

City of Somersworth
City Council Meeting Agenda
City Council Chambers
Monday July 10, 2023
7:00 p.m.

1. Roll Call of Members
2. Pledge of Allegiance
3. Recognition of Indigenous People – Our Native Ancestral Americans
 - This meeting takes place on N'Dakinna (n-DA-ki-na), which is the unceded traditional ancestral homeland of the Abenaki (a-BEN-a-ki), Pennacook and Wabanaki Peoples past and present. We acknowledge and honor with gratitude the land, waterways, living beings and the Aln8bak (Al-nuh-bak), the people who have stewarded N'dakinna throughout the generations.
4. Public Hearing
 - A. **Ordinance 24-23** – To Amend Chapter 29, Administrative Code, Section 29.8.5, Disposal of City Property
 - B. **Resolution 52-23** – To Authorize the City Manager to Sign an Application for a Community Development Block Grant (CDBG) to Upgrade the Parking Lot, Install Air Conditioning, New Windows, New Playgrounds, Upgrade Classrooms, and Make Certain Building Structure Improvements at the Somersworth Early Learning Center
5. Comments by Visitors
6. Consent Calendar
 - A. Approve Minutes of the City Council Nonpublic Session held on June 20, 2023
 - B. Approve Minutes of the City Council Meeting held on June 20, 2023
7. Comments by City Councilors
8. Communications
9. Presentations of Petitions and Disposal Thereof by Reference or Otherwise
10. Mayor's Report
11. Report of Standing Committees
12. Report of Special Committees, City Officers and City Manager

13. Nominations, Appointments and Election

Nominations Requiring a Council Vote:

- A. Doug Haberman, for appointment as an alternate member to the Planning Board with a term to expire June 2026

14. Lay on the Table

15. Unfinished Business

ORDINANCES

- A. **Ordinance 24-23** – To Amend Chapter 29, Administrative Code, Section 29.8.5, Disposal of City Property

RESOLUTIONS

- A. **Resolution 52-23** – To Authorize the City Manager to Sign an Application for a Community Development Block Grant (CDBG) to Upgrade the Parking Lot, Install Air Conditioning, New Windows, New Playgrounds, Upgrade Classrooms, and Make Certain Building Structure Improvements at the Somersworth Early Learning Center
- B. **Resolution 54-23** – To Authorize the City Manager to Enter into a Purchase and Sales Agreement with Chinburg Builders to Sell the Former National Guard Readiness Center Located on Blackwater Road

16. New Business

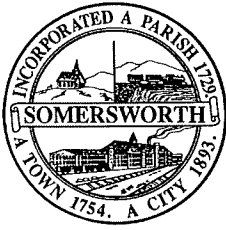
RESOLUTIONS

- A. **Resolution 1-24** – To Authorize the City Manager to Amend the Contract with GMI Asphalt, Inc. of Belmont, NH for Fiscal Year 2023 Sidewalk Repair and Reconstruction Project
- B. **Resolution 2-24** – To Authorize the City Manager to Execute the Joint Powers Agreement of The Community Power Coalition of New Hampshire and to Form an Electric Aggregation Committee Known as The Somersworth Community Power Committee
- C. **Resolution 3-24** – To Authorize the City Manager to Negotiate a Lease Extension with Hideout Golf Inc. to Operate and Maintain an 18-hole Public Golf Course at The Oaks Golf Course in Somersworth, New Hampshire

OTHER

- A. Vote to Host a New Hampshire School Funding Fairness Project Event
- B. Vote to Approve a City Historic Marker Program as recommended by the Mayor's Commission on Culture, Ethnicity and the Arts and the Finance Committee

17. Comments by Visitors
18. Closing Comments by Council Members
19. Future Agenda Items
20. Nonpublic Session (as necessary, pending roll call vote by Council)
21. Adjournment



City of Somersworth – Ordinance

Ordinance No: 24-23

TO AMEND CHAPTER 29, ADMINISTRATIVE CODE, SECTION 29.8.5, DISPOSAL OF CITY PROPERTY

June 20, 2023

THE CITY OF SOMERSWORTH ORDAINS THAT the Ordinances of the City of Somersworth, as amended, be further amended as follows:

Amend Chapter 29, Administrative Code, by deleting Section 29.8. 5. Disposal of City Property in its entirety and replace it with the following:

29.8.5 Disposal of City Property

Where an item is surplus to the needs of a department, it shall be made available to other departments in the City for their use. Transfer of equipment between departments shall be recorded in the general Fixed Assets Group of Accounts (if applicable).

Property Valued at Less than \$5,000 other than Real Estate

Upon request of the proper department head, the City Manager may authorize the sale of any surplus municipal supplies, materials and equipment valued at less than \$5,000 and no longer required by any City Department. The method of disposal may include sealed bid, auction, trade-in, or any other method deemed appropriate to include worldwide auction sites such as EBay and/or other available mediums.

