



MINUTES OF CITY COUNCIL MEETING
Somersworth, NH
May 20, 2019
7:00 P.M.

ROLL CALL OF MEMBERS

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

PLEDGE OF ALLEGIANCE

Councilor Vincent led the Pledge of Allegiance.

PUBLIC HEARINGS

Ordinance No. 19-19 - To Amend Chapter 6, City Officials, by Deleting Section 6.1, Exemption For Prisoners of War and Section 6.9, Veteran's Property Tax Exemptions, Blind and Solar Exemptions

No public comments

Ordinance No. 20-19 - To Create New Chapter 34, Exemptions and Credits

No public comments

Ordinance No. 21-19 - To Amend Chapter 4, Personnel Rules & Regulations, Section 7.3, Holidays, Regarding Holiday Work Pay

No public comments

COMMENTS BY VISITORS

None

CONSENT CALENDAR

Approve Minutes of the City Council Meeting held on May 6, 2019

Councilor Austin, seconded by Councilor Pepin, made a motion to approve the items on the Consent Calendar. Motion passed, 8-0.

COMMENTS BY CITY COUNCILORS

None

COMMUNICATIONS

None

PRESENTATION OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE

None

MAYOR'S REPORT

Despite having a lengthy Mayor's report and several items to report on Council and give updates this evening, I am going to forgo the majority of it until the June 3rd, 2019 meeting, and take time to celebrate. Often times we forget how far we have come as a community and the functional partnership and models of municipal government we have built here in our Hilltop City. For the last 6 years, we have re-embraced our roots and began our journey "on the move" to rediscovering who we were, we now understand who we are and the direction our City must continue on to reach success.

With every journey it is important to take time to pause, to celebrate how far we have come. Tonight's Mayor's Report is that pause. Congratulations Council, School Board, City Staff and Citizens for your commitment towards greatness and commitment towards keeping our great City "on the move." We have traveled far in six years, overcoming obstacles and barriers. So tonight we pause and celebrate with members of the Somersworth High School Jazz Ensemble under the direction of the Music Director, Matthew Lagarde. While we are inspired by their talent, let us reflect on how far we have come, and reenergize ourselves for the journey that lies ahead. I look forward to the successes that lay ahead for Somersworth and with our team approach, continuing our great City "on the move." It gives me great pleasure to introduce the Director of the Somersworth High School Music Program, Mr. Matthew Lagarde.

The Somersworth High School Jazz Ensemble played 2 numbers, which were enjoyed by all. Mayor Hilliard continued his Mayor's Report.

The next Mayors Community forum will take place Saturday June 8th from 9:00 – 10:30 at City Hall. Including in this forum will be the Chief of Police, David Kretschmar. The purpose of these forums are to foster dialog and ideas, in a non-formal setting to continue to keep our community "On the Move". All members of the community are welcome to attend any forums.

Under NOMINATIONS, APPOINTMENTS AND ELECTIONS

Mayoral Appointment

Denis Messier, as a Commissioner for the Somersworth Housing Authority Board of Commissioners, with a term to expire, May 2024

REPORTS OF STANDING COMMITTEES

Economic Development – Councilor Dumont reported that the committee met on May 8th. The committee discussed:

- Form Based Codes – Steve Whitman of Resilience Planning and Design was at the meeting. There was discussion regarding the interactive public input session.
- Lucky's is closing, but some interest in this property.
- NH Liquor store will be open in approximately 2 months
- Listening session for Rt. 108 was well attended. There will be a field visit soon.
- Bank on Main St and John Parsons was purchased by a dentist.
- Brewery with pizza oven going in at the Plaza

- David Baker purchased vacant property on Government Way
- Hilltop School property is moving along
- Nothing going on with the Somersworth Hotel
- Charette plan is still in the works. Targeting something in the fall. There has been a lot of interest.
- GAR building approved for residential conversion. Commercial on the lower floors and Residential on the upper floors
- Nothing has been done at the Bleachery yet.
- In contact with developer to purchase the former PD.

Recreation – Councilor Cameron stated that they will be scheduling a meeting for June 5th, at HS football field.

REPORTS OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

Special Committees

Ward Boundaries Review Committee – Councilor Pepin stated that they have met twice since the last Council meeting. They have reviewed maps that were presented by Director Saunders. There will be a proposal at the next City Council meeting

School Board – Councilor Pepin stated that the Board met on May 14th. It was a brief meeting and nothing to report.

