



City of Somersworth
City Council Meeting Agenda
City Council Chambers
Monday, August 9, 2021
7:00 p.m.

1. Roll Call of Members
2. Pledge of Allegiance
3. Public Hearing
 - A. Vote to Approve the Community Revitalization Tax Relief Incentive Program (79E) Application (City Ordinance, Chapter 31) From Sometown, LLC, Mr. David Baker, for 25 High Street
4. Comments by Visitors
5. Consent Calendar
 - A. Approve Minutes of the City Council Meeting held on July 19, 2021
6. Comments by City Councilors
7. Communications
 - A. Letter from Allison St. Laurent, Executive Director of the Falls Chamber of Commerce
 - B. Cemetery Trustee Neil Larson
8. Presentations of Petitions and Disposal Thereof by Reference or Otherwise
9. Mayor's Report
10. Report of Standing Committees
11. Report of Special Committees, City Officers and City Manager
12. Nominations, Appointments and Election
 - A. Sarah Eckstein for Appointment as a Full-Time Member of the Conservation Commission with a Term to Expire July, 2024
 - B. Laura Barry for Reappointment as a Member of the Historic District Commission with a Term to Expire July, 2024
13. Lay on the Table

14. Unfinished Business

ORDINANCES

- A. **Ordinance No. 2-22** – To Amend Chapter 12, Streets and Sidewalks (Referred to the Public Works and Environment Committee on 7/19/2021)

15. New Business

RESOLUTIONS

- A. **Resolution No. 5-22** - To Authorize the City Manager to Order Two SUV Style Police Cruisers and One Unmarked Police Vehicle which will be Funded by a Lease Purchase Agreement
- B. **Resolution No. 6-22** - To Authorize the City Manager to Sign a Lease/Purchase Agreement for the Purchase of City Vehicles

OTHER

- A. Vote to Approve the Community Revitalization Tax Relief Incentive Program (79-E) Application (City Ordinance, Chapter 31) from Somedowntown LLC, Mr. David Baker, for 25 High Street
- B. Vote to Authorize the City's Application to the New Hampshire Division of Historical Resources for inclusion of the Forest Glade Cemetery's listing onto the State of New Hampshire Registry of Historic Places

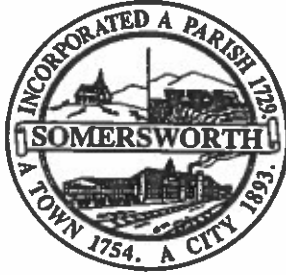
16. Comments by Visitors

17. Closing Comments by Council Members

18. Future Agenda Items

19. Nonpublic Session (as necessary, pending roll call vote by Council)

20. Adjournment



City of Somersworth Boards, Commissions & Committee Application

Instructions: Please complete all information.

Name: Laura Barry

Telephone: 406-698-1795 Email: lbriqqs377@live.com

Residence Address: 211 Green St, Somersworth, NH 03878

Mailing Address (if different): _____

Resident of Somersworth for X Years Ward _____

Registered Voter: Yes X No _____

Education Level:
Masters

Please list any organizations, groups, or other committees you are involved in:
None

I am interested in serving on the following Board, Commission or Committee (s):
Historic District Commission

My Background or Interests are: Please see previous applications.

over



I have served on the following Committee (s) in the past: Historic District Commission

Would you be able to commit to attending all meetings? Yes x No _____

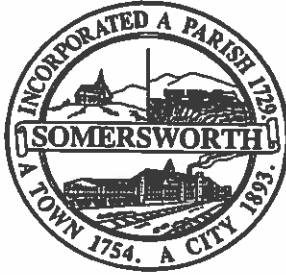
By submitting this Application you understand that:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application will be forwarded to the City Council for consideration.
4. Application will be kept on file for one (1) year from date of receipt.

Signature: Laura Barry

Date: 5/30/21

**Please submit application to:
City Clerk's Office
City Hall, One Government Way
Somersworth, NH 03878**



City of Somersworth
Boards, Commissions & Committee Application

Instructions: Please complete all information.

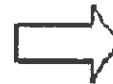
Name: Sarah Eckstein
Telephone: 917-418-4065 Email: Sarahmeckstein@gmail.com
Residence Address: 3 Royal Drive, Somersworth NH
Mailing Address (if different): _____
Resident of Somersworth for 10 Years Ward 4
Registered Voter: Yes No _____
Education Level: Bachelors & Science

Please list any organizations, groups, or other committees you are involved in:
Conservation Commission (alternate member)
Chair of Sustainability ~~Commission~~ Committee

I am interested in serving on the following Board, Commission or Committee (s):
Conservation Commission as an official member

My Background or Interests are: Energy efficiency, Sustainability
consulting

over



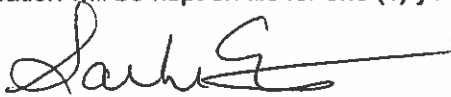
I have served on the following Committee (s) in the past: _____

Would you be able to commit to attending all meetings? Yes No

By submitting this Application you understand that:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application will be forwarded to the City Council for consideration.
4. Application will be kept on file for one (1) year from date of receipt.

