



City of Somersworth
City Council Meeting
Monday, November 16, 2020

**THIS CITY COUNCIL MEETING WAS HELD AT THE BLACK BOX THEATER AT
THE SOMERSWORTH HIGH SCHOOL CAREER TECHNICAL CENTER LOCATED
AT 18 CEMETERY ROAD**

ROLL CALL OF MEMBERS

The meeting was called to order at 7:00 p.m. by His Honor, Mayor Dana S. Hilliard, and upon roll call the following Council members were present: Pepin, Austin, Michaud, Witham, Gerding, Cameron, and Paradis. The following City Staff members were present: City Manager Bob Belmore, City Clerk Jonathan Slaven, Finance Director Scott Smith, Public Works Director Michael Bobinsky, Director of Planning and Community Development Michelle Mears, Fire Chief George Kramlinger

Absent: Councilor Dumont & Councilor Vincent

PLEDGE OF ALLEGIANCE

Councilor Witham led the Pledge of Allegiance.

PUBLIC HEARING

- A. **Ordinance No. 8-21** - To Amend Chapter 14 – Licensing and Permits, Section 14.1, Amending Membership of the Licensing Board

No comments were heard.

- B. **Ordinance No. 9-21** - Transfer Ordinance to Fund the Purchase of a Sidewalk Tractor

No comments were heard.

COMMENTS BY VISITORS

There were no comments by visitors.

CONSENT CALENDAR

- A. Approve Minutes of the City Council Meeting held on October 19, 2020

Councilor Pepin made a motion to approve all items on the Consent Calendar. The motion was seconded by Councilor Austin and passed 7-0 by voice vote.

COMMENTS BY CITY COUNCILORS

There were no opening comments by City Councilors.

COMMUNICATIONS

- A. Letter to Governor Sununu from New Hampshire Mayors

PRESENTATIONS OF PETITIONS AND DISPOSAL THEREOF BY REFERENCE OR OTHERWISE

- A. Petition - City Council Vote to Approve the Betterment Assessment Agreement as a Petition from These Property Owners to Conditionally Layout Nadeau Street as a City Class V Roadway, Subject to Betterment Assessments

The vote to approve the Betterment Assessment Agreement for Nadeau Street passed 7-0 by voice vote.

MAYOR'S REPORT

Mayors Report for City Council Meeting November 16th, 2020

Promises made, promises kept. It was with pride and honor that I celebrated with Veterans, members of this honorable Council, City officials and citizens dedicating Somersworth's new Veterans Memorial last Wednesday the 11th Veterans Day. Last week we held true to our commitment which was announced on Memorial Day 2018 when I announced the formation of the Veterans Park Commission to set forth on designing and raising the funds to dedicate the park we gather in today. Chaired by Ward 3 City Councilor Marty Dumont, the Commission began their work shortly after I announced their formation of re-designing this park to become a living tribute to all the brave men and women who answered the call of defending this great nation. Because of their work, our Hilltop City now has a place of honor, a place of reflection, a place of remembrance and a place of celebration. It is a place for each citizen to be reminded of our role within our republic and remember the cost that each of us must be willing to pay, if liberties light is to continue to shine upon us. Councilor and Chairman Dumont and all members of the Veterans Park Commission, thank you for your tireless efforts in ensuring we will never forget those who and continue to give their all.

Last Wednesday I was also honored to join my fellow Mayoral Colleagues as we stood firm in affirming our commitment to join the Mayors Challenge on ending homeless for all Veterans. The Tri-City Mayors join other Mayors throughout our state with moving forward with action to ensure all who served this nation will not fall victim to economic hardship, addiction, or mental health issue leading to homelessness. While the work will not stop with the signing of the pledge and the task before us in times can seem monstrous, the Tri-City Mayors have a successful track record with unifying our three cities to address homeless. With the work of the Tri-City Mayors homelessness commission and the commitment of this Council, an extreme weather shelter will now be open this winter with services and guidance available to help some of our most vulnerable citizens. The Feudality commission continues to meet monthly examining ways the Tri-City communities can continue to move forward with the implementation of the adopted Master Plan.

With the signing of the recent pledge it is my intention to form a Mayors homeless Veterans Commission to examine and oversee the implementation of recommendations and delivery of resources for all Veterans who are within in. Any member of this Council or members of the public wishing to serve on this commission please email or reach out to me. I will move forward with the establishment of the Commission at the first meeting of Council in January 2021.

While we are always grateful for the predictions of Medical experts and Scientists, none of us are filled with excitement on the place we are in as a society which was predicted back in May. We successful navigated through the summer months and like the outbreak of 1918, history has repeated itself with record numbers moving in the fall months and quickly approaching what could be a difficult winter.

While all of us are mental and physical fatigued, the virus spreads and continues to pray upon those of us who let down our guard. Here in the Hilltop City, we have continued to hold steady by all of us holding true to our Hilltopper values of neighbor helping neighbor and practicing and adhering to the safety guidelines. Simple steps will continue to hold the virus at bay and we must be diligent if we are to move forward with returning to some norms.

