

RESOLUTION NO. 7-15 TO DIRECT THE CITY MANAGER TO DRAFT A RESOLUTION TO BOND \$3,000,000 (THREE MILLION DOLLARS) TO BRING HILLTOP SCHOOL IN COMPLIANCE WITH CURRENT BUILDING AND LIFE SAFETY CODES.

Somersworth, NH

July 21, 2014

WHEREAS, the City Council adopted Resolution 17-12 to authorize a public-private collaboration between the City of Somersworth and the Friends of Somersworth to pursue the preservation of Hilltop School as a Community Resource; and

WHEREAS, the City Council adopted Resolution 13-14 to authorize the City Manager to contract with AG Architects of Dover, NH to provide a report that would develop strategies and cost estimates to bring Hilltop School in compliance with current building and life safety codes; and

WHEREAS, AG Architects completed the report and presented it to the City Council; and

WHEREAS, the report concluded that the cost to bring the building in compliance with current building and life safety codes will range between \$3,000,000 (Three Million dollars) and \$4,000,000 (Four Million dollars); and

WHEREAS, the City would like to pursue Federal, State, or private grants to assist in funding these facility improvements and has concluded to qualify for consideration of any available grants the City must make a formal commitment to funding the facility improvements,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is directed to draft a resolution to bond \$3,000,000 (Three Million dollars) to bring Hilltop School in compliance with current building and life safety codes, and

BE IT FURTHER RESOLVED THAT the City Manager is authorized to engage Bond Counsel and to take other action/s to draft the aforesaid resolution in the best interest of the City.

Introduced by
Mayor Dana Hilliard
Councilor Jennifer G. Soldati

Approved:

City Attorney

Note: This resolution does not appropriate any funding for improvements mentioned; it only directs the City Manager to prepare a Bond Resolution for future consideration of the Somersworth City Council with Bond Counsel and other needed assistance.

This resolution will remain in first reading until the August 11, 2014 scheduled City Council meeting.

OTHER

VOTE TO CLOSE DOWN A PORTION OF MAIN STREET BETWEEN WASHINGTON STREET AND FAYETTE STREETS ON SATURDAY, AUGUST 23RD, 2014 BETWEEN THE HOURS OF 8:00 A.M. AND 6:00 P.M. FOR THE FRIENDS OF SOMERSWORTH JAKARTA FAIR

Councilor Sprague said that last year, Constitutional Way was where “they had to have it”, this year they are moving down to Main Street and he would like to know if all businesses have been contacted or are we just willy-nilly shutting down major corridors in our City. He specifically wants to know if GE was contacted.

Councilor Soldati guessed that they are not using Constitutional Way because of the construction.

Councilor Witham said that his biggest concern is one that surfaced at the Traffic Safety Committee meeting- because of the bridge reconstruction, Route 9 over the Berwick Bridge, the posted detour for truck traffic is down Washington Street and up Main Street

(into Rollinsford.) Has anyone vetted out how that will be reposted? Unless he knows that he can not vote for this.

Councilor Messier agrees with Councilor Sprague about GE and Two Brothers and thought that was a good point about the alternate truck route. His question is why not Memorial Drive for one year? The Children's Festival went there this year. Constitutional Way is part of the Market Street detour and the downtown area is really congested. He thinks for one year, Memorial Drive or even Idlehurst.

Councilor McCallion agrees saying we don't have that green space area (in town) that you can just drive by and see a fair with adequate parking. School is not in session yet, he thinks the approval would be to ask the school and have something at the field hockey field. It'd be great.

Councilor Witham said that the Fair is coming up on August 23rd and our meeting is on the 11th. For preparation, perhaps the proper motion is to authorize closure of Memorial Drive for Jakarta Fair, so that they at least have that.

Councilor Witham moved that the vote be amended to close down a portion of Memorial Drive for that date and time, seconded by Councilor McCallion. The motion passed on a voice vote, Councilor Sprague opposed.

Councilor Sprague thinks it is presumptuous of us to assume that nothing is going on at Memorial Drive that day, who knows what the school is doing. Football season is winding up. We're not acting on or even know what is going on before we pass the buck down there. That's why I'm voting "No."

Councilor Soldati asked whether they could put language in there that says contingent upon notification of businesses, availability of Memorial Drive: she doesn't think if they wait until the next Council meeting that there will be enough time.

