



MINUTES OF CITY COUNCIL MEETING

Somersworth, NH

April 1, 2019

7:00 P.M.

ROLL CALL OF MEMBERS

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: Vincent, Dumont, Austin, Michaud, Witham, Sprague, Cameron, and Levasseur. Councilor Pepin was excused.

PLEDGE OF ALLEGIANCE

Councilor Dumont led the Pledge of Allegiance.

PUBLIC HEARINGS

Community Revitalization Tax Relief Incentive Application (aka – 79E Application) from Mr. Mark Davenport for 123 Main Street

No public comments.

COMMENTS BY VISITORS

George Poulin, Ward 1, President of the Somersworth Historical Museum said they will be holding a First Responders Day on Sunday, May 5th, 2019. Police, Fire, EMS, and all of the public are invited. There will be refreshments.

CONSENT CALENDAR

Approve Minutes of the Joint City Council and School Board Meeting, March 11, 2019

Approve Minutes of the City Council Workshop - Historic District Commission, March 18, 2019

Approve Minutes of the City Council Meeting held on March 18, 2019

Councilor Levasseur, seconded by Councilor Witham, made a motion to approve all items on the Consent Calendar. The motion passed, 8-0.

Councilor Dumont made a request that the Council proceed with the agenda out of order, and discuss the items under New Business: Other.

NEW BUSINESS: OTHER

Vote on Community Revitalization Tax Relief Incentive Application (aka – 79E Application) from Mr. Mark Davenport for 123 Main Street

City Manager Belmore gave a brief explanation of the 79E.

Councilor Witham asked for the Chair of Economic Development Committee to share some background.

Councilor Dumont said this is to refurbish some of the buildings that are down on Main Street. They will remain as residential/commercial use. This application is in line with helping the main street corridor. They are requesting a 3 year tax break.

Councilor Witham said he supports the 79E tax incentive for a 3 year period. If we can occupy the buildings in that block, there is a public benefit.

The vote to approve the application passed, 8-0.

Vote to Exercise the Right to Extend the Term of the American Ambulance Agreement for an Additional Four (4) Year Term Beginning July 31, 2019 through July 31, 2023 and to Recognize this Agreement's Assignment to Stewart's Ambulance, Inc

Councilor Witham said he supports this; everything is the same and we are happy with the service. This contract remains in line with the objective. Councilor Witham asked for clarification about the naming of Stewart's.

City Manager Belmore said a vote in the affirmative will allow him to sign a contract with Stewart's Ambulance Inc. This company has bought out American Ambulance. It is the same company, just different ownership.

Councilor Witham stated, as is traditional with the contracts, there are opt out provisions.

City Manager Belmore said that is correct. Either party can opt out at any time for no reason at all.

Councilor Vincent said this was discussed during the Public Safety Committee meeting. We've only heard good things about this company and they come with a good record in service.

Councilor Sprague asked if the contract stays the same. With this being under new ownership, he is concerned if it will be same culture and how the company intends to operate in the future.

Councilor Vincent stated that the contract stays the same. Paul Robidas, who is now employed by Stewart's Ambulance, will run this area of the business.

Councilor Sprague stated that people come and go, but knowing that the Committee talked to the ownership of the company makes him feel a bit better. He was happy with Americans response time. It is our job as stewards of the community to thoroughly vet the services within our community.

Councilor Levasseur stated that the Public Safety Committee had a well-rounded conversation with the new owner and learned the culture of the operations. They were ensured that the services will remain consistent. The new ownership made offers to existing staff, and most of the staff stayed on board. That speaks well of the company.

Councilor Witham said, many years ago, when they entered into the contract with American Ambulance, it was a protracted process, met with anxiety across the board. At that time they were looking to retool the contract significantly, for the benefits of the citizens. There is no need to change the contract this time. Things will look different; the service vehicles and uniforms will be different but people will not.

Councilor Cameron said she sat through the discussions of the committee, and there were tough questions asked of the owner and Mr. Robidas. They will be providing utmost care for our community.

Vote to extend the contract passed, 8-0.

COMMENTS BY CITY COUNCILORS

Councilor Vincent said he wanted to talk a bit about the last City Council meeting. He apologized to Mr. Real Roseberry, for his harsh tones. He is concerned that other members of the community would not want to address the Council. He want others to be able to address the Council and voice their opinion.

Councilor Levasseur announced that he has moved. He is not a Ward 2 resident at 44 Pleasant St.

