

MINUTES OF CITY COUNCIL MEETING

Somersworth, NH
April 16, 2018
7:00 P.M.

The meeting was called to order at 7:00pm by His Honor, the Mayor, Dana S. Hilliard, and upon roll call the following Council members were present: Pepin, Vincent, Dumont, McCallion, Witham, Sprague, Cameron, and Levasseur.

Councilor Levasseur led the Pledge of Allegiance.

MINUTES OF THE PREVIOUS MEETING.

Minutes of the BUDGET WORKSHOP held on March 31, 2018

Councilor Pepin, seconded by Councilor Levasseur, made a motion to accept the minutes. The motion passed unanimously.

Minutes of the BUDGET PRESENTATION held on April 2, 2018

Councilor Levasseur, seconded by Councilor Pepin, made a motion to accept the minutes. The motion passed unanimously.

Minutes of the PUBLIC HEARING on Ordinance 5-18 FY2018-2019 Budget held on April 2, 2018

Councilor Pepin, seconded by Councilor Cameron, made a motion to accept the minutes. The motion passed unanimously.

Minutes of the CITY COUNCIL MEETING held on April 2, 2018

Councilor Levasseur, seconded by Councilor Cameron, made a motion to accept the minutes. The motion passed unanimously.

COMMENTS BY VISITORS

Rad Nichols, Exec Dir of Coast. Based on the good faith efforts of the council to increase our funding, the board will be discussing the elimination of the additional surcharge fee, which would ultimately be contingent on that level of funding or greater. The board will be discussing this on Wednesday and said Thank you.

COMMENTS BY COUNCILORS

None

COMMUNICATIONS

Plaza Commission report & recommendation presented by Peter Michaud

Somersworth Plaza Commission Report to City Council

*Peter Michaud on behalf of the Somersworth Plaza
Commission April 16, 2018*

Purpose:

The Somersworth Plaza Commission was established in October of 2018 in response to recommendations made for the plaza in a Plan NH community charrette in September 2018. Fanned by city government, the commission was tasked to review the concepts and designs offered by Plan NH, explore possible further concepts, and make a final recommendation to City Council before April 30, 2018. The commission is a diverse group that includes elected officials, city employees, the community's chamber of commerce, and citizens of Somersworth including members who serve on city boards, live in the downtown, and own a downtown business. The group represents a diversity of backgrounds and interests but is unified by their passion for Somersworth and their desire to create a rejuvenated city center. The commission's deliberations and discussions were significantly enriched with the city staff's professional knowledge brought to the table by City Manager Bob Belmore, Director of Planning & Community Development Shanna Saunders, and Economic Development Manager Robin Comstock.

Design Options:

Using the Plan NH Charrette as our guide, the commission developed and explored the following options:

- No Build/Status Quo
- Complete Buildout of the Plaza Property with New Construction
- Parking Lot Converted to all Green Space (Plan NH Option)
- Parking Lot Converted to Green Space & a New Building (Plan NH Option)
- Sell the Parking Lot with Restrictions to a Developer
- Smaller Green Space with Smaller Adjacent Parking Lot

Knowing that the City of Somersworth owns the parking lot and the facade of the plaza but does not own the buildings that make up the commercial

units, the commission worked with design options within the city's control and did not explore options that would require property acquisition.

Values:

The commission recognized that the creation of the plaza in the 1960s fractured the downtown into three distinct areas and that future plans should work to create economic synergy by uniting the commercial storefronts around High Street and the south end of Main Street with the plaza store fronts into a cohesive downtown. An important factor in achieving this goal is the need to provide greater connectivity and safety between the three areas for pedestrian traffic. The commission also recognized the importance of other city efforts like the "complete streets" project currently being planned for Main Street as well as the proposed river walk and other green spaces in and adjacent to the downtown core to the success of the plaza commission's goals.

The commission worked with the knowledge that successful downtowns must be attractive to future investors and that the creation of future retail space is often driven by demand. The commission was also cognizant that the project had to be economically feasible and not a burden to the tax payers. Along with the above information, the commission evaluated the impact of each design with the following values:

- Community Support for the Option
- Public Benefit/Value to the City
- Ability to Create a Vibrant Downtown
- Physical Impacts to the City
- Costs to the City
- Tax Rate Benefit
- Environmental Impacts
- Parking & Traffic Impacts
- Impacts on Local Business

Recommended Option:

The commission developed a matrix to organize and capture our discussion. Once each design option and how it reflected the values above was discussed, the commission went back through each option to further review its merits and liabilities. Some options like "No Build/Status Quo" did not compare favorably with the above values and were easy to remove from further discussion. Most other options required significant debate. The process captured in our meeting minutes and matrix reflects a

continued development of consensus as the committee members worked with each other to develop a feasible plan.

The Somersworth Plaza Commission is recommending that the city explore developing the plaza parking lot into a green space with an adjacent commercial building. This option had the majority of community support during the Plan NH Charrette process and continued to be popular as commission members individually discussed our work with the community in informal conversations.

The commission recommends that the proposed green space can create pedestrian friendly connections between the three areas of downtown and an adjacent mixed use building would aid the use and security of that space. The relatively level park is proposed as a public open air meeting space for the community adjacent to city hall with the ability to support existing downtown festivals as well as other community initiatives like pop up markets and events. The park could also connect to the river walk initiative and provide greater connectivity to other green spaces in town.

The Plan NH Charrette shows that parking can be redistributed along Government Way, John Parsons Drive, and the area of Main Street in front of the Plaza to retain all but seven spaces of parking currently provided by the existing lot. Parking can be further augmented with careful planning as the design for the "complete streets" transformation of Main Street moves forward.

The associated building, constructed by a private developer as part of a public/private partnership, will bring some additional retail space to the city center but will also bring market rate apartments to the downtown core that will augment the existing affordable housing options. Sale of the property, which will then contribute to the community's tax base, should help offset or fund creation of the adjacent green space.

Further Recommendations:

As part of our discussion of our preferred option, the commission discussed details on the building design. These are provided below as suggested options the city council might consider as they move forward with developing an RFP and in their negotiations with a future developer.

- Future plans for the plaza must account for snow parking currently accommodated in the plaza parking lot.
- The building should be developed on the corner Parsons Drive, Main Street, and Government Way. Its design should retain visibility of the plaza storefronts from Main Street.

- The city should exercise flexibility in its parking regulations and designs for the new building.
- Work on the plaza parking lot should augment the downtown as a welcoming place for pedestrians, bicycles, and motor vehicles.
- The proposed new building should be a private/public partnership and its construction should be guided by the following values:
 - The future developer and the city should work together on a design for the property and future parking that will benefit community revitalization and quality of life/livability.
 - Mixed use (residential and commercial) that encourages the use of the proposed adjacent green space.
 - Market rate housing.
 - The new building's design should recognize that all elevations will be in public view. HVAC and other utilities should be disguised or sensitively incorporated into the building.
 - If the adjacent green space is developed by a private developer, protections should be placed to insure it remains open to the public.

Mayor Hilliard sent the report to the Economic Development Committee for further review.

Fire Station recommendation from the Public Safety Committee

Councilor Pepin reported that the Public Safety Committee has reviewed the feasibility studies, to replace the fire station. They have looked at relocating the fire station in the downtown area; they have looked at property locations. They have resolved that there is not a suitable location in the down town area. There is also more pedestrians and traffic congestion in the down town.

The recommendation of the Public Safety Committee is that the fire station stay at its current location.

Based on the charts presented by Fire Chief Hoyle on response areas and response times, the station is at a good location.

They are now at the point of hiring architects and engineers. They suggest getting an engineer on board as soon as possible. The project could be bonded so it would not affect the tax payers.

City Manager Belmore said that the Public Safety Committee voted to move forward with new construction of a fire station at the present site. The Committee asked staff for a timeline that would make sense for timing new debt obligations and a replacement scenario for the debt of the Police Station Bond. There is information in the packet on the projection of a 4 million dollar bond. Final payment is due in August of 2020.

Hire consultant team to develop a transition of operations plan and conceptual design with an early projected cost for a new facility.

Councilor Sprague asked before spending money on architects, is all of the council on board with this idea? What other options have been vetted out? There is a strip of land that the City owns, next to the Public Works Department. A developer has purchased land on Willand Drive. Has he been talked to about continuing the road through there. It would definitely be better if that was a through road to reach any part of the city.

