

Minutes of City Council Meeting Monday, July 10, 2023

ROLL CALL OF MEMBERS

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

PLEDGE OF ALLEGIANCE

Councilor Cameron led the Pledge of Allegiance.

RECOGNITION OF INDIGENOUS PEOPLE – OUR NATIVE ANCESTRAL AMERICANS

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

PUBLIC HEARING

- A. **Ordinance 24-23** – To Amend Chapter 29, Administrative Code, Section 29.8.5, Disposal of City Property

There were no public comments.

- B. **Resolution 52-23** – To Authorize the City Manager to Sign an Application for a Community Development Block Grant (CDBG) to Upgrade the Parking Lot, Install Air Conditioning, New Windows, New Playgrounds, Upgrade Classrooms, and Make Certain Building Structure Improvements at the Somersworth Early Learning Center

Clerk LaPanne read the following:

Community Development Block Grant, or CDBG, funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for housing & public facilities, economic development, microenterprise and emergency activities. Up to \$25,000 is available for planning grants. All projects must directly benefit a majority of low- and moderate-income persons.

This is a proposed APPLICATION TO THE COMMUNITY DEVELOPMENT FINANCE AUTHORITY FOR A CDBG PUBLIC FACILITIES GRANT of \$500,000. The funds will support the renovation of the Somersworth Early Learning Center located at 35 Bartlett Ave, Somersworth. Proposed improvements include to upgrade the parking lot, install air conditioning, new windows, new playgrounds, upgrade classrooms, and make certain building structure improvements. This project satisfies the national objective of Low- to Moderate Income Housing (LMH), and income verification is proposed to ensure that individuals and households served qualify as low- to moderate-income.

This project conforms with Somersworth's Housing and Community Development Plan's Goal of:

Goal: Promote activities that protect the health and safety of residents and visitors.
City Objective 1: Support new or rehabilitate existing Public Facilities, including childcare facilities, to enhance the health and well-being of children. (Short-term and long-term goal).

Further, the proposed HOUSING AND COMMUNITY DEVELOPMENT PLAN outlines goals for Somersworth, including:

Goal: Encourage a varied stock of safe, sanitary, decent and affordable housing for persons of all age and income groups.

Goal: Encourage economic development activities to increase quality industrial and commercial development

Goal: Encourage the protection, enhancement and renovation of significant historic and architectural resources in the community. Preserve and promote the town's historically and culturally significant structures.

The RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN states in general that if the City were to undertake a CDBG project which involved displacement and resulting relocation they would follow the Uniform Relocation Act requirements. The Residential Anti-displacement and Relocation Assistance Plan outlines the measures they would take to find comparable, housing for persons (or businesses) displaced and/or relocated.

Mayor Hilliard opened the Public Hearing.

Mayor Hilliard asked for comment regarding the Proposed Application. There were no public comments.

Mayor Hilliard asked for comment regarding the Housing and Community Development Plan. There were no public comments.

Mayor Hilliard asked for comment regarding the Project-Specified Residential Anti-Displacement Plan. There were no public comments.

Mayor Hilliard closed the Public Hearing for Resolution 52-23.

COMMENTS BY VISITORS

Roger Smith of 67 Crest Drive commented that he believes that additional housing is great but has concerns with the potential sale to Chinburg Properties. He noted that traffic already poses an issue on Blackwater Road and High Street and has caused drivers to divert down Crest Street as a cut through to avoid traffic. Mr. Smith lives at the end of Crest Drive and stated that he witnesses multiple cars disobeying the speed limit as it is. He stated that he is against the Chinburg Properties proposal and stated that if the Council approves the development, he would like to see travel access denied through Crest Street. Mr. Smith commented that the City should conduct an impact study of the development of up to 250 apartment units being proposed. He noted that there have been requests for Crest Drive residents to be on the City's sewer with connection from either Drew Street or Blackwater Road but that has not taken place, meanwhile, the City is considering a development that would connect their sewer to Blackwater Road's sewer line.

Renaie Marquis of 44 Crest Drive expressed safety concerns over the Chinburg Properties proposal. She stated that the City gave her the feeling of safety as she grew up and wanted the same for her child.

She mentioned that when Wal-Mart came to the City, residents of Crest Drive requested and received approval to have their street become a one-way street. Ms. Marquis fears that Crest Street will see an influx of traffic and become unsafe due to the proposal of up to 250 apartments on the former National Guard Readiness Center property, she believes that Crest Street will become a cut through road to get from Blackwater Road to High Street and poses safety concerns to residents walking their dogs or children riding their bikes along Crest Street. Ms. Marquis is not in support of the Chinburg Properties proposal.

Cynthia Boivin of 64 Crest Drive commented that she has lived her entire life in Somersworth and has attended the schools and Church within the City, and she feels that 250 units will radically change the landscape. She described the current neighborhood as single-family, one- and two-story homes and feels that the development will cause an increase in vehicle and delivery traffic, visitors to the development, and the paving over what is currently green, open space. Ms. Boivin stated that Crest Drive is the only street that connects Blackwater Road to High Street and would expect a significant increase in traffic on Crest Drive for this reason. She questioned why this property is being developed and wondered if the City could develop a Community Center or park that would be beneficial to the Community as a whole. Ms. Boivin believes that from a mental and physical health perspective, if the proposal is approved, it would put a tremendous gloom on the Community.

Brad Fredette of 3 Blackwater Road and a member of the Zoning Board of Adjustments, commented that he read the current proposal and encourages the City Council to develop the former National Guard Readiness Center into a Community Center. He noted that the Chinburg Properties proposal asks for radical rezoning to the current site and with approximately five acres, the proposal suggests 50 units per acre. As an indirect abutter to the property, Mr. Fredette agrees that there are already traffic concerns that have not seen improvements due to lack of City funding and the addition of 250 apartments will only increase those issues. He commented that the Little League Baseball Field has dedicated volunteers and would like to see the on-street parking that occurs during baseball games addressed, adding his concern that there is not appropriate access for emergency personnel vehicles to and from the Fire Station as is. Mr. Fredette stated that he believes that Chinburg Properties are phenomenal developers that own property on Main Street which may be perfect for a development such as the one being proposed. He stated that his understanding of the proposal includes the sale of the property for \$200,000, a request for tax relief incentives and their request that the City assist in the expense of demolishing the current structure. He wonders what the rush is to sell the property and inquired about the City doing more outreach to residents such as adding a question to an Election Ballot or asking for the public's input in a more effective way. Mr. Fredette stated that a feasibility study should be conducted and suggested a citizen's volunteer committee could be established to gain residential input on projects such as this.

Sandra Krasco of 6 Guy Street commented that she is not in favor of the Chinburg Properties proposal to purchase the former National Guard Readiness Center noting the proposal is to have a 4-story high apartment building. She stated that the area neighborhoods consist of single-family homes and duplexes with housing nearby and she expects the area traffic will become outrageous to deal with and doesn't see a development of this size within that neighborhood. Ms. Krasco commented that perhaps a 2-story building would be different but that the proposed 250 units is too much. Ms. Krasco stated that the new Fire Station was a great addition to the City and inquired about a Community Center. She mentioned that she travels to South Berwick to use their Community Center. She stated that she feels that the City does not need more affordable housing and asks that something be developed for the residents on the former National Guard site.

Paul Goodwin, Somersworth resident and Senior Development Manager at Chinburg Properties, commented on Resolution 54-23 stating that Chinburg Properties submitted an application based on the City of Somersworth's request for proposal from qualified developers to redevelop the former National Guard Readiness Center for recreational and/or residential development. He stated that Chinburg is excited to advance a housing based developmental proposal that retains and supports recreational uses on the site. Mr. Goodwin stated that if the Resolution passed, the next steps would be to undergo a robust public process to address City requirements including review of approved uses, traffic code requirements and design. He noted that Chinburg has over 30 years of development experience with over 20 years supporting the City of Somersworth. He commented that many benefits will be brought to the City, including retaining the existing baseball field, a public accessible park, improved parking and accessibility for the baseball field, greenspace, and more.

Andrea Boivin of 64 Crest Drive commented that she is completely against the Chinburg Properties proposal. She stated that there is no mention of a traffic study by the Chinburg representative and suggests that an increase of up to 500 vehicles could come from the development, and she questions how traffic will navigate in a small area and right near a major intersection. Ms. Boivin compared the City of Somersworth to Dover and shared her fear of becoming similar to Dover with large structures and what she explained as being difficult to navigate in regards to increased traffic on Central Avenue in Dover. Ms. Boivin questioned what the impact to City services and the School system would be like with the addition of 250 units. She stated that she would also be in favor of a Community Center for residents and tax payers to enjoy and is upset that there was a motion to further the first reading of the Resolution to a second reading at the previous Council meeting without hearing from the public.

Roger Smith of 67 Crest Drive stated that when the City conducts a traffic and feasibility study, that many residents have gotten fed up with High Street and avoid that route during its heaviest traffic times, and would like for the Council to consider doing a traffic study in the future of High Street.

Candice Rogers of 19 Crest Drive described traffic as unimaginable on Crest Drive if the development of 250 units were to be approved on the former National Guard Readiness property. She expressed concern with the increase of up to 500 cars adding to traffic for the safety of children riding bikes as well as the potential for property values to decrease. Ms. Rogers commented that she feels housing is needed but does not believe that the property in question is the appropriate place for this project. She added concern of the wildlife that would be disturbed and the need for a traffic study on High Street. She is in favor of the potential for a Community Center and pool that could collect revenue to help offset operating costs.

Cynthia Boivin of 64 Crest Drive stated that there is development going on in Somersworth with apartments being built and doesn't feel that his new Chinburg development is needed on the former National Guard site.

Councilor Vincent asked if the emails received from residents regarding the Chinburg proposal could be read aloud. Mayor Hilliard confirmed that the City Manager is going to report out on the emails during his City Manager's Report.

CONSENT CALENDAR

- A. Approve Minutes of the City Council Nonpublic Session held on June 20, 2023
- B. Approve Minutes of the City Council Meeting held on June 20, 2023

Councilor Vincent made a motion to adopt the Consent Calendar as presented. The motion was seconded by Councilor Pepin and passed 9-0 by voice vote.

COMMENTS BY CITY COUNCILORS

Councilor Vincent thanked the visitors for sharing their comments regarding the National Guard Readiness Center proposal and stated that it is important that he hears the residents' opinions. He commented that Chinburg is a very qualified builder but believes that there is another place in Somersworth for such a development as being proposed, and he feels that this property is not the right place for this development. He is in favor of the recreation side of the discussion and added that he received a number of phone calls from residents, none of whom were in support of the project.

Councilor Gibson stated that he agreed with Councilor Vincent's comments adding that he initially sponsored Resolution 54-23 during the Finance Committee meeting in order to have the full Council's review and discussion of the Chinburg proposal. He stated that he respects the developer but shares some of the same concerns that were voiced by the Community members. He added that Chinburg owns property on Main Street and in his opinion, would be ideal for the proposed development and would have ample parking available. Councilor Gibson commented that he respects the work that the City's Boards do, but was disappointed with the results of the Elm Street development action and feels that it is not a favorable idea to build a parking lot on Washington Street. He noted that the initial project design proposed parking underneath the structure as well as parking on Main Street, however, the developer changed their design and he doesn't feel that a parking lot is in character for that area. Councilor Gibson added that he would have liked to see the Board hold the developer on their initial and approved design with regards to parking.

