

MINUTES OF CITY COUNCIL MEETING

MARCH 3, 2014

Mayor Hilliard called the meeting to order, and upon roll call, the following members were found present: Pepin, Soldati, McCallion, Messier, Tapscott, Witham, Collins and Sprague. Absent: Hebert.

MINUTES OF PREVIOUS MEETINGS.

- City Council Workshop – VHB, Inc., held on 2/19/14. **Councilor Soldati moved to accept the minutes as recorded. The motion was seconded by Councilor Pepin, and passed by a vote of 6 yeas, 2 abstentions, Councilors McCallion and Collins abstaining.**
- Minutes of Public Hearing on Ordinance No. 8-14, Water Ordinance, held on 2/20/14. **Councilor Pepin moved to accept the minutes as presented. The motion was seconded by Councilor McCallion and passed by a vote of 8-0.**

Councilor Hebert arrived at this time.

- Minutes of City Council Meeting held on 2/20/14. Councilor Sprague said his closing comments are incomplete. He talked about the tax cap at the end of the meeting and he would like the minutes amended to reflect that the Dover rate was 1.9% and Somersworth was 1.5% this year. **Councilor Witham moved to approve the minutes as amended. The motion was seconded by Councilor Messier and passed by a vote of 9-0.**

COMMENTS BY VISITORS.

Real Roseberry, 405 Route 108, Ward 1, said he did his homework regarding the tax cap. He checked out the 1.9% rate increase in Dover. Somersworth came out with a rate increase of 1.46% and he was told they round it out. He doesn't think that is right. Four tenths is quite a bit of money when you have a large budget. He is watching, and the Council is doing a fairly good job. If he has something to say he will say it. He and Mr. Witham disagree on some things, but he is a very good man.

Mr. Roseberry said it took him five years to get the tax cap where it is and that is why he calls it "his" tax cap. He feels he did most of the work and he has the right to call it that. He did this for the taxpayers of Somersworth and had nothing to lose or gain by it, except for paying less taxes.

Mr. Roseberry feels that Somersworth should stay with the national CPI for the tax cap. He feels it will hurt the City if we go with the Boston CPI. The national CPI is easier to understand.

MAYOR'S REPORT.

- As announced when I took office, I will be holding monthly Saturday office hours. To continue the working team atmosphere which has developed with the new Council I will be renaming these and posting the event as a community forum with the Mayor and City Councilors. This is an opportunity for the public to come and share a cup of coffee and pastries with the Mayor and members of the City Council in a non-formal setting. Its purpose is to continue to create dialogue, exchange ideas, voice concerns and continue to keep our community moving forward. The first community forum will be scheduled for Saturday, 3/22/14 from 9:00 a.m. to 10:30 a.m. in Council Chambers.
- He and Councilor Sprague have been in community for the structure, mission and membership of the Rail Advisory Commission. I will be bringing forward details and will name members of the committee at the 3/17/14 Council meeting.
- On Thursday, 2/27/14, I had the honor to attend the High School Girls' Basketball Game and recognized two outstanding members of our community, John and Carol Cummings. In addition to teaching, subbing, coaching, being active members of their church, John and Carol Cummings have faithfully been attending Somersworth High School sporting games for over three decades. Their blood truly runs Hilltop blue. For their dedication to our community I was proud to have proclaimed Thursday, 2/27/14 as John and Carol Cummings Day in the City of Somersworth.
- The diversity of our great city, state and nation is what binds us together and helps us continue to bring to life the words echoed in the Declaration of Independence and US Constitution. To continue to celebrate the founding ethnic groups of our "Proud Past" and the new ones of our "Bright Future", the City Hall flagpole will begin to fly with honor the flags of our founding ethnic groups on their major national/provincial holidays.
 - March 17th – The Irish National Flag for St. Patrick's Day.
 - March 25th – The Greek National Flag for Greek Independence Day.
 - April 23rd – The flag of the United Kingdom for St. Georges Day.
 - June 24th – The Provincial Flag of Quebec for St. Jean the Baptiste Day.
 - The flag of Indonesia will be flown during the annual Jakarta Festival.