Mayor Hilliard stated that there was a Fire Station Commission that was formed by him, which did an in-depth study with multiple options. They were charged with coming forward with one option which was presented to council. It was then forwarded to the Public Safety Committee to do an examination of multiple options, including the final recommendation from the Fire Commission. We are not married to any of the recommendations from any of the reports. Now is the time to start thinking which direction to go.

Councilor Sprague said he thinks the landscape has changed in the past few months. The center of our city is where we look for fire and police. If there was a cut through road there at Willand Drive, that option should get vetted out, as well.

Councilor Pepin said, make it clear, that is the recommendation from Public Safety. Council can vote for something different. The Committee thought it this was the best decision for the tax payers. The City owns the property and don't have to demo other buildings.

Councilor Witham said this is not a debate about the need for a new facility. It's not a good facility, structurally, functionally, or safety. He appreciates the committee taking a closer look at putting the fire station downtown. He has driven the downtown, and cannot find a site himself. The issues of a downtown fire station have been vetted quite well by the committee. The area of the city that they are currently at makes sense from a response prospective

The area of the city near the Police Department and Public works, functionally maintains the same vicinity of the city for response times. Logistically, rebuilding on the same site seems difficult. Which also means there is a cost associated with it; is there temporary housing for them to level and build new.

We are not at the architect phase yet, but a consultant to look at the cost and process of rebuilding on the same site and to look at other sites. We have 3 years before the Police Station bond expires. The pieces will begin to fall in place.

Councilor McCallion said it looks like some consolidation could happen. He supports look at it with a consultant. It would be tough to construct a new building at the location of the old building. Doesn't hurt to hire a consultant and find out.

Councilor Dumont said he supports getting a consultant at this stage. He thanked the committee. They know the business. They are retired firefighters. A consultant will bring new and different ideas, before we commit.

Councilor Cameron said she supports a consultant. The Committee did what they were tasked to do, and they presented the best possible solution.

Councilor Pepin stated that none of the members of the Committee are engineers. They didn't have the finances to hire a consultant or engineer. They felt there was a need for a consultant.

Mayor Hilliard said a consultant would do the required work and present a finalized recommendation, and council would make a decision. He request the legislation be drafted for next meeting.

Councilor Pepin asked where the funding would come from for cost of the consultant.

City Manager Belmore said there is nothing in the budget at this time, but they would be able to plug it into the budget or fund balance.

Councilor Witham said they could add a line to the budget. The good news is that we have the Fire Station committee and then the Public Safety committee reports, the Consultant can lean on those findings. A fair amount of important work has been done already.

Councilor Sprague said that when he heard the recommendation to hire an architect, he was assuming that all were on board with taking the site they are on now, and there were no other option. He believes another site would be the best option. There is a reason that we put the PD down there.

Letter of Resignation from Pius C. Murray, Board of Library Trustees

The Clerk read the letter of resignation from Pius C. Murray. The letter is accepted and placed on file.

Mayor Hilliard stated on behalf of the City of Somersworth, we thank Pius for his unwavering dedication to our community.

Letter of Resignation from Denis Messier, City Councilor, Ward 5

The Clerk read the letter of resignation from Denis Messier. The letter is accepted and placed on file.

Mayor Hilliard stated on behalf of the City of Somersworth and the City Council, we want to thank Denis for his service. Denis was a dedicated and proud council member, not only serving the residents of ward 5, but all of the residents of Somersworth. He will surely be missed with insight and his opinions.

PRESENTATION OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE

None

MAYOR'S REPORT

Mayors Report for City Council Meeting April 16th, 2018

- A highly attended and engaging inaugural meeting of the Tri-City Mayors task force on Homelessness took place last week. The objective of the task force is to create and submit a master plan for approval to the Tri-City City Councils on a regional approach, at long term sustainable approaches to addressing homelessness. The task force is comprised of high diversity talents, and I have no doubt will continue to model how through collaboration solutions to even some of the most overcoming issues, can be reached.
- Commitment to oneself and personal wellness was on display and demonstrated at the annual Hilltoppers Wellness fair. Participants were guided on goal setting and healthy life choices. I enjoyed the variety of vendors and conservations I was able to partake in with all of the participants. As noted by the main message throughout fair, it is never too late to start a fitness or wellness program.
- Somersworth commitment to diversity and celebrating each other continues to be honored at Citizens Place. Recent flag raisings have included; The Public Library for National Library and the flag of Israel in honor of Israeli Independence Day. The month of May will be quite active as several founding Ethnic groups and civic organizations are afforded their turn at the pole.
- Special thanks to all participants who attended Saturdays Mayor community forum, the discussions and ideas are also insightful and fully engaging.
- The next Mayors Community forum will take place Saturday May 12th from 9:00 – 10:30 at City Hall. Including in this forum will be Ward 4 City Councilor Jonathan McCallion and Ward 4 School Board member Kyla Yoder. The purpose of the forums are to foster dialog and ideas, in a non-formal setting to continue to move our community forward. All members of the community are welcome to attend any forums.
- Please join SYC & the City of Somersworth and I, for the 10th Annual Somersworth Community Cleanup Day scheduled for Saturday May 5th. Come out and show the Hilltopper Blue Spirit as we come together to celebrate and take pride in our community! The clean-up day will kick off at Idlehurst starting at 7:30am as well as at other designated neighborhood locations; Noble Pines, Flanagan Center, Ward 5 Playground and the Willand Pond area on the High Street Somersworth side. These locations are all designated as specific areas one can go to from 7:30-9:30am, to pick up trash bags, gloves and a map of streets before heading out on to various streets and neighborhoods. All volunteers receive a free t-shirt!

Once areas are cleaned up we will all meet back at Idlehurst at 12:00 for the celebration. There will be free lunch for all of the volunteers, music, demonstrations, displays & information for families and residents as well as some awesome raffle prizes!

Special highlights will include touch a truck display representing all city services, Waste Management and plenty of local construction vehicles. The State Police will be on hand with a canine demonstration and then from 1:00-2:00pm the Police Department will conduct their Bike Safety & Education Course Challenge & Bike Checks for grade K-8. Please bring your bike to participate. For more info or to register please contact Maureen Jackman at the Middle School.

- I had the honor of representing our great Hilltop City and our commitment to diversity and celebrating each other at the recent Victory Fund Brunch in Washington DC. With pride I was able to communicate with many who were in attendance how our 10 square mile community continues to be “On the Move!” with understanding, tolerance, and inclusion.

Nominations, Appointments and Elections:

Under nominations, appointments and Elections; In accordance with Council Rule 17 Appointments, the follow are before the Council this evening for a confirmation vote.

- Shanna Saunders Re-appointment as a member of the MPO Technical Advisory Committee with a term to expire on January 2020
- Michael Bobinsky Re-appointment as a member of the MPO Technical Advisory Committee with a term to expire on January 2020

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

- Shanna Saunders appointment as the Somersworth representative to NH Southeast Watershed Alliance with a term to expire on May 2021
- Paul Robidas re-appointment as a member of the Planning Board with a term to expire on April 2021
- Coty Donohue from an Alternate member to a full member of the Zoning Board of Adjustment with a term to expire on February 2021

This respectfully concludes my April 16th, 2018 Mayors Report

REPORTS OF STANDING COMMITTEES

Government Operations – Councilor Dumont reported that the committee met on April 11. They discussed the consent calendar, ward boundaries alignment, and the City Manager’s evaluation process.

City Manager Belmore stated that there is a redline report of the proposed changes to Council Rules and Regulations. This will be under New Business: Other for the next meeting.

Public Safety Councilor Pepin reported that the committee discussed the bonding of the fire station

REPORTS OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

Special Committees

Joint Commission of the City Council/School Board met on April 10th. There was strong discussion about Maplewood School and implementing the safety recommendations. Grant Money is available. They have been awarded \$100,000. However more money is needed to move forward. They discussed about the mega bonding.

He stated that he was pleased to hear from the chairman of school board, that they have determined the cause of the shortfall, and they have been able to find the money in this year’s budget. They will be reporting to Council in May.

School Board Councilor Pepin reported that there was a light agenda. They took open comments from public. There was lots of conversation about Maplewood and Idlehurst. Prices of school lunches went up 10cents.

