



Minutes of City Council Meeting Monday, April 17, 2023

ROLL CALL OF MEMBERS

The meeting was called to order at 7:00 p.m. by Deputy Mayor Witham and, upon roll call, the following Council members were present: Pepin, Vincent, Gibson, Austin, Michaud, Gerding, Cameron and Messier.

Mayor Dana S. Hilliard was absent.

PLEDGE OF ALLEGIANCE

Councilor Pepin led the Pledge of Allegiance.

RECOGNITION OF INDIGENOUS PEOPLE – OUR NATIVE ANCESTRAL AMERICANS

Deputy Mayor Witham read the Recognition of Indigenous People – Our Native Ancestral Americans

PUBLIC HEARING

There were no Public Hearings scheduled.

COMMENTS BY VISITORS

There were no comments by visitors.

CONSENT CALENDAR

- A. Approve Minutes of the Budget Presentation – Fiscal Year 2023-2024 held on April 3, 2023
- B. Approve Minutes of the City Council Meeting held on April 3, 2023
- C. Approve Minutes of the City Council Budget Workshop held on April 8, 2023

Councilor Gibson made a motion to accept the Consent Calendar as presented. The motion was seconded by Councilor Austin and passed 9-0 by voice vote.

COMMENTS BY CITY COUNCILORS

Councilor Vincent commented on the public comments that were made at the last City Council Meeting pertaining to the way that Council appoints School Board Members after receiving a resignation letter. He felt that some of the comments being made were inappropriate, especially by those that had previously ran and lost during the most recent Municipal Election for that School Board seat. He stated that he is glad the Council voted for Thomas McCallion and feels that the Council did a great job in choosing the right candidate to fill the position.

COMMUNICATIONS

There were no communications.

PRESENTATIONS OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE

There were no presentations of petitions and disposal thereof by reference or otherwise.

MAYOR'S REPORT

There was no report in the Mayor's absence.

REPORT OF STANDING COMMITTEES

Economic Development Committee- Councilor Austin reported that the Economic Development Committee met on April 12th with the first agenda item being about the proposed Main Street Parking Lease Agreement for the Elm Street development project. He stated that there is a Resolution on the Council's agenda for tonight's meeting pertaining to the Parking Lease which was supported by the Committee. Councilor Austin stated that there was additional discussion regarding the parking Ordinance, Police Offenses, needing review due to the 2-hour parking limit rules that will affect the proposed parking spaces.

The Committee discussed City-owned properties. The former Police Department received no bids on the property which required a minimum bid of \$200,000. The City Manager provided the Committee with feedback from developers which suggested that the estimated cost to redevelop the property is a significant amount above the purchasing price set by the City and therefore, less desirable to developers to bid at that amount. Councilor Austin shared the options discussed by the Committee which included reducing or eliminating the purchasing price and going back out for bids or contracting with a realtor to market the property on the City's behalf. The two options are being proposed to the Council for discussion during tonight's meeting and the Committee recommends that the City hire a realtor.

The 1 Winter Street property was discussed as there are infrastructure improvements needed in order to prepare the property for City use as was previously voted on by the Council. City Manager Belmore is going to work with City staff to develop a proposal which will include recommendations and cost estimates for the property.

The Committee deferred the discussion regarding the Somersworth Plaza to the next scheduled Economic Development Committee meeting.

Councilor Austin updated the Council on the wayfinding signage pertaining to sign locations and what attractions or buildings should be pointed out. The total budget for the project is \$15,000, preliminary costs for poles have been determined and City staff are going to work on what can be obtained with the current available funds .

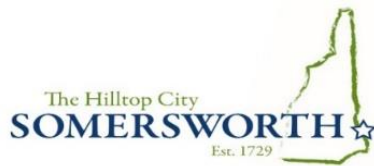
Public Works & Environment Committee – Meeting scheduled on Friday, April 21, 2023 at 8:30 a.m.