REPORTS OF STANDING COMMITTEES.

FINANCE COMMITTEE.

Councilor Witham reported this committee will be meeting on Monday, 3/10/14 at 8:30 a.m.

ECONOMIC DEVELOPMENT COMMITTEE.

Councilor McCallion reported this committee will be meeting on Friday, 3/07/14 at 9:30 a.m.

PUBLIC SAFETY COMMITTEE.

Councilor Pepin reported this committee will be meeting on 3/04/14 at 8:00 a.m.

PUBLIC WORKS AND THE ENVIRONMENT COMMITTEE.

Councilor Sprague reported this committee met this evening at 4:00 p.m. and discussed the following items:

- TE Grant design on Market Street. The committee approved Concept #2 by a vote of 3-1. This is the more open concept with some seating surrounding various tree plantings.
- Resolution No. 29-14 (re former police station building site) – They talked about this rather robustly, and have moved it off to another meeting. They may be integrating other improvements to another park into this resolution.
- Downtown project update from City staff. We have reached an agreement with Fairpoint Communications about the monies we have incurred for their duct banks being in conflict with our drainage design and limitation. We have reached an agreement with them monetarily and the committee and staff were in agreement with it.
- Staff updated them on road resurfacing monies that are available this year and what projects we might be able to go forward with. We have two culvert issues in the City that may need some addressing. There is also a drainage easement issue on Down Street which we may also be adding into the mix. They also brought up another scenario of rubber chip seal going out to the roads on Salmon Falls Road, Whitehouse Road, Blackwater Road from Laurel Lane to Old Rochester Road, and Rocky Hill Road from Hillside Drive to Otis Road. These are spots where we may try this out. Rubber chip seal would get us about fifteen years.
- There are three projects on their radar for bonding: Main Street, Indigo Hill Road, and Blackwater Road. These are three roads that need some definite attention. Main Street has a lot of engineering and design work that needs to be done. City staff will be working on that for us and seeing what we can do. We will not know exactly what we have to work with until we are done with our budget this year.

REPORTS OF SPECIAL COMMITTEES.

VISION 2020 COMMITTEE.

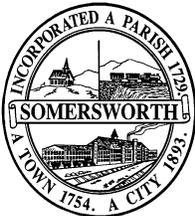
Councilor Witham reported this committee will meet on 3/05/14 at 4:00 p.m.

SUSTAINABILITY COMMITTEE.

Councilor Soldati reported this committee met on 2/20/14 and discussed the following items:

- Went over the projected 2014 calendar and their plans for the year. One of the things they would like to do is to have a free film series, open to the public. They are currently working on choosing the right films and documentaries that people might be interested in that promote and help educate people about sustainable living.
- They approved and agreed that Dave Sharples write a letter of intent for Somersworth to participate in Georgetown University’s Energy Prize Competition. You will hear more about this as they progress.
- They are looking at bringing in speakers on their community gardens. Participation doubled in their second year. During this third year, they thought they might provide people with some speakers to help them become better gardeners.
- They have a member of the public who joined them who is willing to single-handedly take on bringing a farmer’s market to Somersworth. This gentleman is also working with the VFW to restore the bell tower and has already gotten significant pledges to get this job done.
- If people are interested in getting a community plot to grow their own garden, they can contact Public Works and fill out an application.
- There will be a community garden meeting following the next Sustainability Committee meeting which will be on March 20th at 6:00 p.m. here in Council Chambers.

CITY MANAGER’S REPORT.



CITY OF SOMERSWORTH

TO: Mayor Dana Hilliard and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, February 28, 2014

SUBJECT: City Manager’s Report for Monday, March 3, 2014
City Council Agenda

5:30 p.m. - City Council Workshop

Mr. Bert Cohen, Re: What it Would Mean to be an Eco-municipality.