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, April 13, 2018

**SUBJECT: City Manager's Report for Monday April 16, 2018
City Council Agenda**

*6:15 p.m. Non-meeting
Re: Labor Union Negotiations*

*6:45 p.m. Public Hearings
Ordinance No. 6-18, Ordinance No. 7-18, Ordinance No. 8-18 & Resolution No. 28-18*

Communications (under section 6 of Agenda)

- A. Plaza Commission Report & Recommendation presented by Peter Michaud**
- B. Fire Station Recommendation from the Public Safety Committee.** Attached are summary reports that outline the Committee's recommendation to move forward with building a new fire station facility.

Lay on the Table (under section 12 of Agenda)

Ordinances

- A. Ordinance 5-18: FY2018-2019 Budget.** Attached is a memorandum from Finance Director Scott Smith, as well as the following information:
 - Ordinance No. 5-18 as amended
 - Amendments passed by Council to the Ordinance
 - An update on the projected tax rate increase & tax cap compliance

Unfinished Business (under section 13 of Agenda)

Ordinances

- A. Ordinance 6-18: Amending Chapter 4, Personnel Rules & Regulations, Appendix 1, Assignment of Class to Grade (Covering Classes Classified as Exempt Under the Fair Labor Standards Act) Police Lieutenant Labor Grade and Police Captain Labor Grade.** Again, the Government Operations Committee met on March 14th and voted to recommend this language change to Chapter 4.
- B. Ordinance 7-18: Amending Chapter 4, Personnel Rules & Regulations, Section 11, Wages and Benefits, by Adding Section 11.4.6, Meal Allowance.**

Again, the Government Operations Committee met on March 14th and voted to recommend this language change to Chapter 4.

- C. Ordinance 8-18: Supplemental Appropriation for Technology Improvements at Various Somersworth Schools.** Attached is a copy of a Memorandum from Interim School Superintendent Lori Lane. Again, the Finance Committee voted at their March 13th meeting to support this expenditure. As of April 11, 2018 there is \$320,499 in this account.

Resolutions

- A. Resolution 26-18: To Authorize the City Manager To Use Funding From The Building Maintenance Fund To Repair The Exterior Steps At The Somersworth Public Library.** Again, the Finance Committee met on March 13th and voted to support expending funds from this Capital Reserve to complete the needed repairs to the exterior front steps. As of 12/31/2017 there is \$98,877 in this account.
- B. Resolution 27-18: To Authorize The City Manager To Use Funding From The Building Maintenance Fund For Roof Repair At The Former Somersworth City Municipal Office Building Currently Leased By The Somersworth Historical Society.** Again, the Finance Committee met on March 13th and voted to support this needed roof repair with funding from this Capital Reserve account.
- C. Resolution 28-18: Change The Purpose Of The Hilltop Rehabilitation Capital Reserve Fund In Accordance With RSA 34:11 And Establish A Capital Reserve Fund For The Purpose Of Improvements, Reconstruction Or Rehabilitation Of City Parks And City Park Facilities.** Again, the Finance Committee and Recreation Committee recommended the establishment of a Capital Reserve Fund. As of 12/31/2017 there is \$24,683 in this account.
- D. Resolution 29-18: To Authorize the School Department to Utilize the Cable Franchise Fee Fund to Complete Technology Improvements in Somersworth Schools.**

New Business (under section 14 of Agenda)

Ordinances

- A. Ordinance 9-18: Amending Chapter 19, Zoning Ordinance, Section 25, Definitions, and Adding New Section 19.24, Accessory Dwelling Units.** The Planning Board held a Public Hearing on February 21st and voted to forward this Amendment to the City's Zoning Ordinance for City Council review and adoption. Director Saunders has provided an overview of this proposed zoning amendment. I recommend a Public Hearing prior to the next regular Council meeting on May 7th at 6:45 p.m.

Scheduled without objection from Council.

Resolutions

- A. Resolution No. 30-18: To Authorize the City Manager to Contract with CMA Engineers of Portsmouth, NH for Engineering Services Associated with the Transportation Alternative Program (TAP) Grant.** The Finance Committee met on March 14th and recommended moving forward with CMA Engineers. The NH Department of Transportation has approved this proposed Contract. Attach is a copy of their approval notification and other contract information.
- B. Resolution 31-18: To Authorize the School Department to Utilize Funds from an Eversource Energy Efficiency Rebate to Contract with Eckhardt and Johnson of Manchester, NH to Replace an HVAC Unit at the High School.** The Finance Committee met on March 30th and voted to support this Resolution. The School received a \$75,000 energy incentive rebate from Eversource when the Idlehurst School was built and the school department is requesting to use a portion of this rebate. The consensus was to add a 5% project contingency, bringing the total requested project amount to \$41,627. Attached is a copy of a Memorandum from Interim Superintendent Lori Lane that was provided to the Finance Committee which outlines the five (5) company bids received.
- C. Resolution 32-18: To Authorize the City Manager to enter into a 5-Year Contract with Resource Management Inc. (RMI) of Holderness, NH for Disposal of Water Treatment Facility Lagoon Sludge Material.** The Finance Committee voted to support this Contract with RMI at their March 30th meeting. Attached is a summary provided by Public Works Director Mike Bobinsky and a copy of the RMI proposal.

Other

- A. Discuss the Zoning Board of Adjustment Denial of Council's Request for a Rehearing on a Variance Granted for Property at 20 Green Street.** Attached is a copy of the notification that the Zoning Board of Adjustment voted to deny the Council's request for a rehearing at their April 4th meeting. As spelled out in the City Attorney's email to me, the Council has 30 days from the date of the vote to appeal to Superior Court – May 3rd is the deadline.

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

A. Informational Items.

1. Funding Opportunities.

- **Major Disaster Declaration for Snow Assistance.** As you will read in the attached information, the City has filed a preliminary eligible

reimbursement request of \$58,500 for costs associated with the snow removal efforts for the March 15-16th storm event. This is in response to the possible public assistance funding notice we received from the NH Department of Safety.

- **Liberty Mutual Foundation.** Attached is a letter of request that the City submitted to request \$5,000 from the Liberty Mutual Foundation towards improvements at the Millennium Softball Field Park.

2. **Malley Farm.** The City's brush & leaf drop off facility is now open. It is located off Centre Road in the Malley Farm Industrial Park (off Main Street). Hours: Monday-Friday, 7:30 a.m. – 2:30 p.m. Saturday-Sunday, 8:00 a.m. – 6:00 p.m.

3. City Sponsored Events.

- **Spirit-Up Somersworth.** May 5th from 7:30 a.m. to 1:30 p.m. 11th Annual "Spirit Up" Somersworth Community wide clean-up day in collaboration with the Somersworth Youth Connection.
- **Hazardous Household Hazardous Waste Collection.** May 5th from 8:30 a.m. to 12:30 p.m., Turnkey Landfill, 90 Rochester Neck Road, Rochester; this is a regional event coordinated by the City of Rochester with surrounding communities.

B. Attachments.

1. City Attorney Certifications Four (4)
2. Department Head Reports
3. City Charter – City Council Vacancy, Section 3.2
4. City Manager Memorandum – Council Rules Amendments' Recommendation from Government Operations Committee
5. **Confidential** Attorney/Client Privileged Legal Opinion (Mayor & Council Only- Under Separate Cover)

Coming up

- **Somersworth Festival Association Spring Craft Fair.** May 5th from 9:00 a.m. to 3:00 p.m. at the High School
- **Chamber of Commerce Annual Awards Dinner.** Friday, May 11th, Spring Hill Event Center South Berwick, ME from 5:30 p.m. – 9:00 p.m.

11. NOMINATIONS, APPOINTMENTS AND ELECTIONS

Will Require Council Confirmation Vote:

Shanna Saunders, as the City representative to the NH Southeast Watershed Alliance, with a term to expire in May 2021

This appointment will remain on the table until the May 7th City Council Meeting.

Paul Robidas, re-appointment as a Member of the Planning Board, with a term to expire April 2021

This appointment will remain on the table until the May 7th City Council Meeting.

Coty Donohue, from an Alternate Member to a Full Member of the Zoning Board of Adjustment, with term to expire in February 2021

Councilor Witham, seconded by Councilor Dumont made a motion to suspend Council rules to vote in this appointment this evening. All were in favor.

Councilor Witham, seconded by Councilor Levasseur, made a motion to approve the nomination. All were in favor.

