



MINUTES OF CITY COUNCIL MEETING  
Somersworth, NH  
June 1, 2020  
7:00 P.M.

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**ANNOUNCEMENT BY MAYOR HILLIARD**

As Chair of the Somersworth City Council, I, Dana S. Hilliard, Mayor find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

We are utilizing Zoom for this electronic meeting. All members of the Council have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously watch by way of our local public access Comcast channel 22 or via live streaming available at our City website Somersworth.com.

Please note that **all votes** that are taken during this meeting shall be done by **roll call vote**.

**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: Councilors Pepin, Vincent, Dumont, Austin, Michaud, Witham, Gerding, Cameron and Paradis, who were all by themselves.

Mayor Hilliard announced that City Manager Bob Belmore, Deputy City Manager/Finance Director Scott Smith, Fire Chief George Kramlinger, and Deputy City Clerk Kelly Gagne were in the Council Chambers.

**PLEDGE OF ALLEGIENCE**

Councilor Pepin led the Pledge of Allegiance.

**PUBLIC HEARINGS**

- A. **Ordinance No. 20-20** - Supplemental Appropriation to Install Fencing and Other Improvements for a Dog Park at Millennium Park

Comment read from Emerson Doiron of 149 High Street, Unit 4, who was in favor of the dog park.

- B. **Resolution No. 48-20** - Vote to Authorize a Bond for Road, Sidewalk, Drainage, Water, Sewer and Other Improvements to Cemetery Road

No comments

## **COMMENTS BY VISITORS**

None

## **CONSENT CALENDAR**

- A. Approve Minutes of the City Council Meeting held on May 18, 2020
- B. Email from Michael Micucci, 1 Brenda Ave, Somersworth

*Councilor Austin, seconded by Councilor Cameron made a motion to approve all items on the Consent Calendar. The motion passed 9-0, by roll call vote.*

## **COMMENTS BY CITY COUNCILORS**

Councilor Pepin stated that he will be abstaining from any votes today due to medication he has been prescribed by his doctor, who stated that he should not make any decisions while on the medication.

## **COMMUNICATIONS**

- A. Letter of Resignation from Brian Caple, Board of Commissioners of the Somersworth Housing Authority

The letter was read aloud by the Clerk. Mayor Hilliard thanked Brian Caple for his service on the Board of Commissioners of the Somersworth Housing Authority. If the Council recalls, from the last resignation that we had that he changed the process a bit coming out of the Mayor's office. The process now for the Board of Commissioners is that they will vet a candidate, meaning that anyone interested in applying to be a Board of Commissioner can apply directly to the Housing Authority Board of Commissioners. They will then interview candidates and then select a candidate and forward it onto the Mayor. Although, the Mayor has the ultimate final decision of who will be moved forward, obviously he would empower a group to refer a candidate to me to move forward with that recommendation.

## **PRESENTATION OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE**

## **MAYOR'S REPORT**

### **Mayors Report for City Council Meeting June 1, 2020**

In 1619, having been stolen from their African homeland of modern day Angola the first African Slaves would arrive in Port Comfort, modern day Virginia and begin a 401 year history of intolerance and injustice within our nation. The recent events of the death of George Floyd has once again brought to light how far our nation still has to journey until the

promise of the foundation of our creed is universal for all. Our nation started with the bonds of slavery, the stealing of native lands, the passage of colonial laws making women second class citizens and religious persecution. On July 4<sup>th</sup>, 1776 the promise of a new path was announced to the world as we declared our independence based upon a doctrine that for the first time in human history declared every human was entitled to protected rights bestowed upon them from God.

On that day, the journey of a new America, a concept, a dream was set into motion, and thus began the long quest for freedom, liberty and justice for all. Our history would continue to note the high price we would pay for our failures to deliver on the promise of our revolutionary creed. We would divide and destroy ourselves for continuing the practices of slavery, and to atone for those sins from 1861 – 1865, over 600,000 Americans would lose their life. The promise to correct the injustice would soon bend to the political side deals in the election of 1876, awarding Rutherford B. Hayes the Presidency, ending reconstruction and welcoming Jim Crow into the lives of every African American until the Civil Rights era of 1960. Along that road, our nation would continue to drive at ease with the legal discrimination towards women, immigrants, Native Americans and members of the LBGT community. Yet, with each level of intolerance, each action of injustice, citizens would rise to defend the promise of America.

Yes, the recent actions remind us of how our nation's history has been dark, it draws attention to unhealed wounds, it hurts us and it depresses us. Why, because WE THE PEOPLE still believe in the promise of this nation and refuse for it to become anything less than we announced to the world 244 years ago. In the times that our nation is put to the test, we must unite; we must defend and continue to strengthen the fabric of our identity. Yes, in 2020 there are still people who believe that the promise, the hope, the dream of America is for a privileged few and nobody else. That those who come to our shores from other places should be denied, that those who are of a darker skin should be denied, that those who worship differently than them or not worship at all should be denied, that those who are members of the LBGTQ community should be denied.

It is infallible at times for us who love this nation, who believe in this nation, who would lay down their lives for this nation that 401 years after that first slave ship arrived upon our shores we are still searching and seeking the warmth from the light of liberty. Yet, for those of us who believe in the American creed, and the promise that this nation was founded upon, we will not abandon hope, we will own our failures and we will continue to drag us, WE THE PEOPLE, inch by inch closer to the shores of life, liberty, and justice for all. The way we will achieve this is by remaining united to allowing everyone to achieve the American dream. Those who commit violent acts, riots and looting are as guilty for the failures of this nation as those who acts of intolerance and discrimination are guilty. One act of evil, one act of injustice does not validate others to commit those acts in response. One police officer, who failed to hold truth to the oath he swore upon, does not make every officer in this nation our enemies. On May 15<sup>th</sup> during National Police Memorial Day, I stood with honor by the brave men and women who protect our great city. This evening with full faith in each member of our Hilltopper Police Department, I stand with them again knowing that each member of our force is committed to ensuring that all members of our community liberties will be secured.