REPORT OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

School Board – Councilor Austin reported on the School Board meeting that was held on April 11th. He congratulated Middle School English Teacher, Jackie Hanlon, who was acknowledged at the meeting for being named the 2023 New England League of Middle Schools "Master in the Middle". A presentation from the Career & Technical Education (CTE) center was given to the School Board which shared all that the Center has to offer. Councilor Austin reported on the participation number of graduating students, he stated that roughly 50% of those that have graduated have been enrolled within a CTE course during their high school career and the hope is to increase those numbers.

Conservation Commission – Councilor Gerding reported on the Conservation Commission meeting that he attended on April 12th, his invitation to the meeting came about after sharing his interest after coming across an old bridge and trails on the Malley Farm property. The Commission has a subcommittee specific to Malley Farm and they expressed their interest in having Councilor Gerding attend meetings and work towards formalizing trails and there was also an idea of implementing a story walk throughout the trails. He stated that the trails need some work and may require a grant to cover those expenses. The Commission discussed that a grant to reconstruct the trails may be easier to acquire if the lands were on Conservation Land. Upon further research by Councilor Gerding, he located a grant opportunity that covers all costs and fees of turning over lands into conservation properties if approved. He reported on reasons discussed as to why the property has conversation land values and it being a good candidate for the grant. There is a site walk scheduled at Malley Farm Wednesday, April 19th at 4:00 p.m.

City Manager's Report



Office of the City Manager

TO: Mayor Dana S. Hilliard and City Council Members
FROM: Robert M. Belmore, City Manager
DATE: Friday, April 14, 2023
SUBJECT: City Manager's Report for Monday, April 17, 2023 City Council Meeting

Unfinished Business (under Section 15 of Agenda)

Resolutions

- A. Resolution No 42-23: To Authorize the City Manager to Sign an Agreement with the State of New Hampshire Division of Historical Resources for the Installation of a Historical Marker and for the City to Agree to Provide Maintenance and Care of Said Marker.** Again, the City was notified from the State of NH, Division of Historical Resources, that they approved the City's request to place a State Historical Marker at the Forest Glade Cemetery.

New Business (under Section 16 of Agenda)

Resolutions

- A. Resolution No. 43-23: To Amend Council Rules and Regulations, Section 10A, School Board Resignations, and to add Section 10B Filling of Board and Committee Vacancies.** Attached is a Copy of the Council Rules & Regulations.

- B. Resolution No. 44-23: To Authorize the City Manager to Enter into a 20-Year Lease with 85 Elm Street Somersworth, LLC for 44 City Public Parking Spaces on Main Street.** The Economic Development Committee met on April 12th and voted to recommend approval of this Resolution. Attached is a copy of the Lease which has been reviewed by the City Attorney and our insurance carrier, Primex. The developer's Attorney provided the first Draft and they agreed to changes requested by the City. The location of the leased spaces is shown on the attached map, which will be "Exhibit A" as part of the Agreement.

Other

- A. Vote to Authorize the Sale of the Former Police Station Property at 5 Main Street by way of Requesting Sealed Bids with a New Minimum Bid or by Contracting with a Realtor to Pursue a Sale (Request of Economic Development Committee).**

City Manager's Items (under section 12 of Agenda)

Informational Items

- A. Fire Department Grant Application.** Without objection, I intend to give authorization to Fire Chief George Kramlinger to apply for Grant Funding for technical rescue, hazmat, and associated equipment through HSEM in the amount of \$50,000 - \$100,000. Both offices disburse Federal funds which generally requires a 5% match. Attached is an email from the Chief regarding this request, and if awarded, a soft match using SCBA replacement funding which is already programmed in the CIP.

Attachments

- 1. Department Head Reports**
- 2. City Attorney Certifications: Two (2)**

NOMINATIONS, APPOINTMENTS AND ELECTION

In accordance with Council Rules 17 Appointments, the following is being brought forward for a confirmation vote:

- A. Elizabeth Nguyen as an alternate member of the Historic District Commission with a term to expire April 2026**

Councilor Gerding motioned to appoint Elizabeth Nguyen as an alternate member to the Historic District Commission. The motion was seconded by Councilor Austin and passed 9-0 by voice vote.

LAY ON THE TABLE

No items Lay on the Table.