12. LAY ON THE TABLE

For Council Confirmation Vote:

Shanna Saunders, re-appointment as a Member to the MPO Technical Advisory Committee, with a term to expire in January 2020


Councilor Witham, seconded by Councilor Levasseur, made a motion to approve the nomination. All were in favor.

Michael Bobinsky, re-appointment as an Alternate to the MPO Technical Advisory Committee, with a term to expire in January 2020 **Witham/Levasseur**

Councilor Witham, seconded by Councilor Levasseur, made a motion to approve the nomination. All were in favor.

Ordinance No. 5-18 FY2018-2019 Budget

Councilor Witham, seconded by Councilor Levasseur made a motion to remove Ordinance 5-18 from the table, 8-0.

	City of Somersworth – Ordinance Ordinance No: 5-18 FY2018-2019 BUDGET
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April 2, 2018

<u>DEPARTMENT</u>	<u>ADOPTED BUDGET</u>
<u>GENERAL FUND</u>	
Elected Leadership	\$135,392
City Management	489,501
Finance and Administration	1,211,398
Development Services	1,074,062
Police	3,991,148
Fire	2,157,161
Public Works	2,860,945
Other Expenses	1,332,916
Capital Outlay	75,732
Intergovt Assessments - County	2,449,659
School Department	25,726,590
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TOTAL GENERAL FUND	41,504,504
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<u>ENTERPRISE FUNDS</u>	
Wastewater Department	2,265,608
Water Department	2,098,088
Solid Waste	411,400
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TOTAL ENTERPRISE FUNDS	4,775,096
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<u>SPECIAL REVENUE FUND</u>	
Cable Fund	56,012
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TOTAL FY 2018-2019 APPROPRIATION	\$46,335,612
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This ordinance shall take effect upon its passage.	

Authorization	
<i>Sponsored by:</i> Mayor Dana S. Hilliard, by request	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 5-18			
History			
First Read Date:	04/02/2018	Tabled:	04/02/2018
Public Hearing:	04/02/2018	Removed From Table:	04/16/2018
Second Read:	04/02/2018		
Discussion			

C-8, Councilor Witham, seconded by Councilor Vincent, made a motion to decrease Lydia's House of Hope by \$6000 for a total of \$0.

There was discussion that Lydia's House of Hope was recently approved as a nonprofit and is now tax exempt.

Passed 8-0.

C-8, Councilor Cameron, seconded by Councilor Vincent, made a motion to increase funding to Somersworth Youth Connection by \$3000, for a total of \$6000.

There was discussion that this is more than SYC originally requested.

Motion was defeated.

C-8, Councilor Dumont, seconded by Councilor Levasseur, made a motion to increase funding to Somersworth Youth Connection by \$2000, for a total of \$5000.

Passed 8-0.

C-8, Councilor Dumont, seconded by Councilor Vincent, made a motion to decrease funding to Cornerstone VNA by \$2500, for a total of \$5000.

Councilor Sprague asked what the rationale was.

Councilor Dumont stated that they receive substantial funding from medicare. We don't fund anyone else up to that level and it seems to be high for the number of Somersworth people who use their services.

Passed, 7-1.

C-8, Councilor Pepin, seconded by Councilor Cameron, made a motion to increase funding to Community Food Pantry by \$500 for a total of \$2500.


Passed 7-1.

Councilor Witham, seconded by Councilor Sprague, made a motion to approve Ordinance 5-18. Passed by RC Vote 7-1, with McCallion opposed.

Voting Record			YES	NO
Ward 1 Councilor	Pepin	*	X	
Ward 2 Councilor	Vincent		X	
Ward 3 Councilor	Dumont		X	
Ward 4 Councilor	McCallion			X
Ward 5 Councilor	Messier			
At Large Councilor	Witham		X	
At Large Councilor	Sprague		X	
At Large Councilor	Cameron		X	
At Large Councilor	Levasseur		X	
TOTAL VOTES:			7	1
On 04/16/2018 Ordinance 5-18			PASSED	

UNFINISHED BUSINESS

Ordinances:

	City of Somersworth – Ordinance
	Ordinance No: 6-18 AMENDING CHAPTER 4, PERSONNEL RULES & REGULATIONS, APPENDIX 1, ASSIGNMENT OF CLASS TO GRADE (COVERING CLASSES CLASSIFIED AS EXEMPT UNDER THE FAIR LABOR STANDARDS ACT) POLICE LIEUTENANT LABOR GRADE AND POLICE CAPTAIN LABOR GRADE

April 2, 2018

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:

Change Police Lieutenant to Grade 28.

Change Police Captain to Grade 29.

This ordinance change shall take effect upon passage.

<i>Sponsored by Councilors:</i> Martin P. Dumont, Sr. David A. Witham Nancie Cameron Edward Levasseur	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 6-18

History

First Read Date:	04/02/2018	Tabled:	NA
Public Hearing:	04/16/2018	Removed From Table:	NA
Second Read:	04/16/2018		


Action

Councilor Witham moved for adoption, seconded by Councilor Sprague.

Discussion

Councilor Witham stated that he supports this. It doesn't get us where we need to be, but puts us in the right direction.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont *	X	
Ward 4 Councilor	McCallion	X	
Ward 5 Councilor	Messier		
At Large Councilor	Witham	X	
At Large Councilor	Sprague	X	
At Large Councilor	Cameron	X	
At Large Councilor	Levasseur	X	
TOTAL VOTES:		8	
On 04/16/2018 Ordinance 6-18		PASSED	

	City of Somersworth – Ordinance
	<p>Ordinance No: 7-18</p> <p>AMENDING CHAPTER 4, PERSONNEL RULES & REGULATIONS, SECTION 11. WAGES AND BENEFITS, BY ADDING SECTION 11.4.6, MEAL ALLOWANCE</p>

April 2, 2018

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, Section 11. Wages and Benefits, as follows:

Add 11.4.6 Meal Allowance.

During each twelve (12) consecutive hours of work in an emergency, employees shall be eligible for a meal allowance of up to ten dollars (\$10.00). Employees must submit a meal purchase receipt(s) to receive the meal allowance reimbursement.

This ordinance change shall take effect upon passage.

Authorization	
<p><i>Sponsored by Councilors:</i></p> <p>Martin P. Dumont Sr. Nancie Cameron Edward Levasseur</p>	<p><i>Approved:</i></p> <p>City Attorney</p>

City of Somersworth – Ordinance 7-18

History


First Read Date:	04/02/2018	Tabled:	NA
Public Hearing:	04/16/2018	Removed From Table:	NA
Second Read:	04/16/2018		

Action

Councilor Witham moved for adoption, seconded by Councilor Levasseur.

Discussion

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont *	X	
Ward 4 Councilor	McCallion	X	
Ward 5 Councilor	Messier		
At Large Councilor	Witham	X	
At Large Councilor	Sprague	X	
At Large Councilor	Cameron	X	
At Large Councilor	Levasseur	X	
TOTAL VOTES:		8	
On 04/16/2018 Ordinance 7-18		PASSED	

	City of Somersworth – Ordinance	
	Ordinance No: 8-18	SUPPLEMENTAL APPROPRIATION FOR TECHNOLOGY IMPROVEMENTS AT VARIOUS SOMERSWORTH SCHOOLS

April 2, 2018

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 17-18 is amended as follows:

Appropriate \$177,644 from the Cable Fund budget as follows:

Original Budget	Amendment	Revised Budget
\$ 60,107	\$ 177,644	\$ 237,751

Approved as to Funding:

Scott A. Smith
Director of Finance and Administration

Recorded by:

Trish Harris
City Clerk

Background:

This ordinance appropriates funding for technology improvements at Idlehurst Elementary, Maplewood Elementary, and the Somersworth Middle School.

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.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Martin Pepin Martin P. Dumont, Sr.	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 8-18

History

First Read Date:	04/02/2018	Tabled:	NA
Public Hearing:	04/16/2018	Removed From Table:	NA
Second Read:	04/16/2018		

Action


Councilor Pepin moved for adoption, seconded by Councilor Vincent.

Discussion

Councilor Witham asked if the E-rate reimbursement goes back into cable franchise.
City Manager said, yes.