June 1<sup>st</sup> marks the beginning of Pride Week throughout our nation. Today, as our nation seeks justice from the death of George Floyd, members of our Somersworth LGBTQ community gather from a distance raising they flag symbolizing their community. As we rose the rainbow flag to wave over Citizens Place, throughout the month of June we are reminded of how far we have come, yet reflect on how far we still have to journey. This month, the colors of the rainbow flag will proudly announce how members of the LGBTQ community will no longer be silenced, will no longer stand for legal discrimination and no longer be forced back into the closet. I have no doubt as I have since raising this flag 7 years ago that the faces of intolerance will once again emerge, however the march towards the American promise will wave with the colors of the rainbow throughout the month of June as we continue down the path of equality. America, we believe in you, we will continue our commitment towards you and we will continue to build the temple of freedom and justice you proudly aspire to become. The promise of America will never fail us; it will be us to fail it. So, together as united citizens, as WE THE PEOPLE, let us be reminded during this June, this pride month, of where we began this journey, how far we have come, and how far we still have to travel. Happy Pride month New England, Happy Pride month Somersworth, may the colors of acceptance, tolerance and love forever wave.

With the September Primary and November Election only 4 and 6 months away it is imperative that the Hilltop community have a plan within place to ensure the fidelity and safety of our election cycle. While the Secretary of State's Office has a task force to explore options, it behooves our community to develop a legal plan which would meet the needs of the Hilltop Community. This evening I am announcing the formation of the **Election Review Planning Commission with a sunset date of November 6<sup>th</sup>, 2020.** The commission will be tasked with the following objectives;

- Examine and develop a plan under our state law and restrictions which ensures the fidelity of our upcoming primary and general elections for all voters.
- Ensure the safety of all voters and poll workers for the upcoming primary and general election.
- Develop a plan which Council will approve and endorse can seek the approval from the Secretary of State that meets the needs of all Hilltop voters.
- Develop a plan which the Council can approve and endorse marking and informing the voters of how the primary and general election will meet their needs of safety.

- The following are named members of the commission;

***Councilor Crystal Paradis Chair***  
**Councilor David A. Witham Vice Chair**  
**Councilor Matt Gerding**  
**Councilor Martin P. Dumont, Sr.**  
**Councilor Nancie Cameron**

**City Manager or designee  
City Clerk who can be represented through the City Manager's Office**

With the 2020 school year successful wrapping up now is the time for our Joint Commission to begin city wide examination and discussion on what the 2020 – 2021 school year might look like. This evening I am respectfully calling upon the Joint Commission to schedule a meeting to begin to explore what the best avenue for those discussions and planning are and what support any commission will need to be successful.

Under nominations, appointments and Elections; **In accordance with Council Rule 17 Appointments**, the following are being brought forward this evening for a confirmation vote;

- ***Jeremy Rhodes***, Re-appointment as a ***Member of the Conservation Commission***, with a term to expire June 2023

Also Under nominations, appointments and Elections; in accordance with **Council rule 15** I am naming the following Mayoral appointments:

- **Election review planning commission with a sunset date of November 6<sup>th</sup>, 2020**  
***Councilor Crystal Paradis Chair***  
***Councilor David A. Witham Vice Chair***  
***Councilor Matt Gerding***  
***Councilor Martin P. Dumont, Sr.***  
***Councilor Nancie Cameron***  
***City Manager or designee***  
***City Clerk who can be represented through the City Manager's Office***

**This respectfully concludes my June 1st, 2020 Mayors Report**

**REPORTS OF STANDING COMMITTEES**

*Finance* – Chairman Witham stated they have not met but have a meeting scheduled for June 10, 2020.

*Government Ops* – Chairman Michaud stated that there is a scheduled meeting on June 3, 2020 @ 4pm.

City Manager Belmore stated that he has the Finance Committee meeting on Tuesday, June 9, 2020. He thought the Chairman may have said the 10<sup>th</sup>. Chairman With a stated that he had it inappropriately marked in his calendar.

*Public Works & Environment* – Chairman Witham stated that they met last Wednesday, June 1, 2020, and all members were present. The Committee first discussed Nadeau Street, which is a small dead end street located on the lower end of Main Street. It was determined that through a number of communications that Nadeau Street is a private way, better defined as a common driveway. The City has been plowing this roadway for as far back as most people can remember. Now that it has come to our attention that it is not a City road right of way we need to make some corrections. We either need to make it a City right of way and continue plowing it or we need to discontinue our plowing activities. That has generated a number of discussions with the residents of the street, which he noted was a small number of three. The roadway/driveway is in a state of disrepair and needs a lot of work. The residents of the street have encouraged the City to work with them to perhaps improve it to become a City right of way. Our City Engineering staff has done some estimates to include the construction of what can be defined as a hammer head at the far end of the way, which would allow plow trucks appropriately turn around when they get to the end of the road. To improve the existing road base, improve the width; create a drainage swale as well as some engineering costs, certainly surveying costs and some legal costs. In order to get Nadeau Street in a condition that would be appropriate for the City to take it over is just shy of \$100,000 dollars. One way to address this would be defined as a Betterment District where homeowners' on the street would have an additional taxation annually pay for this improvement. Right now there seems to be an appetite for the Betterment to be established by the residents and the members of the Public Works & Environment Committee have a similar appetite. The Committee gave the City Manager charge to move forward and create this Betterment District. There was a robust discussion regarding the City eating some costs of these improvements but the Committee consensus was that this was not the City's error, we did not bind our self into this predicament, the fact that we have been plowing it for several decades has perhaps been a benefit to those residents on the street. The decision on creating a Betterment District is a decision that needs to be made by the whole Council at some point in the future. The Committee was in full support of moving forward by working with the residents on creating a Betterment District. Another item discussed was a request from Town of Berwick to check on the favorability for the City of Somersworth to engage in an interconnect water system. Back in 2014, this had been discussed during the reconstruction of the Somersworth-Berwick Bridge, but due to the conditions required by the City Council of Somersworth, Berwick chose to not move forward with the interconnect. At this time Berwick wants to start the process to research the best way to connect to our water. He stated Berwick would be responsible to fund the study, cost of construction if a connection is approved and other associated fees. The Public Works & Environment Committee had no objection to this. Next in the Agenda was in regards to PIKE paving roadwork that had been done in the fall. There is an extensive punch list of defects that have been recognized by our City Engineer throughout the City. There are several on Lily Pond Road, Indigo Hill Road, Union Street, and some on Franklin Street. That work is scheduled to be done sometime in June. There is a workmanship clause in our contract so they need to come back and fix all items on the punch list; we are holding a substantial payment until the work is completed. We are changing our approach on bidding in the winter to allow for work to be done in the spring. This discussion led to the discussion of the intersection at Franklin Street and High Street. We had purposefully held back when we did the paving of Franklin Street about ten feet because we believed that we would be embarking on the TAP Grant which would be redoing that intersection. But as we know the TAP Grant won't be taking place until next year. So we did