COMMUNICATIONS

None

PRESENTATION OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE

None

MAYOR'S REPORT

This evening we are recognizing 8th grader, Lilly Drown and 7th grader Karter Brogan for competing in the Rize Robotic Competition, and placing second overall in the State Championship. They also received the elite at one of the qualifying meets. This is the second year both have participated on the team, but the first year as partners.

Lilly Drown and Karter Brogan came forward to demonstrate their robot.

Following their presentation, Mayor Hilliard presented Lilly Drown and Karter Brogan with a proclamation declaring Tuesday, April 2, 2019 Lilly Drown and Karter Brogan Day.

The next Mayors Community forum will take place Saturday April 13th from 9:00 – 10:30 at City Hall. Including in this forum will be discussion and insight into the School System. The purpose of these for The next Mayors Community forum will take place Saturday March 16th from 9:00 – 10:30 at City Hall. Including in this forum will be discussion and insight from the Fire Department. The purpose of these forums are to foster dialog and ideas, in a non-formal setting to continue to move our community “On the Move”. All members of the community are welcome to attend any forums.

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Mayoral Appointment

Wendy Berkeley, as a member of the Sustainability Committee, with a term to expire April 2021

Nominations requiring Council Vote

Lindsey Gagnon, as an Alternate Member of the Historic District Commission, with a term to expire April 2022

REPORTS OF STANDING COMMITTEES

Public Safety – Councilor Vincent reported that the committee met on March 27, 2019. The committee discussed:

- The American Ambulance Contract/Stewart's Ambulance 4 years contract. Lengthy discussion about the timing of the name change.
- Fire station RFP, process and timeline.
- Police Department updates, down one officer, 2 in training.
- Upcoming events...
- Chief Kretschmar reported the K9 and his handler are attending the Boston Training Academy.
- Review the Fire Department for needs. Addressed possibility of Deputy/Assistant Chief and full time secretary. City Manager and Chief will prepare a presentation for the next meeting.

Public Works & Environment Councilor Sprague said the committee met on March 25 and March 29th. They discussed:

- Discussion about parking and driveway permitting. They reviewed language from other communities that can be incorporated.
- Voted to award street and walkway markings contract to Highway Safety Systems.
- Road resurfacing projects and crack sealing.
- Tractor trailers turning onto Station Street from Government Way. Committee voted endorses Resolution.
- Road resurfacing projects:
 - Crack sealing
 - Deer Creek Run
 - Davis Street
 - Chadwick Lane
 - Lenox Street
 - William Street
 - Cote Street
 - Longleaf Lane
 - Winslow Drive
 - Greenfield Drive
 - Hickory Lane

- Morrison Street
- Aspen Drive
- Milo Lane
- Cornfield Drive
- Maize Drive
- Guy Street
- Commercial Drive
- Victoria Drive
- Willand Drive
- High street, 2 segments
- Mill and overlay
 - Clement Road
 - Crest Drive
 - Franklin Street
 - Indigo Hill Road
 - Brick Street
 - Chesley Avenue
 - First Street
 - Second Street
 - Third Street
 - River Street between Buffumsville Rd. and Indigo Hill Rd.
 - Stackpole Road
 - Union Street
 - Ash Street
 - Central Street
 - Kings Lane
 - School Street
 - Spring Street
 - Spruce Street
 - Summer Street
 - Water Street
 - Down Street
 - Rita Road
- Alternative bid:
 - Buffumsville Road
 - Lily Pond Road

REPORTS OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

Special Committees

SAU Withdrawal Committee - Councilor Witham reported that they are in the information gathering phase. The town of Rollinsford voted to form a committee to look at SAU withdrawal as well. They are pondering the idea of getting together with the Rollinsford Committee.

Planning Board – Councilor Witham said they reviewed a site plan application to convert the Hilltop School into apartments and office space. The chain link fence will be removed, lighting added to the parking and roadways. The grade will be adjusted at the entry off of Prospect Street to allow for fire apparatus. Fire and police have a radio tower on the top of Hilltop School. The sale of that property allows that to remain. A generator could be added at a future date. Some offsite improvements are needed as well. A repair to Highland Street will be completed by DPW or contracted; applicant will cover the cost. There has been minimal demolition so far at the school.

Cultural Commission - Councilor Dumont reported that he committee met on March 20, 2019. The committee discussed the possibility of interviewing students who attend Somersworth Schools, but are from different countries. This can be televised on channel 22 and channel 95. They also discussed Franco-American day at Fischer Cats game on June 23rd. They are checking with C&J. They are limited to 60 people on the bus.

Ward Boundaries Review Committee – Councilor Dumont reported that the committee met on March 25. They reviewed the information gathered by staff, and they realized they are under a crunch, need to move quickly to have it on the ballot in November.