Voting Record	requires 2/3 vote	YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	X	
Ward 4 Councilor	McCallion	X	
Ward 5 Councilor	Messier		
At Large Councilor	Witham *	X	
At Large Councilor	Sprague	X	
At Large Councilor	Cameron	X	
At Large Councilor	Levasseur	X	
TOTAL VOTES:		8	
On 04/16/2018 Ordinance 8-18 PASSED			

RESOLUTIONS

	City of Somersworth – Resolution
	Resolution No: 26-18 TO AUTHORIZE THE CITY MANAGER TO USE FUNDING FROM THE BUILDING MAINTENANCE FUND TO REPAIR THE EXTERIOR STEPS AT THE SOMERSWORTH PUBLIC LIBRARY

April 2, 2018

WHEREAS, the City Council adopted Resolution No. 23-12 to create a non-capital reserve fund known as the Building Maintenance Fund for the purpose of unanticipated and/or unplanned maintenance for city and school facilities, and

WHEREAS, the exterior steps at the Somersworth Public Library have shifted causing significant cracking and buckling leaving them unusable until repairs can be made, and

WHEREAS, the total cost for repair, including contingency, is estimated at \$9,840 (Nine Thousand Eight Hundred Forty dollars), and

WHEREAS, the City Council intends to utilize funds from the Building Maintenance Fund for the cost of the repair, and

WHEREAS, the City Council is designated as agents to expend these funds,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to utilize an amount not to exceed \$9,840 (Nine Thousand Eight Hundred Forty dollars) from the Building Maintenance Fund to repair the exterior steps at the Somersworth Public Library, and to take any and all other such actions relative to this project determined to be in the best interest of the City.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Martin Pepin Martin P. Dumont, Sr.	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 26-18

History


First Read Date:	04/02/2018	Tabled:	NA
Public Hearing:	04/16/2018	Removed From Table:	NA
Second Read:	04/16/2018		

Action

Councilor Levasseur moved for adoption, seconded by Councilor Cameron.

Discussion

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	X	
Ward 4 Councilor	McCallion	X	
Ward 5 Councilor	Messier		
At Large Councilor	Witham *	X	
At Large Councilor	Sprague	X	
At Large Councilor	Cameron	X	
At Large Councilor	Levasseur	X	
TOTAL VOTES:			
On 04/16/2018 Resolution 26-18		PASSED	

	City of Somersworth – Resolution
	Resolution No: 27-18 TO AUTHORIZE THE CITY MANAGER TO USE FUNDING FROM THE BUILDING MAINTENANCE FUND FOR ROOF REPAIR AT THE FORMER SOMERSWORTH CITY MUNICIPAL OFFICE BUILDING CURRENTLY LEASED BY THE SOMERSWORTH HISTORICAL SOCIETY

April 2, 2018

WHEREAS, the City Council adopted Resolution No. 23-12 to create a non-capital reserve fund known as the Building Maintenance Fund for the purpose of unanticipated and/or unplanned maintenance for city and school facilities, and

WHEREAS, the City has been notified that portions of the roof at the former Somersworth City Building is failing and in need of immediate repair, and

WHEREAS, the total cost for repair, including contingency, is estimated at \$7,980 (Seven Thousand Nine Hundred Eighty dollars), and

WHEREAS, the facility is currently in use by the Somersworth Historical Society and they have contributed \$2,000 (Two Thousand dollars) toward the cost of the repair, and

WHEREAS, the City Council intends to utilize an amount not to exceed \$5,980 (Five Thousand Nine Hundred Eighty dollars) from the Building Maintenance Fund toward the cost of the repair, and

WHEREAS, the City Council is designated as agents to expend these funds,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to utilize an amount not to exceed of \$5,980 (Five Thousand Nine Hundred Eighty dollars) from the Building Maintenance Fund toward the cost of roof repair at the former Somersworth City Building, and to take any and all other such actions relative to this project determined to be in the best interest of the City.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Martin Pepin Martin P. Dumont, Sr.	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 27-18

History


First Read Date:	04/02/2018	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	04/16/2018		

Action

Councilor Levasseur moved for adoption, seconded by Councilor Cameron

Discussion

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	X	
Ward 4 Councilor	McCallion	X	
Ward 5 Councilor	Messier		
At Large Councilor	Witham *	X	
At Large Councilor	Sprague	X	
At Large Councilor	Cameron	X	
At Large Councilor	Levasseur	X	
TOTAL VOTES:		8	
On 04/16/2018 Resolution 27-18		PASSED	

	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="background-color: #d3d3d3; text-align: center; padding: 5px;">City of Somersworth – Resolution</th> </tr> <tr> <td style="width: 20%; padding: 5px;">Resolution No:</td> <td style="padding: 5px;">28-18</td> </tr> <tr> <td colspan="2" style="padding: 5px;">CHANGE THE PURPOSE OF THE HILLTOP REHABILITATION CAPITAL RESERVE FUND IN ACCORDANCE WITH RSA 34:11 AND ESTABLISH A CAPITAL RESERVE FUND FOR THE PURPOSE OF IMPROVEMENTS, RECONSTRUCTION OR REHABILITATION OF CITY PARKS AND CITY PARK FACILITIES</td> </tr> </table>	City of Somersworth – Resolution		Resolution No:	28-18	CHANGE THE PURPOSE OF THE HILLTOP REHABILITATION CAPITAL RESERVE FUND IN ACCORDANCE WITH RSA 34:11 AND ESTABLISH A CAPITAL RESERVE FUND FOR THE PURPOSE OF IMPROVEMENTS, RECONSTRUCTION OR REHABILITATION OF CITY PARKS AND CITY PARK FACILITIES	
City of Somersworth – Resolution							
Resolution No:	28-18						
CHANGE THE PURPOSE OF THE HILLTOP REHABILITATION CAPITAL RESERVE FUND IN ACCORDANCE WITH RSA 34:11 AND ESTABLISH A CAPITAL RESERVE FUND FOR THE PURPOSE OF IMPROVEMENTS, RECONSTRUCTION OR REHABILITATION OF CITY PARKS AND CITY PARK FACILITIES							

April 2, 2018

WHEREAS, the City Council adopted Resolution 12-13 to establish a capital reserve fund for the purpose of reconstruction or rehabilitation of the Hilltop School property, and

WHEREAS, RSA 34:11 permits the purpose for which a capital reserve fund is established be changed by a favorable vote of $\frac{3}{4}$ of all members of the City Council,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the purpose of the Hilltop Rehabilitation Capital Reserve Fund shall be changed in accordance with RSA 34:11 for the purpose of Improvements, Reconstruction or Rehabilitation of City Parks and City Park Facilities, and

BE IT FURTHER RESOLVED THAT future contributions to that fund shall come from the operating budget or other appropriate funding sources and further that the agents designated to expend these funds are established as follows:

- The Finance Committee of the City Council in an amount not to exceed \$25,000. in accordance with the spending limit established by City Ordinance; and
- The City Council for any amount over \$25,000.

Note: RSA 34:11 requires a public hearing and also requires a $\frac{3}{4}$ majority vote of all members of the City Council to change the purpose of a capital reserve fund.

Authorization	
<i>Sponsored by Councilors:</i> Martin Pepin Kenneth S. Vincent Martin P Dumont, Sr. Jonathan McCallion Denis Messier David A. Witham Dale R. Sprague Nancie Cameron Edward Levasseur	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 28-18

History


First Read Date:	04/02/2018	Tabled:	NA
Public Hearing:	04/16/2018	Removed From Table:	NA
Second Read:	04/16/2018		

Action

Councilor McCallion moved for adoption, seconded by Councilor Vincent.