6:45 p.m. - Public Hearing

Re: Ordinance No. 11-14, Supplemental Appropriation for

Additional Improvements as Part of the Downtown Improvement Project

Unfinished Business (under Section 13 of Agenda)

Ordinances:

- A. Ordinance No. 11-14 Supplemental Appropriation for Additional Improvements As Part Of The Downtown Improvement Project.**

Resolutions:

- A. Resolution No. 28-14 Authorize the City Manager to Purchase Ipad's to be Used by the Mayor and City Council.** The estimated cost is \$ 5,280 plus any additional costs for IT training/support.
- B. Resolution No. 29-14 To Demolish The Former Police Station And Establish A City Park.** Attached is a revised Memorandum that provides a corrected proposed budget number. The Public Works & Environment Committee has this item on their agenda at their 4:00 pm meeting Monday.
- C. Resolution No. 30-14 To Authorize The City Manager To Order One Police Cruiser Which Will Be Funded In The Fiscal Year 2014-2015 Budget.** If approved, the City will be able to order the new cruiser to ensure a more timely delivery once the Fiscal Year 2015 Budget is passed.
- D. Resolution No. 31-14 To Authorize The City Manager To Contract With Severino Trucking Company, Inc., of Candia, NH For Improvements To Station Street.**
- E. Resolution No. 32-14 To Authorize The City Manager To Contract With Severino Trucking Company, Inc., of Candia, NH For Improvements To Prospect Street Stairs.**
- F. Resolution No. 33-14 To Authorize The City Manager To Contract With Severino Trucking Company, Inc., of Candia, NH For Improvements To Replace Certain Water Services Under Sidewalks In Conjunction With The Downtown Improvement Project.**
- G. Resolution No. 34-14 To Authorize The City Manager To Contract With Severino Trucking Company, Inc., of Candia, NH For The Replacement Of The Exterior Stairs Near The Somersworth City Hall.**
- Resolutions No. 31-14, 32-14, 33-14 and 34-14 are all contingent on passage of the Supplemental Appropriation of Ordinance No. 11-14.

New Business (under Section 14 of Agenda)

Ordinances:

- A. **Ordinance No. 12-14 Amending Chapter 13, Police Offenses, Section 3.4.B, Speeds.** This Ordinance was discussed at the last Traffic Safety Committee meeting on Wed., February 19th.
- B. **Ordinance No. 13-14 Amending Chapter 19, Zoning Ordinance, Tables 4.A.3.9, 4.A.3.10 and 4.A.3 to Permit Chickens in All Residential Districts Provided that Certain Minimum Criteria have been Met.** Attached is a memorandum from our Director of Planning & Community Development, Dave Sharples. I recommend scheduling a Public Hearing prior to next Council meeting on March 17th at 6:45 p.m.

Resolutions:

- A. **Resolution No. 35-14 Amending Resolution No. 17-11 Establishing the Sustainability Committee.**

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

A. Information Items:

- 1. **Proposed Schedule for Fiscal Year 2015 Budget.** Mayor Hilliard has proposed the following calendar for a Public Hearing and review of the proposed City Budget for FY 15.

Monday, March 31, Special City Council Meetings

- 5:30 p.m. City Manager Budget Presentation
- 6:00 p.m. Public Hearing
- A Special City Council meeting immediately following the Public Hearing: agenda will be public comment and then first reading of the Budget Ordinance.

Saturday, April 5, 8:30am, City Council Budget Workshop

- Review Community Support requests for funding with agency representatives; followed by a review of the proposed FY 2015 with the City Manager and Department Heads.

B. Attachments:

- 1. City Certifications Seven (7).

Reminders:

- Goal Setting Session is this Thursday at 5:30 p.m.
- State of the City Address is scheduled for March 12th at 5:30 p.m. as a Joint Meeting of the City Council & School Board.

NOMINATIONS, APPOINTMENTS AND ELECTIONS.

NOMINATION TO PLANNING BOARD.

- Harold Guptill as an Alternate Member, term to expire 4/2017.

This person will remain in nomination under the 3/17/14 regular City Council Meeting.

UNFINISHED BUSINESS.

NOMINATIONS, APPOINTMENTS AND ELECTIONS:

NOMINATIONS TO ZONING BOARD OF ADJUSTMENT.

- Matt Keiser as a regular member, term to expire 03/2017.