Councilor Witham commented on the Historic District Commission actions pertaining to the 85 Elm Street development and noted that the Commission voted against the developer's new requests, he added that he believes that the developers will walk away from the project at this point. Councilor Witham stated that he feels that the reach of the Commission should be reviewed and discussed by the Council. He noted that during the presentation by the 85 Elm Street Developers, they had requested to include more residential units on the first floor in an effort to increase revenue that would help with their investment into the project. In turn, the developers were requesting to utilize the Somersworth Hotel property that is adjacent to the lot as they would need to displace the first level parking that they had originally proposed. Councilor Witham stated that the Commission is not allowed to take into consideration financial impacts pertaining to projects as is written within their regulations, he added that further conversation should be had by the Council to add language allowing financials to be considered, or perhaps narrow the abilities of the Commission.

Councilor Gerding expressed appreciation to the visitors that shared their comments regarding the National Guard Readiness Center proposal. He stated that he agrees with Councilor Witham's comments regarding the Historic District Commission and reiterated that the Commission is not able to take into consideration finances when making a decision. As a current member of the Historic District Commission, he wished that the developer would have worked with the City of Somersworth as they seemed willing to do from the start of their proposal and he feels that the original proposed and approved design was ignored. Councilor Gerding stated that the developers presented what appeared to be a brand-new plan with changes made to the parking and the façade of the building. He added that the developer refused to table the proposal which he felt would have been an opportunity for the developer and the City to negotiate their needs as it had been handled previously. Councilor Gerding also fears that the developers will back out of the project and at the very least, he wanted to

commend the Historic District Commission for following their regulations and sticking to the proposal they had initially agreed to with the developers. Councilor Gerding volunteered to be a member of any Committee that were to be established by the Council in order to review regulations that govern the Historic District Commission that would perhaps allow the Commission to make decisions that can take into account financial aspects of projects within the City.

Councilor Messier commented that he was never in favor of any project that didn't involve the City retaining the property of the former National Guard Readiness Center. He stated that he places no blame on Chinburg Properties as they were responding the City's request for an RFQ, but he is not in favor of their proposal. Councilor Messier questioned why the Historic District goes down as far as the Elm Street development and wonders what the historical significance is there. He stated that he hopes that the Elm Street developers will appeal the decision of the Historic District Commission and a resolution is met, if not, he worries that the site will become nothing more than dilapidated parking lots and abandoned buildings. Councilor Messier added that he would be in support of shrinking the Historic District and developing the former National Guard Community Center within the City.

Councilor Gibson apologized if his comments misrepresented the Historic District Commission and clarified that his comment was that he disagrees with any Board that would radically change a proposal from its initial design.

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

Honorable members of the Council, I submit to you the Mayor's Report for Monday, July 10th, 2023.

Under nominations appointments and elections, in accordance with Council Rules 17 Appointments, the following is being brought forward this evening for a confirmation vote:

Doug Haberman, for appointment as an alternate member to the Planning Board with a term to expire June 2026.

This respectfully concludes my July 10th, 2023 Mayor's Report.

REPORT OF STANDING COMMITTEES

Finance Committee – Councilor Witham reported that the Committee met on June 26th and they first discussed The Oaks request for a lease extension regarding the operation and maintenance of The Oaks Golf Course on City-owned property. A 38-year lease was signed in 2002, with the lease being about half way through its term and The Oaks is requesting to extend said lease from 2040 to 2060. Mr. Harrity, one of the Oaks Principal Operator, provided the City with a lease extension proposal which listed a number of facility and site improvements that are costly and make the lease extension important in getting a return on their investments. Councilor Witham stated that he felt the Committee agreed with Mr. Harrity, that the Oaks is a tremendous asset to the Community and that the partnership between the City and the Oaks is valuable. He added that the proposed lease extension also detailed increases in the lease payments over the years which will continue to escalate accordingly over the terms

of the lease agreement. He commented on the Committee's discussion regarding the number of rounds that are played at the Oaks annually, he noted that there was a significant increase during the COVID-19 pandemic and those numbers have remained consistent. Councilor Witham noted that the Finance Committee was in full support of recommending to the full Council, a lease extension with the Oaks through year 2060.

Councilor Witham reported that the Finance Committee met with Henry Herndon, a representative of the Community Power Coalition of New Hampshire. Councilor Witham stated that if the City joined the Coalition, the program would offer greater buying power for the City's residents and business owners. He explained that Eversource owns the poles and power lines which is the delivery portion of the bill, but that residents and business owners would have the flexibility to choose their energy supplier by either opting into the Coalition, staying with Eversource, or choosing another available energy supplier. He stated that if the City of Somersworth were to join the Coalition, they would be the 34th Community member, and added that the City would need to establish an energy committee. The Finance Committee was in full support and recommends to the full Council that the City join the Community Power Coalition of New Hampshire and support establishing an energy committee as part of the requirements of the membership.

Councilor Witham reported on the GMI Asphalt, Inc. change order in the amount of \$20,800, he explained that additional asphalt, loam and seed was needed to ensure ADA compliance and to provide a finished look of their sidewalk project throughout the City. He stated that the extra material was verified by the City Engineer during field assessments of the project. The Finance Committee supported the approval of the change order to the full Council.

Councilor Witham stated that the Committee discussed a wooden bridge along the Willand Pond trails that is in need of repair. He confirmed that the Department of Public Works did some patch work and posted caution signs while the City determines what funds may be utilized to cover more permanent repairs that are necessary. He stated that the City is looking to hire a contractor to complete the repairs as the Public Works Department staff are busy with other important City projects.

Recreation Committee – Councilor Cameron reported that the Committee met prior to the City Council meeting. The Committee received a letter from Kimberly A. Mazzitelli who shared her wishes to donate a granite bench and place it within the Mast Point Dam Park which she has enjoyed walks with her dogs at. Ms. Mazzitelli has been diagnosed with a terminal illness and would like to create a memorial for all to enjoy. The Committee was in support of accepting the granite bench donation from Ms. Mazzitelli.

Councilor Cameron shared that the City has been awarded a Grant from the Home Depot Foundation to assist in the material costs and improvements to the Ash Street Monarch Butterfly Park as well as Home Depot's offer to provide the project with a team of volunteers. She added that the Committee is hopeful for phase one of the project to be completed in September with the potential for a ribbon cutting to follow. Councilor Cameron reported on the Grant from the Grass Roots Fund that was awarded to the City which would be used to provide gardening workshops/lectures during the winter months at the Somersworth Public Library or City Hall, as well as to increase outreach to the Community.

Councilor Cameron reported that the Recreation Division is launching a new 55+ walking/hiking program on September 6th that will run for six weeks. If the program is a success, the Recreation Supervisor hopes to continue with the program in the Spring and Fall of each year. Councilor Cameron reported that the Tiny Toppers Program is accepting registrations and that the Kids Summer Camp Program is in its third week and running well. She added that the RecDesk software is online and are receiving a majority of their program registrations successfully online. She reported that the Malley

Farm Softball Field is being rented by Seacoast Softball who will be hosting two softball tournaments at the field.

Councilor Cameron shared that Mona Potter, Recreation Clerk, has announced her retirement. Mona has worked as the Recreation Clerk for 9 years; Councilor Cameron expressed her appreciation for Mona's time with the City's Recreation Division.

Public Works & Environment Committee – Councilor Messier reported that the Committee met on June 26th and discussed the GMI Asphalt, Inc. sidewalk improvement change order and the Oaks request for a lease extension which was already reported by the Finance Chair, Councilor Witham. He noted that the Committee supported the recommendation for both the change order request and lease extension.

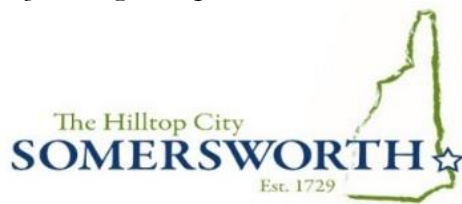
Councilor Messier reported that the Committee received project updates including the TAP Grant light poles installed on Memorial Drive and he learned that since the meeting, the concrete has been poured and the light posts have been installed. He stated that the bridge along the Willand Pond walking trails was also discussed by the Committee.

REPORT OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

Mayor's Commission on Culture-Ethnicity and the Arts – Councilor Gerding reported that the Commission met on July 5th and discussed at length, the proposal of eight City historical markers that came from the Mayor's Office. He shared the historical marker list and each of their suggested placement locations for Council consideration. He added that the Commission discussed the potential growth of the list to also include the John Wentworth House, however, the house is on private property and requires further vetting and consideration. He also reported that the Horne Street Cemetery was discussed but that the Commission was unsure what type of impact publicizing the site would have and they discussed concern of attracting vandalism to an already fragile site. The addition of two more City historical markers in the future would get the City to its goal of 10 historical markers within the City's 10 sq. miles. The Commission unanimously agreed to move forward with the eight historical markers being proposed, to the full Council.

Mayor Hilliard requested to add a report pertaining to the two previously approved State Historical Markers for the Hilltop School and Forest Glade Cemetery, there was no objection. He stated that the two State markers that were previously approved by the Council are complete and are pending pick-up. He added that with the two State markers and the proposed eight City markers, if approved, the City will then have reached their goal of obtaining 10 historical markers.

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, July 7, 2023

SUBJECT: City Manager's Report for Monday, July 10, 2023 City Council Meeting

Unfinished Business (under Section 15 of Agenda)

Ordinance

- A. **Ordinance No. 24-23: To Amend Chapter 24, Administrative Code, Section 29.8.5, Disposal of City Property.** Again, the Finance Committee voted to support this Ordinance change. This change allows the City Manager to dispose of surplus property at a value of up to \$5,000. The City received \$3,950 for the recent sale of a Police Cruiser approved by Council.

City Manager Belmore explained that Chapter 24 currently reads that the City Manager can dispose of surplus property at a value of up to \$1,000.

Resolutions

- A. **Resolution No. 52-23: To Authorize the City Manager to Sign an Application for a Community Development Block Grant (CDBG) to Upgrade the Parking Lot, Install Air Conditioning, New Windows, New Playgrounds, Upgrade Classrooms, and Make Certain Building Structure Improvements at the Somersworth Early Learning Center.** Again, the Finance Committee voted to recommend the City partnering with the YMCA to apply for this CDBG Grant.

City Manager Belmore noted that the Public Hearing of Resolution 52-23 was held earlier in the meeting and that there is a representative within the audience should the Council have any questions.