Discussion

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	X	
Ward 4 Councilor	McCallion	X	
Ward 5 Councilor	Messier		
At Large Councilor	Witham	X	
At Large Councilor	Sprague	X	
At Large Councilor	Cameron	X	
At Large Councilor	Levasseur	X	
TOTAL VOTES:		8	
On 04/16/2018 Resolution 28-18		PASSED	

	City of Somersworth – Resolution
	Resolution No: 29-18 TO AUTHORIZE THE SCHOOL DEPARTMENT TO UTILIZE THE CABLE FRANCHISE FUND TO COMPLETE TECHNOLOGY IMPROVEMENTS IN SOMERSWORTH SCHOOLS

April 2, 2018

WHEREAS, the Somersworth School Department would like to make a number of technology improvements consisting of switch replacements at Idlehurst Elementary School, wireless access point upgrades at Maplewood Elementary, Idlehurst Elementary, and the Somersworth Middle School, and LED projector replacements at the Idlehurst Elementary School, and

WHEREAS, the total cost for all projects is \$177,644 (One Hundred Seventy Seven Thousand Six Hundred Forty Four dollars), and

WHEREAS, the switch replacement project and the wireless access point upgrade projects are eligible for a 60% E-Rate reimbursement grant in the amount of \$77,956 (Seventy Seven Thousand Nine Hundred Fifty Six dollars), and

WHEREAS, the City receives a 3% franchise fee assessed through the Comcast franchise fee agreement and that fund currently has approximately \$320,000 (Three Hundred Twenty Thousand dollars) in the fund, and

WHEREAS, the Finance Committee has reviewed the request by the School Department and supports funding these projects with the cable franchise fee funds available,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the School Department is authorized to utilize the cable franchise fee fund to complete technology improvements in Somersworth Schools at an amount not to exceed \$177,644 (One Hundred Seventy Seven Thousand Six Hundred Forty Four dollars), and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH, THAT any reimbursements received for these projects from the E-Rate reimbursement grant and/or any other source shall be returned to the cable franchise fee fund.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Martin Pepin Martin P. Dumont, Sr.	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 29-18

History

First Read Date:	04/02/2018	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	04/16/2018		

Action

Councilor Pepin moved for adoption, seconded by Councilor Witham.


Discussion

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	X	
Ward 4 Councilor	McCallion	X	
Ward 5 Councilor	Messier		
At Large Councilor	Witham *	X	
At Large Councilor	Sprague	X	
At Large Councilor	Cameron	X	
At Large Councilor	Levasseur	X	
TOTAL VOTES:		8	
On 04/16/2018 Resolution 29-18		PASSED	

NEW BUSINESS

ORDINANCES

Councilor Witham, Seconded by Councilor Pepin made a motion to waive Council Rules to have Ordinance 9-18 by title only, 8-0.

	<table><tr><th colspan="2">City of Somersworth – Ordinance</th></tr><tr><td>Ordinance No:</td><td>9-18</td></tr><tr><td colspan="2">AMENDING CHAPTER 19, ZONING ORDINANCE, SECTION 25, DEFINITIONS, AND ADDING NEW SECTION 19.24, ACCESSORY DWELLING UNITS</td></tr></table>	City of Somersworth – Ordinance		Ordinance No:	9-18	AMENDING CHAPTER 19, ZONING ORDINANCE, SECTION 25, DEFINITIONS, AND ADDING NEW SECTION 19.24, ACCESSORY DWELLING UNITS	
City of Somersworth – Ordinance							
Ordinance No:	9-18						
AMENDING CHAPTER 19, ZONING ORDINANCE, SECTION 25, DEFINITIONS, AND ADDING NEW SECTION 19.24, ACCESSORY DWELLING UNITS							

April 16, 2018

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

Amend Chapter 19, Zoning Ordinance, Section 25. Definitions, Subsection Z. Dwelling Unit, by deleting it in its entirety and replacing it with the following:

Section 19.25.Z. **DWELLING UNIT.** A single unit, structure or portion thereof, providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

- a. Dwelling, Single-family. A building and accessories thereto principally used, designed or adapted as a single dwelling unit.
- b. Dwelling, Two-family. A building and accessories thereto principally used, designed or adapted with two dwelling units of similar proportions, the living quarters for each of which are completely separate. **This does not include Accessory Dwelling Units**
- c. Dwelling, Multi-family. A building and accessories thereto principally used, designed or adapted with three or more dwelling units, each of which has separate living quarters.
- d. Dwelling unit, Accessory - An “accessory dwelling unit” means a residential living unit that is within or attached to a single- family dwelling and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies.

And, further amend Chapter 19, Zoning Ordinance by adding a new Chapter 24, Accessory Dwelling Units, as follows:

Section 19.24 Accessory Dwelling Units

This section is enacted in accordance with the provisions of RSA 674:71 – 73 and RSA 674:21 and serves to increase housing alternatives while maintaining neighborhood aesthetics and quality. To that end, attached accessory dwelling units (ADU) are permitted on any property containing an owner-occupied single-family dwelling, provided that the applicant meets the criteria set forth below:

a) A maximum of one (1) ADU per property is permitted on property located in zoning districts that allow single-family dwellings and must be located within or attached to the principal single-family dwelling unit or attached or detached garage. "Attached" does not include via the use of a breezeway.

b) The ADU is contained within or will be an addition to an existing or proposed single family detached dwelling;

c) Exterior alterations, enlargements, or extensions of the Single-Family Dwelling are permitted in order to accommodate the ADU. However, no such change is permitted which would alter the appearance of the Single-Family Dwelling to look like a duplex or any other multifamily structure (i.e., the house should not look like it was designed to house more than one family). The construction of any exterior accessways which are required for access to the ADU shall be located to the side or rear of the building whenever possible. The ADU shall also be designed to remain functionally dependent on the Single-Family Dwelling and shall not have provisions for separate utilities, garages, driveways, and other similar amenities;

d) The ADU shall contain no more than two bedrooms;

e) The ADU shall not exceed 800 square feet in area;

f) The ADU shall be connected internally to the Single-Family Dwelling;

g) The property owner must occupy one of the two dwelling units;

h) One approved, off-street parking space for the ADU shall be provided in addition to any parking for the Single-Family Dwelling;

i) The Single-Family Dwelling, ADU, and lot shall not be converted to a condominium or any other form of legal ownership distinct from the ownership of the single family dwelling. In order to assure compliance with this requirement, the property owners at the time the ADU is established shall be required to execute a restrictive covenant running in favor of the City, which shall be recorded in the Strafford County Registry of Deeds and a copy provided to the Department of Development Services and the Assessor prior to the issuance of a Certificate of Occupancy; and

j) Where municipal sewer service is not provided, the septic system shall meet NH DES Water Supply and Pollution Control Division requirements for the combined system demand for total occupancy of the premises.

k.) A certificate of use issued by the Planning Department is required to verify conformance with the preceding standards. Said certificate shall be renewed annually. The applicant shall remit a non-refundable filing fee of \$75.00 at the time the completed application is filed Applications to renew the certificate of use shall be due by January 1st following the date of approval of the certificate of use and then by every January 1st thereafter for so long as the ACCESSORY DWELLING UNIT continues. Fees shall be levied as set forth in the City of Somersworth Fee Schedule, as amended annually, for ACCESSORY DWELLING UNIT certificates of use and renewals.

Authorization	
<i>Sponsored by Councilor:</i> David A. Witham	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 9-18

History

First Read Date:	04/16/2018	Tabled:	
Public Hearing:	05/07/2018	Removed From Table:	
Second Read:			

Action

Councilor _____ moved for adoption, seconded by Councilor _____.


Discussion

Ordinance 9-18 will remain in first read until the May 7th, 2018 City Council Meeting.

A Public Hearing is scheduled for May 7th, 2018 @ 6:45pm.

Voting Record		YES	NO
Ward 1 Councilor	Pepin *		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	McCallion		
Ward 5 Councilor	Messier		
At Large Councilor	Witham		
At Large Councilor	Sprague		
At Large Councilor	Cameron		
At Large Councilor	Levasseur		
TOTAL VOTES:			
On / / . Ordinance 9-18		PASSED	FAILED

RESOLUTIONS

	City of Somersworth – Resolution
	Resolution No: 30-18 TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH CMA ENGINEERS OF PORTSMOUTH, NH FOR ENGINEERING SERVICES ASSOCIATED WITH THE TRANSPORTATION ALTERNATIVES PROGRAM (TAP) GRANT

April 16, 2018

WHEREAS, the Somersworth City Council adopted Resolution No. 43-17 authorizing the City Manager to enter into a transportation alternatives program grant agreement with the New Hampshire Department of Transportation for the construction of sidewalks on High Street, upgrade pedestrian crosswalk across High Street at Memorial Drive and Franklin Street, construct sidewalks on Memorial Drive and Cemetery Road, and construct a multi-use path between the elementary and middle schools in the City, and

WHEREAS, city staff solicited proposals from qualified engineering consultants for engineering and design services associated with this project, and

WHEREAS, city staff reviewed the proposals submitted, interviewed the prospective consultants and recommends contracting with CMA Engineers of Portsmouth, NH, and

WHEREAS, this recommendation was sent to the State of New Hampshire Department of Transportation for review and they have found it to be satisfactory, and

WHEREAS, city staff have reviewed this recommendation with the Finance Committee and they support this recommendation,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with CMA Engineers of Portsmouth, NH to provide engineering and design services associated with the transportation alternatives program grant project in an amount not to exceed \$122,402 (One Hundred Twenty Two Thousand Four Hundred Two dollars) and to take any other actions relative to this project determined to be in the best interest of the City.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Martin Pepin Martin P. Dumont, Sr.	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 30-18

History

First Read Date:	04/16/2018	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	04/16/2018		

Action


Councilor Witham moved for adoption, seconded by Councilor Cameron.