The Mayor said this can be amended further.

Councilor Soldati offered an amendment "contingent upon concerns about availability of Memorial Drive and permission from SAU 56." Councilor Collins seconded the amendment.

Councilor McCallion said this offers them an alternative ...and gives them time.

Councilor Collins said that the Jakarta Fair was a huge success last year and the Children's Festival was a huge success this year. He doesn't think that this would pose more of a disruption to the City than any day of school, any day of the week; he thinks it is a fantastic spot.

Councilor Sprague is not trying to stick a fork in this Fair, but he has organized things too before. I don't wait until the month prior to come to Council to put a request in to shut

down a road. Organize 6-7 months ahead of time, pick a day, plan, notify the businesses, come to Council, represent yourselves, stand at the podium, let us know what you're doing, thank us for what we're about to vote for... I'm not trying to nay-say this fair, all he was pointing out is, that if you are going to move the venue, you don't know what you are moving it to. Maybe you want to put up a back up area. It seems like we're passed the witching hour on Jakarta Fair. Not his first intention. He will vote for whatever, ... get it all cleared out, they will have a fair.

Councilor Witham recalls no such vote to close Memorial Drive for the Children's Festival so it appears that we pick and choose who we have to vote to close roads for, he said.

Councilor Soldati agrees with Councilor Sprague but doesn't want to be too tough on them ...It is a confusing year with all the construction and they had an informal go ahead by a City official and proceeded with that assumption that it would not interfere with traffic, but on the other hand, they need to plan ahead more.

City Manager Belmore wanted to speak to the issue about consistency and apologized to the public, etc. The City's Licensing Board, headed by the Chief of Police, used to close down roads through our licensing permit for special events. He came forward last year, in reviewing today's liability issues and statutes, that he was a little uncomfortable using that mechanism and thought the full Council should weigh in until such time as the Licensing Board was given that authority to close roads, so there has been a little disconnect in how the process worked. The Licensing Board has met and is considering some changes to the ordinance. He apologizes for the confusion; it hasn't quite been sorted out.

Mayor Hilliard said that as part of that Board, there will be some significant changes to that process, hopefully in the near future. Those changes, if adopted by this body, then this body will not have to deal with those decisions in the future.

The Council adopted the further amendment on a voice vote.

The Council then voted to close Memorial Drive on Saturday, August 23rd between 8 am and 6 pm subject to availability and permission from SAU 56.

INSTALLATION OF POLES FOR "BANNER" SIGNS FOR CITY EVENTS AND NON-PROFIT PARTNER EVENTS.

City Manager Belmore said that there has been discussion that there is no place currently in the community to hang a banner. ...They wanted to put one up for a Chamber event and were turned down by PSNH. There are two trains of thought: if we want to do this downtown we need to make decisions fairly quickly, and/or a location along High Street. They have some old signal poles in the Highway barn that could be utilized. He thinks it would be in the ballpark of \$3,000, although he doesn't have a firm price yet. He had a site visit, they thought of locations, one near the steps at City Hall and the other across

the street. There was discussion about utilizing an old PSNH pole and sandblasting and painting it black but they are not interested in donating one of those poles to us. Poles would require mountings in the sidewalks and they will need to act on that if they are going to do it downtown. It could be used for (City) and non-profit events; they would set up a process for filing an application, it would be reviewed for indemnifications, etc.

Councilor Sprague wondered about the location. Why downtown? He is against that because they have higher traffic counts by Wal-Mart ...where you have a lot of people who never venture past that.

Councilor Soldati said that this was instigated because the Chamber is having a Bluegrass Festival on September 13th. She understands the rationale for going out further, but she has looked at every stretch of road and all the lines looking for a place to put two opposing poles that don't interfere with PSNH lines. ... She is in favor of where ever you want to put it, but she likes the idea of having it downtown. She said that she really likes how they do it in York. She likes the feeling of (it being in town.) She said there are tens of thousands of people driving through Somersworth; she doesn't think we have a shortage of people. If you can find a spot, great, she said.

Councilor McCallion said that they have talked about this in depth in the Vision 2020 Committee. There are a lot of people who want to see an information board and electronic sign because the school has one. There is one on 108 that maybe we could utilize. Maybe we could erect something on the top of this roof. We have looked at electronic signs; it comes down to money, he said.