Property Valued at \$5,000 or More and Real Estate

No municipal supplies, materials and equipment valued at \$5,000 or more and no real estate whatsoever shall be offered for sale unless and until the City Council so orders. Any such sale authorized by the City Council may be conducted by competitive bidding, public auction, or any other means authorized by the City Council. The City may reject any and all bids or auction offers.

This Ordinance shall take effect upon its passage.

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Don Austin Matt Gerding Robert Gibson	<i>Approved:</i> City Attorney

City of Somersworth – Ordinance 24-23

History

First Read Date:	6/20/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

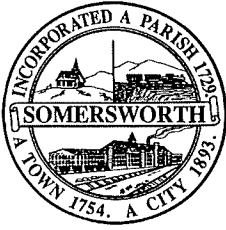
6/20/2023

Councilor Witham moves that Council Rules be suspended to allow for Ordinance 24-23 be read by title only. The motion passed 9-0 by voice vote.

Deputy Clerk Ramsey performed a first reading of Ordinance 24-23 by title only.

Ordinance 24-23 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	Gibson		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
TOTAL VOTES:			
On	Ordinance 24-23	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **52-23**

TO AUTHORIZE THE CITY MANAGER TO SIGN AN APPLICATION FOR A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) TO UPGRADE THE PARKING LOT, INSTALL AIR CONDITIONING, NEW WINDOWS, NEW PLAYGROUNDS, UPGRADE CLASSROOMS, AND MAKE CERTAIN BUILDING STRUCTURE IMPROVEMENTS AT THE SOMERSWORTH EARLY LEARNING CENTER

June 20, 2023

WHEREAS, a public hearing will be held on July 10, 2023,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Council authorizes the City Manager to sign an application for a CDBG grant to upgrade the parking lot, install air conditioning, new windows, new playgrounds, upgrade classrooms, and make certain building structure improvements at the Somersworth Early Learning Center. The estimated cost of the improvements is up to \$500,000 (Five Hundred Thousand dollars) and the City Council authorizes the following:

1. Authorizes the Granite YMCA to continue as the Authorized Agent of the City of Somersworth in all matters relating to Community Development for this project until it is completed.
2. Authorizes the City Manager to enter into a contract with the Strafford Regional Planning Commission for the administration and supervision of this project until it is completed.
3. Authorizes the City Manager to execute any and all other documents with the State of New Hampshire, Community Development Finance Authority (CDFA), which will be necessary to effectuate the purposes of this Resolution, and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Council hereby adopts the 2023 Housing and Community Development Plan and the 2023 Somersworth Residential Anti-Displacement and Relocation Assistance Plan.

Authorization

Sponsored by Councilors:

David A. Witham
Don Austin
Matt Gerding
Robert Gibson

Approved:

City Attorney

City of Somersworth – Resolution 52-23

History

First Read Date:	6/20/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

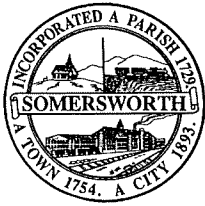
Discussion

6/20/2023

Deputy Clerk Ramsey performed a first reading of Resolution 52-23.

Resolution 52-23 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	Gibson		
Ward 4 Councilor	Austin		
Ward 5 Councilor	Michaud		
At Large Councilor	Witham		
At Large Councilor	Gerding		
At Large Councilor	Cameron		
At Large Councilor	Messier		
TOTAL VOTES:			
On	Resolution 52-23	PASSED	FAILED



City of Somersworth – Resolution

Resolution No: **54-23**

TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PURCHASE AND SALES AGREEMENT WITH CHINBURG BUILDERS TO SELL THE FORMER NATIONAL GUARD READINESS CENTER LOCATED ON BLACKWATER ROAD

June 20, 2023

WHEREAS, the City Council voted on January 30, 2023 to issue a Request for Proposals (RFP) for the acquisition and redevelopment of the former National Guard Readiness Center located on Blackwater Road; and

WHEREAS, the City Council adopted Resolution 30-23 on February 21, 2023 to provide guidance to qualified developers in submitting proposals for reuse of the National Guard Readiness Center on Blackwater Road; and

WHEREAS, City Staff developed and issued an RFP utilizing the guidance provided in Resolution 30-23 requesting proposals to be submitted on May 26, 2023; and

WHEREAS, the City received one proposal from Chinburg Builders to purchase the property for \$200,000 (Two Hundred Thousand dollars), selecting Option B, whereby the existing baseball field and related infrastructure will remain in its current location; and

WHEREAS, the proposal also contains the following conditions that will require City support and/or action:

- To rezone the site to allow for the construction of four-story multifamily buildings with accessory commercial uses
- Tax relief under Chapter 31 – Community Revitalization Tax Relief Incentive
- City support in applying for demolition grant funds made available through InvestNH for housing projects; and

WHEREAS, the Economic Development Committee reviewed the offer received and supports entering into a purchase and sales agreement to sell the property to Chinburg Builders for \$200,000 (Two Hundred Thousand dollars) with the aforementioned conditions;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to enter into a purchase and sales agreement with Chinburg Builders to sell the former National Guard Readiness Center on Blackwater Road for \$200,000 (Two Hundred Thousand dollars), and to take any other actions determined to be in the best interest of the City to sell this property.