Discussion

Councilor Witham, seconded by Councilor Pepin, made a motion to waive council rules to allow for a second read of Resolution 30-18. 8-0

Councilor Witham stated that this has been vetted thoroughly. No reason to extend the timeline.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	X	
Ward 4 Councilor	McCallion	X	
Ward 5 Councilor	Messier		
At Large Councilor	Witham *	X	
At Large Councilor	Sprague	X	
At Large Councilor	Cameron	X	
At Large Councilor	Levasseur	X	
TOTAL VOTES:		8	
On 04/16/2018 Resolution 30-18		PASSED	

	City of Somersworth – Resolution	
	Resolution No: 31-18	TO AUTHORIZE THE SCHOOL DEPARTMENT TO UTILIZE FUNDS FROM AN EVERSOURCE ENERGY EFFICIENCY REBATE TO CONTRACT WITH ECKHARDT AND JOHNSON OF MANCHESTER, NH TO REPLACE AN HVAC UNIT AT THE HIGH SCHOOL

April 16, 2018

WHEREAS, the School Department solicited proposals from qualified contractors to replace a failed HVAC unit at the Somersworth High School, and

WHEREAS, the School Building, Grounds, and Transportation Committee reviewed the bids received and recommends contracting with Eckhardt and Johnson of Manchester, NH to replace the HVAC unit utilizing funds available from an Eversource energy efficiency incentive rebate, and

WHEREAS, the Finance Committee met with the school administration and supports this recommendation at a cost not to exceed \$41,627 (Forty One Thousand Six Hundred Twenty Seven dollars),

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the School Department is authorized to contract with Eckhardt and Johnson of Manchester, NH to replace an HVAC unit at the Somersworth High School at a cost not to exceed \$41,627 (Forty One Thousand Six Hundred Twenty Seven dollars), and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the School Department is authorized to use the Eversource energy efficiency rebate to fund this project.

Note: The School Department received \$75,000 from Eversource as an incentive for implementing certain energy efficient projects at Idlehurst Elementary School.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Dale R. Sprague Martin Pepin	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 31-18

History

First Read Date:	04/16/2018	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	04/16/2018		

Action


Councilor Pepin moved for adoption, seconded by Councilor Cameron.

Discussion

Councilor Witham, seconded by Councilor Pepin, made a motion to waive council rules to allow for a second read of Resolution 31-18. 8-0

Councilor Witham said this is a good example of cooperative work; meeting facility needs without the direct impact of the tax payers.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	X	
Ward 4 Councilor	McCallion	X	
Ward 5 Councilor	Messier		
At Large Councilor	Witham *	X	
At Large Councilor	Sprague	X	
At Large Councilor	Cameron	X	
At Large Councilor	Levasseur	X	
TOTAL VOTES:		8	
On 04/16/2018 Resolution 31-18		PASSED	

	City of Somersworth – Resolution
	Resolution No: 32-18 TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A 5-YEAR CONTRACT WITH RESOURCE MANAGEMENT INC. (RMI) OF HOLDERNESS, NH FOR DISPOSAL OF WATER TREATMENT FACILITY LAGOON SLUDGE MATERIAL

April 16, 2018

WHEREAS, the City of Somersworth Fiscal Year 2017-2018 Water Fund adopted budget contains an appropriation for lagoon cleaning at the Water Treatment Facility; and

WHEREAS, this project involves the removal, hauling and disposing of the sludge in the lagoons as well as the replenishment of sand filtration material; and

WHEREAS, City staff received approval from the City Council Finance Committee to waive City bidding requirements and to negotiate directly with Resource Management Inc.; and

WHEREAS, Resource Management Inc. has submitted a 5-year proposal for the hauling and disposal of sludge material from the lagoons with the first year cost estimated to be \$26,000 (Twenty Six Thousand dollars); and

WHEREAS, the City will utilize other available resources for the preparation of RMI's removal of the sludge from the facility; and

WHEREAS, the Finance Committee for the City of Somersworth reviewed the proposal and supports staff's recommendation to award the hauling & disposal contract to Resource Management Inc.;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to enter into a 5-year contract with Resource Management Inc., of Holderness, NH for the Water Treatment Facility lagoon sludge hauling & disposal with a first year cost not to exceed \$26,000 (Twenty Six Thousand dollars) and to take any and all such actions relative to this project determined to be in the best interest of the City.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Dale R. Sprague Martin Pepin	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 32-18

History

First Read Date:	01/16/2018	Tabled:	
Public Hearing:	NA	Removed From Table:	
Second Read:			

Action

Councilor _____ moved for adoption, seconded by Councilor _____.

Discussion

Resolution 32-18 will remain in first read until the May 7th, 2018 City Council Meeting.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	McCallion		
Ward 5 Councilor	Messier		
At Large Councilor	Witham *		
At Large Councilor	Sprague		
At Large Councilor	Cameron		
At Large Councilor	Levasseur		
TOTAL VOTES:			
On / / . Resolution 32-18		PASSED	FAILED

OTHER

Discuss the Zoning Board of Adjustment Denial of Council's request for a Rehearing on a Variance granted for property at 20 Green Street

City Manager Belmore explained that the City Council has 30 days from the date of the vote to appeal to Superior Court. The deadline is May 3, 2018.

Councilor Sprague said let's go to court. Councilor McCallion also said let's go to court. Councilor Levasseur stated that he was at the Zoning Board meeting and this issue was looked at as one specific issue (car repair and used car sales). He supports moving this forward to court.

Councilor Witham said he also attended the meeting and during the deliberations, they co-mingled, the auto repair with the auto sales.

Councilor Cameron agreed to go to court, stating that these are separate issues.

Councilor Pepin said they have tried to stop used car sales in the City. They can sell on Rt. 108.

Councilor Vincent stated that he agrees with those who were at the meeting. Go to court.

Councilor Dumont said cost is a factor. It will cost money and is this that big of an issue. He's got to be a team player, and he will support going to court, but it is so easy to say, go to court, but what is the feasibility of that business plan in that location.

Councilor McCallion said when he lived there, he never saw it as a used car sales place, but it is not in our ordinance there. It is ridiculous that people want a junkyard and call it a garage.

Councilor Witham said Councilor Dumont's statement gives him pause. He is surprised that so many want to take it this far. The likely hood of used car sales on that property is small. The used car sales and repair needs to come before the planning board. He questions the ability to place a fair number of cars on that lot.

Councilor Pepin asked if code enforcement has been sent. If we let this go, they we are setting a precedent.

Councilor Sprague asked what the assumed cost would be.

City Manager explained that it is \$200 an hour for the attorney, a day of prep, and a day at court, so it would cost about \$5000+/-.

Councilor Sprague, as a body we have been elected to uphold what the city wants. Zoning has been set up for a reason. There have been other things that the board has denied, but he does not agree with a used car lot in the middle of downtown.

Councilor McCallion stated that this is procedure, and asked if there another way to avoid it?

City Manager Belmore said he would be reluctant to say there is another way. They hired an attorney, and filed a variance for both the service garage and used car sales. One was approved by the council, one was not.

Councilor Dumont stated that every Zoning Board case that requests a variance, is requesting an exception to the ordinance. The Zoning Board has the responsibility to review the case. The members of the zoning board, he finds the individuals who deal with them intellectually, feels like a court room. Applicants have engineers and lawyers. Variances are vetted out in those meetings.

Mayor Hilliard stated that no board should ever feel attacked by City Council. Our government is strong because we have a system of checks and balances. What you are witnessing this evening is not an attack on members of a particular board. We certainly honor and appreciate their willingness to serve. What you are seeing is a function of municipal government, that is making sure checks and balances are in order. No board member should feel attacked. The Council is simply doing their due diligence.