Councilor Pepin asked who is responsible for putting it up and taking it down. Are there permitting fees, and who has the right or doesn't have the right to put up signs? And who makes the decision?

City Manager Belmore said they will have to set up an administrative process, they will also set up language, similar to how they allow Council Chambers and meeting rooms to be used by(organizations, etc.) affiliated with the City, non-profits, etc. They can look at how other communities deal with this and structure the process. The City would be charged with putting it up and down and there would be some fee attached. He would like Council to address, yes downtown or no downtown and then they could flush out the rest. Downtown is the immediate concern.

Councilor Messier would say no to downtown. This is the first time we've heard about it. We have spent money on beautiful light poles in places, and going to stick up two black poles with some kind of paint that might eventually come off? He can understand banner poles back 30-40-50 years ago when you didn't have the social media types with the signs that we have now. He really doesn't want an aesthetically pleasing looking downtown and then having a beverage sign advertising. The only place downtown would be here to Constitutional Way and he is not sure he wants to look at that. He got numerous phone calls and questions about why we didn't bury the power lines on Market

Street. Good question. Quick answer: that would have been real expensive. He cannot support a banner pole tonight.

Councilor Witham agrees with Councilor Messier. If we're going to do it; do it right, but he doesn't think we have the financial wherewithal to make it happen. If there are areas on High Street, he is not opposed to the idea. One thought is by AMR, he said there are two signal poles there that have not worked for years; maybe that is a spot for it. He is opposed to it in the downtown for aesthetics.

Councilor Soldati said that they had considered the signal poles at AMR, but when they called in the banner experts, they ran into a problem with it being one arm over the road. They need opposing poles. They looked at vertical banners but there were problems with that. The solution for this year is that a private citizen has donated their private property and possibly a building on Route 108. They will need to talk to the sign people, but they think it will add to the promotion of the City.

Councilor McCallion thinks the people at home just saw a committee meeting because this should have been brought to a committee and then forwarded to Council and we wouldn't have wasted so much time on this. He is really is upset.

There will be two votes; the first is whether the Council will authorize the City Manager to seek a location in the downtown area to erect two poles for banners.

The next vote will be to have the City Manager come back to Council with a list of locations for banner poles.

Councilor Witham requested roll call votes, seconded by Councilor Pepin.

The vote to authorize the City Manager to seek downtown locations to erect banner poles failed 2-7. (Pepin, Hebert, McCallion, Messier, Tapscott, Witham and Sprague opposed.)

The vote to authorize the City Manager to seek locations within the City, excluding the downtown area, to erect poles for banners and forward a list to Council passed 6-3. (Pepin, Messier and Tapscott opposed.)

The City Manager clarified that this list will come to the floor (of the Council).

VOTE TO TEMPORARILY WAIVE SECTION 29.3.5 OF CHAPTER 29, ADMINISTRATIVE CODE, REQUIRING THE DIRECTOR OF PUBLIC WORKS & UTILITIES TO RESIDE WITHIN THE CITY AND TO AUTHORIZE THE CITY MANAGER TO IMPOSE A 30 MILES/30 MINUTE RESIDENCY REQUIREMENT FOR THIS POSITION.

Councilor Messier asked why this is temporary.

The City Manager said this would be used to fill the position for the Director of Public Works until formal changes to the Administrative Code would come before the Council as a permanent ordinance change. This would allow some negotiation.

Councilor Collins thinks this is reasonable to consider a commutable distance. He thinks it hamstrings the City Manager in some respects to (require residency.)

Councilor McCallion thinks that in a position like this, someone should be a member of the community, not necessarily be a member of the community but willing to move and be part of the community. That's a big step when you are in a Director role in a City. In the past, we have allowed people to ...move (later) as with the City Manager, but eventually, he thinks that the stakeholders of the City need to reside in the City.

Councilor Sprague wondered if it was advertised requiring residency.

City Manager said it was not in the advertisement.

Councilor Sprague, responding to the 30 miles/30 minute requirement, asked if they could at least live in the state. ...He would like to hear more discussion. He said this is not Police or Fire, but there are emergencies...He said he is 50/50 on this.

