

MINUTES OF CITY COUNCIL MEETING

Somersworth, NH
September 18, 2017
7:00 P.M.

The meeting was called to order by His Honor, the Mayor, Dana Hilliard, and upon roll call the following Council members were present: Pepin, Dumont, McCallion, Messier, Witham, Sprague and Paradis. Councilors Soldati and Cameron were excused.

MINUTES OF THE PREVIOUS MEETING.

MINUTES FROM PUBLIC HEARING HELD ON SEPTEMBER 5, 2017

Councilor Messier, seconded by Councilor Dumont, made a motion to accept the minutes. The motion passed with Councilors Paradis & Sprague abstaining.

MINUTES FOR CITY COUNCIL MEETING HELD ON SEPTEMBER 5, 2017

Councilor Dumont, seconded by Councilor McCallion, made a motion to accept the minutes. The motion passed with Councilors Sprague & Paradis abstaining.

COMMENTS BY VISITORS

No comments

COMMENTS BY COUNCILORS

None

COMMUNICATIONS

None

PRESENTATION OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE

None

MAYOR'S REPORT

Mayors Report for City Council Meeting Monday September 18th, 2017

I was honored to welcome the Indonesian Consulate General back to the Hilltop City for the 5th annual Indonesian Festival held on September 9th. I also welcomed my colleague Mayor Karen Western from Dover who accompanied me for the day. The festival highlighted Somersworth's greatest asset, its citizens, along with its rich history of cultural diversity and inclusion.

Together as a community, we will continue to learn from each other

Together as a community, we will ensure that the promise of American will continue to be shared by all.

Together as a community we will continue to spread and share our Hilltopper pride and keep our great city “On the Move!”

On Monday September 11th the Hilltop City paused to honor the brave souls who lost their lives during the terrorist attacks.

Sixteen years ago the bravery and valor of our nation was put to the test. What emerged from the ashes of that day was a testament to the American soul. Despite the great loss, pain and suffering the voice of democracy will never be silenced. That regardless of the cost, Americans will rise and defend the spirit of human dignity, freedom and liberty.

The lessons of 9-11 are lessons on how fragile and vulnerable our existence is. That regardless of the stress or daily minutia, that the greatest gift we will ever receive is life. Today we pause to honor the souls lost on that day, continue the eternal flame of their existence by remembering.

We will never forget

We will always remember

We will always honor

We will always rise to the call

We will always defend

We will forever remain standing.

We’re Still Standing we written by Hannah Schoechert who at the time of the attack was in the 7th grade attending Alexander Middle School in Nekoosa, Wisconsin.

We’re Still Standing.

Those twin towers
Standing tall with pride,
Fell with grieving hearts.
Stunned, America cried.

But we're still standing

Bin Laden tried
To crush our land,

But we stood our ground
With our flag in hand.

And we're still standing.

Red for valor
And the blood that fell.
White for purity
Our heroes tell.
Blue for the justice
That will be done,
Proving once more
These colors don't run.

And we're still standing.

May God forever bless our departed brothers and sisters from 9-11
May God's grace shine upon those who keep us safe each day

And May God forever bless these United States of America.

Appointments

Under nominations, appointments and Elections; In accordance with Council Rule 17 Appointments, the following are being brought for nomination:

Lindsay Gagnon, as a member of the Parade Committee with a term to expire January 2018

In accordance with Council Rule 17 Appointments, the nomination shall remain open until the October 2nd, scheduled Council meeting.

This respectfully concludes my September 18th, 2017 Mayor's Report

REPORTS OF STANDING COMMITTEES

Finance Committee – Chairman Witham stated the committee met on September 12, 2017. Discussed first was equipment purchase for CTC. The broadcast equipment is a budgeted item, at \$10,000. The request came in for \$9,975 in equipment, which will be paid out of the cable franchise fees. Purchase was approved. There was then a discussion on 2 budgeted items. A Skidsteer for Public Works and a pick-up truck for use by Code Enforcement. The skid steer is to be used for sidewalk snow removal and other projects within the City. It was recommended to get a caterpillar unit, which will come equipped with bucket, sander, and snow blower. Purchasing a Code Enforcement pick-up truck is a