UNFINISHED BUSINESS

RESOLUTIONS

- A. **Resolution 42-23** – To Authorize the City Manager to Sign an Agreement with the State of New Hampshire Division of Historical Resources for the Installation of a Historical Marker and for the City to Agree to Provide Maintenance and Care of Said Marker

Clerk LaPanne performed a second reading of Resolution 42-23.

Councilor Pepin made a motion to adopt Resolution 42-23 as submitted. The motion was seconded by Councilor Vincent and passed 9-0 by roll call vote.

NEW BUSINESS

RESOLUTIONS

- A. **Resolution 43-23** – To Amend Council Rules and Regulations, Section 10A, School Board Resignations, and to Add Section 10B Filling of Board and Committee Vacancies

Clerk LaPanne performed a first reading of Resolution 43-23.

Resolution 43-23 will remain in first reading until the call of the Chair.

Deputy Mayor Witham referred Resolution 43-23 to the Government Operations Committee per the request of Mayor Hilliard.

- B. **Resolution 44-23** – To Authorize the City Manager to Enter into a 20-Year Lease with 85 Elm Street Somersworth, LLC for 44 City Public Parking Spaces on Main Street

Clerk LaPanne performed a first reading of Resolution 44-23.

Councilor Gerding made a motion to suspend Council Rules and allow for a second reading on Resolution 44-23. The motion was seconded by Councilor Cameron and passed 9-0 by voice vote.

Clerk LaPanne performed a second reading on Resolution 44-23.

Councilor Gerding made a motion to adopt Resolution 44-23 as submitted. The motion was seconded by Councilor Austin.

Discussion:

Councilor Gibson stated that he traveled Main Street a couple of times after sponsoring Resolution 44-23 and began to have concerns of the parking spaces in question. He noted approximately 6 businesses in the area of around 14 of the parking spaces, he wonders if approving to lease those spaces, will prohibit any future development in that area of Main Street by limiting parking spaces.

Councilor Vincent questioned the amount of money the City is receiving for each parking space. Deputy Mayor Witham clarified that each parking space will be leased for \$20 per month, he confirmed that the fee is consistent throughout the City. Councilor Vincent questioned who is

responsible for paying the fee, the resident or the developer. City Manager Belmore confirmed that the lease agreement is with 85 Elm Street Somersworth, LLC who is responsible for paying the City.

There was discussion regarding the parking spaces being across the street from the businesses referenced by Councilor Gibson. Additionally, it was noted that City staff identified and vetted the parking spaces as available to this development. It was also confirmed that there is language within the lease that allows the City or 85 Elm Street Somersworth, LLC to relocate or renegotiate parking spaces throughout the agreement term.

The motion passed 9-0 by roll call vote.

OTHER

- A. Vote to Authorize the Sale of the Former Police Station Property at 5 Main Street by way of Requesting Sealed Bids with a New Minimum Bid or by Contracting with a Realtor to Pursue a Sale (Request of Economic Development Committee)

Discussion:

Councilor Austin reiterated that the Economic Development Committee spent a significant amount of time discussing the property and with the feedback that the City Manager provided from developers, he feels that by placing any dollar amount as a minimum bid, could hinder the sale of the parcel. The Committee recommends contracting with a realtor for the sale of the property.

Councilor Pepin questioned how the realtor would be paid and is it commission they would receive. City Manager Belmore explained the intent would be to get three proposals from realtors, including commercial and residential, and expects the proposal would detail the commission threshold or their costs for marketing efforts. Manager Belmore asked direction from the Council pertaining to once the proposals have been received, would the Council want to vote for the realtor or could the Economic Development Committee select their realtor of choice. Councilor Pepin shared his preference of putting out a Request for Proposal as opposed to going out to bid or hiring a realtor.

Councilor Gibson stated that he is in favor of hiring a realtor because they have a responsibility to market the property and to try to obtain the best possible price for the property.

Councilor Michaud stated that one of his constituents reminded him that years ago, the former Police Department property was sold to a company for \$1, and after it was purchased by that company, they didn't develop the property for reuse and then sold it back to the City for \$60,000. He wonders if the Council should consider selling the property for \$60,000 in order to recoup the invested amount that went into the property.