Roll call vote has been requested. The question is, if you are in favor of authorizing the City Manager to seek legal action. Vote passed 8-0.

15. CLOSING COMMENTS BY VISITORS.

Richard Brooks of 18 Linden Street stated that he was a member of the Plaza Commission. He thanked the Mayor for appointing him to the commission; it was an eye opening experience. While participating in those meetings, he tried to consider the immediate area around the plaza and how that could be affected by the Commission's recommendation. In doing so, he stated that they needed to find a way to get more traffic volume on Main Street to support any businesses that may open in that area. After presenting an idea to do just that, he was told they needed to focus on the plaza only, and not the surrounding area. After which, he should have just put on a set of blinders to the meetings and not consider anything else nearby. Some of the group often expressed that the primary reason for the group's decision in discontinuing the parking lot was the cost of plowing and the assumed danger the pedestrians feel in walking on the sidewalk next to the open air area. Supposedly, if a building were constructed along Main Street, it would make the area more walkable as pedestrians will not feel safer with a building there alongside them creating an imaginary safe space. Yet people are seen walking along High Street in front of the church; a similar situation on a much busier road. A proposed building would supposedly house more residents in downtown and support more businesses. By that logic, the large mill should have had the same result, but we know it has not.

He said it may sound as if he is completely opposed to the recommendation of the plaza commission, but that is not exactly the case. He voted for the suggestion, because the final choice only left one other option, much like voting for the US President.

He believes the process failed to consider anything beyond the plaza itself. Do we need another park here in the downtown? Are all of the buildings full? What if another new building still sits vacant like so many others are. Will another small pocket park really help provide change or will it just be another park lining Main Street like the Somersworth Memorial and Stein Park. Stein Park's planned makeover was put on hold because of the Plaza Commission. What will be of that now? What if Stein Park was enlarged using part of Elm Street and Fair Court? It's big enough to make a small amphitheater. The natural slope makes that easy. And what if the river walk actually happened. So many pieces and parts that were never really considered.

Let's also consider how the Economic Development Manager has done more in the first few months of her employment than has been done in several previous years. Let's give her time to do what she was hired to do, and we will see positive changes in the near future.

Portsmouth has developed rapidly over the past decade or so, and that development is spreading out across the region. Somersworth will and probably has benefited from that just by being in close proximity to Portsmouth.

Rather than adding a building or park to an area with several buildings or parks, let's tackle the real reason those buildings are vacant, before we push for more. Maybe property owners should not ask Portsmouth prices for Somersworth locations, especially considering the condition that the owners keep the properties. Maybe the roads need a higher traffic count so businesses will consider Main Street. In this day and age, why would any business consider a location that has so little traffic? He said he knows it is easy to stand here and say, no, this will not work, so if council truly has an open mind, he offered the idea: Everyone agrees that Somersworth needs something to improve downtown. Do we really think one block of new buildings or one park is going to do that? A park makeover on the corner of Ash and Union has had zero effect on the surrounding area.

The medical building on the corner of Main and Washington did little, just as the plaza makeover several years ago did little. Similar actions produce similar results. We need an attraction that brings people into town. Something that stands out, not just a park or building. A river walk is probably our best, if not only chance for that. It's not just park, it could be a real attraction for Somersworth.

He said he would argue something we can't control: corporate greed has had the biggest impact. Rite Aid builds on one corner and shortly after CVS builds across the street. This is a perfect example of what we should prevent. Other similar scenarios continue to stifle small local businesses making it difficult to create a truly walkable community in the foreseeable near future. Those same corporate businesses will quickly close up shop if the sales dip slightly. They are only concerned with their bottom line and not the local community. Somersworth needs a core set of businesses in the downtown such as restaurants, post office, grocery stores, deli, pharmacy, chiropractor, hair dresser, and so on; all businesses that can support a residents daily needs that can be patronized in person, not online with a computer. He stated that he does not think that the city is able to control that aspect of business with zoning regulations, but a planning board should be able to plan a better city, if we lived in a perfect world. South Berwick has a thriving downtown, with Dunkin Donuts being the only nationwide business. Think about Portsmouth and how many national chains are in that downtown core. We need to stop assisting and enabling huge corporations and start encouraging and promoting local and regional businesses. Let's give them a higher traffic count on the Main Street area. Since we have a short section of one way, let's make all of Main Street one way, from Franklin Street to Market Street. We can do this by making High Street one way from Main Street to Franklin Street, so any traffic coming from Dover would have to turn on to Franklin Street as a one way to Main Street. That would increase the traffic count on Main Street to a level that would certainly entice businesses into the area. I doubt there would be many complaints from the Franklin Street property owners; many of which are absentee landlords. It could also curb illicit activity along that corridor. The intersection of High and Franklin is scheduled to be reconfigured soon, so this is perfect timing. He stated that he is having a hard time developing any negative aspects of this triangular one way rotary. Let's combine that with the construction of the River Walk that can lead right up to the plaza with a nice foot bridge over the canal. I imagine that many businesses would

jump at that opportunity to be located where people would park while enjoying the Somersworth River Walk, as well as a resulting increase in traffic. People will notice surrounding businesses and likely frequent them. We need some new fresh ideas, not the same, let's build a shiny new building that rarely has substantial long term results.

Don Berrios, High Street, stated that he was on Plaza Commission, and he believes the final recommendation is not functional or business friendly. It is hard to tell if the parking lot is being used properly. There was not enough time to examine current business owners. The Main Street areas need improvements, but this area is not the place to start. In the 60s, urban renewal was the thing. In 2000 we did a facelift on the plaza. We revitalize the Main Street and High Street area. This needs to be a more business friendly area. Robin Comstock will have a positive effect on luring new business to the area. He suggests that this project be revisited in a year.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Pepin said he agrees with hiring a consultant to review plans for the new Fire station. As they went to the committees, there aren't many fire stations being built. Should consider a consultant who specializes in the fire stations.

Councilor Vincent thanked the people for coming forward with their ideas for the Somersworth Plaza. He thanked Denis Messier for his service to the community. It takes time and commitment to be a councilor.

Councilor Dumont stated that it was an honor and pleasure to serve with Denis Messier. He recently had the opportunity to visit the SOS Operation in Rochester. Senator Maggie Hasan was there. Nice to see the Community has pulled together in Rochester.

As discussed by the Community Forum, we as a community, under the leadership of the Mayor, have grabbed the task force, and a community gathered in support. Somersworth could never land a building for the opportunity of having a rehab facility in Somersworth. He is proud of the task force and their efforts. Somebody said we were a tolerant community. Respect is a stronger word. We do respect others. Somersworth is a true melting pot.

He was recently talking to a real estate agent recently. The agent asked him if he know how many houses were for sale in Somersworth. He guessed a little high, and was then told that there are currently 12 houses for sale in Somersworth. 20 in Dover. And there aren't enough apartments. There are 4 people who want to reserve an apartment in the Hilltop school. There is an appeal to that. IF the time isn't now, it's close.

Thanked the city for these wonderful laptops. He confessed that they get an email from Route 50, which he usually deletes. But this one was about the state pension plan and the opioid crisis. State Reps and Senators need to look at what is put in print. Even when they had a good year, they went backwards in the pension plan. In the last 3 years, it has gone from \$4bil in debt to 5. Hard decisions need to be made for our employees.

Councilor Witham read in the Fosters a press release from Police Chief that the police department got a bad guy, and did a bicycle rodeo for the kids. He gave credit to the police chief and the entire department. Their work is exemplified.

The fire department recently fought a large fire. Firefighter Cory Tibbets is leaving the department. Wished him the very best.

The high school Baseball Junior Varsity, Varsity, as well as Babe Ruth spent time shoveling snow, leaf blowing, and cleaning the field so that they could have 3 games this past week.

Denis Messier will be missed. He was pragmatic and didn't shy away from sharing opinions, he brought

Councilor Cameron reminded everyone that this Wednesday is the Taste of Somersworth event. Pre-purchased ticket holders can enter at 5:30. Tickets are also sold at the door.

She thanked Denis Messier. He was a big supporter when she started to run for council.

ADJOURNMENT

Councilor Vincent, seconded by Councilor McCallion, made a motion to adjourn. The meeting adjourned at 9:10 pm.

Trish Harris, City Clerk

Dana Hilliard, Mayor