Signature: _____



Date: _____

6-10-21

**Please submit application to:
City Clerk's Office
City Hall, One Government Way
Somersworth, NH 03878**



City of Somersworth – Ordinance

Ordinance No: 2-22

TO AMEND CHAPTER 12, STREETS AND SIDEWALKS

July 19, 2021

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:

Amend Chapter 12 by adding Sections 12.8 & 12.9 as follows:

Section 12.8 – Outdoor Dining and Sidewalk Sales

PERMIT REQUIRED: A business owner shall obtain a permit to encumber the sidewalk from the Director of Public Works and Utilities, or their designee, to: 1) operate an outdoor seating area on a sidewalk, or on-street parking spaces, for service and consumption of food or drink prepared on premises; or 2) operate a sidewalk sale area for selling other goods subject to the following requirements:

1) The permit Applicant shall:

- a. Provide a Certificate of Insurance naming the City of Somersworth as additional insured. The terms of the Certificate of Insurance shall be in a form and amount acceptable by the City.
- b. Agree to indemnify and hold harmless the City of Somersworth, New Hampshire from all claims for damage or injury whatsoever, that may arise from the encumbrance, obstruction, occupation, or use of the aforesaid sidewalk.

2) The building in which the licensed business operates must share a common boundary with a sidewalk. Sidewalk encumbrances shall allow a minimum four (4) foot-wide unobstructed pedestrian corridor at all times, and at least five (5) feet wide when located along a street corner. Wider pedestrian corridors or increased clearances may be required where warranted by pedestrian traffic or other circumstances, at the discretion of the Director of Public Works and Utilities, or their designee.

3) Public on-street parking space(s) encumbrances must provide an accessible path of travel to the area from abutting sidewalks. Such expansions must occupy the area directly in front of the proposed business and may request to expand to be in front of the adjacent properties with abutting property owner and/or business permission.

4) Egress from the building must be maintained free of obstruction per the Building Code, NFPA 101 Life Safety Code, and any other applicable Local, State, or Federal Regulations, as amended.

5) Permits may only allow encumbrances between April 15 to November 15, and as weather conditions allow.

6) The Director of Public Works and Utilities, or their designee, may establish additional permit conditions to protect the City, public safety, and the continued use of the sidewalk by the public.

7) The Director of Public Works and Utilities, or their designee, has the authority to deny, revoke, or suspend the permit at his/her discretion at any time for any reason, including but not limited to violating the permit conditions, safety considerations, or due to planned or unplanned City projects, events, or activities.

8) The encumbered area must not block access to public street furniture, trash receptacles, street signage, fire hydrants, or other public infrastructure.

9) The encumbered area and any furniture or features within the area must be kept in a clean, safe, and sanitary condition, and all trash shall be properly disposed.

10) Canopies over any sidewalk café shall not be allowed unless they are completely supported by hardware on the building structure, that is, there shall be no vertical supports in or around the sidewalk café; table umbrellas without logos are allowed but must not extend beyond the Area.

11) No improvements or personal property located within the Area shall extend on or over any municipal property located outside the Area.

12) No advertising of any kind shall be allowed in the Area.

13) All outdoor dining areas where alcohol service is provided shall comply with the following requirements:

- Outdoor dining establishments shall agree at all times to comply with all laws, rules and regulations of the New Hampshire State Liquor Commission and all other local, state and federal laws.
- Be separated from the public pedestrian space on the adjacent municipal sidewalk by an enclosure system consisting of heavy-duty decorative materials as approved by the City Manager or designee; special attention shall be paid to the method used to support the enclosure system in order to avoid damage to public property and ensure public safety.
- The minimum height of the enclosure system shall be 30 inches and the maximum height shall be 36 inches.

The enclosure system, tables and chairs shall be movable/non-permanent.

Permits issued under this section may be revoked at any time by the City for failure to comply with the approved permit, or to deal with emergencies, maintenance of infrastructure, public safety, or any other reason determined to be in the best interest of the City.

Section 12.9 – Decorative Sidewalk Landscaping

PERMIT REQUIRED: A business owner shall obtain a permit to encumber the sidewalk from the Director of Public Works and Utilities, or their designee, to display decorative landscaping features in front of their business within the City right-of-way. The permit shall specify the area, use, and arrangement of any features or furniture within the encumbered area, and is subject to the following requirements;

1) The program is active April 15 to November 15 each year.

2) Decorative sidewalk landscaping may be placed within 5 feet to either or both side(s) of your front door entrance.

3) Landscaping features shall allow a minimum four (4) foot wide unobstructed pedestrian corridor at all times, and at least five (5) feet wide when located along a street corner. Wider pedestrian corridors or increased clearances may be required where warranted by pedestrian traffic or other circumstances, at the discretion of the Director of Public Works and Utilities, or their designee.