JBC Councilor Dumont said they met on March 28. The committee discussed the building improvement grants; this project is currently #3 on a list for funding. The also hired a project manager, Milestone, working on modifications to mechanicals. Maplewood will be a state of the art for heating and air movement.

Traffic Safety – Councilor Vincent reported that they Committee met on March 20, 2019. They discussed the area along the front of Somersworth Plaza is a fire lane. The area along the building is no parking. Signs have been put in place. The committee also discussed prohibiting tractor trailer trucks from turning onto Station Street from Government Way.

Vision 2020 – Councilor Levasseur reported that the committee met on March 26, 2019. The committee discussed the report to full council that will be given in the near future.

City Manager's Report

TO: Mayor Dana S. Hilliard and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, March 29, 2019

**SUBJECT: City Manager's Report for Monday, April 1, 2019
City Council Agenda**

Lay on the Table (Under Section 13 of Agenda)

- A. Ordinance No. 4-19: To Amend Chapter 19, Zoning Ordinance, Section 14, Historic District.**

Unfinished Business (Under Section 14 of Agenda)

Ordinances

- A. Ordinance No. 17-19: FY 2019 / 2020 Budget.**

New Business (Under Section 15 of Agenda)

Ordinance

- A. Ordinance No. 18-19: To Amend Chapter 13, Police Offenses, Section 3.4, Motor Vehicle Operation, by Prohibiting Tractor-Trailers from Making a Left Hand Turn onto Station Street from Government Way.** The Traffic Safety Committee met on March 20 and voted to recommend this Ordinance change. Attached is Captain Timmons memorandum regarding this recommendation along with a map showing this intersection. The Public Works & Environment discussed this recommendation at their March 25th meeting and voted to support the Ordinance amendment. I recommend the Council schedule a Public Hearing at the next meeting on April 15.

Public Hearing was scheduled without objection

Resolution

- A. Resolution No. 34-19: To Support “HB 2-FN-A” Grant Funding Appropriation for a Veterans Memorial in Honor and Recognition of our Nation’s Veterans and Armed Service Troops.** Attached is a copy of this Grant appropriation as it appears in HB 2-FN-A.

Other

- A. Vote to Approve the Community Revitalization Tax Relief Incentive Application from Mr. Mark Davenport for 123 Main Street (under City Ordinance, Chapter 31).** The Economic Development Committee met on March 13th and voted to recommend acceptance of this application. Attached is a copy of the application, property record card and Director Shanna Saunders’ memorandum. Any Council vote to approve should include the determination of the public benefit that would be achieved and the tax relief period.

- B. Vote to Exercise the Right to Extend the Term of the American Ambulance Agreement for an Additional Four (4) Year Term Beginning July 31, 2019 through July 31, 2023 and to Recognize this Agreement's Assignment to Stewart's Ambulance, Inc.** The Public Safety Committee met on March 27th and voted to recommend to full Council that the City extend the present EMS contract now acquired by Stewart's Ambulance Service, for four (4) year term provided in the Agreement. Attached is a copy of the present Agreement that expires July 31, 2019.

City Manager's Items (under section 11 of Agenda)

A. Informational Items.

- 1. NH DOT Listening Session for Route 108 Complete Streets Project.** The next round for NH DOT Listening Session has been confirmed for Thursday, May 2 at the Career Technical Center.
- 2. City Council Goal Setting.** Reminder, the Council Annual Goal Setting Session is Saturday, April 6th starting at 8:30 a.m. Coffee and light refreshments will be provided. Attached is a copy of the March 24, 2018 session discussions. Primex staff have agreed to facilitate the Session again this year. We will send out the Agenda notice next week.

Attachments.

- a. City Attorney Certification Two (2)**

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Mayoral Appointment

Wendy Berkeley, as a member of the Sustainability Committee, with a term to expire April 2021

Nominations requiring Council Vote

Lindsey Gagnon, as an Alternate Member of the Historic District Commission, with a term to expire April 2022

The nomination will remain open until the next meeting.

LAY ON THE TABLE

Ordinance No. 4-19 – To Amend Chapter 19, Zoning Ordinance, Section 14, Historic District

Ordinance 4-19 remained on the table.

UNFINISHED BUSINESS

ORDINANCES

Ordinance No. 17-19 – FY 2019-2020 Budget

Councilor Witham, seconded by Councilor Sprague, made a motion to add \$500 to the Farm to School (C-8).

Councilor Levasseur said he has been in contact with Farm to School and Wendy Berkeley. The composting program is not directly funded in the school budget. The composting program resulted in the reduction of a dumpster. He wants to increase the funding to \$4750.