Councilor Pepin feels that the market would be more open to the parcel in today's economy.

Deputy Mayor Witham's opinion is that the end goal pertaining to the property, is that it be sold and developed into something useful as opposed to recouping invested monies or making money off of the sale. He added that the goal, from his perspective, is to sell the property and to get it back on the tax roll and feels that hiring a realtor, as suggested by the Economic Development Committee, will help the City meet that primary goal.

Councilor Messier agrees with hiring a realtor to sell the property. He explained a developer needing to see a value in the rate of return. He added that the first time the property went on the market there was contamination that has since been addressed, he agrees that the end goal is to get the property on the tax roll.

Council Austin questioned if the Council votes to hiring a realtor, will the Economic Development Committee have the authority to contract with the realtor of their choice or will it come back to Council.

Deputy Mayor Witham stated that he feels the preliminary work such as selecting a realtor is appropriate to be handled by the Economic Development Committee and the expense of contracting with the realtor is appropriate to be vetted through the Finance Committee. The final sale of the property will have to come back to the full Council where it will then be discussed and voted on.

Deputy Mayor Witham asked that the vote be executed by roll call vote and each Councilor will state whether they wish to put the property out for another round of sealed bids or hire a realtor.

The vote to authorize the sale of the Former Police Station property at 5 Main Street by way of contracting with a realtor to pursue a sale passed 9-0 by roll call vote.

COMMENTS BY VISITORS

There we no comments by visitors.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Vincent commented on the sidewalk repairs happening on High Street and Washington Street and is ecstatic that the work is being done. He also stated that the Council received an email pertaining to the City's zoning and believes that the zoning ordinances should continue to be reviewed. He referenced MB Tractor and Velcro signage request for variances pertaining to the City's Zoning Ordinances and is looking to move forward with discussion and review from the Zoning Board of Adjustments and the City Council.

Councilor Gibson agreed with Councilor Vincent's comments regarding the Zoning Ordinances adding that he has disagreed with some of the ordinances for some time. Councilor Gibson commented on Resolution 43-23 and he does not agree with some of the wording proposed. He has concerns that a Board vacancy could potentially remain unfilled for up to two months with the suggested amendments and feels that positions as such need to be filled timely and represented. Councilor Gibson shared thoughts on political parties being elected to positions and then switching parties, he referenced an event in Tennessee where this took place and left him uneasy with the situation.

Councilor Austin commented on the zoning ordinances issues, and he hopes that the Council and Zoning Board of Adjustment can take the time to review the issues wholistically and in a way that increases economic development while meeting the vision of the Eyes on 30 Commission.

Councilor Michaud seconded the comments of Councilor Austin.

Councilor Gerding commented that he agrees with the comments of looking at the zoning ordinances as a wholistic approach and wonders if the Council would benefit from multiple zoning workshops throughout the process. He suggested focusing on specific topics during each workshop such as housing, businesses and form-based codes. Councilor Gerding mentioned Somersworth Cleanup Day being launched on Saturday, April 22nd from 8:00 a.m. to 10:00 a.m. at both the Noble Pines Park and Jules Bisson Park. The cleanup activities will continue throughout both Saturday and Sunday.

Councilor Cameron mentioned the Eyes on 30 Commission meetings and invited all to attend and share their ideas for goals being set. She congratulated Bill Staples on his retirement from the Fire Department after 21 years.


Deputy Mayor Witham agrees that the zoning ordinances are always worth examining, especially when there are multiple requests for variances of a similar kind. He is not opposed to zoning workshops and agrees with the wholistic approach and added that in the meantime, if the Zoning Board of Adjustment can funnel those types of requests to the Council, they can work through them during workshops. Deputy Mayor Witham commented on the process of resignations and filling of vacancies with regards to the School Board and City Council, he noted that those Boards are also governed by City Charter that is rather specific with timeframes of posting and filling of vacant positions. He feels that the reason the Mayor referred Resolution 43-23 to the Government Operations Committee, is so that it can be reviewed to ensure there is no in conflict with the current Charter language. Deputy Mayor Witham mentioned projects happening around the City and believes that the work being done is necessary and happy to see it progressing. He commented on the Somersworth Cleanup Day and also congratulated Bill Staples on his retirement. In conclusion, Deputy Mayor Witham commented on the Noble Pines Park concession area needing to be looked at regarding rotting deck wood.