ask for City staff to work with PIKE that while they were doing punch list work on Franklin Street if they might be able to address that intersection, we might try to tackle that out of existing budget. Another discussion was regarding repairs to Highland Street, a short section between Grand Street and Prospect Street. Just that section is in disrepair, we do have money from Chinburg Properties. When they did Hilltop School there was a reasonable exaction for helping to repair that section of Highland Street. We estimate a shim and overlay for that section to cost about \$15,000, we are looking to see if we can tackle that this year, if not we will do it next year. Keeping with topic of paving we do have escrowed funds from Cumberland Farms which is about \$16,000 to repair the edge of roadway on Blackwater Road in the vicinity of Cumberland Farms. City staff has those escrowed funds and they did go out to bid. We had three paving companies bid on the project, which was a bit of a struggle because it is such a small amount of work. Boulanger Paving out of Berwick Maine was the lowest and best bidder at \$13,500 and the Public Works & Environment Committee supported moving forward with that. The last paving project to talk about is the parking lot at the City Hall which is in the FY 2021 budget to redo the parking lot beside the City Hall. The lowest and best bid here was Boulanger Paving, at a price of \$12,300. There was also a discussion of crack sealing on High Street. As you may recall we did a small section of High Street last year as an experiment to see how that would hold up and that has held up very well. We have asked City Staff to get quotes to have crack sealing for the rest of High Street. We discussed the light pole at the Police Department that was damaged and what is happening with that. We discussed an area along Memorial Drive adjacent to Memorial Drive in regards to a swampy area that has a lot of trash identified in that area. It is a popular spot with kids in the winter as the ice there freezes over. We discussed putting up signs. Lastly, we discussed a letter from a resident on Fremont Street regarding sidewalks that are in disrepair, there was a conversation about a sidewalk plan.

## **REPORTS OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER**

### Special Committees

*COAST* – Councilor Pepin stated that he attended a Zoom meeting on May 27 @ 8:30am. We discussed as we start to ramp up our COAST routes again. The first week we lost about 70% of our ridership on the first week and the week after that we are at about 73%. Not all routes are currently up and running right now, but route one , which runs through Somersworth seems to be a very popular route. Also, route two which is Rochester to Portsmouth is limited right now but they are hoping by the end of June they will be back up to full service. By the end of the month we are going to be starting new routes so new signs will be coming. There was a lot of discussion on finances and how to get grants etc. Clipper connection bus route that goes to the Ship Yard also has seen less ridership.

*Historic District Commission*- Councilor Gerding stated there was a meeting last week, but he doesn't have minutes. He plans on reporting that out at the next meeting.

### 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, May 29, 2020**  
**SUBJECT: City Manager's Report for Monday, June 1, 2020**

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*Unfinished Business (Under Section 14 of Agenda)*

**Ordinances**

**A. Ordinance No. 20-20: Supplemental Appropriation to Install Fencing and Other Improvements for a Dog Park at Millennium Park.** Again, the Finance Committee and Recreation Committee voted to sponsor this Ordinance regarding a Supplemental Appropriation for the Dog Park at Millennium Park. As noted, the funding for this project is provided by a combination of donations received through the Dog Park Funding Campaign (to date: \$2,006.00) and the transfer from the Cable Fund to the General Fund of \$18,000.

**Resolutions**

**A. Resolution No. 48-20: Vote to Authorize a Bond for Road, Sidewalk, Drainage, Water, Sewer and Other Improvements to Cemetery Road.** Again, the Finance Committee voted to sponsor this Resolution and to move forward with this Bond recommendation. The Bond calls for 15 years, however, Council has the option to change the length of the Bond amortization.

**B. Resolution No. 49-20: Vote to Adopt a Policy of Staffing the Fire Department With a Minimum of Four (4) Firefighters on Each Shift.** Mayor Hilliard referred this Resolution to the Finance Committee. The Finance Committee is scheduled to meet on June 9<sup>th</sup> at 3:30 p.m. to discuss this Staffing Policy.

*New Business (Under Section 15 of Agenda)*

**Ordinances**

**A. Ordinance No. 21-20: Add to Chapter 19 Zoning Ordinance, Section 19.20.D.2.F, Somersworth Plaza Signage.** The Economic Development Committee met on May 13<sup>th</sup> and voted to send the Plaza Signage standards to City Council for consideration as an Amendment to the Chapter 19 Zoning Ordinance. The Economic Development Committee has been scrubbing this proposal over several meetings with Staff. Attached is a Memorandum from Director Shanna

City Council Meeting

June 1, 2020

Saunders that provides some background information. I recommend a Public Hearing be scheduled at the next regular Council meeting.