Councilor Soldati moved to accept this nomination. The motion was seconded by Councilor Tapscott, and approved by a vote of 9-0.

- Paul Drager as an alternate member, term to expire 03/2017.

Councilor Messier moved to accept this nomination. The motion was seconded by Councilor Collins, and approved by a vote of 9-0.

NOMINATION TO PLANNING BOARD.

- Aaron Fournier, alternate member, term to expire 03/2017.

Councilor Messier moved to accept this nomination. The motion was seconded by Councilor Tapscott and passed by a vote of 9-0.

NOMINATION TO CONSERVATION COMMISSION.

- Angela Ficco as a regular member, term to expire 03/2017.

Councilor Tapscott moved to accept this nomination. The motion was seconded by Councilor Collins and passed by a vote of 9-0.

ORDINANCES:

ORDINANCE NO. 11-14 SUPPLEMENTAL APPROPRIATION FOR ADDITIONAL IMPROVEMENTS AS PART OF THE DOWNTOWN IMPROVEMENT PROJECT.

Councilor Witham moved to adopt Ordinance No. 11-14. The motion was seconded by Councilor Hebert.

Councilor Witham said this is a supplemental appropriation to the current year operating budget in both the general fund budget and the water budget. This sets in motion some additional monies for four specified additional improvements as part of the downtown improvement project including Station Street, the stairs beside City Hall, the stairs at Prospect Street, and a number of water utilities throughout the project.

Ordinance No. 11-14 passed by roll call vote of 9 yeas, 0 nays.

RESOLUTIONS:

RESOLUTION NO. 28-14 AUTHORIZE THE CITY MANAGER TO PURCHASE IPADS TO BE USED BY THE MAYOR AND CITY COUNCIL.

Councilor Witham moved to adopt Resolution No. 28-14. The motion was seconded by Councilor Messier and passed by roll call vote of 8 yeas, 1 nay, Councilor Sprague voting in the negative.

Mayor Hilliard indicated that Resolution No. 29-14 is still in committee and has not reported out yet.

RESOLUTION NO. 30-14 TO AUTHORIZE THE CITY MANAGER TO ORDER ONE POLICE CRUISER WHICH WILL BE FUNDED IN THE FISCAL YEAR 2014-2015 BUDGET.

Councilor Witham moved to adopt Resolution No. 30-14. The motion was seconded by Councilor Messier and passed by roll call vote of 9 yeas, 0 nays.

RESOLUTION NO. 31-14 TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH SEVERINO TRUCKING COMPANY, INC. OF CANDIA, NH FOR IMPROVEMENTS TO STATION STREET.

Councilor Witham moved to adopt Resolution No. 31-14. The motion was seconded by Councilor Hebert and passed by roll call vote of 9 yeas, 0 nays.

RESOLUTION NO. 32-14 TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH SEVERINO TRUCKING COMPANY, INC. OF CANDIA, NH FOR IMPROVEMENTS TO THE PROSPECT STREET STAIRS.

Councilor Witham moved to adopt Resolution No. 32-14. The motion was seconded by Councilor Hebert and passed by roll call vote of 8 yeas, 1 nay, Councilor Messier voting in the negative.

RESOLUTION NO. 33-14 TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH SEVERINO TRUCKING COMPANY, INC. OF CANDIA, NH TO REPLACE CERTAIN WATER SERVICES UNDER SIDEWALKS IN CONJUNCTION WITH THE DOWNTOWN IMPROVEMENT PROJECT.

Councilor Witham moved to adopt Resolution No. 33-14. The motion was seconded by Councilor Hebert and passed by roll call vote of 9 yeas, 0 nays.

RESOLUTION NO. 34-14 TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH SEVERINO TRUCKING COMPANY, INC. OF CANDIA, NH FOR THE REPLACEMENT OF THE EXTERIOR STAIRS NEAR THE SOMERSWORTH CITY HALL.

Councilor Witham moved to adopt Resolution No. 34-14. The motion was seconded by Councilor Hebert and passed by roll call vote of 9 yeas, 0 nays.

NEW BUSINESS.

