



CITY OF SOMERSWORTH
AGENDA FOR MONDAY, JANUARY 22, 2019

7:00pm City Council Meeting

1. Roll Call of Members
2. Pledge of Allegiance
3. Public Hearings
 - A. **Ordinance No. 10-19** – To Amend Chapter 4, Personnel Rules & Regulations, Section 7.4.9 Family and Medical Leave Policy
 - B. **Ordinance No. 11-19** - To Amend Chapter 6, City Officials, By Adding New Section, Declaring January as Diversity Month
4. Comments by Visitors
5. Consent Calendar
 - A. Approve Minutes of the City Council Meeting held on January 7, 2019
6. Announcements by City Councilors
7. Communications
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 Elections
 - A. Nominations requiring Council approval:
 - a. Donna Donovan, reappointment as a member of the Board of Library Trustees, with a term to expire, February 2024
13. Lay on the Table
 - A. **Ordinance No. 4-19** – To Amend Chapter 19, Zoning Ordinance, Section 14, Historic District
 - B. **Resolution No. 22-19** - To Authorize the City Manager to Take the Necessary Actions to Discontinue Fair Court as a Class V Highway

- C. **Ordinance No. 7-19** - To Amend Chapter 13 Police Offenses, Section F.1, Time Limited Parking – Washington Street

14. Unfinished Business

ORDINANCES

- A. **Ordinance No. 10-19** - To Amend Chapter 4, Personnel Rules & Regulations, Section 7.4.9 Family and Medical Leave Policy
- B. **Ordinance No. 11-19** - To Amend Chapter 6, City Officials, By Adding New Section, Declaring January as Diversity Month

RESOLUTIONS

- A. **Resolution No. 28-19** - To Authorize the City Manager to Contract with Resilience Planning and Design, LLC of Plymouth, New Hampshire to Develop a Form Based Code Section of the Zoning Ordinance

15. New Business

ORDINANCES

- A. **Ordinance No. 12-19** - To Amend Chapter 6, City Officials, Section 6.9, Veterans' Property Tax Exemption

RESOLUTIONS

- A. **Resolution No. 29-19** - To Authorize the City Manager to Solicit Proposals from Qualified Consultants To Prepare A Conceptual Design For A New Somersworth Fire Station
- B. **Resolution No. 30-19** - To Authorize The City Manager To Execute An Intermunicipal Agreement With The City Of Dover, NH For The Development Of A Water System Emergency Interconnection Between Dover And Somersworth

OTHER

- A. Vote to Ratify a Tentative Agreement between the City of Somersworth and the Public Works/Highway Department with AFSCME Council 93, Local 863

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 – Resolution

Resolution No: 22-19

TO AUTHORIZE THE CITY MANAGER TO TAKE THE NECESSARY ACTIONS TO DISCONTINUE FAIR COURT AS A CLASS V HIGHWAY

November 5, 2018

WHEREAS, the City of Somersworth has determined there is no longer a need to maintain Fair Court; and

WHEREAS, the Public Works & the Environment Committee of the City of Somersworth has reviewed this proposed action with staff and supports this discontinuance,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH, in accordance with RSA 231:43, that Fair Court, is hereby discontinued as a Class V highway, described as follows:

Starting at the northwest corner of map 10, lot 179 along Elm Street, going northerly approximately 36 feet to the southwest corner of map 10 lot 180, continuing easterly approximately 148 feet until reaching Main Street at the southeast corner of map 10, lot 180, then following southerly approximately 32 feet to the northeast corner of map 10, lot 179, and back 126 feet to the original location of the northwest corner of map 10, lot 179.

Authorization

Sponsored by Councilors:

Dale R. Sprague
David A. Witham

Approved:

City Attorney

City of Somersworth – Resolution 22-19

History

First Read Date:	11/05/2018	Tabled:	12/03/2018
Public Hearing:	12/03/2018	Removed From Table:	
Second Read:	12/03/2018		

Discussion

Councilor Witham, seconded by Councilor Levasseur, made a motion to waive Council Rules to have Resolution 22-19 read by title only. The motion passed, 8-0.