- B. **Resolution No. 54-23: To Authorize the City Manager to Enter into a Purchase and Sales Agreement with Chinburg Builders to Sell the Former National Guard Readiness Center Located on Blackwater Road.** Again, the Economic Development Committee voted to recommend entering into a purchase and sales agreement to sell the property to Chinburg Builders for \$200,000. Attached is a copy of a Memorandum prepared by Director Michelle Mears and Planning Technician Dana Crossley regarding issues needing to be considered should Council approve this action.

New Business (under Section 16 of Agenda)

Resolutions

- A. **Resolution No. 1-24: To Authorize the City Manager to Amend the Contract with GMI Asphalt, Inc. of Belmont, New Hampshire for Fiscal Year 2023 Sidewalk Repair and Reconstruction Project.** The Finance Committee and the Public Works & Environment Committee met on June 26th and voted to support this Resolution to the full

Council. Attached is a copy of City Engineer Amber Hall's Memorandum and draft Change Order that was provided to both Committees.

- B. Resolution No. 2-24: To Authorize the City Manager to Execute the Joint Powers Agreement of the Community Power Coalition of New Hampshire and to Form an Electric Aggregation Committee Known as The Somersworth Community Power Committee.** The Finance Committee met on June 26th and voted to support this Resolution to the full Council. Attached are copies of Community Power Coalition membership information that was provided to the Committee.
- C. Resolution No. 3-24: To Authorize the City Manager to Negotiate a Lease Extension with Hideout Golf, Inc. to Operate and Maintain an 18-Hole Public Golf Course Known as The Oaks Golf Course in Somersworth, New Hampshire.** The Finance Committee and the Public Works & Environment Committee met on June 26th and voted to support this Resolution to the full Council. Respectfully, Council should provide any conditions that should be incorporated into the Lease extension. Attached are copies of the materials provided to the two Committees and a copy of the current Lease.

Other

- A. Vote to Host a NH School Funding Fairness Project Event.** This is brought forward by Councilor Matt Gerding.
- B. Vote to Approve a City Historic Marker Program as Recommended by the Mayor's Commission on Culture, Ethnicity and the Arts and the Finance Committee.** Attached is a list of City Markers that would launch this Program.

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

Informational Items

A. Grants.

- **Home Depot Foundation Grant.** Attached is the notice informing the City we have been awarded \$3,590.44 from Home Depot in support of the Ash Street Park Butterfly Garden. There will also be a team of Home Depot associate volunteers to work on the Project.
- **Community Gardens-Grass Roots Fund.** Attached is a copy of the Grant and Partnership Letter regarding the \$1,000 from the Grass Roots Fund for our Community Gardens at the Malley Farm.
- **Mast Point Dam Bench Donation Recreational Area (Park).** Attached is a copy of the letter regarding gifting a memorial granite bench for this Park.
- **Moose Plate Grant.** Attached is a copy of the NH State Library Grant coversheet and Grant description regarding the requested amount of \$9,249. There is no City funding match. If approved, City Council will need to take action to accept.

Without objection, I will move forward to accept the Home Depot, Community Gardens, and Mast Point Dam Park Donation and Grants. I will be reviewing these items with the Recreation Committee at their Monday scheduled meeting and will be working with the Committee and

Staff on these projects. My appreciation is extended to all of our Staff and Jenne Holmes for their diligence in seeking out these Grants.

There was no objection from Council.

Attachments

- 1. Department Head Reports**
- 2. City Attorney Certifications: Three (3)**

Please note: Open Election Positions

Ward 4 Moderators are responsible for overseeing the election process at the polling place of the ward to which they were elected. Moderators also ensure all applicable laws and procedures are carried out and followed by all participants at the polling place. Compensation \$125

Ward 2 Selectman (2 open) are responsible for the "in" and "out" checklists at the polling place, including verifying voter information, handing out ballots, directing voters to booths, and any other duties deemed necessary by the moderator. Compensation \$100

FYI: Group photo of City Council at 6:30 p.m. prior to the meeting

City Manager Belmore shared emails received from residents pertaining to the sale of the National Guard Readiness Center and the proposal from Chinburg Properties. He noted that all of the Councilors and the Mayor received hard copies of the emails prior to the meeting. Manager Belmore summarized the following emails:

Matthew LeBlanc of Drew Road voiced support of new apartment infrastructure in Somersworth and he went on to list reasons as to why he supports it. Manager Belmore read “While I see people posting a desire for a number of other facilities (and I would also love a rec center), Somersworth is in desperate need of quality housing and I believe Chinburg will deliver this. Please give the Chinburg proposal serious consideration.”

Kathleen Alden of Crest Drive wrote “it comes to my attention that there is a proposal for consideration to build two, four-story apartment buildings at the site of the former National Guard Armory. I am not in favor of this proposal. Instead, I would like to see the existing buildings be reconfigured for use by the citizens of Somersworth...”. Ms. Alden went on to list a number of Community agencies and programs that could utilize the site as a recreational space. She noted that she was unable to attend the meeting but wanted to express her opposition to building the apartments.

Andrea Boivin of 63 Crest Drive wrote” I am writing to convey my opposition to the Armory development proposal consisting of two apartment buildings with hundreds of tenants. If each tenant has a car (and most apartment will have more than 1 tenant), that translates into approximately 200 plus cars flooding the area. Crest Drive, Guy Street, and Blackwater Road will all be severely impacted.” Ms. Boivin also noted that Crest Drive will become a cut-through for tenants to get to High Street and that the Armory is a perfect location for a Community Center.

Martha Corr of Crest Drive writes “As a 36-year resident of Crest Drive... I am writing to express my concern and dissatisfaction in response to the City of Somersworth and Chinburg Builders proposal of a 250-unit luxury building in place of the former Nation Guard Armory site.... I am concerned for the safety of the neighborhood. Many children, elderly, and residents alike use Crest Drive and the ancillary streets for walking and pedestrian activities.” Ms. Corr noted the increase of 250 plus cars negatively affecting the safety of individuals and many streets not having sidewalks, and questioned why not allow Chinburg to buy property in the Downtown area attracting more people to the Downtown. Ms. Corr also asked what is the thought process to developing the area to apartment buildings rather than a Community Center or another form of outdoor activity space.

Aimee Lockhardt of 24 Crest Drive wrote “I’m writing to you in regards to Chinburg’s proposal for the National Guard Armory site. While Chinburg does great work, I also understand concerns from the neighbors that adding so many apartments would increase traffic on our street. We’ve been at this address for one year and love it because it’s relatively quiet and a safe place for our one-year-old. We know traffic was an issue in the past... I would hope that if the apartment building passed that the City could at least speak with Chinburg about directing the flow of traffic from the apartments to High Street so tenants wouldn’t be tempted to use Crest as a shortcut.” Ms. Lockhardt went on to state that she loves the idea of making the armory into a Community area such as Little Indonesia.

Dan and Brenda Heon of 45 Crest Drive wrote “In lieu of us being on vacation and out of town, please accept this letter as our feedback and opinion related to the two-story apartment building being considered and possibly voted on this evening at the City Council meeting... have had long-standing issues with "cut-through" traffic and speeding cars on our street. Some years ago, our street was changed from a "through-road" to a "one-way" street due to the volume of cars and the safety of everyone on Crest Drive.” The Heon’s went on to state that the addition of 250 units will increase the amount of traffic and pose as a risk to families and that they are strong proponents of reconfiguring the site to something such as a recreation site or similar in nature.

NOMINATIONS, APPOINTMENTS AND ELECTION

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

- A. Doug Haberman, for appointment as an alternate member to the Planning Board with a term to expire June 2026

Councilor Austin made a motion to appoint Doug Haberman to the Planning Board as an alternate member. The motion was seconded by Councilor Gibson and passed 9-0 by voice vote.

LAY ON THE TABLE

There were no items under Lay on the Table.

UNFINISHED BUSINESS

ORDINANCES

- A. **Ordinance 24-23** – To Amend Chapter 29, Administrative Code, Section 29.8.5, Disposal of City Property

Clerk LaPanne performed a second reading of Ordinance 24-23.

Councilor Witham made a motion to adopt Ordinance 24-23 as presented. The motion was seconded by Councilor Cameron and passed 9-0 by roll call vote.

RESOLUTIONS

- A. **Resolution 52-23** – To Authorize the City Manager to Sign an Application for a Community Development Block Grant (CDBG) to Upgrade the Parking Lot, Install Air Conditioning, New Windows, New Playgrounds, Upgrade Classrooms, and Make Certain Building Structure Improvements at the Somersworth Early Learning Center

Clerk LaPanne performed a second reading of Resolution 52-23.

Councilor Witham made a motion to adopt Resolution 52-23 as submitted. The motion was seconded by Councilor Messier.

Discussion:

Councilor Witham commented that he supports this Resolution, he stated that there is a lack of child care within the City and State which impacts the ability for people to work. Councilor Witham stated that he feels that the facility off of Bartlett Ave. has fallen into a state of disrepair and needs improvements that has presented itself within this Grant opportunity.

City Manager Belmore noted that a first reading of Resolution 52-23 was read in its entirety during the June 20th Council meeting that had three action items. The items were to authorize the City Manager to sign and submit the CDBG Application and all related documents deemed necessary, to adopt the 2023 Housing Development Plan, and to adopt the Somersworth 2023 Anti-Displacement Plan. City Manager Belmore added that the Resolution also authorizes the City to contract with the Strafford Regional Planning Commission for the administration and supervision of the project until it has been completed.

The motion passed 9-0 by roll call vote.

- B. **Resolution 54-23** – To Authorize the City Manager to Enter into a Purchase and Sales Agreement with Chinburg Builders to Sell the Former National Guard Readiness Center Located on Blackwater Road

Clerk LaPanne performed a second reading of Resolution 54-23.

Councilor Gerding made a motion to adopt Resolution 54-23 as presented. The motion was seconded by Councilor Austin.

Discussion:

Councilor Gerding apologized to the public for requesting a second reading of the Resolution at the previous Council meeting and is glad that it did not go through because he feels that it is important to

hear from the residents of the City. Councilor Gerding stated that he has a number of questions for the developer and wished to suspend Council Rules to have them answered.

Councilor Gerding made a motion to suspend Council Rules and to allow the Chinburg Properties representative, Paul Goodwin, to answer Council questions. The motion was seconded by Councilor Gibson and passed 6-3. Councilors Vincent, Gibson and Messier opposed.

Councilor Gerding stated that the largest concern he has heard from the public is regarding an increase of traffic pertaining to the Chinburg Properties proposal. He asked Mr. Goodwin how many parking spaces the City can anticipate will be associated with the proposed development. Mr. Goodwin answered that the proposal is an estimate and feels that the 250-unit proposal is on the higher side, and he stated that he would expect 220 units to be more accurate. He added using the 1.3 parking ratio that has been required for similar projects, he would estimate between 250 and 270 parking spaces on the site. Mr. Goodwin noted that the proposal is in its preliminary stages and they have not yet engaged with a traffic consultant or conducted an impact study of the site. As a lifelong resident, Mr. Goodwin mentioned that he is familiar with the area and has some ideas of how some of the traffic can be mitigated for that area and hears the concerns of the residents.