City Manager stated that a Public Hearing is needed for this. Mayor responded that a Public Hearing is scheduled without objection at the next Council Meeting.

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

**A. Informational Items.**

**1. Upcoming Draft City Council Meeting Schedule Items – Pending Mayoral Approval.**

➤ **Monday, June 15**

- 6:00pm: City Council Workshop regarding New Fire Station Presentation by Port One Architects
- 7:00pm: City Council Meeting  
New Fire Station Bond Resolution's First Reading

➤ **Monday, July 13**

- 6:00pm: City Council Workshop regarding Form Based Codes
- 7:00pm: City Council Meeting to include City Auditor's Presentation of  
Financial Statements Year Ending June 30, 2019

Mayor's intent is to schedule the 2 dates above

**Attachments**

- 1. City Attorney Certifications One (1)**
- 2. City Department Operations – Updates on COVID-19 Memorandum emailed on May 28<sup>th</sup>**

**NOMINATIONS, APPOINTMENTS AND ELECTIONS**

Nominations being introduced for Council Confirmation Vote:

- A. Jeremy Rhodes, for Re-Appointment as a Member of the Conservation Commission, with a term to expire June 2023.

The nomination shall remain open until next scheduled City Council meeting.

**LAY ON THE TABLE**

None

**UNFINISHED BUSINESS**  
**ORDINANCE**

	<b>City of Somersworth – Ordinance</b>
	Ordinance No: <b>20-20</b> <b>SUPPLEMENTAL APPROPRIATION TO INSTALL FENCING AND OTHER IMPROVEMENTS FOR A DOG PARK AT MILLENNIUM PARK</b>

May 18, 2020

THE CITY OF SOMERSWORTH ORDAINS THAT pursuant to Section 7.7(A) of the City Charter:

The annual budget for the City of Somersworth for Fiscal Year 19-20 is amended as follows:

Appropriate \$20,000 from unanticipated City revenue and a transfer from the Cable Fund to the Capital Outlay section of the FY19-20 General Fund budget as follows:

Revised Budget	Amendment	Revised Budget
\$ 537,913	\$ 20,000	\$ 557,913

Approved as to Funding:

Scott A. Smith  
Director of Finance and Administration

Recorded by:

Kelly Gagne  
Deputy City Clerk

Background:

This Ordinance appropriates funding to install fencing, signage, and other improvements for use as a dog park at Millennium Park. The funding for this project is provided by a combination of estimated donations received \$2,000 and a transfer from the Cable Fund to the General Fund in the amount of \$18,000.

***This Ordinance requires a public hearing and requires a 2/3 majority vote of the City Council after the public hearing subject to Section 7.4.1 and Section 7.7 (A) of the City Charter.***

Authorization	
<i>Sponsored by:</i> David A. Witham Nancie Cameron Donald Austin Richard Michaud Martin P. Dumont, Sr. Martin Pepin Crystal Paradis	<i>Approved:</i> City Attorney

**City of Somersworth – Ordinance 20-20**

History			
First Read Date:	05/18/2020	Tabled:	
Public Hearing:	06/01/2020	Removed From Table:	
Second Read:	06/01/2020		

**Discussion**

*Councilor Paradis, seconded by Councilor Cameron made a motion to adopt Ordinance 20-20. Motion passed 8-0, by roll call vote. Councilor Pepin abstained.*

Councilor Paradis thanked everybody who has worked so hard on this Ordinance together and Councilor Witham for bringing this idea up last year. She has been out talking to the Community about this since last August and has heard nothing but support for the location the City Manager recommended. We had a few comments and were able to shift things around to accommodate. She thanked all who donated so far and we are also really excited that later on we are going to be talking about some sign Ordinances and that will open up some additional revenue.

Councilor Witham stated that when he introduced this last year it was to direct the City Manager and staff to identify a location to find out what the cost would be of the dog park. He felt we needed to know where it is going to go and how much it is going to cost. Surprisingly to all of us, it is going to cost less than what we originally thought. The idea of fundraising was a great idea that has been pretty good to date and long term sign fundraising is also a great option. Continue the dog park a lot in the future. He thinks long term that the special fund that we established should remain in place for long term maintenance, whatever

that might be. He is not a dog owner, but while he is at the Noble Pines a lot and sees a lot of people walking their dogs, which is surprising to him at how many people, walk their dogs. He will occasionally chat with the people that walk by and the support for the dog park is there.

Councilor Cameron echoed Councilor Paradis comments about thanking the public for their support. Even though she no longer has her dog she strongly supports this. She is very happy with the plans and the way it came together.

<b>Voting Record</b>		<b>YES</b>	<b>NO</b>
Ward 1 Councilor	Pepin	Abstained	Abstained
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	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
On 06/01/2020	Ordinance 20-20	<b>PASSED</b>	

RESOLUTIONS



## City of Somersworth – Resolution

Resolution No: **48-20**

### **VOTE TO AUTHORIZE A BOND FOR ROAD, SIDEWALK, DRAINAGE, WATER, SEWER AND OTHER IMPROVEMENTS TO CEMETERY ROAD**

May 18, 2020

WHEREAS, the City Council adopted Resolution 18-18 to authorize the City Manager to contract with Wright Pierce Engineers of Portsmouth, NH to provide engineering and design services for various complete streets projects which included Cemetery Road, and

WHEREAS, the engineering and design for the improvements to Cemetery Road are nearing completion, and

WHEREAS, Wright Pierce Engineers has estimated the cost to construct the improvements to Cemetery Road to be \$3,800,000 (Three Million Eight Hundred Thousand dollars), and

WHEREAS, the project cost includes engineering, contract administration, construction inspection, and construction of road, sidewalk, drainage, water, and sewer improvements to Cemetery Road, as well as other associated ancillary costs (collectively, the “Project”),

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT an amount not to exceed \$3,800,000 (Three Million Eight Hundred Thousand dollars) is appropriated for the Project, and

BE IT FURTHER RESOLVED THAT:

- (a.) the City Manager is authorized to borrow up to \$3,800,000 (Three Million Eight Hundred Thousand dollars) under the Municipal Finance Act and issue bonds and notes payable within 15 years from their dates, and
- (b.) the City Manager is authorized to issue temporary notes in anticipation of the issue of these bonds or notes, and
- (c.) the City Manager is authorized to apply for, obtain and accept federal, state or other aid, if any, which may be available for said project, and
- (d.) the estimated useful life of this project is expected to exceed 15 years.