Resolution 22-19 will remain in first read until the December 3, 2018 City Council Meeting.

On December 3, 2019, *Councilor Witham made a motion to approve Resolution No 22-19, seconded by Councilor Pepin.*

Councilor Sprague made a motion to table Resolution 22-19, seconded by Councilor Witham. Motion passed 9-0.

Voting Record		YES	NO
Ward 1 Councilor	Pepin *		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	McCallion		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Sprague		
At Large Councilor	Cameron		
At Large Councilor	Levasseur		
TOTAL VOTES:			
On / / .	Resolution 22-19	PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: 7-19

TO AMEND CHAPTER 13 POLICE OFFENSES, SECTION F.1, TIME LIMITED PARKING – WASHINGTON STREET

December 3, 2018

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 13, Police Offenses, Section F.1, Time Limited Parking, Three Hour, by deleting:

- Washington St. on the southerly side between High St. and Green St. except the westerly 100 feet

This Ordinance shall take effect upon its passage.

Authorization

Sponsored by:

Mayor Dana S. Hilliard
Councilor Edward Levasseur

Approved:

City Attorney

City of Somersworth – Ordinance 7-19

History

First Read Date:	12/3/2018	Tabled:	01/07/2019
Public Hearing:	01/07/2019	Removed From Table:	
Second Read:	01/07/2019		

Action

Councilor _____ moved for adoption, seconded by Councilor _____.

Discussion

The Traffic Safety Committee conducted a test period of parking on Washington Street. This was specific to suspending the 3 hour stalls on Washington Street. The change was to allow open parking. The test period was conducted during the month of October. As a result of this test the Traffic Safety Committee would recommend rescinding the current 3 hour parking area and replacing it with open parking.

The original request was through The Somersworth Housing Authority. Director Debbie Evans had indicated the 3 hour parking was a hindrance to the use of their Pavilion. The issue was simply that most events at the pavilion ran longer than the 3 hour parking allowed by ordinance. Some similar concerns were echoed by visiting service providers to the seniors residing on Washington Street.

This Ordinance will remain in 1st read until the January 7th meeting.

On January 7, 2019, Councilor Witham, seconded by Councilor McCallion made a motion to table and have this topic re-examined by the Traffic Safety Committee. The motion passed, 8-0.

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	McCallion		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Sprague		
At Large Councilor	Cameron		
At Large Councilor	Levasseur *		
TOTAL VOTES:			
On / /		Ordinance 7-19	



City of Somersworth – Ordinance

Ordinance No: **10-19**

**TO AMEND CHAPTER 4, PERSONNEL RULES & REGULATIONS,
SECTION 7.4.9 FAMILY AND MEDICAL LEAVE POLICY**

January 7, 2019

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

Amend Chapter 4, Personnel Rules & Regulations, Section 7.4.9 Family and Medical Leave Policy, as by deleting it in its entirety, and replacing it with:

7.4.9 Family and Medical Leave Policy

The City Manager will issue a City of Somersworth Family Medical Leave Act Policy and amend it as may be required by law from time to time.

This Ordinance shall take effect upon passage.

Authorization

Sponsored by Councilors:

Martin P. Dumont, Sr.
David A. Witham
Edward Levasseur

Approved:

City Attorney

City of Somersworth – Ordinance 10-19

History

First Read Date:	01/07/2019	Tabled:	
Public Hearing:	01/22/2019	Removed From Table:	
Second Read:	01/22/2019		

Action

Councilor _____ moved for adoption, seconded by Councilor _____.