Traffic Safety – Councilor Vincent said there has not been a meeting since the last Council meeting.

Planning Board – Councilor Vincent said he filled in for Councilor Witham at the May 15th meeting. The Board discussed

- Goodwin Community Health, site approval plan; they have had issues with pedestrians crossing Route 108. A crosswalk is needed in this area. This will be part of the complete street project coming in to play. Councilor Vincent suggested that Goodwin pay for this project. He talked with Director Saunders, and the amount would be approximately \$2500.
- Downtown special parking. They are looking at a Site plan regulation amendment, to remove parking in designated area.

Councilor Sprague stated, regarding the complete streets project, Route 108 is a state project, it is in the 10 year highway plan.

Councilor Vincent stated, if we want upgrades, the city has to pay for that.

Councilor Sprague said a crossing is not something that a business can just solicit. The state wont charge if a crosswalk is needed.

Joint Commission of City Council and School Board – Councilor Dumont reported that the Commission met on May 7th. The commission discussed:

- Senator Watters gave an update on the state funding. City Manager asked about the school funding aid. Senator was clear that he wasn't aware of anything new.
- Middle school need for elevator was discussed, not a lot of money at this point.
- Gerry Canon was in attendance; she stated that she will work with the Senator, and that she has concerns on homeschooling criteria.
- Discussing the school use of Millennial Park for the school softball programs. The park has lights and they can play in the evening.

City Manager's Report

TO: Mayor Dana S. Hilliard and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, May 17, 2019

**SUBJECT: City Manager's Report for Monday, May 20, 2019
City Council Agenda**

6:00 pm: Workshop
Veteran's Memorial Park Design Presentation from Ironwood Design
Attached is the PowerPoint Presentation.

Lay on the Table (Under Section 13 of Agenda)

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

Unfinished Business (Under Section 14 of Agenda)

Ordinances

- A. Ordinance No. 18-19: To Amend Chapter 13, Police Offenses, Section 3.4, Motor Vehicle Operation, by Prohibiting Tractor-Trailers from Making a Left Hand Turn onto Station Street from Government Way. FYI: the Traffic Safety Committee has not yet met to re-visit this issue.**
- B. Ordinance No. 19-19: To Amend Chapter 6, City Officials, by Deleting Section 6.1, Exemption For Prisoners Of War and Section 6.9, Veteran's Property Tax Exemptions, Blind and Solar Exemptions. Again, the Government Operations Committee voted to support this recommendation at their meeting on May 1st.**

C. Ordinance No. 20-19: To Create New Chapter 34, Exemptions and Credits.
This is a companion change in association with Ordinance No. 19-19.

D. Ordinance No. 21-19: To Amend Chapter 4, Personnel Rules & Regulations, Section 7.3, Holidays, Regarding Holiday Work Pay. Again, the Government Operations Committee discussed this recommendation at their May 1st meeting and voted to support the change.

New Business (Under Section 15 of Agenda)

A. Vote to Accept the Master Plan from the Tri-City Mayors Task Force on Homelessness.

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

A. Informational Items

1. **CMAQ Grant Update.** City Staff recently interviewed the four (4) Consultant / Engineering Firms that submitted proposals. We will be submitting a recommendation to NH DOT for their review and approval. This was the initial RFQ qualifications interview scoring process. The next step would be to negotiate a defined scope of service and cost. The City Council will then need to authorize final contract approval.
2. **Fire Station Project Update.** The City received eleven (11) proposals for the completion of a preliminary Fire Station design. A team of City Staff (Fire Chief Keith Hoyle, Finance Director Scott Smith, City Engineer Gary Lemay and Development Services Director Shanna Saunders and I) will be interviewing five (5) Architect / Consultant Teams next week. I anticipate a final recommendation will be forwarded to the Public Safety Committee and the Finance Committee for consideration and then to the full City Council for funding approval.
3. **Police Department Grant Award.** I am pleased to report that Chief Kretschmar was notified that the City will be receiving an approx. \$25,000 Grant under a Safe Neighborhood Program which will allow for additional enforcement efforts. The Chief's attached Memorandum provides some more detail on the Program.
4. **Upcoming City Council Workshops, as approved by Mayor Hilliard**
 - June 3: 6:00 p.m. – Form Based Code, Zoning Ordinance Change Presentation by the City's Consultant, Steve Whitman from Resilience Planning & Design, Inc.
 - June 17: 6:00 p.m. – COAST Bus Presentation by Rad Nichols, Executive Director.