#### Authorization

*Sponsored by Councilors:*

David A. Witham  
Donald Austin  
Martin P. Dumont, Sr  
Martin Pepin

*Approved:*

City Attorney

## City of Somersworth – Resolution 48-20

### History

First Read Date:	05/18/2020	Tabled:	
Public Hearing:	06/01/2020	Removed From Table:	
Second Read:	06/01/2020		

### Discussion

Councilor Witham stated that obviously this is a sizeable project and no debate that it needs to be done. If you look at Cemetery Road compared to other roads in the City it is perhaps the worst road other than Nadeau Street, which is not a road yet. Cemetery Road is a complete streets project. He pointed out the obvious of it being near High School, Middle School and Maplewood School that they about it and there are not any sidewalks on it. The hard pill here is the price tag at over \$3 million dollars, but he reminded Council that we do have the High Street road resurfacing bond of \$1 million dollars that is retiring so we are able to leverage that. If you look at this project's overall cost rough numbers about a third of it is general fund, a third water fund and a third sewer fund. Water and sewer funds would reimburse the City's bond expenditure for those portions of the project. This will achieve lasting improvements.

Councilor Gerding asked a couple questions; first question was that he had seen in his report that it would increase the tax rate by \$.07 cents per 1000, which he thought is a digestible number considering the estimated cost of the project. Second question being that he saw we were also tapping into the water/sewer fund would that increase in water/sewer bills.

City Manager answered that at this point in time we do not anticipate any increase in water/sewer bills for this particular project.

Councilor Gerding looked at the amortization schedule that was presented that was an estimated schedule and he is sure there is a possibility of ways we can amortize this money, this would be funded through the general fund that is causing the \$.07 cent increase on the tax rate. He was curious while looking at that it showed a variable amount that we would owe each year that certainly wasn't consistent. So he wanted to know if there was a way to make that consistent so we would be able to lock that number in consistently over the life of the bond.

Director Smith answered that yes there is a way. There are 2 ways to do this, this particular one was based on a level principle type of bond issue. You can do a level payment bond issue if you are inclined. That is a little more expensive over the life of the bond issue. It does level out those payments for each year, but your tax rate is still going to fluctuate because it is

always a prisoner to what your net assessed valuation is. So as that net assessed valuation changes up or down that effects what that impact has on the tax rate. It is certainly something that we can explore and he could get numbers to Councilor Gerding.

Councilor Vincent stated he is in favor of the project because it is definitely needed and is in a dilapidated state. However, being new to the Council he wished there was a way to do it to lessen the blow of the expense. This gives him thought for the future to think about if there is a different way to do this in the future to lessen the blow. He spoke of the tax rate with the assessment that was just done, he used round numbers, at \$34 per \$1000 and we went to \$28 per thousand, and we go up a dollar and the people whose property value went up \$50,000. It is okay because the rate went down, but you need to remember one thing at a dollar a year for 5 years we are right back where we were. He is going to be in favor of the project but he wants to watch our pennies and dollars.

Councilor Dumont stated he is in favor of this and Councilor Vincent brings up an important issue and how we run the City. When we retire a bond we have money to spend and we should look at it when a bond expires and we replace it with an expense that will be a hit on the tax rate. As an individual he strives to reduce his debt service so that he has more discretionary to expend or save for future use. Councilor Vincent's point is very accurate. We dropped six dollars and then we raise the rate every year by one dollar for 5 years we are right back to another round of re-evaluations. It almost behooves us to look at the general fund as designed at the standard 6-8% of our total budget to be available. His idea is that when we anticipate major expenditures like with the Fire Department which has retiring a \$3 million dollar bond and replacing it with \$7 million dollar bond, so that increases the burden. Tax rates in Somersworth are a burden to the majority of the residents in Somersworth. The demographic in Somersworth is the retirement populous which is the ones on a fixed rate income. He would like to be more careful because the rate increase is a burden to a majority of our residents.

Councilor Witham stated that Councilor Gerding spoke of the \$.07 cent increase on the tax rate. He asked the Finance Director if that tax rate increase number included the water/sewer fund. Director Smith stated yes. If we didn't have the water/sewer fund it would be higher. Director Smith answered yes. He asked if we did not have the High Street bond retiring would the tax increase be greater. Director Smith answered yes, around a \$.14 increase. His point is yes, we could retire the bond, not do the project and that saves us \$.07 cents. He believed that Council before the current one chose that path and as a result the City crumbled away. Our infrastructure was in horrible shape. He stated that to Councilor Vincent's point could we do the project cheaper, yes of course we could. We could improve the roadway, add sidewalks etc., but not do the water/sewer elements and that would be more like maybe a \$.02 or \$.03 cent increase. But then we would be potentially digging up the new road to fix the water line or to fix the sewer line. As one Councilor along the way he has learned to do it right rather than do it on the cheap.

Councilor Pepin commented regarding the comments of Councilor Witham. When he first got on the Council the roads were in really tough shape. We have had all kinds of surveys done basically saying how much money we have to invest in order to fix our roads. We are not even there to what they are recommending. We are trying to do things right, can we do it cheaper, yes, but will end up costing us more in the long run. As far as the bonds we are lucky to have that as an option.

Councilor Cameron echoed what Councilor Pepin stated. We have worked really hard on these roads and she will be in favor of this tonight.