All citizens and I do mean ALL citizens must wear a mask. We have avoided a mandatory mask ordinance within Somersworth through as a community, respecting and implementing the practices of voluntary compliance. We have continued to keep our citizens safe though friendly reminder of mailing and Ch. 22 PSA's. While more mailings and PSA's are planned for the upcoming months, now is the time when all of us must self – govern our own practices to keep all Hilltoppers health and safe.

We must all;

- Wear a mask
- Practice Social distancing
- Practice good hygiene
- Avoid public places if feeling ill

Today I had a conversation with the City Manager in regard to future meeting plans for this body and the operations of City Hall. The City Manager, Council Witham and members of the Emergency Management team will meet this week to discuss the current state of the virus and whether we need to reexamine how we are currently conducting business and seek and alterative plan. It is our duty as elected officials to not only lead, but to set the example on what we believe is the safety means of governing and continuing to keep our daily operations accessible.

While I have no doubt that light will continue to overpower darkness, we must continue to walk these dark hours carefully, acknowledging the present, while navigating towards the return to norms in the future. Together as a united community we will overcome this virus, Why? Because we are Hilltoppers.

Next week throughout our nation Americans will take time to pause for one of the most celebrated holidays in our nation, Thanksgiving. Since March, most citizens stamina, resiliency and very soul has been put to the test. Our life as we have grown accustomed too has had its very fabric torn, equating to stress, loneliness, depression, and dissonance. It is during these times, when are very existence is put to the test, that we are able to reflect and see clearer on what true is important in life. This Thanksgiving most of our traditions will be altered, however the love and faith that all of us share can continue to warm all we hold true in our hearts. While turkey, stuffing, pies and a few drinks are what most look forward to on our annual feast day, it is the commitment to each other, our unquestionable love, and willingness to work and live for something other than self, that is the

sprit which refills our cup during the cold month of November. While the earth around us continues to prepare itself for cold and darkness, with smaller gathers in our houses, and filled rooms in our hearts, next week as Hilltoppers we will honor our faiths, our families, our traditions, our commitment that life will continue, that we will prevail.

This Thanksgiving find sometime for silent reflection or prayer. Give thanks for each blessing that has been bestowed upon you. Then, reach out to those who you admire, respect and love. Let them know that they are in your heart this Thanksgiving, and as a Hilltopper Community, let our spirit continue to guide all those willing to build something greater than self. From the Hilliard/Peschel family to yours, Happy Thanksgiving.

While the Thanksgiving will take place next week, the Christmas parade committee has continued to meet navigating the new norms to plan an exciting event to celebrate the arrival of Santa Clause. While the traditional parade will not take place this year, a long list of alternative activities will be finalized this week, allowing the Holiday and Hilltopper spirit to shine throughout our 10 square mile city. Look forward to announcements coming next week on how the Hilltop City will welcoming in the Holiday season and a visit from Santa Clause.

Early this month citizens throughout our Hilltop city and nation went to the polls and partook and their greatest right, the right of self-determination and suffrage. With a historical turnout the foundation of our democracy was once again reinforced, and despite the outcome of who you voted for, every American should be proud that the system our founders created has once again withstood all factors. Despite the rumbling, despite the legal challenges, despite the egos, a peaceful transition at the State and National level will occur and our state and nation will be able to move forward with the issues before us and governing.

While our voice was heard on election day, our duty and job are far from done. As citizens we must continue to ensure that those elected to represent us, do so with holding true to the practices of civility and decency. A lot could be absorbed by members of Congress or our state legislature by simply attending one of our Council meetings. Within this body are Democrats and Republican, Straights and Gays, Christians and non-believers all who have shed their personal differences to come together as a team to keep the momentum of Somersworth "On the Move!". As I have done in the past, I welcome all who wish to learn how a group of individuals can come together to govern to spend some time with our council and city officials. As Mayor my pride continues to grow each day, knowing how our 10 square mile community has become a model of inclusion and governing. It is my hope, that as our newly elected officials assume their responsibilities, they will also take on the spirit of Hilltoppers, and follow the path of neighbor helping neighbor.

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

Keith Perkins, Appointment full time member the Zoning Board of Adjustment, with a term to expire October 2023

Neil Larson, for Re-Appointment to the Board of Cemetery Trustees, with a term to expire October 2023

Also, under nominations, appointments and Elections; In accordance with Council Rule 17 Appointments, the following are being brought forward this evening and placed in nomination;

John Jackman for Re-Appointment to the Trustees of Trust Funds, with a term to expire November 2025

Sarah Eckstein for Appointment as an Alternate Member to the Conservation Committee, with a term to expire November 2023

In accordance with Council Rule 17 Appointments, the nominations will remain open until the next regular scheduled meeting.

This respectfully concludes my November 16th, 2020 Mayors Report

REPORT OF STANDING COMMITTEES

Finance Committee – Councilor Witham said the Finance Committee met last on October 28th. The Committee discussed a request from CAP (Community Action Partnership) for \$20k to fund a homeless shelter for the winter months at the Garrison Hotel. CAP also sought \$40k each from Dover and Rochester. The Committee discussed issues of shelter goers coming from outside the tri-city and also the length of time the shelter would be open. The Committee unanimously agreed to support the funding request of \$20k. Councilor Witham stated the questions that arose during this meeting have already been answered by Director Smith. The Committee would like to see a better funding strategy from CAP since this current request seems arbitrary. At the meeting, Director Smith went over examination of expenditures with nothing of significance to announce. Director Smith will be providing a list of capital expenses to the next committee meeting. Councilor Witham said the Committee also discussed possible Covid related funding. Director Smith said funding related to Covid is being received for work associated with the General Election.