Motion to increase funding to Farm to School by \$500 passed 8-0.

Councilor Levasseur, seconded by Councilor Vincent, made a motion to increase funding to Farm to School by \$4750.

Councilor Levasseur said the school budget does not fund this program. The program is just getting started, and we are continuing to see cost savings.

Motion to increase funding to Farm to School by \$4750 failed, 7-1.

Councilor Dumont, seconded by Councilor Witham, made a motion to increase Decorations/Banners (C-5, 45410) by \$3500 for the American Flags on Main Street.

Mayor Hilliard stated that all of the flags on High Street were paid for by the American Legion. The City has picked up the maintenance for that.

City Manager Belmore suggested that they hold off on action to this line item. A number of flags were purchased and are in stock.

Councilor Witham removed his second.

Councilor Dumont stated that the American Legion has been the largest philanthropic organization in Somersworth for years. He has talked to the leadership at the American Legion, and as things were, they are not. The flags are destroyed by weather, and we already have replacement flags then we don't need to increase this budget line. He stated that he doesn't want the Legion to feel bad; but times are not what they used to be.

Councilor Dumont withdrew his motion.

Councilor Witham, seconded by Councilor Cameron, made a motion to add \$400,000 to bottom line of School Department budget.

Councilor Witham said the motion comes out easy, but the impact is about .50cents on the tax rate. During the presentation, the Superintendent discussed the additional considerations for the school department which are not in the budget. As they formulated the budget, the school department came in under the tax cap, even though there was a reduction of state aid.

Mayor Hilliard said, for clarification, the \$400,000 increase will put the budget over the tax cap. This motion and all additional motions above the tax cap will require a 2/3 majority vote to pass. There was lengthy discussion about the override of the tax cap.

Mayor Hilliard said ruling of the chair stands, unless there is a motion to overrule. If the ruling of the Chair is overruled, the process would have to be reviewed by the City Attorney. Mayor Hilliard informed the Council that the ruling of the Chair can be challenged.

Councilor Witham, seconded by Councilor Sprague, made the motion to challenge the ruling of the Chair.

Councilor Witham stated that he cannot read the minds of the said City Councilors tonight. It would be in order to not pass the budget this evening since all of the Councilors are not in attendance. This will allow time for the attorney to review the results and the challenge.


The motion to overrule the ruling of the Chair failed, 6-2.

Councilor Witham, seconded by Councilor Dumont, made a motion to table Ordinance 17-19. The motion to table passed, 7-1.

NEW BUSINESS

ORDINANCES

Ordinance 18-19 will remain in first read.

	City of Somersworth – Resolution	
	Resolution No:	34-19 City of Somersworth – Ordinance
	Ordinance No:	TO SUPPORT “HB 2-FN-A” GRANT FUNDING APPROPRIATION FOR
		TO AMEND CHAPTER 13, POLICE OFFENSES, SECTION 3.4, MOTOR VEHICLE OPERATION, BY PROHIBITING TRACTOR-TRAILERS FROM MAKING A LEFT HAND TURN ONTO STATION STREET FROM GOVERNMENT WAY

WHEREAS, The City of Somersworth has always given homage to our Nation’s Veterans for their sacrifice in serving our Country to uphold our liberties and freedoms, and

WHEREAS, Mayor Dana S. Hilliard has appointed members of our Community to a Mayoral Veterans Memorial Committee to be charged with the planning and development of a Veterans Memorial at the intersection of the City of Somersworth, to be further amended as follows:

WHEREAS, Chapter 13, Police Offenses, Section 3.4, Left Hand Turn, by adding, with preliminary costs, and

When signs are erected giving notice thereof, it shall be unlawful for anyone operating a tractor-trailer to make a left hand turn onto Station Street from Government Way.

WHEREAS, the City of Somersworth has requested a \$180,000 Grant (HB 2-FN-A) to fund a Veterans Memorial in the City of Somersworth, said Grant being allocated through the NH Department of Natural & Cultural Resources from the capital infrastructure revitalization fund,

(RSA 259:109 Tractor-trailer. – “Tractor-trailer” shall mean any truck-tractor and semi-trailer.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT that the City of Somersworth supports of the Governor’s budget (HB 2-FN-A) inclusion of a \$180,000 grant to fund a Veteran’s Memorial in honor and recognition of all who have served, and furthermore, respectfully requests all members of the NH State Legislature to vote in support of this Grant appropriation.

This Ordinance shall take effect upon passage.