Attachments

a. Department Head Reports

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Mayoral Appointment


Denis Messier, as a Commissioner for the Somersworth Housing Authority Board of Commissioners, with a term to expire, May 2024

LAY ON THE TABLE

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

UNFINISHED BUSINESS

Ordinance No. 18-19 - To Amend Chapter 13, Police Offenses, Section 3.4, Motor Vehicle Operation, by Prohibiting Tractor-Trailers from Making a Left Hand Turn onto Station Street from Government Way (Referred to Traffic Safety Committee)
Remained in first read.

	<p style="text-align: center;">City of Somersworth – Ordinance</p> <p>Ordinance No: 19-19</p> <p>TO AMEND CHAPTER 6, CITY OFFICIALS, BY DELETING SECTION 6.1, EXEMPTION FOR PRISONERS OF WAR AND SECTION 6.9, VETERAN’S PROPERTY TAX EXEMPTIONS, BLIND AND SOLAR EXEMPTIONS</p>
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May 6, 2019

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the ordinances of the City of Somersworth, as amended, be further amended as follows:

1. Amend Chapter 6, City Officials, Section 6.1, Exemption for Prisoners of War, by deleting the section in its entirety,
2. Amend Chapter 6, City Officials, Section 6.9, by deleting the section in its entirety, to include:
 - 6.9.1 Veterans Exemptions
 - 6.9.2 Service Connected Total Disability
 - 6.9.3 Surviving Spouse
 - 6.9.4 Exemption for the Blind
 - 6.9.5 Solar Exemption
3. Renumber Chapter 6 accordingly.

This Ordinance shall take effect upon its passage

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

City of Somersworth – Ordinance 19-19

History

First Read Date:	05/06/2019	Tabled:	NA
Public Hearing:	05/20/2019	Removed From Table:	NA
Second Read:	05/20/2019		

Discussion

NOTE: This Ordinance is a housekeeping amendment, to move the Exemptions and Credits to a new Ordinance Chapter.

On May 6, 2019, Councilor Witham, seconded by Councilor Levasseur, made a motion to waive Council Rules to have Ordinance 19-19 read by title only. The motion passed, 8-0.

Ordinance 19-19 will remain in first read until the May 20, 2019 City Council Meeting. A Public Hearing is scheduled for May 20, 2019.

On May 20, 2019, Councilor Pepin, seconded by Councilor Dumont, made a motion to approve Ordinance 19-19.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont *	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Sprague	X	
At Large Councilor	Cameron	X	
At Large Councilor	Levasseur	-	-
TOTAL VOTES:		8	0
On 05/20/2019 Ordinance 19-19		PASSED	



City of Somersworth – Ordinance

Ordinance No: **20-19**

TO CREATE NEW CHAPTER 34, EXEMPTIONS AND CREDITS

May 6, 2019

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Ordinances of the City of Somersworth, as amended, be further amended by adding new Chapter 34 as follows:

Chapter 34, EXEMPTIONS AND CREDITS

Section 34.1 Elderly Property Tax Exemption

A. Amount of Exemption

The elderly exemptions from property tax in the City of Somersworth, based on assessed value, for qualified taxpayers, are as follows, effective April 1, 2016.

1. For a person 65 years of age up to 74 years, Fifty Thousand (\$50,000) Dollars.
2. For a person 75 years of age up to 79 years, Sixty-Five Thousand (\$65,000) Dollars.
3. For a person 80 years of age or older, Seventy-Five Thousand (\$75,000) Dollars.