Councilor Gerding echoed what Councilor Pepin stated. It could be easier to do this cheaper but he wanted to remind everyone that heavy busses drive on this road multiple times a day, doing this right would be better in the long run.

Councilor Paradis questioned around the length of the bond. She noted that it said in the managers' report that Council had the option of extending the length of the bond it is noted that the project is expected to exceed 15 years. She is curious if that would be closer to 20-25 years, to help ease this for the tax payers.

City Manager estimated to be around a \$.02 cent savings for extending the bond to 20 years. If you go to 20 years you will be paying more in interest. If the Council inclined you could amend this to 20 years.

Councilor Paradis thought that it might make sense to do that to alleviate that little extra and make it 20 years.

Councilor Dumont stated that he doesn't want to be misunderstood is there other ways to develop policies in place so that when we anticipate a new project. We are automatically planning on going into debt and maybe setting aside funds, run it like your home budget. City Government runs as a debt service. We have done a fantastic job on our roads in the past years. We have been putting more into our roads that were recommended and we are putting well over a million dollars into our roads. We should consider the burdens we put upon our residents.

Councilor Witham stated that Councilor Dumont brought up some good points. It is common practice in smaller communities in the state, towns in particular, to escrow monies on an annual basis. They have dedicated capital reserve accounts and they have saved money yearly to lessen the blow, we have had that discussion here before. On that note, as he listened to Councilor Paradis he liked where she was headed. As he thinks about road projects that we do here in the community, particularly complete streets, the likelihood of us going back and redoing them within 15-20 years is slim to none. He believed that the infrastructure of this project is going to last for 20 years.

***Councilor Witham, seconded by Councilor Austin made a motion to adopt Resolution No. 48-20. Motion passed 8-0, by roll call vote, Councilor Pepin abstained.***

Councilor Austin stated that his only comment here that if the only reason for making the amendment is the rational that Councilor Witham just stated he can support that. If the only reason to make the amendment is to reduce the impact on the tax rate by \$.02 cents, that is not sufficient grounds.

Councilor Vincent asked the City Manager that if we do extend from 15-20 years and we want to do another project, now we have this additional 5 years. What happens if we have other projects that come up is this extension going to now get in the way.

Mayor interjected that parliamentary wise this is now a policy shift, so with all due respect to the City Manager and to the Finance Director is that you are now debating the policy shift. He is going to guide you back to this is your decision because the shift is on whether or not you wish to extend the bond payment from 15 to 20 years and whether or not a future Council would wish to take on further bond debt even though a bond has not been fully paid off at that point.

Councilor Vincent rephrased the question and asked Councilor Witham for assistance as he is pretty smart with this. Currently it is at 15 years and if we move it to 20 years now we could interfere with other bond needs in the future

Councilor Witham answered that this is a philosophical discussion, he would just note that if you were to pull out an excel spreadsheet of all the bonds we have there is a matured retirement date for all of those bonds. When we construct our capital improvement plan that the City Manager presents annually, we look at that and figure out when those bonds will be retiring. Whether we should or shouldn't do that is a great debate. He doesn't have his crystal ball in front of him and doesn't know in 15 or 20 years what bonds might be retiring; he thought the answer is few at this point.

Councilor Vincent stated he does think this is something that we need to think about because a lot of the times there is a bond retiring and we want to retire that bond and go to another, unless he does not understand the bond process. If you are expecting bonds to retire and having to do other projects, the extension of the five years is not going to help us.

Councilor Gerding questioned City staff that it was mentioned previously if we extend to a 20 year bond is changes the interest rate. He is curious as to what the rate change would be if he is reading it correctly the 15 year bond rate is at 3%, so what would the new change be?

Director Smith answered Councilor Gerding's question that it would certainly change the interest rate. He is unsure what that would do because it is perspective, but based on the most recent one something going from 15 to 20 years you'd be looking at 20 basis points. 3% is on

the high end so it was a very conservative estimate it was actually a 15 year bond issue at 3%, 20 year might be something like 3.2% or 3.3%.

Councilor Gerding crunched some numbers to come up with the difference in interest that would be paid versus 15 or 20 year bond options. The 15 year bond would be approximately \$51,000 or the 20 year bond would be approximately \$56,000.

Councilor Paradis stated that she agreed with Councilor Witham that she would not expect that this is something that we will revisit within 20 years. For example, Mount Vernon Street up on the hill has been at least fifty years since we know it has been paved. She asked City Manager what savings would there be for the average homeowner on their tax bill.

City Manager stated that \$.02 cent difference on the tax rate would save approximately \$4 per year for the average homeowner.

Councilor Vincent stated that we don't really know what the interest rate is going to be according to the Finance Director. He would be all in favor of exploring this 20 year bond option, but in the hour and a half that we have been involved with this to make a decision on too many uncertainties he does not like it. He urged the Council to think about this.

Councilor Witham stated that a couple of meetings ago we passed a \$46 million dollar City budget with almost no discussion. This is \$3+ million item with all of this discussion. He would suggest that our tax burden here in the City is driven more by our annual operating budget than it is by the many capital projects that we debate at length.

***Councilor Witham, seconded by Councilor Paradis made a motion to amend Resolution No. 48-20 to amend section A & section D extending the bond length from 15 to 20 years. Motion failed 2-6, by roll call vote, Councilor Pepin abstained.***

<b>Voting Record</b>		<b>YES</b>	<b>NO</b>
Ward 1 Councilor	Pepin	Abstained	Abstained
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	Gerding	X	
At Large Councilor	Cameron	X	
At Large Councilor	Paradis	X	
<b>TOTAL VOTES:</b>		<b>8</b>	<b>0</b>
<b>On</b>	<b>06/01/2020</b>	<b>Resolution 48-20</b>	<b>PASSED</b>
			<b>FAILED</b>