Economic Development Committee – Councilor Austin said the Committee met last on November 4th. The Committee heard a proposal from Pine Brook Construction of Kittery Maine regarding intent to purchase the former police station. As a requirement of purchase, Pine Brook requests the utility connection fees waived and for the City to cover the building's hazardous materials cleanup costs. The Committee was told by Manager Belmore that he had applied for a State of NH Hazardous Materials Cleanup Grant. The Committee decided to delay further discussions until an answer was available, but noted that the sale terms were favorable. Councilor Witham asked about a timeline on the Grant application answer. Manager Belmore said he spoke with the State recently and should have an answer soon.

Public Works & Environment – Councilor Witham said the Committee last meet on November 5th. The Committee reviewed changes to Ordinance No. 5-21 regarding beekeeping and determined it met what they were looking for with minor edits on wording (colonies vs. hives). The Committee also discussed sponsoring a Resolution to accept the sidewalk leading up to the Tara Fields apartment complex on Tri-City Road. Councilor Witham said the project had been reviewed by staff and found to be ready for acceptance. The Committee voted unanimously to sponsor the resolution. He said the project was a late stage addition and, in the future, would like to see a plan prior to approval. Councilor Witham said the Committee also discussed a request from the City of Rochester for water at fourteen additional homes at the Addison Estates complex. He said Somersworth already has an inter-municipal agreement which allows us to send water to them and the Committee approved moving to full Council for action. The Committee also discussed a request

from the developer on Enterprise Drive for the City to accept the road prior to its completion. Councilor Witham said the Committee's concerns were issues with tapping into utilities after the road is complete and the fact that the City would be responsible for maintenance on an unfinished road. The Committee reached consensus to not approve the acceptance of Enterprise Drive. Councilor Witham also informed Council of a discussion stemming from a request from COAST to install systems for traffic pre-emption to allow buses to stay on time. He said the Committee thought it to be premature. He said there is already a plan to assist with traffic flow without having to invest additional funds. At the meeting, Councilor Vincent also pointed out a section of the sidewalk in front of Veterans Park that is in disrepair. A motion to approve having the City Manager spend funds for the repairs failed 3-1. At the meeting, Manager Belmore informed the Committee that Unutil is interested in moving their high-pressure gas manifold from Maple Street to a more secluded area on Bartlett Avenue. The Committee saw this as a positive move and reached a consensus to have Manager Belmore continue discussions with Unutil.

Recreation Committee – Councilor Cameron said the Committee last met on October 28th. She said they had a brief discussion on the positive reception of the new dog park in the community and the issue of dog waste collection seems to be resolved. She said they also discussed the entrance gate being difficult to find and since then, Manager Belmore had a City seal installed making the entrance easier to locate. Councilor Cameron also said the Halloween costume and house decorating contests were discussed and winners have since been posted. She said the recreational basketball league will not be occurring, but the Committee and Recreation staff are looking at more online and virtual activities for children.

REPORT OF SPECIAL COMMITTEES, CITY OFFICERS AND CITY MANAGER

School Board – Councilor Pepin said the School Board met on October 27th and November 10th. He said there was not much relating to the City, though many people in the audience were present to discuss the topic of bringing kids back to school. He said many in attendance demanded returning to in-school education while many letters from parents were also read who did not want to send their children back to school. He said the School Board did receive notice of public-school response funds from the State for approximately \$297k which has to be spent by December 31st.

COAST – Councilor Pepin said the Committee last met on Oct 28th. He said they are still trying to figure out what the impact will be in 2021 and expect to see a drop in revenue of about 27%. COAST also anticipates advertising revenues to drop about 98%. He mentioned that COAST had free transportation to polling locations on Election Day and free transportation for veterans on Veterans Day. The Committee also discussed having a mandatory mask requirement for riders on the bus which was accepted.

Fire Station Building Committee – Councilor Pepin said the Committee met twice. First on November 5th to sit in on interviews of construction management companies and again on November 9th to discuss the results. He said all of the firms interviewed were great, but Harvey Construction stood out since they seemed to know the surrounding landscape well and had a good grasp on timeline of construction.

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, November 13, 2020
SUBJECT: City Manager's Report for Monday, November 16, 2020

6:30 p.m.

Non-meeting - Contract Negotiations Strategy

Presentations of Petitions and Disposal Thereof by Reference or Otherwise (under Section 8 of Agenda)

- A. Petition - City Council Vote to Approve the Betterment Assessment Agreement as a Petition from these Property Owners to Conditionally Layout Nadeau Street as a City Class V Roadway, Subject to Betterment Assessments.** Attached is a copy of the Agreement. The next step is to post a Public Hearing for the December 14th meeting, with notices sent to abutters. After the Hearing Council must wait at least 10 days to vote to conditionally lay out the road, which can be done at a January meeting.