Councilor Witham agrees that he has gone back and forth on this issue whenever they have had this issue arise. Some members of this Council voted to allow the prior Director of Public Works to live in Rochester and he was arguably as close to the Somersworth Public Works garage as some places he could live in Somersworth. ...At the end of the day, what is most important is that we try to attract and retain the most qualified candidate. That has become more and more difficult for a variety of reasons including we don't pay as high as some neighboring communities. We are surrounded by places that have more wherewithal to pay more. In order to attract and retain people we need to have some bargaining chips on the table, one of those chips is a bit of leniency with regard to residency. Can you get here in a reasonable amount of time? He would say the same thing for the Fire and the Police Chiefs.

Councilor Pepin said that in previous contracts firefighters could live wherever they wanted. Years ago there was a 15 mile requirement to respond to emergencies. Here we are having a big conversation about 30 minutes for the Public Works Director. If it is fine enough for our firefighters, it ought to be fine for public works. Not that he is in favor of it for firefighters; he thinks it is a disservice for their protection and the public that they serve.

The Mayor reminded everyone that there is a Government Operations sub-committee that is reexamining all of these residency requirements. He said that the top paid position in the City is the Superintendent of Schools for which the School Board has no residency requirement.

Councilor Soldati thought Councilor Sprague brought up a good point about whether the residency was part of the posting. Since it wasn't in the posting, it is "obviously not what is deterring people from applying." She has to think that. She hopes that whoever applies has public works experience.

Councilor Sprague said that when you have a director in budgetary roles, effectively they are impacting a city that they do not reside in.

Councilor Messier, seconded by Councilor Sprague, moved the question. The motion passed.

Councilor McCallion, seconded by Councilor Witham, requested a roll call vote.

The motion to temporarily waive Section 29.3.5 of Chapter 29 passed 6-3. (McCallion, Tapscott and Sprague opposed.)

Mayor Hilliard sought a motion to meet after 10:00 pm. A motion was made by Councilor Witham and seconded by Councilor Tapscott and then passed. (McCallion opposed.)

VOTE TO WAIVE SECTION 7.6.2 OF CHAPTER 4, PERSONNEL RULES & REGULATIONS, FOR THE PURPOSE OF RECRUITING A NEW DIRECTOR OF PUBLIC WORKS & UTILITIES AND TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AN APPROPRIATE ANNUAL LEAVE/VACATION HIRE CREDIT.

Councilor Messier thinks that, of any of these (discussions), this one is a no-brainer. It does not cost the City any more money when you build a budget. The dialog should be quick, he said.

This section, as above, was waived on a voice vote of the Council.

VOTE TO APPROVE THE REMOVAL OF AN ENGINEERING DEGREE (P.E.) AS A REQUIREMENT FOR THE POSITION OF DIRECTOR OF PUBLIC WORKS & UTILITIES.

Councilor McCallion said that we are in catch-22; we don't have an engineer, we have a contracted one. We need some oversight on that so we need one with a little bit of background, but then again, we need one that is a little more hands on management style. He would really like to hear from other communities around the state. He wished this had gone to committee and maybe we wouldn't be here until 10:00 at night.

Councilor Soldati offered an amendment to add a requirement for a minimum of 5 years experience in Public Works.

Councilor Collins seconded the amendment.

Councilor Soldati thinks that is clear that you need someone with a management background to supervise a department that large. Having an engineering degree does not guarantee that you have management experience or skill. She would like to know that this non-engineer who has management experience has had experience in a PW Department. She thinks that needs to be a requirement.

Mayor Hilliard explained that items can only come before the Council as “Resolutions”, “Ordinances” or “Other”. Most of these have gone through various Committees before being added as “Other” for discussion by the Council. In the future the Chair can refuse “Other” because the Chair is in charge of the agenda. He doesn’t think we want to proceed that way because an ordinance or resolution would require a first and second reading unless this body suspended rules. They are able to fast track certain things by listing them under “Other.”

Councilor Witham said these last items have been around. They provide the City Manager with flexibility in the recruitment process. He understands Councilor Soldati’s rationale, but is not sure he fully supports it. He would like a little more detail around what defines Public Works. It means different things in different places.