City of Somersworth – Resolution

Resolution No: 49-20

**VOTE TO ADOPT A POLICY OF STAFFING THE FIRE DEPARTMENT WITH A MINIMUM OF FOUR (4) FIREFIGHTERS ON EACH SHIFT**

May 18, 2020

WHEREAS, the current policy of the City of Somersworth is to staff a minimum of four (4) firefighters on each night shift and a minimum of three (3) firefighters on each day shift, and

WHEREAS, after review of this policy the recommendation is to increase minimum staffing to four (4) firefighters on all shifts which will benefit the City by improving efficiency and response capability of the Fire Department; and

WHEREAS, the recommendation to change this policy has been reviewed by the Public Safety Committee and they support this change and further recommend that the City Manager cover any incremental cost increases due to this policy change from the current FY2020 budget and the FY2021 approved budget through City Charter Transfer of Appropriations authorizations outlined in Ch. 7.6 (D) ,

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City adopt a policy of staffing the Fire Department with a minimum of four (4) firefighters on each shift, and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager shall cover any incremental cost increase due to this policy change from the current budget as outlined in the City Charter, Transfer of Appropriations, Ch. 7.6 (D).

Authorization	
<i>Sponsored by Councilors:</i> Martin Pepin Kenneth S. Vincent Crystal Paradis	<i>Approved:</i> City Attorney

**City of Somersworth – Resolution 49-20**

**History**

First Read Date:	05/18/2020	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

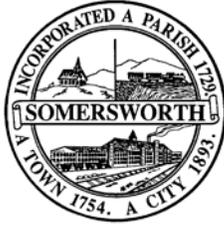
**Discussion**

Mayor referred Resolution No. 49-20 to the Finance Committee

6/1/2020 - Resolution No. 49-20 is still in possession of the Finance Committee

<b>Voting Record</b>		<b>YES</b>	<b>NO</b>
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Paradis		
<b>TOTAL VOTES:</b>			
<b>On Resolution 49-20</b>		<b>PASSED</b>	<b>FAILED</b>

**NEW BUSINESS**  
**ORDINANCE**



## City of Somersworth – Ordinance

Ordinance No: 21-20

### **ADD TO CHAPTER 19 ZONING ORDINANCE, SECTION 19.20.D.2.f, SOMERSWORTH PLAZA SIGNAGE**

June 1, 2020

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:

Add to Chapter 19 Zoning Ordinance, Section 19.20.D.2.f Somersworth Plaza Signage:

#### 19.20.D.2.f Somersworth Plaza Signage

19.20.D.2.f.i The Somersworth Plaza is owned by the City and is a significant part of the Main Street economic community. For that reason, the City of Somersworth has direct jurisdiction over both freestanding signs and signs on the façade of buildings that are part of the Plaza. The City encourages sign designs that enhance the aesthetic quality of Downtown and the Main Street economic sector. Applications shall include the Development services Sign application, renderings of the proposed signs and pictures of the façade showing sign placement. Applications shall be submitted to the City Manager's office for acceptance and subsequent review by the City Council Economic Development Committee.

19.20.D.2.f.ii The structural aspects of signs that are part of the Plaza, such as poles, supports and cabinets should be constructed of colors and materials related to the principal building. Signs shall be constructed of durable materials. Paper, cloth, canvas and plastic sheet signs are prohibited.

19.20.D.2.f.iii When signs are removed or replaced with a sign of a different shape or size, all holes shall be patched and surfaces repainted or refinished to match surrounding wall surfaces. Business logos are encouraged when combined with business names.

19.20.D.2.f.iv Freestanding signs shall be as follows:

19.20.D.2.f.iv.a One (1) free standing identification sign shall be allowed for the entire plaza;

19.20.D.2.f.iv.b The maximum sign area allowed shall be twenty (20) square feet for site/building/center identification and address plus an additional four (4) square feet for each business to a maximum of fifty-six (56) square feet (10 businesses).

City Council Meeting

June 1, 2020

19.20.D.2.f.iv.c Max sign height is 12 feet. Landscaping is required around the freestanding sign to reduce the emphasis on the mechanical and support aspects of the sign.



**Figure 1**

19.20.D.2.f.v In addition, wall signs are permitted to have a sign area of up to 1 sf per linear foot of the principal business frontage. Wall signs shall be placed on the beige stucco horizontal panel between the round light fixtures. Units directly under each of the two towers may place signage on the tower itself in a location approved by the City.

19.20.D.2.f.vi Window signs are permitted and must follow Zoning Ordinance Section 19.20.C.3.w, "Window Signs".

19.20.D.2.f.vii Special Event signs are permitted and must follow Zoning Ordinance Section 19.20.C.3.r, "Special Use/Event Signs".

This Ordinance will take effect upon passage.

Authorization	
<i>Sponsored by Councilors:</i> Martin P. Dumont, Sr. Richard R. Michaud Crystal Paradis	<i>Approved:</i> City Attorney

**City of Somersworth – Ordinance 21-20**

History			
First Read Date:	06/01/2020	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

**Discussion**

*Councilor Witham, seconded by Councilor Austin made a motion to suspend council rules to allow Ordinance No. 21-20 to be read by title only. Motion passed 8-0, Councilor Pepin abstained.*

Ordinance No. 21-20 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	Dumont		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Paradis		
<b>TOTAL VOTES:</b>			
<b>On / / Ordinance 21-20</b>			

## **COMMENTS BY VISITORS**

None

## **CLOSING COMMENTS BY COUNCIL MEMBERS**

Councilor Paradis asked for a point of order: She asked if we skipped Resolution 49-20. Mayor Hilliard answered that it is still in possession of the Finance Committee.

Councilor Cameron thanked and applauded the school teacher and administrators for all that they have done and accomplished in these times that no one asked for. Also, how they have made the end of the school year special for all the students at all the grade levels. She also shared the graduation plans that everything will be on the website sau56.org, it is a non-public event but the field is going to be decorated and there will be a police present to make sure no one is going on the field. If you would like to do a drive by and see everything that is being done for the seniors you can, it will be decorated June 10, 2020.