Unfinished Business (under Section 14 of Agenda)

Ordinances

- A. Ordinance No. 5-21: To Amend Chapter 19 – Zoning, Section 25.B, Agricultural Use.** The Public Works & Environment Committee met on November 5th to discuss this Ordinance change. Please see attached Memorandum from Director of Development Services Michelle Mears along with the proposed amendments recommended by the Committee for Council consideration. If accepted, I recommend a Public Hearing at the next regular Council on December 14th.
- B. Ordinance No. 8-21: To Amend Chapter 14, Licensing and Permits, Section 14.1., Amending Membership of the Licensing Board.** Again, the Government Operations Committee voted to support this Ordinance amendment at their September 30th meeting.
- C. Ordinance No. 9-21: Transfer Ordinance to Fund the Purchase of a Sidewalk Tractor.** Again, the Finance Committee met on October 7th and the Public Works & Environment Committee met on October 13th and both Committees' recommend approval of this Transfer Ordinance.

New Business (under Section 15 of Agenda)

Ordinances

- A. **Ordinance No. 10-21: City Council Meeting Schedule for 2021.** Mayor Dana Hilliard has proposed the following 2021 City Council regular meeting calendar.

Resolutions

- A. **Resolution No. 16-21: To Authorize the City Manager to Request Proposals for a Conceptual Design for Improving Access to the Somersworth Public Library.** The Finance Committee met on September 24th and voted to support this conceptual design project for our Library. Attached is a Memorandum from Finance Director Scott Smith regarding this proposal as well as identifying a potential funding source.
- B. **Resolution No. 17-21: To Accept the Newly Constructed Sidewalk on Tri-City Road.** The Public Works & Environment Committee met on November 5th and voted recommend the acceptance of this new sidewalk. Attached is paperwork that was provided to the Committee at this meeting.
- C. **Resolution No.18-21: To Authorize the City Manager to Contract with Harvey Construction Corporation of Bedford, New Hampshire to Provide Construction Management Services for The Construction of a New Fire Station.** City Staff interviewed 5 Construction Management firms on Thursday November 5th. The Fire Station Building Committee met on Friday, November 6th and voted to accept Staff's recommendation to contract with Harvey Construction. As a reminder, these five (5) proposals are available to review in your google drop box.

Other

- A. **Vote to Approve an Estimated 8,400 Gallons Per Day Increase in the Quantity of Water from the Somersworth Water System to the City of Rochester to Service a 14-Home Expansion of the Addison Estates MHP Development at 414 Old Rochester Road per the Cities' Intermunicipal Water Agreement.** The Public Works & Environment Committee met on November 5th to discuss this water increase and voted to support the City of Rochester's request. Attached is paperwork that was provided to the Committee at this meeting.
- B. **Vote to Recognize the Involuntary Merger of Property Identified at 111 Maple Street, Tax Map 25, Lot 63, and Acknowledge the Appropriateness to and by this Vote Restore this Lot to its Pre-involuntary Merged Status as Two (2) Lots in Accordance with the Provisions of RSA 674:39-aa, as Explained and Documented by the Property Owner's Attorney's September 22, 2020 Letter with Exhibits to the Somersworth Planning Office.** Attached is a copy of the Attorney's letter. I have consulted with City Staff and City Attorney on this request. I recommend approval.

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

- A. **Informational Items**

1. **Ward 3 & Ward 4 Polling Locations.** Please see attached Letter from Superintendent Robert Gadomski notifying the us that the School Board has approved the permanent polling locations of Idlehurst Elementary School for Ward 4 and Somersworth High School for Ward 3.
2. **Tax Rate for 2020.** Attached is a copy of the Tax Rate (as previously sent to you via email).
3. **Community Action Partnership (CAP) of Strafford County.** Attached is a copy CAP's request for \$20,000. The Finance Committee reviewed this at their October 28th meeting and approved the request provided that the Committee concerns were answered appropriately. Director Scott Smith has provided CEO Betsey Andrews Parker's answers in the attached email. I believe her answers fills in the gaps discussed by the Committee in a favorable way.

Attachments

1. **City Attorney Certifications - Four (4)**
2. **Department Head Reports**

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Nominations being introduced for Council Confirmation Vote:

- A. John Jackman for Re-Appointment to the Trustees of Trust Funds, with a term to expire November 2025
- B. Sarah Eckstein for Appointment as an Alternate Member to the Conservation Committee, with a term to expire November 2023

The nominations will remain open until the next meeting.

Nominations requiring a Council Confirmation Vote:

- A. Keith Perkins, for Appointment as Full-Time Member to the Zoning Board of Adjustments, with a term to expire October 2023

Councilor Gerding made a motion to appoint Keith Perkins as a full-time member to the Zoning Board of Adjustments with a term to expire October 2023. The motion was seconded by Councilor Paradis and passed 6-1 by roll call vote with Councilor Witham voting, No.

- B. Neil Larson, for Re-Appointment to the Board of Cemetery Trustees, with a term to expire October 2025

Councilor Paradis made a motion to Re-Appoint Neil Larson to the Board of Cemetery Trustees with a term to expire October 2025. The motion was seconded by Councilor Cameron and passed 7-0 by roll call vote.