Councilor Sprague thinks the PE degree should not be mandatory for the Public Works Director to have. He mentioned the Dover Director who is not an engineer. In his experience, engineers are very black and white... He does not think you need to have Public Works municipal experience. ...He thinks the proper management skills is the biggest thing; finding someone with practicality in the field and the management skills. Our Public Works Director, the main focus is to have management skills. You also have to know how to decipher information given to you by people in the field and how to budget. Of all three things, he thinks this is the no-brainer. He’s said for years that we should drop the P.E. portion. He would not go for the amendment.

Councilor Soldati withdrew her amendment.

Councilor McCallion commented that he knows it went to Government Operations, but it can always go to another committee.

City Manager Belmore said that this was fully vetted by the Interim Public Works Director, the consultant firm that she comes from, the contracted engineer; other Public Works Directors in this day and age are very comfortable (without it.) That was the consensus in moving forward from the Government Operations Committee.

The Council voted to remove the requirement of the engineering degree on a voice vote. (Messier opposed.)

MORATORIUM DISCUSSION ON REPAVING AREA OF ROADWAY ON HIGH STREET NEAR CVS.

The City Manager received an email from the Public Works Director stating that this repair is more serious than previously thought. The Council will need to waive the Chapter 12 moratorium to cut around that basin to repair it properly.

Councilor Sprague asked the location and if CVS might have any obligation to do this repair.

CM Belmore will reconfirm that it is our repair.

Councilor Witham said it needs to be done and they need permission to cut the road.

The Council voted to waive Chapter 12 to do the repair.

COMMENTS BY VISITORS.

There were no comments by visitors.

CLOSING COMMENTS BY COUNCIL MEMBERS.

Councilor Pepin commented that he has some suggestions regarding the ipads and wonders if it ought to be a discussion item on the next agenda. When he has paper copies, he staples all pertinent memos to the back of the Ordinance/Resolution, etc. He mentioned that tonight we didn't have all the nomination papers on the ipads. He would like a discussion to (improve this.)

Councilor McCallion thanked everybody who did the Children's Festival. This was the first year he had time to go down and help out and he said it was kind of thrilling. He was 11 when he went for the first time. To see how hard they work and how much they care, ...the whole group, ...for all those people to put in the hard work to make the Festival what it is. We should really come up with something to thank them in a more formal setting. They are a gracious group, and he thanks them.

Councilor Messier said that we are all appalled by the Brandon Patterson thing. He did a shout out to the Police Department for the hard, quick work they did, and hopefully coming to a resolution of that. As a community, he said, we really need to come together to get a better handle on this. Be diligent on things you see and call the police. We have a couple of other hot spots in town that need some attention. We need to do something about that.

He would like sidewalk weeds to be taken care of.

He thanked David Brackett, the Eagle Scout, for his work.

Councilor Witham gave kudos to the Somersworth Police Department for their fine work with that issue and behind the scenes on other issues as well. He is certainly appreciative. He does believe that Somersworth is filled with many, many good people.

He asked Councilor Sprague to add the sidewalk weeds to Thursdays (committee) agenda.

He said that shout outs continue to Public Works. The crew at Noble Pines worked hard in the heat constructing stairs behind the first base dugout and did an outstanding job. They are continuing with repairs around the splash pad. He is appreciative of their work, as well.

He mentioned the conversation that the City Manager had with Mr. Watson, NHDOT, regarding our cash flow and the TE project. He hopes that we have that letter in hand by this Thursday's Public Works and Finance meetings. He would like a little pressure put on them.

Lastly, boy, he thought all meeting about whether he should talk about this or not. It comes up because they had a business owner in the downtown speak and wishes perhaps they had stopped in his business. He has to tell you, the downtown project has been one of mixed emotion, he is excited that it is happening, but in the same breath, he wonders if he should have even moved to start the project because no matter where you go in the community, you don't get anything about, "Hey, this is going to look good when it is done. Hey, nice job, glad we're heading in that direction." What you hear are the complaints and the complaints and the complaints. Whether it is water interruption, traffic problems or noise or dust or cost or Gee, the City embarked on this project without having the money in hand. The list goes on and on and on. He is a drum that has been beaten to death. Truth be told, since this project has sort of gotten underway, he has not gone in to one downtown business. He will not go into one downtown business because you get sort of assaulted from all sides with this, I can't believe you are doing it this way, I can't believe you are doing it that way. He doesn't know if people want it or not. It is a true conundrum. I go to Dover for my pizza. I go to Rochester for my ice cream because I don't want to be dealing with it on my personal time. And I guess when you run for City Council, you run knowing that you are going to be subject to these conversations, but it is too much. So, maybe he should go into the businesses and just deal with it. Maybe he will. Maybe he'll bring a bucket of water. He doesn't know what he should do. But someone provide him with some guidance, because it hasn't been a place that has felt welcoming to Dave Witham or his family so they have chosen to take their business elsewhere and he still supports the downtown project. Thank you.