good thing, as he would like to stray from using the old police cruiser due to high miles and costly maintenance. A question that came up during the meeting was “Should the truck have plowing capabilities to help with snow removal as a backup for Public Works?” He stated that Staff is going to look into price difference and it will be discussed at the next meeting. Regarding the property at 37 Franklin St, unfortunately the last tenants left all their belongings including food, in the building. The building is going to require a significant amount of cleaning before it can go back on the market. Questions regarding the property are should it be destroyed or gutted and put on market. Property is now secure and locked at this time. The Committee was updated on the TAP Grant negotiations, which will begin in Dec/Jan, with construction to start in 2019. The grant was approved in 2016. It is a federal grant, but administered by the state. The committee discussed the new sidewalk and granite curbing, and lack of drainage on Stackpole Road in the area of Sunningdale Drive to Deer Creek Run. There is concern about pooling of water and icing in winter. City Manager Belmore and Director Smith outlined the road designed project to finance committee. They explained that the City has received 9 engineering proposals. The proposals have been reviewed, and they are scheduling 4 Engineering firms to come in for interviews. Finance Director stated that the Auditors were in and completed the City Audit. The Fund Balance is at \$3.5million, slightly down from last year. Water/Sewer utility; water balance was at \$1.9 million and sewer was at \$2.3 million at end of year. Blackwater road pump station project construction is starting soon.

Public Works & Environment - Chairman Sprague stated that the committee met on September 12, 2017. They discussed that Dover is looking for support from Somersworth to fund the construction of an inter-municipal water connection and enter into an inter-municipal water agreement. He reminded everyone about the Mother’s Day floods when the water treatment plant went under water, that there was fire truck pumping water from Dover hydrants to Somersworth hydrants so that the City could have water. They are looking into installing a hydrant on Old Dover Rd by Cotton Woods. Dover will do the installation and we will pay for parts so that we can have another connection there. There is also plan to pave an area for the firetruck to be off the road, for safety. Dover has a sand packed well at Willand Pond. They are upgrading that for water to be pumped to a pump station. Somersworth has a higher water pressure, due to it being at a higher elevation, so we are able to send water to Dover easily. For Dover to send water back to us they would need to pump it to us. We have told Dover we would like to do it, we need to look at our finances. We endorsed a skid steer purchase for the Public Works. We find that it will be helpful for snow removal, small projects and loading capabilities. The TAP Grant was also discussed, actually breaking ground in 2019, given about 120 days to complete the project. It is a little under 1 million dollars to complete that project. We have put out an RFP for project design, engineering update on Constitution Way, Cemetery Rd, and Main St from John Parsons Way to Indigo Hill Rd. Regarding the Stackpole Rd drainage improvement design, one of the approval conditions was for the developer to put in sidewalks and drainage from the Sunningdale Development to Idlehurst Elementary School. There are some drainage issues due to the granite curbing that was put in.

REPORTS OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

Special Committees

Councilor Paradis spoke about Vision 20/20 committee, that they have attended all City of Somersworth local events. There has been some connection with the farm to school people, to help the kids eat more vegetables. Vision 20/20 will be meeting in Council Chambers on September 21, 2017.

Councilor Pepin spoke about the School Board meeting on September 12, 2017. The Superintendent asked the School Board to approve \$100,000 of the non-capital trust fund for persons with disabilities. That was part of their proposal that they were going to use those funds. That fund is going to be heavily used this year, she stated that they have \$83,000 in that line item right now. The School Board decided to wait on the vote.

Councilor Dumont spoke regarding the Parade Committee that they met tonight before the Council meeting. The group is excited to put together a parade this year. Discussions about live televising the parade like surrounding cities. Also, spoke about having a larger ice sculpture and adding to the number of floats

Next Tuesday September 26, 2017 at 5:30 the Joint School Board and City Council Committee will be meeting.

Cultural Commission will get together to talk about Somersworth to Thetford Mines on festival weekend, Ken Houle from Somersworth, has agreed to help and talk about this and get it together.