ORDINANCES:

ORDINANCE NO. 12-14 AMENDING CHAPTER 13, POLICE OFFENSES, SECTION 3.4.B, SPEEDS.

Somersworth, NH
March 3, 2014

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

- Amend Chapter 13, Police Offenses, Section 3.4.B, Speeds, by adding the following:
 - When signs are posted, it shall be unlawful for any person to drive a motor vehicle on Main Street between Franklin Street and Market Street at a speed in excess of twenty-five (25) miles per hour.
 - When signs are posted, it shall be unlawful for any person to drive a motor vehicle on High Street between West High Street and the Berwick Bridge at a speed in excess of twenty-five (25) miles per hour.

This ordinance shall take effect upon its passage.

Introduced by Councilors

Jennifer G. Soldati
David Witham

Approved:
City Attorney

Ordinance No. 12-14 will remain in first reading until the 3/17/14 scheduled City Council Meeting.

Councilor Witham moved to suspend the rules to allow Ordinance No. 13-14 to be read by title only due to its length. The motion was seconded by Councilor Messier and passed unanimously.

ORDINANCE NO. 13-14 AMENDING CHAPTER 19, ZONING ORDINANCE, TABLES 4.A.3.9, 4.A.3.10 AND 4.A.3, TO PERMIT CHICKENS IN ALL RESIDENTIAL DISTRICTS PROVIDED THAT CERTAIN MINIMUM CRITERIA HAVE BEEN MET.

Somersworth NH
March 3, 2014

THE CITY COUNCIL OF THE CITY OF SOMERWORTH HEREBY ORDAINS THAT the ordinances of the City of Somersworth, as amended, be further amended as follows:

Amend Chapter 19, Zoning Ordinance, in the following manner:

- Table 4.A.3.9 Keeping of livestock, poultry or swine:
DELETE poultry
- Table 4.A.3.10
ADD new use “Backyard Chickens” with corresponding Note #14
ADD A, R-1, R-2, R-2A, R-3, R/O, R/B, HMD and MY to the Permitted Column
ADD C/I, I, CN, R/C, MH, and B to the Prohibited Column
RENUMBER the remaining uses as needed.
- Table 4.A.3 Table of Uses
ADD Note #14 which shall state:

“This use is allowed on the portion of the lot fully behind the principal structure, provided the following standards are met: maximum of six (6) chickens and no roosters, and three (3) square feet of chicken coop and twenty (20) square feet of fenced enclosure yard per chicken. All coops and enclosures shall be a minimum of twenty (20) feet from any property line. Chickens must be kept in a coop or enclosure at all times. These provisions shall not apply to lots located in the Agricultural (A) district.”

This Ordinance shall take effect upon its passage.

Introduced by Councilors

Jennifer G. Soldati

Denis Messier

Approved:

City Attorney

Ordinance No. 13-14 will remain in first reading until the 3/17/14 scheduled City Council Meeting.

RESOLUTIONS:

RESOLUTION NO. 35-14 AMENDING RESOLUTION 17-11 ESTABLISHING THE SUSTAINABILITY COMMITTEE.

Somersworth, NH
March 3, 2014

WHEREAS, the City of Somersworth is dedicated to civic engagement in local government; and

WHEREAS, Resolution No. 17-11 establishes that two members of the community are appointed at large by the Mayor; and

WHEREAS, the City of Somersworth is committed to becoming a sustainable community,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT Resolution No. 17-11 be amended to include the following succeeding “the Committee shall be comprised of the following members”:

- One member of the community at large appointed by the Mayor and confirmed by the City Council.

Introduced by

Mayor Dana S. Hilliard

Approved:

City Attorney

Resolution No. 35-14 will remain in first reading until the 3/17/14 scheduled City Council Meeting.

COMMENTS BY VISITORS.