UNFINISHED BUSINESS

ORDINANCES

- C. **Ordinance No. 5-21** - To Amend Chapter 19 – Zoning, Definitions, Section 25.B, Agricultural Use (Referred to Public Works & Environment Committee 7/13/2020)

Councilor Witham made a motion to amend Ordinance No. 5-21 in line with the red-line version before Council this evening. The motion was seconded by Councilor Austin and passed 7-0 by voice vote.

Councilor Paradis requested a map of the districts where hives are permitted.

Councilor Gerding made a motion to further amend Ordinance No. 5-21 to replace the word “colony” with “hive” in section d. The motion was seconded by Councilor Witham and passed 7-0 by voice vote.

Councilor Witham made a motion to table Ordinance No. 5-21 in lieu of a Public Hearing. The motion was seconded by councilor Paradis and passed 7-0 by voice vote.

- D. **Ordinance No. 8-21** - To Amend Chapter 14 – Licensing and Permits, Section 14.1, Amending Membership of the Licensing Board

Councilor Austin made a motion to adopt Ordinance No. 8-21. The motion was seconded by Councilor Pepin and passed 7-0 by roll call vote.

- E. **Ordinance No. 9-21** - Transfer Ordinance to Fund the Purchase of a Sidewalk Tractor

Councilor Witham made a motion to adopt Ordinance No. 9-21. The motion was seconded by Councilor Cameron and passed 7-0 by roll call vote.

NEW BUSINESS

ORDINANCES

- A. **Ordinance No. 10-21** - City Council Meeting Schedule for 2021

Councilor Witham made a motion to suspend Council rules to allow for a first read of Ordinance No. 10-21 by title only. The motion was seconded by Councilor Austin and passed 7-0 by voice vote.

Ordinance No. 10-21 will remain in first read until the call of the Chair. Public Hearing scheduled at the call of the Chair.

RESOLUTIONS

- B. **Resolution No. 16-21** - To Authorize the City Manager to Request Proposals for a Conceptual Design for Improving Access to the Somersworth Public Library

Resolution No. 16-21 will remain in first read until the call of the chair.

- C. **Resolution No. 17-21** – To Accept the Newly Constructed Sidewalk on Tri-City Road

Councilor Witham made a motion to suspend Council rules to allow for a second reading of Resolution No. 17-21. The motion was seconded by Councilor Austin and passed 7-0 by voice vote.

Councilor Witham made a motion to adopt Resolution No. 17-21. The motion was seconded by Councilor Gerding and passed 7-0 by roll call vote.

- D. **Resolution No. 18-21** – To Authorize the City Manager to Contract with Harvey Construction Corporation of Bedford, New Hampshire to Provide Construction Management Services for the Construction of a New Fire Station.

Councilor Witham said of the five firms interviewed, all were quality firms who have been tested. One factor making him lean towards Harvey Construction was their ability to navigate the construction timeline during difficult times. He said they are a large enough firm with projects in the area and they know the landscape of the Tri-City.

Councilor Pepin said he appreciated Harvey Construction's responses to the complexities of moving equipment among other logistical issues. He also appreciated their drive to get the project off the ground as soon as possible.

Councilor Witham made a motion to allow for a second reading of Resolution No. 18-21. The motion was seconded by Councilor Pepin and passed 7-0 by voice vote.

Councilor Witham made a motion to adopt Resolution No. 18-21. The motion was seconded by Councilor Pepin and passed 7-0 by voice vote.

OTHER

- A. Vote to Approve an estimated 8,400 gallons per day increase in the quantity of Water from the Somersworth Water System to the City of Rochester to service a 14-home expansion of the Addison Estates MHP development at 414 Old Rochester Road per the Cities' Intermunicipal Water Agreement

Councilor Paradis inquired about how drought conditions could potentially affect the agreement. Manager Belmore said the City draws its water from the Salmon Falls River and

the significance of a drought mostly affects homes who have wells. He further explained the request has been reviewed by our Water and Public Works department heads who are confident we will be able to provide water without detriment to the City.

The vote to approve the request from the City of Rochester for water service to fourteen additional homes at Addison Estates passed 7-0 by voice vote.

- B. Vote to recognize the Involuntary Merger of property identified at 111 Maple Street, Tax Map 25, Lot 63, and acknowledge the appropriateness to and by this vote restore this lot to its pre-involuntary merged status as two (2) lots in accordance with the provisions of RSA 674:39-aa, as explained and documented by the property owner's attorney's September 22, 2020 letter with exhibits to the Somersworth Planning Office

Councilor Witham inquired if the merger had been reviewed by the City attorney. Manager Belmore replied in the affirmative and said the City Attorney said it is in order.

The vote to recognize the involuntary merger of property identified at 111 Maple Street passed 7-0 by voice vote.

COMMENTS BY VISITORS

There were no closing comments by visitors.

CLOSING COMMENTS BY COUNCIL MEMBERS

Councilor Pepin thanked City staff for a great Veterans Park kickoff ceremony. He said it is nice to have a place to celebrate the City's veterans and see bricks bearing the names of members of his family. He also commented on how beautiful the new dog park is and said he will be a frequent visitor. Councilor Pepin said it is a shame his Thanksgiving Day celebration will have less people this year, but hopes everyone is taking similar precautions and stays safe through the holidays.