Councilor Gerding inquired about the developer's willingness to negotiate additional expenses to cover improvements to things such as the traffic lights at Indigo Hill Road which is problematic now, and will only increase problems with this proposed development. Mr. Goodwin responded that with a project proposal of this size, he would anticipate conversation of such to occur but is unable to give specifics this early on. Mr. Goodwin stated that he is aware that the City has applied for a Grant to review and improve the traffic light signals on High Street and assumes the intersection at Indigo Hill Road would be part of that study and addressed then.

Councilor Gerding stated that he feels that there needs to be some sort of compromise to make the project amendable in order for it to move forward including off-site improvement studies.

Councilor Vincent requested point of order regarding Councilor Gerding's questions to Mr. Goodwin. Mayor Hilliard confirmed that Councilor Gerding's questions are within order and are not in breach of protocol.

Councilor Gerding clarified that his reasoning for asking questions is to perhaps offer an amendment to the Resolution that adds further restrictions that will benefit the residents that spoke tonight including off-site improvements and traffic studies.

Councilor Witham asked Mr. Goodwin that if this Resolution were to be approved tonight by Council, if the project approval would be contingent on rezoning of the property. Mr. Goodwin responded that Councilor Witham is correct as the current site zoning is for recreational purposes only. Councilor Witham added that the approval of a zoning change would also be contingent on Council approval and in order for this project to move forward, it would also require a site plan approval from the Planning Board. Mr. Goodwin agreed with Councilor Witham's statement. Councilor Witham went on to state that requirements of the Planning Board would include a site plan analysis, a traffic impact study, and an impact study to City Services. Councilor Witham reiterated that if the Council were to vote to authorize the City Manager to enter into a Purchase and Sale Agreement, the agreement would be

contingent on a number activities that could address the concerns brought up about the development by residents.

There were no further questions for Mr. Goodwin.

Councilor Vincent asked if a zoning change recommendation would go through the Zoning Board of Adjustments and then to Council for final approval. City Manager Belmore does not believe a zoning change such as this would go to the Zoning Board unless there was a request for variance from the developer. Councilor Vincent questioned if a variance request would be needed to rezone. Manager Belmore noted that there is a memorandum from the Planning Board that shared a number of ways that the Council may consider rezoning of the site or creating an overlay of the district.

Councilor Vincent stated that he is aware that the developer would have many preliminary costs for attorneys, studies and more, and he doesn't want to waste the applicant's time or money if the project is not going to be approved. He commented that the neighborhood is against the project as they shared during visitor comments as well as the emails received. He added that a project of this size with several stories and several apartments of added congestion, it isn't just about the traffic increase but also the view of a huge building within a residential area. Councilor Vincent expressed that he has compassion for those that have to walk out their front door and see the buildings every day and asked that the Council slow down on the approval of the Resolution.

Councilor Gibson seconded comments made by Councilor Vincent adding that the structure is massive and he does not support the project within what is predominately a single-family neighborhood. Councilor Gibson stated that he hates large parking lots and noted the potential requirement for a 1.3 parking spaces ratio, as well as the possibility of commercial space that would also require additional parking spaces. He agreed with many of the visitors' comments and expressed concern with the increase in traffic, and he stated that he doesn't like the way that the project is being presented.

Councilor Witham stated that he is unsure how he is going to vote and wants to hear from other members of the Council. He stated that he asked questions to Mr. Goodwin about the process because he heard a few comments made by visitors about due process and he wanted to reassure them that there would be due process pertaining to this project. Councilor Witham shared the history of how the former National Guard Readiness Center came to be the City's property. He stated that the State of New Hampshire determined that they no longer had a need for the National Guard and according to State law, whenever a Nation Guard Readiness Center discontinues its service, the property becomes that of the Community of which it is in. He shared that from the beginning, he had a number of concerns with the site including contaminates, the building itself and the disposition of the property. Councilor Witham stated that he approached the Mayor about establishing a committee that would aid in the process and research of potential the reuses of the property, hence the establishment of the National Guard Building Reuse Commission that Councilor Witham became Chair of. With the help of City staff obtaining grant funds, the Commission engaged the Strafford Regional Planning Commission (SRPC), who then hired a consultant to identify potential reuses of the former National Guard site. He noted that SRPC and the Consultant identified three uses for the site that included residential single-family homes with the possibility of a few townhomes, commercial space such as a brewery or restaurant, or a Community Center where the City would retain ownership. Councilor Witham reported that SRPC provided a rough cost estimate for each recommendation with the residential option being the most financially feasible for the City, and the Community Center being the least financially feasible. He explained some of the reasoning for the Community Center being the least financially feasible which included an estimate of \$1-3 million to rehabilitate the facility, and additional

annual operating and staff expenses that would be required of the City. The National Guard Building Reuse Commission also reviewed the options from a zoning perspective, he noted that currently the National Guard site is zoned recreational and therefore, a Community Center would not require rezoning. Councilor Witham went on to state that if the site were to be rezoned, they thought perhaps the easiest rezoning would be to rezone the site as residential since that is what abuts the area. Councilor Witham felt that the three reuse ideas recommended were “put on a shelf” and the Council decided to proceed with a Request for Qualifications (RFQ) to see what other opportunities were out there. Chinburg Properties was the only developer that responded to the City’s RFQ.

Councilor Witham shared his personal history with the Little League Baseball Field over the past 33 years and stated that he had concerns with putting out the RFQ over fear of losing the ballfield. Because of his fear, he requested to have language added to the RFQ that required the developer to either leave the ballfield as is and the City would retain ownership of it, or the developer would pay to have the ballfield moved to another part of the City. He is happy to report that the Chinburg Properties proposal leaves the ballfield in its current location.

Councilor Witham believes that traffic studies work and would need to be conducted in order to see what could be done to control any influxes. He noted the CMAQ Grant that the City received for upgrades from Blackwater Road to High Street and up to the Dover City line. He commented that all of the lights are in poor condition with sensors not working and left on timers that frustrate drivers. He added that the project is expensive and that he supported the project because he hopes it will help better the flow of traffic.

Councilor Witham stated that a four-story structure will have impacts. He commented that he was in support of the single-family residential option for the former National Guard site because he believes it fits best within that neighborhood. He commented that he loves the idea of a Community Center but he has concerns of how the City can afford it and worries that there may not be enough utilization for the investment and cautions the unknown.

Councilor Vincent thanked Councilor Witham for sharing how the City and the Council got to where they are today regarding the former National Guard site. He commented that with a Community Center, there is an opportunity to bring in revenue from activities offered to the public to offset operating. Councilor Vincent also stated that if the vote was to approve a Community Center, the project does not need to be completed within one year and shared the Dover Ice Arena as an example which was completed in phases over time. Councilor Vincent spoke to the amount of time and money that Chinburg could spend on the project during the design and proposal stage and would hate to see that wasted if the project were to be killed in the future.

Mayor Hilliard noted that the City has an ice-skating rink that is owned by the Lion’s Club which is successful and heavily used.

Councilor Gerding stated that he does his best to make decisions based on what is best for both the residents and the Community which he commented that he cares very much about. He stated that he doesn’t appreciate words being put in his mouth and wanted to share some of his reasoning of his decision and to give some light into his thoughts after listening to the debate of the Council and hearing from the public regarding the former National Guard site. Councilor Gerding commented that he feels that he is still in favor of the project and feels that the City and the State are still in need of housing. He stated that the Downtown area businesses continue to look for more people to shop their stores or dine at their restaurants, and he feels that the project could benefit the Community as a whole and

increase the City's economic vitality. Councilor Gerding stated that the project is larger than he would like for it to be, and that while he was on the National Guard Building Reuse Commission, he favored the single-family residential option. He feels that if the Resolution were to be approved by the Council, the number of processes, studies and Boards that the project would need to go through, could lead to a proposal that is the best fit for the Community. Councilor Gerding listed processes that require going through the Planning Board and Zoning Board of Adjustments and added that he trusts those Boards to make the right decision that is in the best interest of the Community. He stated that he hopes that if the project were to be approved, the residents that spoke during public comments would continue to advocate for themselves and go to the Planning Board because it is important that they hear their valid concerns as well.

Councilor Gerding stated that with the various projects identified by the SRPC, a Community Center was estimated to cost around \$3,000,000 about 1-2 years ago and assumes costs may be higher due to inflation. He noted that the cost of construction, operating costs and staffing expenses will highly impact the City's tax rate by his estimate of between \$0.50 to a \$1.00 per year and has a hard time justifying that increase when they are unable to determine the utilization of the facility. He assured the public, that as a teacher, he wants a Community Center especially for his students but as a Councilor, his obligation is to be mindful of the tax rate and how that affects the residents. Councilor Gerding commented that the current proposal will generate tax revenue for the City once any tax relief expired and could then decrease the tax rate. Councilor Gerding heard from the public that traffic is a huge concern, he commented that he would be willing to add language to the Resolution that ensures that the developer incur any costs associated with traffic and feasibility studies and not have a cost impact to the City.

Councilor Pepin thanked the visitors for sharing their comments about the proposed project. He stated that initially he was in favor of the proposal, but his mind was changed after hearing the public's concerns. Councilor Pepin did comment that, as a Councilor, he has become frustrated with projects that seem to keep getting defeated by groups or Committees and he is starting to feel that there is no growth for Somersworth economically. He added that he is hurt by comments that allege that the Council doesn't take an active interest in things that will benefit the City, and that as Councilor Witham explained, a lot of time and effort went into how the Council got to where they are today with the former National Guard site. Councilor Pepin stated that he is not in favor of the Resolution as he feels that the project is too big for the site and would like to see single-family residential but he also doesn't want to see the property sit for years with no development. Councilor Pepin expressed concern about any developer that takes the property because of the fact that contaminated soil is so costly to properly remove and dispose of. He stated he was in favor of the project initially because he is tired of projects not coming through to completion, and he has concerns that developers will shy away from development within the City of Somersworth after all of the defeated projects that could benefit the Community.

Councilor Gibson commented "build it and they will come" is what he feels is being inferred by some of his fellow Councilors. He stated that we are not able to guarantee that residents who move into the City will indeed shop Downtown, and he added that the Downtown area is restricted in its size and is limited in its ability to try and draw new business in. Councilor Gibson agrees that the project is too big and mentioned the recent Library expansion presentation that was presented to the Council and that he expects will happen sooner than later. He added that the solar array could be easily screened with nature as opposed to the development of a 4-story apartment building.

Councilor Cameron commented that she is, like Councilor Witham, passionate about the Little League Baseball Field after having spent a number of days working on the field and is glad that the ballfield would remain as is. She shared that she is interested in the Chinburg Properties proposal because she knows what the developer is capable of but also understands the concerns brought forward by the public. She mentioned the concern of traffic and she feels that the project is too big, she wonders if downsizing the project would be a feasible option. Councilor Cameron is not as concerned with the impact to the school system. She acknowledged that if the Resolution were to be approved, there are many more steps that the project must go through and perhaps Chinburg could come back with a smaller version of the proposed development.