Councilor Collins made it a point to patronize our local shops, he knows it is difficult and sometimes it takes him 20 minutes to drive to a place that he can walk to in two minutes. He wanted to extend his apologies to Somersworth House of Pizza for not stopping down, it didn't occur to him and after his comments, he felt personally responsible for not stopping down and asking how things are going and if there is anything he can do and checking in. He extended what Councilor Witham said, there is a lot that happens behind the scenes and he is very proud to be a part of our City Government and he would like to acknowledge all the dedication and work of all our City Councilors. He is new to the job

and it is a big change for him. But what the City sees is only a tiny fraction of the amount of time that all of them put in and it is for nothing because they love their city.

Councilor Sprague said that he, too, goes to Dover for pizza; he loves La Festa. For anyone watching, he said, they are not meeting for another month. Concentrate on the other eight Councilors: there is no way he is voting for that \$3M bond; it is not happening, at all. Either of those, unless information comes to him showing interested lease holders, profitability, etc.... He doesn't know how this became, in 2010, not wanting apartments coming in, pleading with (the Council) to give them a chance to do something with the building, we will find the funding, grants, and morphed into being put on their laps. He (previously) told Foster's that he is all about somebody doing something with Hilltop, but not if it costs the City one penny, not from the taxpayers. So, for the next month, call the other eight Councilors, there is no way you are going to change my vote, he said.

He was also appalled that such a vicious attack would happen right in our community. He grew up around that area. It brings him back to thinking about how important the Property Code Enforcement is. Looking back at New York City in 1994, the new Police Commissioner (had) the broken window theory that broken windows lead to urban decay, leads to disorder. Violations lead to fear and felonies and ruin cities. He would love to find a way to address those small (issues); even if it is a broken window, even if it is throwing a cigarette on the sidewalk. And I am not telling the police department that they don't do a good job. They do everything they can with what they have, especially staff, he gets it. He believes in Code Enforcement. We need to find a way to start cracking down. We respect our community and if you are going to be here, we expect you to respect it (too.) He doesn't know how they are going to do it; ... from now to the next budget season, (he would like them to focus), especially Economic Development, on no-tolerance for the City.

FUTURE AGENDA ITEMS.

There were no future agenda items specifically mentioned at this time.

NONPUBLIC SESSION (AS NECESSARY, PENDING ROLL CALL VOTE BY COUNCIL).

Councilor Soldati, seconded by Councilor Tapscott, made a motion to go into non-public session to discuss the City Manager's evaluation. The motion passed on a roll call vote at 10:09 pm.

Mayor Hilliard provided the following minutes of the non-public session:

Bullet Points of Minutes of Non-Public Session

- Vote of 9-0 to go into non-public session for purpose of decision of City Managers Contract 10:15

- Motion by Councilor Witham to come out of non-public session at 10:37, seconded by Councilor Tapscott
- Motion by Councilor Witham to Increase City Managers salary by 2% Seconded by Councilor Tapscott. **Motion approved by full Council on voice vote.**
- Motion by Councilor Witham to remove contract provision that requires that the city provide a car for the City Manager and replace with a monthly stipend of \$450 and a requirement that the city reimburse the city manager at the IRS mileage reimbursement rate when his vehicle is used for city business outside of normal commuting corridors. Both will only remain applicable as long as the city manager maintains a valid driver's license.
- **Motion approved by full Council on voice vote.**

ADJOURNMENT.

- **Motion by Councilor Witham to adjourn Seconded by Councilor Tapscott. Motion approved by full council on voice vote. Council adjourned at 10:40**

Respectfully submitted,

Elise B. Brelis, Deputy City Clerk