Discussion

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	McCallion		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Sprague		
At Large Councilor	Cameron		
At Large Councilor	Levasseur		
TOTAL VOTES:			
On / / . Ordinance 10-19		PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: 11-19

TO AMEND CHAPTER 6, CITY OFFICIALS, BY ADDING NEW SECTION, DECLARING JANUARY AS DIVERSITY MONTH

January 7, 2019

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

Section 6.8.3 Declaring January Diversity Month-

Each year the Mayor and City Council shall introduce at the first meeting in December a Resolution that declares January as Diversity Month in the City of Somersworth. Said Resolution shall proclaim the Community's renewed commitment in embracing diversity and equality as espoused by the values and human rights doctrines of Rev. Martin Luther King, Jr. and as articulated in the Declaration of Independence, the United States Constitution, New Hampshire Constitution and our own City Charter.

This Ordinance shall take effect upon its passage.

Authorization

Sponsored by:

Mayor Dana S. Hilliard

Councilors:

David A. Witham

Nancie Cameron

Edward Levasseur

Martin Pepin

Martin P. Dumont, Sr.

Richard R. Michaud

Approved:

City Attorney

City of Somersworth – Ordinance 11-19

History

First Read Date:	01/07/2019	Tabled:	
Public Hearing:	01/22/2019	Removed From Table:	
Second Read:	01/22/2019		

Action

Councilor _____ moved for adoption, seconded by Councilor _____.

Discussion

Voting Record		YES	NO
Ward 1 Councilor	Pepin *		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	McCallion		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Sprague		
At Large Councilor	Cameron		
At Large Councilor	Levasseur		
TOTAL VOTES:			
On / / . Ordinance 11-19		PASSED	FAILED



City of Somersworth – Resolution

Resolution No: 28-19

TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH RESILIENCE PLANNING AND DESIGN, LLC OF PLYMOUTH, NEW HAMPSHIRE TO DEVELOP A FORM BASED CODE SECTION OF THE ZONING ORDINANCE

January 7, 2019

WHEREAS, City staff solicited proposals from qualified consultants to prepare a form based code section of the City's Zoning Ordinance for the purpose of increasing economic development in the City's Downtown portion of the Business District and the Residential/Business District, and

WHEREAS, City staff reviewed the proposals submitted and interviewed prospective consultants and recommends contracting with Resilience Planning and Design, LLC of Plymouth, NH at a cost of \$25,300 (Twenty Five Thousand Three Hundred dollars) which includes anticipated project costs and contingency, and

WHEREAS, the Economic Development Committee reviewed this project with City staff and supports the recommendation, and

WHEREAS, The Finance Committee reviewed this project with City staff and supports the recommendation,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to contract with Resilience Planning and Design, LLC of Plymouth, NH to develop a form based code section for the City's Zoning Ordinance at a cost not to exceed \$25,300 (Twenty Five Thousand Three Hundred dollars) and to take any other actions relative to this project determined to be in the best interest of the City.

Authorization

Sponsored by Councilors:

David A. Witham
Martin P. Dumont, Sr.
Jonathan McCallion
Martin Pepin
Richard Michaud

Approved:

City Attorney

City of Somersworth – Resolution 28-19

History

First Read Date:	1/7/2019	Tabled:	
Public Hearing:	01/22/2019	Removed From Table:	
Second Read:	01/22/2019		

Action

Councilor _____ moved for adoption, seconded by Councilor _____.

Discussion

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	McCallion		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham *		
At Large Councilor	Sprague		
At Large Councilor	Cameron		
At Large Councilor	Levasseur		
TOTAL VOTES:			
On / / . Resolution 28-19		PASSED	FAILED



City of Somersworth – Ordinance

Ordinance No: 12-19

TO AMEND CHAPTER 6, CITY OFFICIALS, SECTION 6.9, VETERANS' PROPERTY TAX EXEMPTION

January 22, 2019

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

Amend Chapter 6, City Officials, Section 6.9, by deleting section 6.9.2 and adding the following:

Section 6.9.2 Service Connected Total Disability. The City adopts the provisions of RSA 72:35, for an optional property tax credit on residential property for a service connected total disability. The service connected total disability tax credit shall be \$2,000.