Councilor Austin commented that the project will go through a vetting process that determines if the proposed project would move forward or not. He does have concern that the project is too big and that there is no real idea of how the project will look or any of the details, but suspects that the project will not be as big as it initially sounds. Councilor Austin shared further concern that if the Resolution is not passed, the former National Guard site will sit vacant for many years and that he has a problem with. He added that he does feel as through the Council has an obligation to investigate all potential opportunities that could benefit the City and would be in favor of supporting the Resolution in order to see what comes forward, and to allow it to go through the process to determine the potential benefits to the City.

Councilor Michaud thanked the Community members for coming to speak and stated that he initially favored the Chinburg Properties proposal because he feels that the City needs more housing and people. He commented that he understands all of the concerns mentioned by the Community members and he referenced former Councilor Martin Dumont, and shared that he had visited Mr. Dumont's home which was within the neighborhood of the former National Guard site. Councilor Michaud noted that he felt that the neighborhood was very nice and can understand the possibility of a large apartment development coming in and impacting the traffic and safety along their neighborhood. He stated that he is on the fence with his vote, but that he is willing to see the process go through the City's Boards because he doesn't want to see the property sitting vacant.

Councilor Witham commented that the former Police Department on Main Street became more appealing to developers and sold after the City received a number of grants that assisted with the cleanup of contaminants to the site. He stated that the former National Guard property has some contaminate concerns but perhaps is a little cleaner than was originally thought to be. Councilor Witham spoke about the proposal to build the Idlehurst School and noted that there was a number of members from the Community that lined the Council Chambers to express their concern about traffic impacts, and while he believes there has been an increase to the traffic due to the project, he doesn't feel that the impact was as strong as was being articulated by public concerns. He also spoke about the Sunningdale development which had concerns about the potential impact to the school system that have not yet been realized. Councilor Witham commented on the fact that any project that comes before the City is bound to have neighboring communities coming into the Chambers to express their concerns of traffic or other impacts, and he stated that he is understanding of that and would do the same if it were his neighborhood dealing with the impact. Councilor Witham commented that he would like more projects to come to the City that bring children in, he noted that the school's enrollment numbers are low and that the Class of 2023 had approximately 80 graduates, whereas years ago, that number was well over 100. He added that school programs and other opportunities are suffering due to the low student enrollment numbers. Councilor Witham stated that the project does seem too big and still favors residential in that area and feels that the issue requires more discussion with the

developer and recommends referring back to the Economic Development Committee for further review and discussion.

Councilor Witham made a motion to refer Resolution 54-23 back to the Economic Development Committee. The motion was seconded by Councilor Gibson.

Discussion:

Councilor Vincent stated that he is in favor of referring the Resolution back to the Economic Development Committee

Councilor Witham stated that he feels by referring the Resolution back to the Committee, it will allow for the discussion of whether or not the project is feasible for the developer to scale back on the proposed development and if there is a way be more amendable to the Community.

The motion passed 8-1 by roll call vote. Councilor Messier opposed.

Councilor Austin made a motion to suspend Council Rules to allow the meeting to continue beyond 10:00 p.m. The motion was seconded by Councilor Vincent and passed 9-0 by voice vote.

Mayor Hilliard called for a five-minute recess at 9:40 p.m.

Mayor Hilliard reconvened the City Council at 9:45 p.m.

NEW BUSINESS

RESOLUTIONS

- A. **Resolution 1-24** – To Authorize the City Manager to Amend the Contract with GMI Asphalt, Inc. of Belmont, NH for Fiscal Year 2023 Sidewalk Repair and Reconstruction Project

Clerk LaPanne performed a first reading of Resolution 1-24.

Councilor Witham made a motion to suspend Council Rules to allow for a second reading of Resolution 1-24. The motion was seconded by Councilor Vincent and passed 9-0 by voice vote.

Clerk LaPanne performed a second reading of Resolution 1-24.

Councilor Witham made a motion to adopt Resolution 1-24 as submitted. The motion was seconded by Councilor Vincent and passed 9-0 by roll call vote.

- B. **Resolution 2-24** – To Authorize the City Manager to Execute the Joint Powers Agreement of The Community Power Coalition of New Hampshire and to Form an Electric Aggregation Committee Known as The Somersworth Community Power Committee

Clerk LaPanne performed a first reading of Resolution 2-24.

Councilor Gerding requested to be added as a sponsor to Resolution 2-24.

Councilor Gibson made a motion to suspend Council Rules to allow for a second reading of Resolution 2-24. The motion was seconded by Councilor Messier and failed 4-5 by roll call vote. Councilors Pepin, Austin, Michaud, Witham, and Cameron opposed.

Resolution 2-24 will remain in first reading until the call of the Chair.

- C. **Resolution 3-24** – To Authorize the City Manager to Negotiate a Lease Extension with Hideout Golf Inc. to Operate and Maintain an 18-hole Public Golf Course Known as The Oaks Golf Course in Somersworth, New Hampshire

Councilor Witham made a motion to suspend Council Rules and allow Resolution 3-24 be read by title only. The motion was seconded by Councilor Vincent and passed 8-1 by voice vote. Councilor Gerding opposed.

Clerk LaPanne performed a first reading of Resolution 3-24 by title only. Resolution 3-24 will remain in first reading until the call of the Chair.

OTHER

- A. Vote to Host a New Hampshire School Funding Fairness Project Event

Councilor Gerding stated that he was contacted by the New Hampshire School Funding Fairness Project which is a non-profit that operates out of Concord, NH. He shared that the non-profit tours the State addressing educational equity and the funding system of the State and essentially how the State inequitably funds schools. He stated that the non-profit looks to focus on larger Communities that may have more dramatic inequalities within State funding and he believes the City of Somersworth falls within the top 10 on this issue. He commented that a presentation took place approximately five years ago within Somersworth, however, he noted that there has been a change in leadership and staffing as well as an updated information pertaining to the State's current budget. Councilor Gerding mentioned that the City Council has had a number of discussions regarding how inequitable State funding has been within the Community and he felt that it would be important for the City to sponsor this event.

Councilor Vincent asked if there is a cost associated with the event. Councilor Gerding confirmed that there is no cost to the City.

The vote to Host a New Hampshire School Funding Fairness Project Event passed 9-0 by voice vote.

- B. Vote to Approve a City Historic Marker Program as recommended by the Mayor's Commission on Culture, Ethnicity and the Arts and the Finance Committee

Councilor Gibson stated that he feels the historical markers are a good idea and that they are a way of commemorating the City as well as promoting diversity.

The Vote to Approve a City Historic Marker Program as recommended by the Mayor's Commission on Culture, Ethnicity and the Arts and the Finance Committee passed 9-0 by voice vote.

COMMENTS BY VISITORS

Donald Houde of 46 Lily Pond Road commented that he found it interesting to see how the Council handled the residential development project of the former National Guard. He stated that Chinburg is a big developer in the State, and he hopes that the City Council doesn't just give away valuable pieces

of property such as this 4-acre site for \$200,000. Mr. Houde also stated that he is very impressed with the way that Mayor Hilliard runs his meetings and that the Council gets along and shares good information.

Jack Gage of 4 Royal Drive commented that it has been interesting hearing everyone's comments regarding the former National Guard site, adding that he is in favor of the potential new development. He stated that New Hampshire needs more housing and noted that he pays above the U.S. National average for rent and may be luckier than others to have the salary that he has, but wants to emphasize the importance of additional housing for the Community and the State. He acknowledged the traffic and understands the concerns brought up but remains open-minded about the project and hopes the Council will to.

Paul Goodwin, Somersworth resident and Senior Development Manager at Chinburg Properties, thanked the Council for their thoughtful discussion and consideration of the proposal and he looks forwards to continuing the discussion with the Economic Development Committee.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Pepin commented on the 85 Elm Street project and feels that the Historic District Commission has gone too far and that if other Councilors have an idea of shrinking the district, he is in favor of that. He stated that the Fire Department staff will be moving into the second part of the building soon and anticipates a ribbon cutting ceremony as well as a blessing of fire Engine-5 in the near future. Councilor Pepin announced to the public that the new Fire Station will be holding an open house during Fire Prevention Week in October with the date to be determined.

Councilor Vincent commented on the 85 Elm Street project stating that the developer should tear the old hotel building down and develop a parking garage that would sit behind the proposed apartment building in order to block the garage. He also commented on the former National Guard's property value and stated that the Council should determine its worth before making a decision on the amount to accept for the sale of the property.

Councilor Austin commented that he thinks that the action taken by the Historic District Commission pertaining to the 85 Elm Street development needs to be reviewed, he added that he understands the explanation given by Councilors of their action, but is not convinced that the Commission had the best interest of the City when making that decision. Councilor Austin stated that he feels that if there is a way for the development to proceed, it would be important for the City and its economic vitality of the Downtown area that it continue. He noted the importance of the development as it pertains to the City's plan to redevelop Main Street and also showing other potential developers that the City is willing to work with them on other projects. Councilor Austin questioned if the Council is able to review the decision that was made by the Historic District Commission, and if not, then the operation of the Commission needs to be reviewed.

Councilor Michaud stated that he agrees with all points made by Councilor Austin. He commented that he watched the Historic District Commission meeting that held the presentation of the 85 Elm Street development and was originally upset, however, he rewatched the meeting and came to a new perspective. He stated that he was able to understand where most of the Board Members were coming from and was in disbelief of how drastically the developer changed the façade of the building from what was originally approved, that he was not impressed with the new look. Councilor Michaud confirmed that he is also in favor of reviewing the size of the Historic District and would like to request that the Commission Chair, Laura Berry, be part of any Committee that is tasked with that review.

Councilor Witham commented that he is not certain that the size of the Historic District is what needs to happen but does think that perhaps allowing the conversation around cost to help the Historic District Commission come to a decision needs to be discussed. He gave an example of the homeowners on Grove Street that had a stacked, cinderblock wall of no historical significance, that was failing and falling into the City's sidewalk. The owner went in front of the Historic District Commission proposing to replace the wall with an esthetically pleasing cement block wall to which the Commission voted no because the proposed blocks to be used were too modern and that the blocks were not of a historical character. The property owner returned to the Commission and provided them with a figure that was significantly higher priced for what the Commission was requiring of the property owner. Councilor Witham stated that he believes that the financial piece is not something that the Commission should be blind to. He also thinks that when a new building is being built within the Historic District, those buildings are brand new and not historic. He added that he is not suggesting an eye sore be built, but doesn't know that a new building would need to quite conform to all of the Historic District regulations and is in favor of further discussions pertaining to the Commission's regulations. Councilor Witham expressed his condolences to the Fire Department staff for the passing of Firefighter Brian Flood who was an active Firefighter within the City who died tragically off duty. He went on to state that what he heard from Mr. Flood's peers and colleagues, was that he was a tremendous individual that served the U.S. Marine Corp. before coming to the City. He thanked Mr. Flood for his service to the U.S., the City and to the Community.