City Manager's Report



CITY OF SOMERSWORTH *Office of the City Manager*

TO: Mayor Dana S. Hilliard and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, September 15, 2017

SUBJECT: City Manager's Report for Monday, September 18, 2017
City Council Agenda

6:45 p.m. - Public Hearing

Re: Community Revitalization Tax Relief Incentive Application from:

Chinburg Properties - 17 Grand Street (Former Hilltop School)

Lay on the Table (under section 12 of Agenda)

Other

- A. Vote to Place the Following Question on the November 7, 2017 Municipal Election Ballot: Shall we allow the Operation of Keno Games within the City of Somersworth?** I have attached a copy of City Attorney Walter Mitchell's opinion regarding questions raised by Councilors regarding Keno. Also, as you may recall, City Ordinance, Chapter 14A (Pinball and Video Game Machines) may need amendment should the question be passed as a ballot item, as the Ordinance prohibits gambling.

City Council approved public hearing scheduled for October 16, 2017 at 6:30pm without an objection.

New Business (under section 14 of Agenda)

Resolutions

- A. Resolution No. 09-18 To Authorize the City Manager to Purchase a Caterpillar Skid steer for the Department of Public Works which will be Funded by a Lease Purchase Arrangement.** The Finance Committee and the Public Works & Environment Committee met on September 12th and voted to recommend this Skid steer purchase to the full City Council. Attached is a memorandum from Director Mike Bobinsky regarding the purchase of the new Skid steer.

Other

- A. Community Revitalization Tax Relief Incentive Application from Chinburg Property, 17 Grand Street (Former Hilltop School).** Again, the Economic Development Committee met on August 1st and voted to support this application to the full Council by a vote of 3-1.
- B. Vote for Re-adoption of the City of Somersworth Investment Policy.** This is an annual housekeeping action item for the City Council. City Staff supports re-adoption without any amendments. The Finance Committee met on September 12th and recommends re-adoption. Attached is a copy of the City Investment Policy.

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

A. Informational Items.

- 1. Community Charrette – Somersworth Plaza & Main Street. – Somersworth CTC.**
See attached flyer.

Friday, September 22

- 1:30 pm: Government Officials Forum
- 3:30pm: Public Forum (1st time slot)
- 6:30pm: Public Forums (2nd time slot)

Saturday, September 23

- 3:00pm: Results Shared on this Planning Effort

- 2. Reminder - NH DOT Governor's Advisory Commission on Intermodal Transportation (GACIT) Hearings.** There are 2 Hearings that will be taking place in this area:

- Thursday September 28th at 4:00 p.m. at Dover City Hall
- Thursday, September 28th at 7:00 p.m. at Rochester Community Center located at 150 Wakefield St.-Room 1A.

- 3. Memorandum from Chief Keith Hoyle Regarding:**

A. Fire Prevention Grant. The State Fire Marshall's office received a FEMA Fire Prevention Grant to install smoke and CO detectors in residences occupied by elderly and under-privileged children. Somersworth was named one of the communities (as is Dover, New Castle and Rochester. The Fire Marshall's office will train 21 Fire Departments and once trained we will publicize the Program and begin installation. The detectors are all wireless and communicate with each other so there will be no need to run wires or do any drilling.

B. Fire Department Open House. The Fire Department is planning an Open House on Saturday, October 7th from 10:00 a.m. – 2:00 p.m.

B. Attachments.

1. City Attorney Certifications (1) One
2. Department Heard Reports

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Mayoral Nominations –

Lindsey Gagnon nominated for Parade Committee, appointed by Mayor.

Albert Lavalley nominated for the 125th Commission, appointed by Mayor.

LAY ON THE TABLE

Motion made by Councilor Messier, to place the question on the municipal election ballot: "Shall we allow the operation of Keno Games within the City of Somersworth?" be removed from the table, seconded by Councilor McCallion. Motion approved 6-1. The item is removed from the table.

Motion made by Councilor Witham to remove the client/attorney privilege and allow the confidential notice from the City Attorney to be read into permanent record, seconded by Councilor Dumont. All in favor.

Councilor McCallion questioned whether it is allowed considering it is confidential. Councilor Witham said yes it has been allowed in the past.

Councilor Messier asked if it would make more sense to see if there are enough votes to even put the question on the ballot before reading the confidential into public record.

Councilor Witham is interested in transparency for the general public. That is doesn't pertain to personnel, it pertains to questions asked of the Lottery Commission. Had they been able to get the answers we would have had them and they wouldn't have been confidential.