Section 6.9.3 Surviving Spouse. The City adopts the provisions of RSA 72:29A, for an optional property tax credit for surviving spouses. The surviving spouse tax credit shall be \$2,000.

Further amend Chapter 6 by renumbering as follows:

Section 6.9.4 Exemption for the Blind

Section 6.9.5 Solar Exemption

This Ordinance shall take effect upon its passage.

Authorization

Sponsored by Councilors:

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

Approved:

City Attorney

City of Somersworth – Ordinance 12-19

History			
First Read Date:	01/22/2019	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			
Discussion			

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	McCallion		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham *		
At Large Councilor	Sprague		
At Large Councilor	Cameron		
At Large Councilor	Levasseur		
TOTAL VOTES:			
On / /		Ordinance 12-19 PASSED	



City of Somersworth – Resolution

Resolution No: 29-19

TO AUTHORIZE THE CITY MANAGER TO SOLICIT PROPOSALS FROM QUALIFIED CONSULTANTS TO PREPARE A CONCEPTUAL DESIGN FOR A NEW SOMERSWORTH FIRE STATION

January 22, 2019

WHEREAS, the City Council adopted Resolution No. 39-14 to authorize a comprehensive study to examine the need for the construction of a new fire station, and

WHEREAS, the conclusion of this comprehensive study determined that there is a need to construct a new fire station to meet the future demands of the City, and

WHEREAS, a conceptual design should be prepared to determine if a Fire Station designed to meet the demands of the community now and in the future can be properly situated at the site of the current Fire Station,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to solicit proposals from qualified consultants to prepare a conceptual design for a new Somersworth Fire Station, and to take any other actions relative to this project determined to be in the best interest of the City.

Authorization

Sponsored by Councilor:

David A. Witham
Martin Pepin
Martin P. Dumont, Sr.
Edward Levasseur
Nancie Cameron

Approved:

City Attorney

City of Somersworth – Resolution 29-19

History

First Read Date:	01/22/2019	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Action

Councilor _____ moved for adoption, seconded by Councilor _____.

Discussion

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	McCallion		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham *		
At Large Councilor	Sprague		
At Large Councilor	Cameron		
At Large Councilor	Levasseur		
TOTAL VOTES:			
On / / . Resolution 29-19		PASSED	FAILED



City of Somersworth – Resolution

Resolution No: 30-19

TO AUTHORIZE THE CITY MANAGER TO EXECUTE AN INTERMUNICIPAL AGREEMENT WITH THE CITY OF DOVER, NH FOR THE DEVELOPMENT OF A WATER SYSTEM EMERGENCY INTERCONNECTION BETWEEN DOVER AND SOMERSWORTH

January 22, 2019

WHEREAS, the City Council adopted Resolution 10-18 to authorize the City Manager to continue the City's support in furthering the possibility of an intermunicipal agreement with the City of Dover for the development of a water system emergency interconnection, and

WHEREAS, the City Manager and City staff have worked with staff from the City of Dover to draft an intermunicipal agreement that determines the final design, operational responsibilities, cost sharing responsibilities, and all other necessary details for the development and operation of an interconnection facility that meets the best interest of both communities,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute an intermunicipal agreement with the City of Dover, NH for the development of a water system emergency interconnection between Dover and Somersworth, and to take any other action relative to this project determined to be in the best interest of the City.

Authorization

Sponsored by Councilor:

Dale R. Sprague
David A. Witham
Nancie Cameron
Martin Pepin

Approved:

City Attorney

City of Somersworth – Resolution 30-19

History			
First Read Date:	01/22/2019	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Action
 Councilor _____ moved for adoption, seconded by Councilor _____.

Discussion

Voting Record		YES	NO
Ward 1 Councilor	Pepin		
Ward 2 Councilor	Vincent		
Ward 3 Councilor	Dumont		
Ward 4 Councilor	McCallion		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Sprague *		
At Large Councilor	Cameron		
At Large Councilor	Levasseur		
TOTAL VOTES:			
On / / . Resolution 30-19		PASSED	FAILED