Councilor Gerding also expressed condolences for the loss of Mr. Flood to his friends, family and the people that he worked with. Councilor Gerding commented on the Historic District Commission's action and stated that he was proud of the Board for the way that they handled the project initially and their willingness to work with the developer to ensure a project that benefited both the developer and the Community. He noted that the Commission went through a number of design proposals in an effort to come to a design that was agreed upon by both the Commission and the Developer for the 85 Elm Street project. Councilor Gerding was disappointed that the developer came to the meeting with a very different design proposal, and he was a bit shocked as he felt the two parties had worked hand-in-hand very well prior to that meeting to come to the design that they all agreed on. He stated that himself and a few other of the Commission Members, were interested in tabling the project to have further discussions with the developer to hopefully again come to an agreeable design, however, the developer refused. Councilor Gerding stated that he appreciates the Historic District Commission members and is also in support of Councilor Witham's suggestion of furthering discussions pertaining to the Commission being allowed to consider financials when reviewing proposals, and he agrees that the Commission's Chair, Laura Berry, as well as other Commission member, should be involved with any Committee that is formed. Councilor Gerding commented that he is excited to see the Community Power Coalition of New Hampshire coming before the Council and hopes that the City can move forward with that program. He mentioned receiving a message from a resident regarding the trails at Willand Pond needing some work and was happy that it was already being discussed by other Committees. In conclusion, Councilor Gerding commented that he is also happy to see the Ash Street Butterfly Park moving forward with its design and offered his help if it were needed.

Councilor Cameron commented that she is very happy about the Ash Street Butterfly Park progress and thanked the Home Depot Foundation for the Grant the City was awarded. She stated that she received a number of comments regarding the Willand Park and thanked the Public Works Director for acting when she sends her concerns to him and appreciates the fixes that have taken place so far to make it safer for her and others to walk along.

Councilor Messier commented on the 85 Elm Street development action that was taken at the Historic District Commission meeting and felt that the Commission did not have the City's interest at heart. He feels that the developer is going to walk away from the project and that because of that, the City will

lose out on the repair of Chapel Street along with other building structures that are in disrepair which were going to be part of the development project. Councilor Messier's understanding is that the biggest issue with the new development was the façade and doesn't agree with that decision, he added that anything would have been better in that part of the City than what is currently there. He agrees that the Historic District needs to be reevaluated and doesn't believe that the reach of the District belongs in the area of the 85 Elm Street development. Councilor Messier commented on the walking trails at Willand Pond and the potential to add trails to Malley Farm, he hopes that the Committees would take into consideration the responsibility of the City to maintain the trails and that funds need to be available to do so. He concluded with the suggestion of hiring a real estate agent to market the former National Guard property.

ADJOURNMENT

Councilor Michaud made a motion to adjourn the City Council meeting. The motion was seconded by Councilor Vincent and passed 9-0 by voice vote. The meeting adjourned at 10:17 p.m.

Respectfully Submitted,

Kristen LaPanne, City Clerk



City of Somersworth – Ordinance

Ordinance No: **24-23**

TO AMEND CHAPTER 29, ADMINISTRATIVE CODE, SECTION 29.8.5, DISPOSAL OF CITY PROPERTY

June 20, 2023

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

Amend Chapter 29, Administrative Code, by deleting Section 29.8. 5. Disposal of City Property in its entirety and replace it with the following:

29.8.5 Disposal of City Property

Where an item is surplus to the needs of a department, it shall be made available to other departments in the City for their use. Transfer of equipment between departments shall be recorded in the general Fixed Assets Group of Accounts (if applicable).

Property Valued at Less than \$5,000 other than Real Estate

Upon request of the proper department head, the City Manager may authorize the sale of any surplus municipal supplies, materials and equipment valued at less than \$5,000 and no longer required by any City Department. The method of disposal may include sealed bid, auction, trade-in, or any other method deemed appropriate to include worldwide auction sites such as EBay and/or other available mediums.

Property Valued at \$5,000 or More and Real Estate

No municipal supplies, materials and equipment valued at \$5,000 or more and no real estate whatsoever shall be offered for sale unless and until the City Council so orders. Any such sale authorized by the City Council may be conducted by competitive bidding, public auction, or any other means authorized by the City Council. The City may reject any and all bids or auction offers.

This Ordinance shall take effect upon its passage.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Don Austin Matt Gerding Robert Gibson	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 24-23

History

First Read Date:	6/20/2023	Tabled:	
Public Hearing:	7/10/2023	Removed From Table:	
Second Read:	7/10/2023		

Discussion

6/20/2023

Councilor Witham moves that Council Rules be suspended to allow for Ordinance 24-23 be read by title only. The motion passed 9-0 by voice vote.

Deputy Clerk Ramsey performed a first reading of Ordinance 24-23 by title only.

Ordinance 24-23 will remain in first reading until the call of the Chair.

7/10/2023

Clerk LaPanne performed a second reading of Ordinance 24-23.

Councilor Witham made a motion to adopt Ordinance 24-23 as presented. The motion was seconded by Councilor Cameron 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 7/10/2023	Ordinance 24-23	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **52-23**

TO AUTHORIZE THE CITY MANAGER TO SIGN AN APPLICATION FOR A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) TO UPGRADE THE PARKING LOT, INSTALL AIR CONDITIONING, NEW WINDOWS, NEW PLAYGROUNDS, UPGRADE CLASSROOMS, AND MAKE CERTAIN BUILDING STRUCTURE IMPROVEMENTS AT THE SOMERSWORTH EARLY LEARNING CENTER

June 20, 2023

WHEREAS, a public hearing will be held on July 10, 2023,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Council authorizes the City Manager to sign an application for a CDBG grant to upgrade the parking lot, install air conditioning, new windows, new playgrounds, upgrade classrooms, and make certain building structure improvements at the Somersworth Early Learning Center. The estimated cost of the improvements is up to \$500,000 (Five Hundred Thousand dollars) and the City Council authorizes the following:

1. Authorizes the Granite YMCA to continue as the Authorized Agent of the City of Somersworth in all matters relating to Community Development for this project until it is completed.
2. Authorizes the City Manager to enter into a contract with the Strafford Regional Planning Commission for the administration and supervision of this project until it is completed.
3. Authorizes the City Manager to execute any and all other documents with the State of New Hampshire, Community Development Finance Authority (CDFA), which will be necessary to effectuate the purposes of this Resolution, and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Council hereby adopts the 2023 Housing and Community Development Plan and the 2023 Somersworth Residential Anti-Displacement and Relocation Assistance Plan.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Don Austin Matt Gerding Robert Gibson	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 52-23

History

First Read Date:	6/20/2023	Tabled:	
Public Hearing:	7/10/2023	Removed From Table:	
Second Read:	7/10/2023		

Discussion

6/20/2023

Deputy Clerk Ramsey performed a first reading of Resolution 52-23.

Resolution 52-23 will remain in first reading until the call of the Chair.

7/10/2023

Clerk LaPanne performed a second reading of Resolution 52-23.

Councilor Witham made a motion to adopt Resolution 52-23 as submitted. The motion was seconded by Councilor Messier.

Discussion:


Councilor Witham commented that he supports this Resolution, he stated that there is a lack of child care within the City and State which impacts the ability for people to work. Councilor Witham stated that he feels that the facility off of Bartlett Ave. has fallen into a state of disrepair and needs improvements that has presented itself within this Grant opportunity.

City Manager Belmore noted that a first reading of Resolution 52-23 was read in its entirety during the June 20th Council meeting that had three action items. The items were to authorize the City Manager to sign and submit the CDBG Application and all related documents deemed necessary, to adopt the 2023 Housing Development Plan, and to adopt the Somersworth 2023 Anti-Displacement Plan. City Manager Belmore added that the Resolution also authorizes the City to contract with the Strafford Regional Planning Commission for the administration and supervision of the project until it has been completed.

The motion 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 7/10/2023	Resolution 52-23	PASSED	FAILED

	<p style="text-align: center;">City of Somersworth – Resolution</p> <p>Resolution No: 54-23</p> <p>TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PURCHASE AND SALES AGREEMENT WITH CHINBURG BUILDERS TO SELL THE FORMER NATIONAL GUARD READINESS CENTER LOCATED ON BLACKWATER ROAD</p>
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June 20, 2023

WHEREAS, the City Council voted on January 30, 2023 to issue a Request for Proposals (RFP) for the acquisition and redevelopment of the former National Guard Readiness Center located on Blackwater Road; and

WHEREAS, the City Council adopted Resolution 30-23 on February 21, 2023 to provide guidance to qualified developers in submitting proposals for reuse of the National Guard Readiness Center on Blackwater Road; and

WHEREAS, City Staff developed and issued an RFP utilizing the guidance provided in Resolution 30-23 requesting proposals to be submitted on May 26, 2023; and

WHEREAS, the City received one proposal from Chinburg Builders to purchase the property for \$200,000 (Two Hundred Thousand dollars), selecting Option B, whereby the existing baseball field and related infrastructure will remain in its current location; and

WHEREAS, the proposal also contains the following conditions that will require City support and/or action:

- To rezone the site to allow for the construction of four-story multifamily buildings with accessory commercial uses
- Tax relief under Chapter 31 – Community Revitalization Tax Relief Incentive
- City support in applying for demolition grant funds made available through InvestNH for housing projects; and

WHEREAS, the Economic Development Committee reviewed the offer received and supports entering into a purchase and sales agreement to sell the property to Chinburg Builders for \$200,000 (Two Hundred Thousand dollars) with the aforementioned conditions;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to enter into a purchase and sales agreement with Chinburg Builders to sell the former National Guard Readiness Center on Blackwater Road for \$200,000 (Two Hundred Thousand dollars), and to take any other actions determined to be in the best interest of the City to sell this property.

Authorization*Sponsored by Councilors:*

Donald Austin
 Robert Gibson
 Matt Gerding
 Richard Michaud

Approved:

City Attorney

City of Somersworth – Resolution 54-23

History

First Read Date:	6/20/2023	Tabled:	
Public Hearing:	7/10/2023	Removed From Table:	
Second Read:	7/10/2023		

Discussion

6/20/2023

Deputy Clerk Ramsey performed a first reading of Resolution 54-23.

Councilor Gerding made a motion to suspend Council Rules to allow for a second reading of Resolution 54-23. The motion was seconded by Councilor Cameron.

Point of Order called by Councilor Vincent. Councilor Vincent inquired about discussion on suspending Council Rules.

Discussion:

Councilor Vincent feels that it would be good to wait so the public can come in and give their opinion. City Manager Belmore mentioned that he has requested a representative to come to the meeting to answer any questions that may arise.

Councilor Witham feels that this is different from the former Police Station property because of the rezoning and because this building is in a residential area. Councilor Witham stated that waiting will give the residents an opportunity to have input.

Councilor Gerding stated that he was unaware of Chinburg attending the next meeting and withdrew his motion. Councilor Cameron withdrew her second as well.

Resolution 54-23 will remain in first reading until the call of the Chair.

7/10/2023

Clerk LaPanne performed a second reading of Resolution 54-23.

Councilor Gerding made a motion to adopt Resolution 54-23 as presented. The motion was seconded by Councilor Austin.