Memo is lifted. Manager Belmore read confidential notice into the permanent record. Memo will be included in file.

Councilor Witham stated he can't support this going on the ballot after seeing the questions answered by the City Attorney. He quoted Councilor Dumont "Money is the driver and not the concern for the human being." He believes gambling leads to addiction with some and habit forming; not the best thing for the human. He votes no.

Councilor Dumont states "Money is the driver, not the concern for the human being." The way it was presented was that it was an opportunity to fulfill the educational program, to support full day Kindergarten in the city. We have been promised \$1100 as a support payment for each student was promised. We would receive that whether we approve KENO in this City or not. Approximately, 8 million dollars was said to be deposited into the state government trust fund. Only 1.8 million of that would be used for education, using numbers from 2015 Census for the number of Kindergarten students in the State. State of NH promised to help contribute to that plan. They committed nothing. There is 4 billion dollars unfunded as we sit today with a promise the State made. The largest portion of the budget is schools; the state has promised and can't deliver. Has no confidence with what the state says. Why should we ask our residents to vote? He feels the vote needs to happen tonight or it's not going on the ballot, not enough time. With all that he has heard, he says he can't support KENO.

Councilor McCallion says this state is “Live free or die.” People are going to other cities to spend their dollars such as Rochester or Dover. Shouldn’t our citizens be able to vote on it? He feels like he can’t deny a business that, he is not for KENO but for giving the option to the business and the people.

Councilor Paradis agrees with Councilor McCallion.

Councilor Sprague stated that people have a right to choose what they want to do. He is for putting it on the ballot. KENO will be at a “bar type” establishment. If people think that gambling is not in NH you are wrong. Put it on the ballot for the citizens to vote. Let the citizens decide.

Councilor Witham doesn’t understand KENO, never bought a scratch ticket to this day. Doesn’t understand the question exactly, concerned that people will not understand it exactly when making a vote. Some will educate themselves and some will not. According, to the NH Lottery Commission, Somersworth has 15 pouring establishments. Councilor Witham states he could not support this.

Councilor Dumont struggles with this he has done a lot of research. Whether it goes on the ballot or not, we will get a piece of the pie no matter what. We receive funds whether we allow it on the ballot or not. If we anticipated what the state has promised we would be in a lot of trouble. The budget is already tight. If you’re going to put in 8 million and only 1.8 million promised for Kindergarten, we are not even getting 50% of the support.

Councilor Paradis states that based on what Councilor Witham said, she understands that clarification in the question is lacking. Question: Is this what every City is doing? Does every City do it this way?

Mayor Hilliard answered the question. The 13 Cities within the state are first because of the municipal elections coming up soon.

Councilor Pepin said he has changed his mind multiple times listening to the conversations of others tonight. He believes this is a chance to let the Citizens make the choice to vote.

Vote to approve placing the question of “Shall we allow the operation of Keno Games within the City of Somersworth?” on the municipal ballot for the November 7th election, passed 5-2 by roll call vote.

Motion made by Councilor Dumont, seconded by Councilor Messier to remove minutes from the August 14, 2017 City Council Meeting from the table, passed 6-1, Councilor Witham votes no.

Brief recess, to allow for the retrieval of the August 14, 2017 City Council meeting minutes for Councilor Witham to review.

Motion made by Councilor Messier, seconded by Councilor Dumont to accept the City Council minutes as presented from the August 14, 2017 meeting, passed unanimously.

August 14, 2017 City Council meeting minutes were adopted.

NEW BUSINESS

Resolutions:

RESOLUTION NO. 09-18 TO AUTHORIZE THE CITY MANAGER TO PURCHASE A CATERPILLAR SKIDSTEER FOR THE DEPARTMENT OF PUBLIC WORKS WHICH WILL BE FUNDED BY A LEASE PURCHASE ARRANGEMENT.