Authorization	
Authorization Sponsored by Mayor Dana S. Hilliard Councilors: Dale R. Sprague David A. Witham Richard R. Michaud Marty Perin Donald Austin Kenneth S. Vincent Martin P. Dumont, Sr. Dale R. Sprague Kenneth S. Vincent	Approved: City Attorney Approved: City Attorney

Public Hearing Scheduled for April 15, 2019.

RESOLUTIONS

City of Somersworth – Resolution 34-19

History

First Read:	04/01/2019	Tabled:	NA
Public Hearing:	NA	Removed From Table:	NA
Second Read:	04/01/2019		

Discussion

Councilor Dumont, seconded by Councilor Vincent, made a motion to waive council rules to allow for a second read of Resolution 34-19. The motion passed, 8-0.

Councilor Sprague, seconded by Councilor Dumont, made a motion to approve Resolution 34-19.

Sprague asked who this would be sent to.

Mayor Hilliard said this Resolution will be sent to all members of our delegations, to the Speaker of the House, the House Finance division 1, to the Senate President, the 24 members of the Senate, and the Governor.

Councilor Witham said one of the things he wants to make sure this does not convey is that we support the budget as a whole. He will support the Resolution but he does not like the politics behind it.

Resolution 34-19 passed, 8-0.

Voting Record		YES	NO
Ward 1 Councilor	Pepin *	-	-
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Sprague	X	
At Large Councilor	Cameron	X	
At Large Councilor	Levasseur	X	
TOTAL VOTES:		8	0
On / / . Resolution 34-19		PASSED	

CLOSING COMMENTS BY VISITORS

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Vincent said about the robotics team speaks about the quality of what we are receiving from the school district. It is a good reward for our kids.

Councilor Dumont congratulated the robot team. He thanked Maureen Jackman from the SYC for all she does. Councilor Dumont requested further information about the radio tower that sits on top of Hilltop School. If we lost of power, the emergency response teams would have trouble communicating so a generator is needed. He would hope the developer would have supported that. In the current system, fire department lugs a generator to the Hilltop School to get the system working. We need to look at this and get it done. To the Public Works Department, they are real professionals who know what they are talking about. The people on Crest Drive will appreciate the repair to the road.

Councilor Austin congratulated the robotics team at the middle school. They are making our students ready for our future. He is happy with the influence that SYC had on all of that. He said he is impressed by the list of roads that are projected to be worked on. Every year there seems to be a list like that and it doesn't get completed for whatever reason.

Councilor Michaud congratulated the robotics team. He looks forward to seeing what else can be done. For the Cultural Commission, he has been tasked with gathering recipes for a Cultural Cook Book. He encouraged all to send in their family recipes. He would like some Indonesian community.

Councilor Sprague congratulated the robotics team. Their faces were glowing with pride as they received their proclamations. Councilor Sprague apologized for challenging the chair. The tax cap hamstrings us. He has great respect for the Mayor and understands it is not the Mayor's job is not to agree but to rule.

He wanted the community to understand that they are repairing Crest Drive, not because a Councilor lives on that street, but because it needs to be repaired. Let's take the politics out of it. Crest Drive is the 20th worst road in the city, according to the pavement index. They are ahead of schedule with street repairs compared to previous years. With the carryover of funds, they are able to do many other roads. The pavement condition index is in line with what we want to do.

Councilor Cameron said she was impressed with the robotics team. Congratulations to them. She said she is looking forward to the Franco-American ballgame.

Councilor Levasseur shared about a sponsored (Facebook) post from Westbrook, ME., another from the town of Derry, NH. He said we are behind the 8ball with marketing our community if we are not using social media. It is important that we provide the funds necessary to have a marketing plan. We need to get back to what Somersworth used to be. Somersworth, the place people came to in the summer. We are more than the big box stores. We can work together to change that. He is looking forward to the goal setting workshop on Saturday.

Mayor Hilliard said he rarely comments during this section of the meeting, and he never or rarely participates in discussion. He guides and is a parliamentarian. There is no need for any member to apologize for challenging his decision; we are a team, we work together. His job is to guide. A better informed body makes better decisions for the community. It was a good challenge and we struggle with this almost annually. Let's get the ruling from the attorney so we know how to proceed in the future. We can only make rulings based on the information that is before us. We are a team. We may not agree all the time, but we are a team. We are keeping this 10 square mile community On the Move.

FUTURE AGENDA ITEMS

NONPUBLIC SESSION

ADJOURNMENT

Councilor Dumont, seconded by Councilor Cameron, made a motion to adjourn. The meeting adjourned at 8:46 pm. 7-1, with Councilor Sprague opposed.

Trish Harris, City Clerk

Dana Hilliard, Mayor