4) Landscaping features should sit directly on the sidewalk, and be no larger than 3 feet long by 3 feet wide by 42 inches (3.5 feet) tall.

5) Landscaping features shall not be directly attached to (e.g., bolts, nails, screws) or damage the underlying sidewalk in any way.

6) No unmaintained features, or dead flowers, will be allowed.

7) Damaged flowers and/or containers must be removed immediately.

8) The applicant is responsible for cleaning/repairing any damage or staining to the sidewalks. The permit must be renewed each year. New applications and renewals are reviewed on an annual basis and should be submitted to the City no later than March 15 of each year. Permits are valid from April 15 to November 15 as conditions allow.

Permits issued under this section may be revoked at any time by the City for failure to comply with the approved permit, or to deal with emergencies, maintenance of infrastructure, public safety, or any other reason determined to be in the best interest of the City.

This Ordinance shall take effect upon its passage.

Authorization	
<i>Sponsored by Councilor:</i> Crystal Paradis	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 2-22

History

First Read Date:	7-19-2021	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

07/19/2021

Mayor Hilliard referred Ordinance No. 2-22 to the Public Works and Environment Committee.

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 2-22		PASSED	FAILED



July 14, 2021

Dear Mayor Hillard and City Councilors,

My name is Allison St. Laurent, and I am writing on behalf of the Falls Chamber of Commerce and in support of local businesses, particularly those located in downtown Somersworth.

The Falls Chamber of Commerce would like to express our support for the Chapter 12 modifications, also known as the Outdoor Features ordinance, before you today.

Business owners in downtown Somersworth have long desired to enhance their storefronts, and the overall aesthetic of downtown Somersworth, with decorative outdoor features such as planters, sales racks, and outdoor dining.

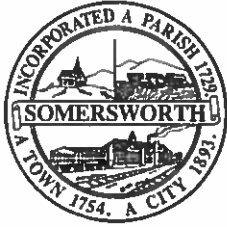
The proposed modifications to Chapter 12 provide a process for businesses and property owners to achieve this goal, while maintaining the high level of safety and accessibility that Somersworth residents and visitors have come to expect.

Allowing local businesses to enhance their storefronts with decorative outdoor features is a great way to beautify our downtown, and it is also a metaphor for how we want to grow and flourish as a community.

We ask that you vote to adopt the proposed language to support local businesses and encourage the continued beautification of Somersworth.

Thank you for your consideration,

Allison St. Laurent
Executive Director
The Falls Chamber of Commerce
Allison@thefallschamber.com
978-992-7747



City of Somersworth – Resolution

Resolution No: 5-22

TO AUTHORIZE THE CITY MANAGER TO ORDER TWO SUV STYLE POLICE CRUISERS AND ONE UNMARKED POLICE VEHICLE WHICH WILL BE FUNDED BY A LEASE PURCHASE AGREEMENT

August 9, 2021

WHEREAS, the City of Somersworth’s Capital Improvement Plan proposes a replacement schedule for police cruisers and unmarked vehicles to maintain fleet integrity and reduce maintenance costs, and

WHEREAS, the Somersworth City Council would like to improve the fleet of police cruisers by continuing the replacement of traditional sedan style cruisers with a more modern SUV style of police cruiser, and

WHEREAS, the Somersworth City Council would like to improve the fleet of police unmarked vehicles and replace them with a newer more reliable fleet of vehicles, and

WHEREAS, City staff has evaluated the advantage of the use of a standard vehicle manufacturer acquisition policy and recommends the use of the NH State bid list for Ford vehicles as the most efficient method of procuring these new vehicles,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to order two new “SUV” style police cruisers and one new police unmarked vehicle which will be funded through a lease purchase agreement.

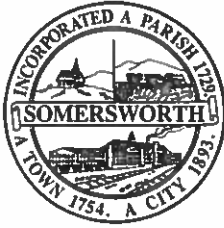
Authorization

Sponsored by Councilors:

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

Approved:

City Attorney



City of Somersworth – Resolution

Resolution No: 6-22

TO AUTHORIZE THE CITY MANAGER TO SIGN A LEASE/PURCHASE AGREEMENT FOR THE PURCHASE OF CITY VEHICLES

August 9, 2021

WHEREAS, the fiscal year 2021-2022 Adopted Budget contains an appropriation for a down payment toward the purchase of the following City vehicles:

- Two SUV style Police Cruisers
- One Unmarked Police Vehicle

WHEREAS, City staff solicited quotes for financing this purchase through a lease/purchase agreement and recommends entering into a five-year lease/purchase agreement with Tax-Exempt Leasing Corp.,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to enter into a five-year lease/purchase agreement with Tax-Exempt Leasing Corp. for the acquisition of City vehicles.

Authorization

Sponsored by Councilors:

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

Approved:

City Attorney