Somersworth, NH
September 18, 2017

WHEREAS, the City of Somersworth's Capital Improvement Plan proposes a replacement schedule for public works equipment to maintain fleet integrity, standardize equipment and reduce maintenance costs, and

WHEREAS, the City of Somersworth's approved FY2017-2018 Budget provides funding for a new compact loader or similar type machine through a lease purchase arrangement, and

WHEREAS, City staff solicited three quotes for a compact loader and recommends purchasing a Caterpillar 242D wheeled Skidsteer for \$65,500 (Sixty Five Thousand Five Hundred dollars), and

WHEREAS, the Finance Committee has reviewed this purchase with staff and supports the recommendation, and

WHEREAS, the Public Works and Environment Committee has reviewed this purchase with staff 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 purchase one (1) new Caterpillar 242D Skidsteer for \$65,500 (Sixty-Five Thousand Five Hundred dollars) which is funded in the approved FY2018 City budget through a lease purchase arrangement, and to take any other action in regards to this purchase deemed to be in the best interests of the City.

Sponsored by Councilors:

David A. Witham
Dale R. Sprague
Martin Pepin

Approved:

City Attorney

Councilor Witham, seconded by Councilor Sprague, made a motion to suspend Council Rules to allow a second read of Resolution 9-18. The motion passed unanimously.

Councilor Witham, seconded by Councilor Paradis, moves for the adoption of Resolution 9-18, Motion passed unanimously, 7-0.

OTHER:

Community Revitalization Tax Relief Incentive Application from:
Chinburg Properties -17 Grand Street (Former Hilltop School)

Councilor Witham states that the school sits in a vacant state and continues to deteriorate. It is doing very little for the area currently. It puts the building back on the tax rolls. He believes that it will help with pedestrian traffic in the downtown area. This project is much like the Somersworth Hotel, a lot of money has to be put into the building, he'd rather see that than in the cities pockets at this point.

Councilor Sprague it's not quite a blighted building like the Somersworth Motel as of yet. He is all for the tax relief. 11 years from now we will see the money. He is more concerned with the "green area" shrinking because of increasing the number of units within the building.

Councilor Dumont agrees with Councilor Sprague and Councilor Witham. Look at Dover what they just took action on with "old/historic" buildings. It sends a nice message and incentive for developers to move into Somersworth.

Councilor Witham clarifies that Councilor Sprague was correct in mentioning the 11 years; 5 years for a quality structure, 2 years for non-subsidized units, and 4 years because the building is on the National list of Historic places. Property is assessed at land only currently. Structure as it sits now has very little value.

Councilor Messier agrees with Councilor Sprague. We should welcome any developers to this area to develop.

Approval of the Community Revitalization Tax Relief Incentive Application for

Chinburg Properties -17 Grand Street (Former Hilltop School), all are in favor.

Vote for Re-adoption of the City of Somersworth Investment Policy

Vote to re-adopt the City of Somersworth Investment Policy, all in favor.
CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Dumont complimented our current code enforcement officer, Jeannie Wood. She does an excellent job. He has received a letter himself and it was handled very nicely. We need help from the legislature regarding specific properties within the City. A specific problem he can think of is a property that has rats and mice in it, he feels it should be condemned. Not just absentee landlords that are the problem. He wants the public to know it's not the staff it's the courts. He would like the Tri-City Coalition to update him. There used to be a report that was sent out before, he would like the reports to resume as to what letters were sent out and why, from the Code Enforcement department.

Councilor McCallion stated that a couple residents have told him how impressed they were with the Indigo Hill Rd project. He attended the Bluegrass Festival and the Indonesian Festival. The volunteers are amazing, but they seem to be the same people over and over. He wants to say thank you and wants other people to volunteer. Sports in the City are doing great all around. Volunteers are needed all around. Volunteered for an hour or so and saw Manager Belmore and Director Bobinsky and their wives helping out. He is very happy to be on the very first committee to approve a 79E application, for the former Hilltop School at the time it was a dream Hilltop School was still a School.

Councilor Messier spoke about the Indonesian Festival he attended and was impressed. 37 Franklin St, would like the building demolished. Speaking about the Tree City he hopes to see that they are maintained and kept up.

Councilor Witham spoke about the vacant Parking Enforcement Officer position, he would support a full time position. As he drives around the City he sees multiple parking violations.

ADJOURNMENT

Councilor Paradis, seconded by Councilor Sprague, made a motion to adjourn. The meeting adjourned at 8:31pm.

Kelly Gagne, Deputy City Clerk

Dana Hilliard, Mayor