ADJOURNMENT

Councilor Austin made a motion to adjourn the City Council meeting. The motion was seconded by Councilor Messier and passed 9-0 by voice vote. The meeting adjourned at 8:05 p.m.

Respectfully Submitted,

Kristen LaPanne, City Clerk

	City of Somersworth - Resolution
	Resolution No: 42-23 TO AUTHORIZE THE CITY MANAGER TO SIGN AN AGREEMENT WITH THE STATE OF NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES FOR THE INSTALLATION OF A HISTORICAL MARKER AND FOR THE CITY TO AGREE TO PROVIDE MAINTENANCE AND CARE OF SAID MARKER

April 3, 2023

WHEREAS, pursuant to New Hampshire Revised Statutes Annotated 236:44, as inserted by Chapter 422, Laws of 1983, and by New Hampshire Revised Statutes Annotated 227-C:4, X., pursuant to Chapter 345, Laws of 1985, authority was granted to the Division of Historical Resources / State Historic Preservation Office to enter into cooperative arrangements with cities, towns, and local historical organizations or societies for the erection of markers, for the purpose of indicating the occurrence of historical events, within the rights of way of Class IV and V highways; and

WHEREAS, said RSA 236:44 requires that the Division of Historical Resources / State Historic Preservation Office's authority to enter into such agreements is conditioned upon the City, Town, or Local Historical Organization or Society agreeing to the subsequent maintenance and care of said markers; and

WHEREAS, the City desires a historical marker be placed near the Forest Glade Cemetery which was established in 1851 and has been placed on the National Registry of Historic Places;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to sign an agreement with the State of New Hampshire Division of Historical Resources to pay for the full cost of a historical marker including installation of a historical marker and for the City to agree to provide maintenance and care of said historical marker.

Authorization	
<i>Sponsored by:</i> Mayor Dana S. Hilliard <i>Councilors:</i> Kenneth S. Vincent Donald Austin Matthew Gerding Richard R. Michaud Nancie Cameron Denis Messier Martin Pepin David A. Witham	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 42-23

History

First Read Date:	4/3/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	4/17/2023		

Discussion

4/3/2023

Clerk LaPanne performed a first reading of Resolution 42-23.

Resolution 42-23 will remain in first reading until the call of the Chair.


Councilor Witham requested that his name be added to Resolution 42-23 as a sponsor. There was no objection.

4/17/2023

Clerk LaPanne performed a second reading of Resolution 42-23

Councilor Pepin made a motion to adopt Resolution 42-23 as submitted. The motion was seconded by Councilor Vincent and passed 9-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Gibson	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Messier	X	
TOTAL VOTES:		9	0
On 4/17/2023	Resolution 42-23	PASSED	FAILED

	City of Somersworth – Resolution
	Resolution No: 43-23 TO AMEND COUNCIL RULES AND REGULATIONS, SECTION 10A, SCHOOL BOARD RESIGNATIONS, AND TO ADD SECTION 10B FILLING OF BOARD AND COMMITTEE VACANCIES

April 17, 2023

WHEREAS, Presently, there is no formal notification process in regards to School Board Member resignations, or the City Council’s acceptance of other individual resignations from City Boards and Committees; and

WHEREAS, City governance will benefit from a clear administrative process that provides direction on the receipt and acceptance of resignations from City Boards and Committees; and

WHEREAS, Furthermore, City governance and the Public will benefit in knowing the timing of accepting applications to fill any Board or Committee vacancies,

NOW, THEREFORE, City Council Rules and Regulations, as amended, shall be further amended as follows:

Section 10A. School Board Resignations, add a new paragraph:

When a resignation of a School Board Member occurs, the Mayor shall communicate the resignation to the City Council and School Board Chair prior to posting the vacancy.