Councilor Austin echoed Councilor Pepin's comments about the Veterans Park Memorial and said it is really nice to have the park look as nice as it does. He also echoed remarks about the diligence necessary to combat covid-19. He said positivity rates are only increasing and it is a matter of individual responsibility for people to follow recommendations. He said people must be diligent until a resolution is found. He also wanted to wish everyone a happy Thanksgiving.

Councilor Michaud said the newly constructed Veterans Park lead to him receiving a lot of praise from people who liked the design. He also wanted to wish Councilors Dumont and Vincent well and hopes everyone has a happy Thanksgiving.

Councilor Witham said Veterans Park is great and gave praise to the Mayor, City staff, and landscape architect who did a great job. He also wished everyone a safe Thanksgiving and hopes a scaled back approach is going to be taken by all.

Councilor Gerding commented on how beautiful the Veterans Park is and said the groundbreaking ceremony was stunning. He said he was pleased with how smoothly the General Election went in Somersworth. We dodged a constitutional crisis, violence, confusion, and unrest in an election during the pandemic. He said now that we are in a transition of power, it is time we also transition as

a nation; not only from the President, but also away from the belief that negativity and anger should hang over our heads constantly. Now we have the opportunity to think things differently and have productive conversations. The peaceful transition of power is a bedrock of democracy and to negate it is un-American. Councilor Gerding reiterated how proud he is of the Community for the City's performance on Election Day and believes Somersworth could teach the Country about Community strength. He thanked City Staff and residents who worked alongside him at the polls for a great job on a long day. He wished Somersworth a happy and safe Thanksgiving and urged people to wear masks and practice social distancing.

Councilor Cameron said she had the pleasure of working the election and it went very smoothly. She also urged people, if they haven't had a chance to see the Veterans Memorial at night, to please do so since it looks amazing all lit up. She wished everyone a happy Thanksgiving and urged people who are shopping on Black Friday to please be nice to your retail professionals for their safety and yours.

Councilor Paradis thanked Fire Chief George Kramlinger for the video giving a tour of the fire station. She also congratulated everyone who worked on the Veterans Park and said the kickoff ceremony was very meaningful. She sent a special thanks to Councilor Dumont for his efforts in establishing the park. Councilor Paradis said she is happy to hear there will be discussions in the future on how the Council will meet and favors moving back to Zoom. She also thanked the School Board for approving the request to move permanently the polling locations. She thanked the City Clerks and everyone who helped at the polls for a smooth and safe election. She urged everyone to be safe during the holidays and said wearing a mask is like giving Covid tryptophan.

NONPUBLIC SESSION (AS NECESSARY, PENDING ROLL CALL VOTE BY COUNCIL)

ADJOURNMENT

Councilor Gerding made a motion to adjourn the City Council meeting. The motion was seconded by Councilor Michaud and passed 7-0 by voice vote. The meeting adjourned at 8:36 p.m.



City of Somersworth – Ordinance

Ordinance No: **5-21**

TO AMEND CHAPTER 19 – ZONING, DEFINITIONS, SECTION 25.B, AGRICULTURAL USE

July 13, 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 in Section 25 Definitions:

Section 19.25.B, Agricultural Use, delete the word, “apiculture.”

Section 19.25.B shall read as follows:

AGRICULTURAL USE Land used for agriculture, farming, dairying, pasturage, horticulture, aquaculture, floriculture, silviculture, animal and poultry husbandry.

This Ordinance will take effect upon passage.

Somersworth City Council Meeting
November 16, 2020

Authorization	
<i>Sponsored by Councilors:</i> Crystal Paradis Nancie Cameron Matthew Gerding	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 5-21

History			
First Read Date:	07/13/2020	Tabled:	11/16/2020
Public Hearing:	08/10/2020	Removed From Table:	
Second Read:	08/10/2020		

Discussion

07/13/2020

Ordinance No. 5-21 will remain in first read until the call of the Chair.

Public Hearing scheduled at the call of the Chair.

Mayor Hilliard referred Ordinance No. 5-21 to the Public Works & Environment Committee on 7/13/2020.

10/19/2020

Remains in Committee

11/16/2020


Councilor Witham moved Ordinance No. 5-21 be amended in line with the red-line before Council this evening. The motion was seconded by Councilor Austin and passed 7-0 by voice vote.

Councilor Paradis requested a map of the districts where hives are allowed.

Councilor Gerding made a motion to further amendment Ordinance No. 5-21 to replace the word “colony” with “hive” in section d. The motion was seconded by Councilor Witham and passed 7-0 by voice vote.

Councilor Witham made a motion to table Ordinance No. 5-21 in lieu of a Public Hearing. The motion was seconded by Councilor Paradis and passed 7-0 by voice vote.

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		
TOTAL VOTES:			
On / /		Ordinance 5-21	PASSED FAILED
		City of Somersworth – Ordinance	
		Ordinance No: 8-21 TO AMEND CHAPTER 14 – LICENSING AND PERMITS, SECTION 14.1, AMENDING MEMBERSHIP OF THE LICENSING BOARD	

October 19, 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:

Chapter 14, Section 1:

- Strike “City Clerk” and replace with “City Manager or his/her designee”
(Revised 10/19/2020)

This Ordinance will take effect upon passage.