Councilor Witham stated that his heart goes out to the family of the 6 year old Somersworth boy, Joseph Cavallini who drowned in Rollinsford on Saturday. According to news accounts he just graduated from Kindergarten Idlehurst Elementary School. Tragic event for the families and certainly for all those involved. His heart goes out to that family and to anyone that knew him. Thanked the Mayor for his comments on supporting our local Police Department. What happened in Minneapolis that has given rise to the recent conversation wasn't the result of bad training or bad hiring but more a systemic cultural issue that we need all need to be mindful of. More training and a better screening of applicants isn't going to solve this problem this is a deeply rooted issue. Things we can do here in Somersworth is just to be nice to each other. He certainly supports the men and woman of the Somersworth Police Department and all that they do.

Councilor Austin stated that he is happy to see a final vote on the dog park; it is practically in his back yard. He has had a few comments from local residents about the possibility of hearing the dogs barking with their windows open. He thinks that if that is the worst thing you have to complain about then you are lucky. He has had an opportunity to do business the last couple of weeks on occasion at the City Hall using the drive up window, he wanted to say thank you to everyone who is working that window. They are doing an incredible job very friendly and very helpful once you get there. Sometimes it is a bit of a wait before you get to the window because usually there is quite a line waiting to do business there but that is where we are right now. He gave a shout out to the City staff that is helping the public navigate their everyday City business through that window, he thinks that are doing a great job. He keeps being reminded periodically over the last few weeks that it is time to fill out your census form. It is very important for planning purposes for the next decade, so that good decisions can be made. Echoed the Mayor and Councilor Witham's comments about the tragic events that are happening out in Minnesota, primarily the actions across the country have been favorable. Obviously there have been some tragic events happening over the last several nights in some of the big cities which in his opinion are intolerable. People have a right to protest a peaceful assembly. Somersworth is no different, stand by the

Community and do what is right. He supports our local law enforcement; there are some bad apples in every group of people.

Councilor Pepin stated that he listened to what has been going on since he has been injured and it is very frustrating. He has spent 32 years on the Fire Department who worked closely with the Police Department. Back when he first started most of the Police Officers were people we went to school with. Looking at the Police Officers out there now the majority of them are good, sometimes there is a bad apple. He lived through the era of MLK and as a young person he didn't understand slavery. It frustrates him to see what people are doing, what infuriates him is that people are destroying businesses even of colored people and this should not be happening this day and age.

Councilor Michaud thanked the Mayor for the comments in support of our local Police Department; we have an awesome group of people there. What's going on in this country is downright disgusting, this is the 21<sup>st</sup> century and this shouldn't be happening. If you have a chance to visit the Civil Rights Museum in Memphis, Tennessee please do. It is really moving to see how we treated people back then it was not okay. If we treated people like human beings, better yet treat people the way you want to be treated that would be a big help. What he noticed was no leadership at the top, so what are we supposed to do. Go vote in November. If you have chances go visit the Veteran's Memorial Park, which is coming along nicely.

Councilor Gerding shared Happy Pride Month, it is June 1<sup>st</sup>. Happy to be alongside the Mayor as we raised the pride flag even though it was small and we were socially distant. He mentioned an email he received from a resident regarding funds being returned back to the City. It would be nice to see that money returned to the school. He congratulated the students and parents for the start of summer, the teachers still have two weeks left. He has written his thoughts down, encouraged everyone to listen to the voices of color and minorities, he is so proud to live in a community where he knows the Police Officers who work every day with compassion and understanding. During his ride along he witnessed an Officer de-escalate a situation where someone was threatening them. This is an American issue that everyone in our nation needs to reflect upon. Often times he instructs on how to think about things and he tended to turn toward something and put it into context that he often thinks about how he would handle situations if they were in my classroom. This small exercise of mindfulness has helped me realize that the expectations of our Somersworth Middle School. If you don't know these expectations they are safe, respectful, responsible and cooperative these expectations play like a mantra in my mind, of which apply perfectly here. Please be safe and respectful and think of your actions.

Councilor Paradis stated that she agreed with a lot of what everyone has said. She is excited for the dog park being passed. She thinks this is going to be a great thing for our community. She thanked the Mayor and everyone else who gathered for raising the pride flag. It has been definitely a difficult time leading up to pride right now. Often times with conversations like this, even though she has a background as an activist, it is hard to know what to say when you are not a member of either community who is under a lot of duress. She talked to the Police Chief earlier today and she wanted to reach out. She shared a list of the types of things to do when she may be overwhelmed one of them being donating to an organization who is

supporting whatever group your feeling upset about, amplify the voices of the people in that group that you're seeing oppressed, and another is to ask what they need. As an elected and public official of course her thoughts went to the Somersworth Police Department. As a group that could be potentially seeing some things in the community that are negative. Something that is helpful to do is to learn from history. She brought in between what is going on and Pride Month, this Pride with the absence of parades she will be celebrating by reflecting on the history of the origins of pride which was also a very riotous protest at stonewall 1969. It was people of color and Trans people in particular leading those back then and that is what led to the raising up of a lot of these injustices. Juneteenth is happening this year on June 19<sup>th</sup> of every year, it marks the date of the news that slavery had been abolished and finally reached the last state. Juneteenth is the celebration of the freeing of the final slave.

Councilor Vincent stated that he is going to pray for the 6 year olds family fir their loss and for the families that have lost children. It isn't supposed to happen that way, it has never happened to me thank God. It has to be the most devastating loss that you could ever encounter.

### **FUTURE AGENDA ITEMS**

### **NONPUBLIC SESSION**

### **ADJOURNMENT**

*Councilor Witham, seconded by Councilor Austin made a motion to adjourn at the call of the chair. The meeting adjourned at 8:55pm, motion passed 8-0, by roll call vote. Councilor Pepin abstained.*

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Kelly Gagne, Deputy City Clerk

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Dana Hilliard, Mayor