Discussion:

Councilor Gerding apologized to the public for requesting a second reading of the Resolution at the previous Council meeting and is glad that it did not go through because he feels that it is important to hear from the residents of the City. Councilor Gerding stated that he has a number of questions for the developer and wished to suspend Council Rules to have them answered.

Councilor Gerding made a motion to suspend Council Rules and to allow the Chinburg Properties representative, Paul Goodwin, to answer Council questions. The motion was seconded by Councilor Gibson and passed 6-3. Councilors Vincent, Gibson and Messier opposed.

Councilor Gerding stated that the largest concern he has heard from the public is regarding an increase of traffic pertaining to the Chinburg Properties proposal. He asked Mr. Goodwin how many parking spaces the City can anticipate will be associated with the proposed development. Mr. Goodwin answered that the proposal is an estimate and feels that the 250-unit proposal is on the higher side, and he stated that he would expect 220 units to be more accurate. He added using the 1.3 parking ratio that has been required for similar projects, he would estimate between 250 and 270 parking spaces on the site. Mr. Goodwin noted that the proposal is in its preliminary stages and they have not yet engaged with a traffic consultant or conducted an impact study of the site. As a lifelong resident, Mr. Goodwin mentioned that he is familiar with the area and has some ideas of how some of the traffic can be mitigated for that area and hears the concerns of the residents.

Councilor Gerding inquired about the developer's willingness to negotiate additional expenses to cover improvements to things such as the traffic lights at Indigo Hill Road which is problematic now, and will only increase problems with this proposed development. Mr. Goodwin responded that with a project proposal of this size, he would anticipate conversation of such to occur but is unable to give specifics this early on. Mr. Goodwin stated that he is aware that the City has applied for a Grant to review and improve the traffic light signals on High Street and assumes the intersection at Indigo Hill Road would be part of that study and addressed then.

Councilor Gerding stated that he feels that there needs to be some sort of compromise to make the project amendable in order for it to move forward including off-site improvement studies.

Councilor Vincent requested point of order regarding Councilor Gerding's questions to Mr. Goodwin. Mayor Hilliard confirmed that Councilor Gerding's questions are within order and are not in breach of protocol.

Councilor Gerding clarified that his reasoning for asking questions is to perhaps offer an amendment to the Resolution that adds further restrictions that will benefit the residents that spoke tonight including off-site improvements and traffic studies.

Councilor Witham asked Mr. Goodwin that if this Resolution were to be approved tonight by Council, if the project approval would be contingent on rezoning of the property. Mr. Goodwin responded that Councilor Witham is correct as the current site zoning is for recreational purposes only. Councilor Witham added that the approval of a zoning change would also be contingent on Council approval and in order for this project to move forward, it would also require a site plan approval from the Planning Board. Mr. Goodwin agreed with Councilor Witham's statement. Councilor Witham went on to state that requirements of the Planning Board would include a site plan analysis, a traffic impact study, and an impact study to City Services. Councilor Witham reiterated that

if the Council were to vote to authorize the City Manager to enter into a Purchase and Sale Agreement, the agreement would be contingent on a number activities that could address the concerns brought up about the development by residents.

There were no further questions for Mr. Goodwin.

Councilor Vincent asked if a zoning change recommendation would go through the Zoning Board of Adjustments and then to Council for final approval. City Manager Belmore does not believe a zoning change such as this would go to the Zoning Board unless there was a request for variance from the developer. Councilor Vincent questioned if a variance request would be needed to rezone. Manager Belmore noted that there is a memorandum from the Planning Board that shared a number of ways that the Council may consider rezoning of the site or creating an overlay of the district.

Councilor Vincent stated that he is aware that the developer would have many preliminary costs for attorneys, studies and more, and he doesn't want to waste the applicant's time or money if the project is not going to be approved. He commented that the neighborhood is against the project as they shared during visitor comments as well as the emails received. He added that a project of this size with several stories and several apartments of added congestion, it isn't just about the traffic increase but also the view of a huge building within a residential area. Councilor Vincent expressed that he has compassion for those that have to walk out their front door and see the buildings every day and asked that the Council slow down on the approval of the Resolution.

Councilor Gibson seconded comments made by Councilor Vincent adding that the structure is massive and he does not support the project within what is predominately a single-family neighborhood. Councilor Gibson stated that he hates large parking lots and noted the potential requirement for a 1.3 parking spaces ratio, as well as the possibility of commercial space that would also require additional parking spaces. He agreed with many of the visitors' comments and expressed concern with the increase in traffic, and he stated that he doesn't like the way that the project is being presented.

Councilor Witham stated that he is unsure how he is going to vote and wants to hear from other members of the Council. He stated that he asked questions to Mr. Goodwin about the process because he heard a few comments made by visitors about due process and he wanted to reassure them that there would be due process pertaining to this project. Councilor Witham shared the history of how the former National Guard Readiness Center came to be the City's property. He stated that the State of New Hampshire determined that they no longer had a need for the National Guard and according to State law, whenever a Nation Guard Readiness Center discontinues its service, the property becomes that of the Community of which it is in. He shared that from the beginning, he had a number of concerns with the site including contaminates, the building itself and the disposition of the property. Councilor Witham stated that he approached the Mayor about establishing a committee that would aid in the process and research of potential the reuses of the property, hence the establishment of the National Guard Building Reuse Commission that Councilor Witham became Chair of. With the help of City staff obtaining grant funds, the Commission engaged the Strafford Regional Planning Commission (SRPC), who then hired a consultant to identify potential reuses of the former National Guard site. He noted that SRPC and the Consultant identified three uses for the site that included residential single-family homes with the possibility of a few townhomes, commercial space such as a brewery or restaurant, or a Community Center where the City would retain ownership. Councilor Witham reported that SRPC provided a rough cost estimate for each recommendation with the residential option being the most financially feasible for the City, and the Community Center being the least financially feasible. He explained some of the reasoning for the Community Center being the least financially feasible which included an estimate of \$1-3 million to rehabilitate the facility, and additional annual operating and staff expenses that would be required of

the City. The National Guard Building Reuse Commission also reviewed the options from a zoning perspective, he noted that currently the National Guard site is zoned recreational and therefore, a Community Center would not require rezoning. Councilor Witham went on to state that if the site were to be rezoned, they thought perhaps the easiest rezoning would be to rezone the site as residential since that is what abuts the area. Councilor Witham felt that the three reuse ideas recommended were “put on a shelf” and the Council decided to proceed with a Request for Qualifications (RFQ) to see what other opportunities were out there. Chinburg Properties was the only developer that responded to the City’s RFQ.

Councilor Witham shared his personal history with the Little League Baseball Field over the past 33 years and stated that he had concerns with putting out the RFQ over fear of losing the ballfield. Because of his fear, he requested to have language added to the RFQ that required the developer to either leave the ballfield as is and the City would retain ownership of it, or the developer would pay to have the ballfield moved to another part of the City. He is happy to report that the Chinburg Properties proposal leaves the ballfield in its current location.

Councilor Witham believes that traffic studies work and would need to be conducted in order to see what could be done to control any influxes. He noted the CMAQ Grant that the City received for upgrades from Blackwater Road to High Street and up to the Dover City line. He commented that all of the lights are in poor condition with sensors not working and left on timers that frustrate drivers. He added that the project is expensive and that he supported the project because he hopes it will help better the flow of traffic.

Councilor Witham stated that a four-story structure will have impacts. He commented that he was in support of the single-family residential option for the former National Guard site because he believes it fits best within that neighborhood. He commented that he loves the idea of a Community Center but he has concerns of how the City can afford it and worries that there may not be enough utilization for the investment and cautions the unknown.

Councilor Vincent thanked Councilor Witham for sharing how the City and the Council got to where they are today regarding the former National Guard site. He commented that with a Community Center, there is an opportunity to bring in revenue from activities offered to the public to offset operating. Councilor Vincent also stated that if the vote was to approve a Community Center, the project does not need to be completed within one year and shared the Dover Ice Arena as an example which was completed in phases over time. Councilor Vincent spoke to the amount of time and money that Chinburg could spend on the project during the design and proposal stage and would hate to see that wasted if the project were to be killed in the future.

Mayor Hilliard noted that the City has an ice-skating rink that is owned by the Lion’s Club which is successful and heavily used.

Councilor Gerding stated that he does his best to make decisions based on what is best for both the residents and the Community which he commented that he cares very much about. He stated that he doesn’t appreciate words being put in his mouth and wanted to share some of his reasoning of his decision and to give some light into his thoughts after listening to the debate of the Council and hearing from the public regarding the former National Guard site. Councilor Gerding commented that he feels that he is still in favor of the project and feels that the City and the State are still in need of housing. He stated that the Downtown area businesses continue to look for more people to shop their stores or dine at their restaurants, and he feels that the project could benefit the Community as a whole and increase the City’s economic vitality. Councilor Gerding stated that the project is larger than he would like for it to be, and that while he was on the National Guard Building Reuse Commission, he favored the single-family residential option. He feels that if the Resolution were to

be approved by the Council, the number of processes, studies and Boards that the project would need to go through, could lead to a proposal that is the best fit for the Community. Councilor Gerding listed processes that require going through the Planning Board and Zoning Board of Adjustments and added that he trusts those Boards to make the right decision that is in the best interest of the Community. He stated that he hopes that if the project were to be approved, the residents that spoke during public comments would continue to advocate for themselves and go to the Planning Board because it is important that they hear their valid concerns as well.

Councilor Gerding stated that with the various projects identified by the SRPC, a Community Center was estimated to cost around \$3,000,000 about 1-2 years ago and assumes costs may be higher due to inflation. He noted that the cost of construction, operating costs and staffing expenses will highly impact the City's tax rate by his estimate of between \$0.50 to a \$1.00 per year and has a hard time justifying that increase when they are unable to determine the utilization of the facility. He assured the public, that as a teacher, he wants a Community Center especially for his students but as a Councilor, his obligation is to be mindful of the tax rate and how that affects the residents. Councilor Gerding commented that the current proposal will generate tax revenue for the City once any tax relief expired and could then decrease the tax rate. Councilor Gerding heard from the public that traffic is a huge concern, he commented that he would be willing to add language to the Resolution that ensures that the developer incur any costs associated with traffic and feasibility studies and not have a cost impact to the City.

Councilor Pepin thanked the visitors for sharing their comments about the proposed project. He stated that initially he was in favor of the proposal, but his mind was changed after hearing the public's concerns. Councilor Pepin did comment that, as a Councilor, he has become frustrated with projects that seem to keep getting defeated by groups or Committees and he is starting to feel that there is no growth for Somersworth economically. He added that he is hurt by comments that allege that the Council doesn't take an active interest in things that will benefit the City, and that as Councilor Witham explained, a lot of time and effort went into how the Council got to where they are today with the former National Guard site. Councilor Pepin stated that he is not in favor of the Resolution as he feels that the project is too big for the site and would like to see single-family residential but he also doesn't want to see the property sit for years with no development. Councilor Pepin expressed concern about any developer that takes the property because of the fact that contaminated soil is so costly to properly remove and dispose of. He stated he was in favor of the project initially because he is tired of projects not coming through to completion, and he has concerns that developers will shy away from development within the City of Somersworth after all of the defeated projects that could benefit the Community.