Authorization

Somersworth City Council Meeting
November 16, 2020

<i>Sponsored by:</i> Richard R. Michaud Donald Austin Matthew Gerding	<i>Approved:</i> City Attorney
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City of Somersworth – Ordinance 8-21

History			
First Read Date:	10/19/2020	Tabled:	NA
Public Hearing:	11/16/2020	Removed From Table:	NA
Second Read:	11/16/2020		

Discussion

10/19/2020


Ordinance No. 8-21 will remain in first read until the call of the Chair. Public Hearing scheduled at the call of the Chair.

11/16/2020

Councilor Austin made a motion to adopt Ordinance No. 8-21. The motion was seconded by Councilor Pepin and passed 7-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
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	
TOTAL VOTES:		7	0
On 11/16/2020	Ordinance 8-21	PASSED	FAILED

	City of Somersworth – Ordinance
	Ordinance No: 9-21 TRANSFER ORDINANCE TO FUND THE PURCHASE OF A SIDEWALK TRACTOR

October 19, 2020

BE IT ORDAINED BY THE CITY OF SOMERSWORTH, pursuant to Section 7.7 (D) of the City Charter, that the following General Fund unencumbered balance transfer be made:

<u>DEPARTMENTS</u>	<u>FROM</u>	<u>TO</u>
ELECTED LEADERSHIP		
CITY MANAGEMENT		
FINANCE AND ADMINISTRATION		
DEVELOPMENT SERVICES		
POLICE		
FIRE		
PUBLIC WORKS	130,000	
CAPITAL EXPENSES		130,000
OTHER EXPENSES (<i>CONTINGENCY</i>)		
INTERGOVT ASSESSMENTS-COUNTY TAX		
SCHOOL DEPARTMENT	_____	_____
 TOTAL GENERAL FUND	 130,000	 130,000

Note: The intent is to transfer funding from the amount appropriated for road resurfacing in the Department of Public Works budget to Capital Outlay to be used toward the purchase of a sidewalk tractor. There is also approximately \$35,000 held in escrow that will be used toward this purchase. When the road resurfacing bids are received, the City may use the Municipal and Transportation Fund to supplement any needed funding to complete the road resurfacing projects as scheduled.

This Ordinance shall take effect upon passage.

Authorization	
<i>Sponsored by Councilor:</i> David A. Witham Donald Austin Martin Pepin Martin Dumont, Sr.	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 9-21

History			
First Read Date:	10/19/2020	Tabled:	
Public Hearing:	11/16/2020	Removed From Table:	
Second Read:	11/16/2020		

Discussion


10/19/2020

Ordinance No. 9-21 will remain in first read until the call of the Chair. Public Hearing scheduled at the call of the Chair.

11/16/2020

Councilor Witham made a motion to adopt Ordinance No. 9-21. The motion was seconded by Councilor Cameron and passed 7-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
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	
TOTAL VOTES:		7	0
On 11/16/2020	Ordinance 9-21	PASSED	FAILED
		City of Somersworth – Ordinance	
		Ordinance No: 10-21 CITY COUNCIL MEETING SCHEDULE FOR 2021	

November 16, 2020

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT, in accordance with Chapter 3.7 of the City Charter which provides that the City Council’s “regular meetings shall be held on the first and third Monday of the month at 7:00 p.m. unless otherwise designated by Ordinance...” and Chapter 6, City Officials, Section 6.8.2 of the City Ordinances which also provides that the “City Council shall meet in regular session on the first and third Mondays of each month at 7:00 p.m., unless otherwise agreed on by a majority of the members of the Council” that the City Council Meeting schedule for 2021 shall be as follows:

- Monday, January 4th and Tuesday, January 19th
- Monday, February 1st and Tuesday, February 16th
- Monday, March 1st and Monday March 15th
- Monday, April 5th and Monday, April 19th
- Monday, May 3rd and Monday, May 17th
- Monday, June 7th and Monday, June 21st
- Monday, July 19th
- Monday, August 9th
- Tuesday, September 7th and Monday September 20th
- Monday, October 11th and Monday, October 25th
- Monday, November 15th
- Monday, December 13th

This Ordinance shall take effect upon passage.

Somersworth City Council Meeting
November 16, 2020

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

City of Somersworth – Ordinance 10-21

History			
First Read Date:	11/16/2020	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion


11/16/2020

Councilor Witham made a motion to suspend Council rules to allow for a first read of Ordinance No. 10-21 by title only. The motion was seconded by Councilor Austin and passed 7-0 by voice vote.