B. Qualifications

1. The taxpayer must be a New Hampshire resident for at least three (3) years and own the real estate individually or jointly or, if the real estate is owned by such person's spouse, they must have been married at least five (5) years.
2. The taxpayer must have a net income of not more than Thirty-Two Thousand, (\$32,000) Dollars or, if married, a combined net income of less than Fifty Thousand (\$50,000) Dollars.
3. The taxpayer must not own assets in excess of One-Hundred Thousand (\$100,000) Dollars, excluding the value of the person's residence and up to 2 acres of land.
4. The property cannot have been transferred to the applicant, from a person under the age of 65, if they were related to the applicant by blood or marriage, within the past five (5) years, per RSA 72:40-a, or as subsequently amended.
5. The property must meet the definition of a residential real estate, per RSA 72:29-II, or as subsequently amended, which includes the housing unit which is the person's principal home and related structures. It does not include attached

dwelling units and unattached structures used or intended for commercial or other non-residential purposes.

C. Application

1. The application form for tax exemption, as authorized by RSA 72:33, or as subsequently amended, must be filed by the taxpayer with the Assessing Department by April 15th, prior to the setting of the tax rate and showing that the applicant was duly qualified upon April 1st of the year in which the exemption or tax credit is first claimed
2. The following documentation must be provided at the time of application:
 - List of assets, value of each asset, net encumbrance and net value of each asset (Provide year end statements for each of the assets);
 - Statement of applicant and spouse's income;
 - W-2 and 1099 forms;
 - Federal Income Tax Forms;
 - State Interest and Dividends Tax Form;
 - Property Tax Bill for any other property owned;
 - November and December bank statements for all accounts;
 - Copy of license or birth certificate;
 - Copy of Vehicle registrations.
3. Additional documentation may be requested to verify income and assets. Documents are considered confidential and are returned to the applicant at the time a decision is made on the application

Section 34.2 Veteran's Property Tax Credit

The City adopts the provisions of RSA 72:28, V and VI for an optional veterans' exemption and an expanded qualifying war service for veterans seeking the exemption. The veterans' tax credit shall be \$250 with \$50 additional tax credit each successive tax year of 2005 through 2009. This veteran's tax credit of \$250 shall be effective for the tax amounts due for tax year 2004 (final bill due December 2004).

<u>Veteran's Tax Credit Amount – Tax Year Effective</u>		
\$250 - 2004	\$350 - 2006	\$450 - 2008
\$300 - 2005	\$400 - 2007	\$500 - 2009

Section 34.3 Service Connected Total Disability

The City adopts the provisions of RSA 72:35, for an optional property tax credit on residential property for a service connected total disability. The service connected total disability tax credit shall be \$2,000.

Section 34.4 Surviving Spouse

The City adopts the provisions of RSA 72:29A, for an optional property tax credit for surviving spouses. The surviving spouse tax credit shall be \$2,000.

Section 34.5 Exemption for the Blind

Every inhabitant who is legally blind as determined by the administrator of blind services of the vocational rehabilitation division of the education department shall be exempt each year on the assessed value for property tax purposes of his/her residential real estate to the value of \$25,000. The term "residential real estate" as used in this section shall mean the same as defined in RSA 72:29. All applications made under this section shall be subject to the provisions of RSA 72:33 and RSA 72:34. This exemption shall be effective as of April 1, 1993.

Section 34.6 Solar Exemption

The City adopts the provisions of RSA 72:61-64, an exemption from the assessed value for property tax purposes, for persons owning real property which is equipped with a solar energy system as defined in RSA 72:61. Such Solar property tax exemption shall be in an amount equal to 100% of the assessed value of qualifying solar energy system equipment as defined in RSA 72:61 and as may be amended. This exemption shall be effective for the tax year that begins April 1, 2017.

Section 34.7 Exemption for Prisoners of War

Pursuant to RSA 261:157-a, the City of Somersworth hereby waives the fee charged for a permit to register one motor vehicle owned by any person who was captured and incarcerated for 30 days as defined in RSA 72:28 IV, and who was honorably discharged, provided the person provides to the Tax Collector satisfactory proof of these circumstances.

This ordinance shall take effect upon its passage, and any person entitled to said waiver who registered one vehicle prior to the effective date and after September 1, 1985, shall be entitled to a refund upon application and proper documentation.

This Ordinance shall take effect upon its passage.

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

City of Somersworth – Ordinance 20-19

History

First Read Date:	05/06/2019	Tabled:	NA
Public Hearing:	05/20/2019	Removed From Table:	NA
Second Read:	05/20/2019		


Discussion

On May 6, 2019, Councilor Witham, seconded by Councilor Levasseur, made a motion to waive Council Rules to have Ordinance 20-19 read by title only. The motion passed, 8-0.