Tommy Thompson of Berwick, ME said he lived in Somersworth in the past on Tates Brook Road. He wishes to thank the Police Chief. During the time he lived here, the Police Department responded to his home many times. He has a son who had mental health issues. He feels this type of thing is really a drain on a police force and it is beyond local control to do anything about it. He mentions it because many of you have contacts beyond the City level. He works at the Shipyard, and Dept. of Defense Agencies as well as state and federal agencies are

starting to run training drills regarding dealing with these types of issues. It is also a big risk for the police officers to show up to deal with these kinds of issues. The Somersworth police officers responded professionally every time they came to his home.

Real Roseberry, 405 Route 108, talked about the speed limit in front of his house being 40 mph. He pushed for it to be lowered to 35 mph because he is afraid someone is going to get killed there. He wanted to save the City of Somersworth from being sued. The State has it on record that we requested that it be lowered but the State did not agree. That takes Somersworth off the hook if anything happens on this stretch of road.

CLOSING COMMENTS BY COUNCIL MEMBERS.

Councilor McCallion thanked everyone for their support during a stressful time he went through. He had some time between jobs and had time to look at things a bit differently. He took the time to better educate himself on sustainability and recycling. We can do small steps very easily if we start looking at our recycling. It is amazing what some other towns and cities do. He feels it is a culture/habit change and there are more things we can be doing as a community. He will be trying to bring that forth in the coming weeks.

Councilor Soldati invited Councilor McCallion to the film series the Sustainability Committee will be sponsoring. He may be inspired by some ideas. There are very simple things we can do to reduce our carbon footprint, save money, and sometimes generate money.

Councilor Witham referred to the Mayor's report, where he mentioned that recognition was bestowed upon John and Carol Cummings. He is not sure who orchestrated the event, but he thanked whoever did. They are two very deserving people. He has known them for much of his life and they have truly been folks that carry the torch well for the City of Somersworth.

Councilor Witham said a couple of weekends ago we had a fairly hellacious February rainstorm on a Friday night, so much so that there was thunder and lightning. The roads that were already deteriorating as a result of the harsh winter conditions took a nosedive on that Friday night, so much so that when he went out on Saturday morning he realized that our roads were in an awful state. He placed a call to the City Manager who was already in communication with our Public Works crew. Individuals were brought in on overtime to deal with the issue. Ed Hardy and another individual were out on Saturday, after having been up for many storms that week, from about 9:00 a.m. to about 5:00 p.m., putting loads of patch into the many potholes. It was a very labor intensive process. He wants them to know that those efforts do not go unrecognized.

Councilor Witham referred to the gentleman who spoke about mental illness in regards to law enforcement response. The company he works for does a fair amount of training with law enforcement officers across the state and recently they have partnered with an organization known as NAMI (National Alliance on Mental Illness) to provide training for local law enforcement on how to interact with people who have a mental illness. It's a role that our law

enforcement officers are called upon to deal with more and more frequently and they haven't necessarily been provide with training. There are a lot of efforts underway in the state to try to bridge that gap, but more needs to be done. He appreciates the individual coming forward to speak about a sensitive topic.

Councilor Collins said he would like to acknowledge the comments of Councilors McCallion and Soldati. He feels that sustainability is absolutely critical. It's extremely strategic for long-term and short-term planning. It is incredibly important for our community going forward.

Councilor Sprague referred to his comments of last week, when he said he would comment this week if Mr. Roseberry came to this meeting in reference to his mentioning that we should have done what Dover did regarding the tax cap. They went forward with the Boston Consumer Price Index (CPI) instead of the national CPI. Mr. Roseberry had commented that Dover was foolish for doing this.

Councilor Sprague said this year we will be going under a 1.5% increase in our budget, but Dover will be basing their budget on a 1.9% increase. They use the Boston, Brockton, Nashua CPI and average it out over the past three years, which takes care of the spikes and valleys. His reason for thinking the Boston, Brockton, Nashua CPI is better than the national CPI is because it is regional. It pertains to costs in this part of the country. He doesn't think we could find a CPI that is closer to Somersworth than Nashua, NH. Dover made it more positive by taking a three-year average. He appreciates Mr. Roseberry doing his homework too.

ADJOURNMENT.

Councilor Witham moved to adjourn. The motion was seconded by Councilor McCallion and passed unanimously. The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Diane M. DuBois, City Clerk