Ordinance No. 10-21 will remain in first read until the call of the Chair. Public Hearing scheduled at 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		
TOTAL VOTES:			
On / /		Ordinance 10-21	PASSED FAILED

	City of Somersworth – Resolution
	Resolution No: 16-21 TO AUTHORIZE THE CITY MANAGER TO REQUEST PROPOSALS FOR A CONCEPTUAL DESIGN FOR IMPROVING ACCESS TO THE SOMERSWORTH PUBLIC LIBRARY

November 16, 2020

WHEREAS, the Somersworth Public Library provides citizens access to materials and services necessary for their informational, cultural, educational, and recreational needs, and

WHEREAS, the Somersworth Public Library has multiple floors and levels within the building that are accessed by stairways, and

WHEREAS, the City would like to contract with a qualified architect or engineer to analyze this facility and provide a conceptual design or conceptual design options to improve access for all citizens to enjoy the entire facility,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to request proposals for a conceptual design for improving access to the Somersworth Public Library and take any other actions with this project determined to be in the best interest of the City.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Donald Austin Martin Pepin Richard Michaud	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 16-21

History			
First Read Date:	11/16/2020	Tabled:	
Public Hearing:	N/A	Removed From Table:	
Second Read:			


Discussion

11/16/2020

Resolution No. 16-21 will remain in first read 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		
TOTAL VOTES:			
On	Resolution 16-21	PASSED	FAILED

	City of Somersworth – Resolution
	Resolution No: 17-21 TO ACCEPT THE NEWLY CONSTRUCTED SIDEWALK ON TRI-CITY ROAD

November 16, 2020

WHEREAS, the City of Somersworth Planning Board approved the Tara Fields Development, off Tri-City Road, and required certain off-site improvements to be constructed by the developer; and

WHEREAS, the off-site improvements included 880 linear feet of new sidewalk improvements on Tri-City Road from High Street to the Tara Meadows entrance constructed with an asphalt surface and granite curbing, and

WHEREAS, Horsley Witten Group, the City's 3rd party engineering inspection firm, conducted an inspection of the completed sidewalk improvements on October 29, 2020 and concluded that all work met the approved plans and specifications, and

WHEREAS, the Department of Public Works has completed a review and concurs that the sidewalk improvements were built to the approved set of plans and specifications and recommends acceptance as a public sidewalk;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City accepts the sidewalk improvements on Tri-City Road and is hereby accepted as a public sidewalk.

Authorization	
<i>Sponsored by Request:</i> Councilor David Witham	<i>Approved:</i> City Attorney

City of Somersworth – Resolution 17-21

History

First Read Date:	11/16/2020	Tabled:	
Public Hearing:	N/A	Removed From Table:	
Second Read:	11/16/2020		

Discussion

11/16/2020

Councilor Witham made a motion to suspend Council rules to allow for a second reading. The motion was seconded by Councilor Austin and passed 7-0 by voice vote.

Councilor Witham made a motion to adopt Resolution No. 17-21. The motion was seconded by Councilor Gerding and passed 7-0 by roll call vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	Austin	X	
Ward 5 Councilor	Michaud	X	
At Large Councilor	Witham	X	
At Large Councilor	Paradis	X	
At Large Councilor	Cameron	X	
At Large Councilor	Gerding	X	
TOTAL VOTES:		7	0
On 11/16/2020	Resolution 17-21	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **18-21**

TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH HARVEY CONSTRUCTION CORPORATION OF BEDFORD, NEW HAMPSHIRE TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR THE CONSTRUCTION OF A NEW FIRE STATION

November 16, 2020

WHEREAS, the Somersworth City Council adopted Resolution 50-20 to authorize a bond to construct a new fire station at the location of the current fire station on Maple Street, and

WHEREAS, City staff prepared a request for qualifications with the City's consulting architect and solicited responses from qualified companies, and

WHEREAS, five companies were selected from the responses received and were interviewed by City staff and the City's consulting architect at a meeting of the Fire Station Building Committee, and

WHEREAS, after completing review of the responses and the interviews, City staff recommends that the City contract with Harvey Construction Corporation of Bedford, NH to provide construction management services for the construction of a new Fire Station for a fee not to exceed 3.5% of the cost of construction, and

WHEREAS, the Fire Station Building Committee reviewed this recommendation with City staff and supports this recommendation,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Harvey Construction Corporation of Bedford, NH to provide construction management services for the construction of a new Fire Station for a fee not to exceed 3.5% of the cost of construction and to take any action relative to this contract determined to be in the best interest of the City.

Authorization

Sponsored by Councilors:

David A. Witham
Martin Pepin
Kenneth Vincent

Approved:

City Attorney

City of Somersworth – Resolution 18-21

History

First Read Date:	11/16/2020	Tabled:	
Public Hearing:	N/A	Removed From Table:	
Second Read:	11/16/2020		

Discussion

11/16/2020

Councilor Witham said of the five firms interviewed, all were quality firms who have been tested. One factor making him lead to Harvey Construction was their ability to navigate the construction timeline during difficult times. He said they are a large enough firm with projects in the area and they know the landscape of the tri-city.

Councilor Pepin said he appreciated Harvey Construction's responses to the complexities of moving equipment among other logistical issues. He also appreciated their drive to get the project off the ground as soon as possible.

Councilor Witham made a motion to allow for a second reading of Resolution No. 18-21. The motion was seconded by Councilor Pepin and passed 7-0 by voice vote.

Councilor Witham made a motion to adopt Resolution No. 18-21. The motion was seconded by Councilor Pepin and passed 7-0 by voice vote.

Voting Record		YES	NO
Ward 1 Councilor	Pepin	X	
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
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	
TOTAL VOTES:		7	0
On 11/16/2020	Resolution 18-21	PASSED	FAILED