Councilor Gibson commented "build it and they will come" is what he feels is being inferred by some of his fellow Councilors. He stated that we are not able to guarantee that residents who move into the City will indeed shop Downtown, and he added that the Downtown area is restricted in its size and is limited in its ability to try and draw new business in. Councilor Gibson agrees that the project is too big and mentioned the recent Library expansion presentation that was presented to the Council and that he expects will happen sooner than later. He added that the solar array could be easily screened with nature as opposed to the development of a 4-story apartment building.

Councilor Cameron commented that she is, like Councilor Witham, passionate about the Little League Baseball Field after having spent a number of days working on the field and is glad that the ballfield would remain as is. She shared that she is interested in the Chinburg Properties proposal because she knows what the developer is capable of but also understands the concerns brought forward by the public. She mentioned the concern of traffic and she feels that the project is too big, she wonders if downsizing the project would be a feasible option. Councilor Cameron is not as

concerned with the impact to the school system. She acknowledged that if the Resolution were to be approved, there are many more steps that the project must go through and perhaps Chinburg could come back with a smaller version of the proposed development.

Councilor Austin commented that the project will go through a vetting process that determines if the proposed project would move forward or not. He does have concern that the project is too big and that there is no real idea of how the project will look or any of the details, but suspects that the project will not be as big as it initially sounds. Councilor Austin shared further concern that if the Resolution is not passed, the former National Guard site will sit vacant for many years and that he has a problem with. He added that he does feel as through the Council has an obligation to investigate all potential opportunities that could benefit the City and would be in favor of supporting the Resolution in order to see what comes forward, and to allow it to go through the process to determine the potential benefits to the City.

Councilor Michaud thanked the Community members for coming to speak and stated that he initially favored the Chinburg Properties proposal because he feels that the City needs more housing and people. He commented that he understands all of the concerns mentioned by the Community members and he referenced former Councilor, Martin Dumont, and shared that he had visited Mr. Dumont's home which was within the neighborhood of the former National Guard site. Councilor Michaud noted that he felt that the neighborhood was very nice and can understand the possibility of a large apartment development coming in and impacting the traffic and safety along their neighborhood. He stated that he is on the fence with his vote, but that he is willing to see the process go through the City's Boards because he doesn't want to see the property sitting vacant.

Councilor Witham commented that the former Police Department on Main Street became more appealing to developers and sold after the City received a number of grants that assisted with the cleanup of contaminates to the site. He stated that the former National Guard property has some contaminate concerns but perhaps is a little cleaner than was originally thought to be. Councilor Witham spoke about the proposal to build the Idlehurst School and noted that there was a number of members from the Community that lined the Council Chambers to express their concern about traffic impacts, and while he believes there has been an increase to the traffic due to the project, he doesn't feel that the impact was as strong as was being articulated by public concerns. He also spoke about the Sunningdale development which had concerns about the potential impact to the school system that have not yet been realized. Councilor Witham commented on the fact that any project that comes before the City is bound to have neighboring communities coming into the Chambers to express their concerns of traffic or other impacts, and he stated that he is understanding of that and would do the same if it were his neighborhood dealing with the impact. Councilor Witham commented that he would like more projects to come to the City that bring children in, he noted that the school's enrollment numbers are low and that the Class of 2023 had approximately 80 graduates, whereas years ago, that number was well over 100. He added that school programs and other opportunities are suffering due to the low student enrollment numbers. Councilor Witham stated that the project does seem too big and still favors residential in that area and feels that the issue requires more discussion with the developer and recommends referring back to the Economic Development Committee for further review and discussion.

Councilor Witham made a motion to refer Resolution 54-23 back to the Economic Development Committee. The motion was seconded by Councilor Gibson.


Discussion:

Councilor Vincent stated that he is in favor of referring the Resolution back to the Economic Development Committee

Councilor Witham stated that he feels by referring the Resolution back to the Committee, it will allow for the discussion of whether or not the project is feasible for the developer to scale back on the proposed development and if there is a way be more amendable to the Community.

The motion passed 8-1 by roll call vote. Councilor Messier opposed.

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	1
On 7/10/2023	Resolution 54-23	PASSED	FAILED

	City of Somersworth – Resolution
	Resolution No: 1-24 TO AUTHORIZE THE CITY MANAGER TO AMEND THE CONTRACT WITH GMI ASPHALT, INC. OF BELMONT, NEW HAMPSHIRE FOR FISCAL YEAR 2023 SIDEWALK REPAIR AND RECONSTRUCTION PROJECT

July 10, 2023

WHEREAS, the City Council adopted Resolution 35-23 on March 6, 2023, authorizing the City Manager to contract with GMI Asphalt, Inc. for Fiscal Year 2023 sidewalk repair and reconstruction; and

WHEREAS, the City Council authorized a total contract amount not to exceed \$140,000 (One Hundred Forty Thousand dollars); and

WHEREAS, project conditions such as the amount of asphalt needed at certain transitions to keep the sidewalks ADA compatible, and the amount of seed and loam used to finish disturbed areas caused the total contract to exceed \$140,000 (One Hundred Forty Thousand dollars) to a final project cost of \$158,587 (One Hundred Fifty-Eight Thousand Five Hundred Eighty-Seven dollars); and

WHEREAS, the Public Works and Environment Committee met with City Staff and recommends amending the contract with GMI Asphalt, Inc. for the additional project costs; and

WHEREAS, the Finance Committee met with City Staff and recommends amending the contract with GMI Asphalt, Inc. for the additional project costs;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to amend the contract with GMI Asphalt, Inc. of Belmont, New Hampshire for Fiscal Year 2023 sidewalk repair and reconstruction to an amount not to exceed \$158,587 (One Hundred Fifty-Eight Thousand Five Hundred Eighty-Seven dollars).

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Denis Messier Donald Austin Martin Pepin Richard Michaud Robert Gibson Kenneth S. Vincent	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 1-24

History

First Read Date:	7/10/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:	7/10/2023		

Discussion

7/10/2023


Clerk LaPanne performed a first reading of Resolution 1-24.

Councilor Witham made a motion to suspend Council Rules to allow for a second reading of Resolution 1-24. The motion was seconded by Councilor Vincent and passed 9-0 by voice vote.

Clerk LaPanne performed a second reading of Resolution 1-24.

Councilor Witham made a motion to adopt Resolution 1-24 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 7/10/2023 Resolution 1-24		PASSED	FAILED

	City of Somersworth – Resolution
	Resolution No: 2-24 TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE JOINT POWERS AGREEMENT OF THE COMMUNITY POWER COALITION OF NEW HAMPSHIRE AND TO FORM AN ELECTRIC AGGREGATION COMMITTEE KNOWN AS THE SOMERSWORTH COMMUNITY POWER COMMITTEE

July 10, 2023

WHEREAS, the Community Power Coalition of New Hampshire (CPCNH) was created as a separate entity in accordance with New Hampshire RSA 53-A in order to jointly support the implementation and operation of Community Power Aggregations and related energy programs and to offer membership on the same mutually-advantageous terms to all municipalities and counties throughout the State of New Hampshire; and

WHEREAS, the CPCNH has currently grown to approximately 33 member Cities and Towns throughout the State of New Hampshire; and

WHEREAS, the City of Somersworth would like to join the CPCNH in order to provide the residents and businesses of the City the opportunity to access a competitive electric power supplier utilizing the benefits of community power aggregation; and

WHEREAS, an electric aggregation committee, named the Somersworth Community Power Committee, is required to be created in order to implement a community power aggregation plan for the City of Somersworth; and

WHEREAS, the City shall establish the Somersworth Community Power Committee consisting of Five (5) members, said membership established as follows:

- Two (2) City Councilors appointed by the Mayor
- One (1) Planning Board member appointed by the Planning Board Chair
- One (1) Somersworth Business Owner appointed by the Mayor
- One (1) Somersworth Resident appointed by the Mayor,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute the Joint Powers Agreement of the Community Power Coalition of New Hampshire and to take any other actions necessary to become party to the Community Power Coalition of New Hampshire, and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT an electric aggregation committee, named the Somersworth Community Power Committee, shall be established.

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

City of Somersworth – Resolution 2-24

History

First Read Date:	7/10/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion


7/10/2023

Councilor Gerding requested to be added as a sponsor to Resolution 2-24.

Councilor Gibson made a motion to suspend Council Rules to allow for a second reading of Resolution 2-24. The motion was seconded by Councilor Messier and failed 4-5 by roll call vote. Councilors Pepin, Austin, Michaud, Witham, and Cameron opposed.

Resolution 2-24 will remain in first reading until the call of the Chair.

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:			
On	Resolution 2-24	PASSED	FAILED

	<p align="center">City of Somersworth – Resolution</p>
	<p>Resolution No: 3-24</p> <p>TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE A LEASE EXTENSION WITH HIDEOUT GOLF, INC. TO OPERATE AND MAINTAIN AN 18-HOLE PUBLIC GOLF COURSE KNOWN AS THE OAKS GOLF COURSE IN SOMERSWORTH, NEW HAMPSHIRE</p>

July 10, 2023

WHEREAS, the City of Somersworth and Hideout Golf, Inc. entered into a 38-year lease agreement on September 26, 2002, for Hideout Golf, Inc. to construct, operate, and maintain an 18-hole public golf course, known as The Oaks, on City owned property; and

WHEREAS, Hideout Golf, Inc. has approached the City with a proposal to make a number of capital improvements to the property to include new irrigation construction, bunker and cart path construction, and redesign of several holes; and

WHEREAS, to realize the full value and benefits of these capital improvements Hideout Golf, Inc. is proposing to extend the lease term and make any other lease amendments, that may be in order, to benefit both parties; and

WHEREAS, the proposal was presented to the Public Works and Environment Committee and they support the consideration of extending the lease agreement; and

WHEREAS, the proposal was presented to the Finance Committee and they support the consideration of extending the lease agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to negotiate a lease extension with Hideout Golf, Inc. for the operation and maintenance of an 18-hole golf course on City owned property, and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the negotiated lease extension shall be presented to the Somersworth City Council for review and final approval.

Authorization	
<p><i>Sponsored by Councilors:</i></p> <p>David A. Witham Denise Messier Donald Austin Martin Pepin Richard Michaud Robert Gibson Kenneth S. Vincent</p>	<p><i>Approved:</i></p> <p>City Attorney</p>

City of Somersworth – Resolution 3-24

History

First Read Date:	7/10/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

7/10/2023

Councilor Witham made a motion to suspend Council Rules and allow Resolution 3-24 be read by title only. The motion was seconded by Councilor Vincent and passed 8-1 by voice vote. Councilor Gerding opposed.

Clerk LaPanne performed a first reading of Resolution 3-24 by title only. Resolution 3-24 will remain in first reading until the call of the Chair.

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:			
On	Resolution 3-24	PASSED	FAILED