Add, Section 10B. Filling Board and Committee Vacancies

No application to fill any vacancy on any Board or Committee may be accepted until the City Council has been duly notified of the vacancy at a scheduled City Council Meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Council Rules and Regulations are amended effective immediately upon passage of this Resolution.

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

City of Somersworth – Resolution 43-23

History

First Read Date:	4/17/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion


4/17/2023

Clerk LaPanne performed a first reading of Resolution 43-23.

Resolution 43-23 will remain in first reading until the call of the Chair.

Deputy Mayor Witham referred Resolution 43-23 to the Government Operations Committee per the request of Mayor Hilliard.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Gibson		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
TOTAL VOTES:			

	City of Somersworth – Resolution		
	Resolution No: 44-23 TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A 20-YEAR LEASE WITH 85 ELM STREET SOMERSWORTH, LLC FOR 44 CITY PUBLIC PARKING SPACES ON MAIN STREET		
On	Resolution 43-23	PASSED	FAILED

April 17, 2023

WHEREAS, 85 Elm Street Somersworth LLC applied for approval of a site plan for a 128-unit multifamily development and infrastructure for property located at 85 Elm Street and 20 Green Street; and

WHEREAS, the Somersworth Planning Board approved the site plan application on March 15, 2023 with certain conditions including the requirement that the applicant receive approval from the City Council on the lease of additional parking spaces to achieve a 1.3 parking space to unit ratio; and

WHEREAS, the development of this property merges with the City’s desire to pursue development that will provide increased revitalization of the downtown core; and

WHEREAS, City Staff has identified 44 parking spaces along the Eastern side of Main Street that could be leased by the developer that would achieve the parking space ratio required by the Planning Board; and

WHEREAS, City Staff have prepared a draft lease with 85 Elm Street Somersworth LLC that would provide 44 parking spaces along Main Street, for a 20-year term, with a lease payment of \$20 (Twenty dollars) per space per month; and

WHEREAS, the Economic Development Committee has reviewed this lease with City Staff and recommends the City Council approve this lease;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to enter into a 20-year lease with 85 Elm Street Somersworth, LLC for 44 City public parking spaces along Main Street, and to take any other actions relative to this lease determined to be in the best interest of the City.

Authorization	
<i>Sponsored by Councilors:</i> Donald Austin Robert Gibson Richard Michaud Matt Gerding	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 44-23	

History			
First Read Date:	4/17/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	4/17/2023		

Discussion

4/17/2023

Clerk LaPanne performed a first reading of Resolution 44-23.

Councilor Gerding made a motion to suspend Council rules and allow for a second reading of Resolution 44-23. The motion was seconded by Councilor Cameron and passed 9-0 by voice votes.

Clerk LaPanne performed a seconded reading of Resolution 44-23.

Councilor Gerding made a motion to adopt Resolution 44-23 as submitted. The motion was seconded by Councilor Austin.

Discussion:

Councilor Gibson stated that he traveled Main Street a couple of times after sponsoring Resolution 44-23 and began to have concerns of the parking spaces in question. He noted approximately 6 businesses in the area of around 14 of the parking spaces, he wonders if approving to lease those spaces, will prohibit any future development in that area of Main Street by limiting parking spaces.

Councilor Vincent questioned the amount of money the City is receiving for each parking space. Deputy Mayor Witham clarified that each parking space will be leased for \$20 per month, he confirmed that the fee is consistent throughout the City. Councilor Vincent questioned who is responsible for paying the fee, the resident or the developer. City Manager Belmore confirmed that the lease agreement is with 85 Elm Street Somersworth, LLC who is responsible for pay the City.

There was discussion regarding the parking spaces being across the street from the businesses referenced by Councilor Gibson. Additionally, it was noted that City staff identified and vetted the parking spaces as available to this development. It was also confirmed that there is language within the lease that allows the City or 85 Elm Street Somersworth, LLC to relocate or renegotiate parking spaces throughout the agreement term.

The motion passed 9-0 by roll call vote.

Voting Record	YES	NO
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Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Gibson	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Messier	X	
TOTAL VOTES:		9	0
On 4/17/2023	Resolution 44-23	PASSED	FAILED