Ordinance 20-19 will remain in first read until the May 20, 2019 City Council Meeting. A Public Hearing is scheduled for May 20, 2019.

Councilor Austin, seconded by Councilor Pepin, made a motion to approve Ordinance 20-19.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont *	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Sprague	X	
At Large Councilor	Cameron	X	
At Large Councilor	Levasseur	-	-
TOTAL VOTES:		8	
On 05/20/2019 Ordinance 20-19		PASSED	

	City of Somersworth – Ordinance
	<p>Ordinance No: 21-19</p> <p>TO AMEND CHAPTER 4, PERSONNEL RULES & REGULATIONS, SECTION 7.3, HOLIDAYS, REGARDING HOLIDAY WORK PAY</p>

May 6, 2019

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the ordinances of the City of Somersworth, as amended, be further amended as follows:

1. Amend Chapter 4, Personnel Rules and Regulations, Section 7.3, Holidays, by deleting the second paragraph in its entirety and adding:

When a holiday falls on a Sunday, the following Monday is observed as the holiday. When a holiday falls on a Saturday, the preceding Friday is observed. Any employee required to work on a holiday will receive pay for the time worked at one and one-half times the adjusted base rate in addition to holiday pay for that day.

This Ordinance shall take effect upon its passage.

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

City of Somersworth – Ordinance 21-19

History			
First Read Date:	05/06/2019	Tabled:	NA
Public Hearing:	05/20/2019	Removed From Table:	NA
Second Read:	05/20/2019		

Discussion

On May 6, 2019, Councilor Witham, seconded by Councilor Levasseur, made a motion to waive Council Rules to have Ordinance 21-19 read by title only. The motion passed, 8-0.

Ordinance 21-19 will remain in first read until the May 20, 2019 City Council Meeting. A Public Hearing is scheduled for May 20, 2019.

Councilor Cameron, seconded by Councilor Vincent, made a motion to approve Ordinance 21-19.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent	X	
Ward 3 Councilor	Dumont *	X	
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Sprague	X	
At Large Councilor	Cameron	X	
At Large Councilor	Levasseur	-	-
TOTAL VOTES:		8	0
On 05/20/2019 Ordinance 21-19		PASSED	

NEW BUSINESS

OTHER

Vote to Accept the Master Plan from the Tri City Mayors' Task Force on Homelessness
The motion passed 8-0, by voice vote.

CLOSING COMMENTS BY VISITORS

None

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Pepin thanked the High School Jazz Band for their presentation.

Councilor Vincent said the band was outstanding. He stated that he was contacted by a resident in ward 5 about tractor trailers coming through Rita Rd.

Councilor Dumont stated that the Jazz Band was fantastic. He complemented the Housing Authority on their appointment of Former Councilor Messier; he will be a great added member.

Councilor Austin congratulated Jazz band and leader of the music program stating that Mr. Lagarde does great work. Congratulations to Somersworth Middle School for earning the award of Middle School of the Year. That is quite an achievement. He has seen the school advance by leaps and bounds.

Councilor Michaud also thanked the jazz band. It makes him want to take another vacation to New Orleans. He stated that he also received a letter from the resident regarding tractor trailers tearing up the roads around Rita Road. He thanked the Principal/Mayor for the great job he is doing with the middle school.

Councilor Sprague thanked the jazz band, and stated that he took jazz band in college. This brings back memories. Congratulations on the Middle School on receiving the award. The first game of the Stanley Cup playoffs is Memorial Day. It has been 3 months since last parade. New England can't take this much longer. We've been in a drought. GO Bruins!

Councilor Cameron congratulated the jazz band, stating that they are phenomenal. She hopes to attend the other concert. In a time when we hear a lot of negativity, it was great to hear that the Somersworth Middle School won the award of Middle School of the Year. She is super proud that they are number one in the state. She reminded residents that they are 4 weeks from the Franco American day at the Fischercats Baseball game.

FUTURE AGENDA ITEMS

None

NONPUBLIC SESSION

None

ADJOURNMENT

Councilor Witham, seconded by Councilor Dumont, made a motion to adjourn. The meeting adjourned at 7:50 pm.

Trish Harris, City Clerk

Dana Hilliard, Mayor