Authorization

Sponsored by Councilors:

Donald Austin
Robert Gibson
Matt Gerding
Richard Michaud

Approved:

City Attorney

City of Somersworth – Resolution 54-23

History

First Read Date:	6/20/2023	Tabled:	
Public Hearing:		Removed From Table:	
Second Read:			

Discussion

6/20/2023

Deputy Clerk Ramsey performed a first reading of Resolution 54-23.

Councilor Gerding made a motion to suspend Council Rules to allow for a second reading of Resolution 54-23. The motion was seconded by Councilor Cameron.

Point of Order called by Councilor Vincent. Councilor Vincent inquired about discussion on suspending Council Rules.

Discussion:

Councilor Vincent feels that it would be good to wait so the public can come in and give their opinion. City Manager Belmore mentioned that he has requested a representative to come to the meeting to answer any questions that may arise.

Councilor Witham feels that this is different from the former Police Station property because of the rezoning and because this building is in a residential area. Councilor Witham stated that waiting will give the residents an opportunity to have input.

Councilor Gerding stated that he was unaware of Chinburg attending the next meeting and withdrawals his motion. Councilor Cameron withdrew her second as well.

Resolution 54-23 will remain in first reading until the call of the Chair.



City of Somersworth – Resolution

Resolution No: **1-24**

TO AUTHORIZE THE CITY MANAGER TO AMEND THE CONTRACT WITH GMI ASPHALT, INC. OF BELMONT, NEW HAMPSHIRE FOR FISCAL YEAR 2023 SIDEWALK REPAIR AND RECONSTRUCTION PROJECT

July 10, 2023

WHEREAS, the City Council adopted Resolution 35-23 on March 6, 2023, authorizing the City Manager to contract with GMI Asphalt, Inc. for Fiscal Year 2023 sidewalk repair and reconstruction; and

WHEREAS, the City Council authorized a total contract amount not to exceed \$140,000 (One Hundred Forty Thousand dollars); and

WHEREAS, project conditions such as the amount of asphalt needed at certain transitions to keep the sidewalks ADA compatible, and the amount of seed and loam used to finish disturbed areas caused the total contract to exceed \$140,000 (One Hundred Forty Thousand dollars) to a final project cost of \$158,587 (One Hundred Fifty-Eight Thousand Five Hundred Eighty-Seven dollars); and

WHEREAS, the Public Works and Environment Committee met with City Staff and recommends amending the contract with GMI Asphalt, Inc. for the additional project costs; and

WHEREAS, the Finance Committee met with City Staff and recommends amending the contract with GMI Asphalt, Inc. for the additional project costs;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to amend the contract with GMI Asphalt, Inc. of Belmont, New Hampshire for Fiscal Year 2023 sidewalk repair and reconstruction to an amount not to exceed \$158,587 (One Hundred Fifty-Eight Thousand Five Hundred Eighty-Seven dollars).

Authorization	
<i>Sponsored by Councilors:</i> David A. Witham Denis Messier Donald Austin Martin Pepin Richard Michaud Robert Gibson Kenneth S. Vincent	<i>Approved:</i> City Attorney



City of Somersworth – Resolution

Resolution No: 2-24

TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE JOINT POWERS AGREEMENT OF THE COMMUNITY POWER COALITION OF NEW HAMPSHIRE AND TO FORM AN ELECTRIC AGGREGATION COMMITTEE KNOWN AS THE SOMERSWORTH COMMUNITY POWER COMMITTEE

July 10, 2023

WHEREAS, the Community Power Coalition of New Hampshire (CPCNH) was created as a separate entity in accordance with New Hampshire RSA 53-A in order to jointly support the implementation and operation of Community Power Aggregations and related energy programs and to offer membership on the same mutually-advantageous terms to all municipalities and counties throughout the State of New Hampshire; and

WHEREAS, the CPCNH has currently grown to approximately 33 member Cities and Towns throughout the State of New Hampshire; and

WHEREAS, the City of Somersworth would like to join the CPCNH in order to provide the residents and businesses of the City the opportunity to access a competitive electric power supplier utilizing the benefits of community power aggregation; and

WHEREAS, an electric aggregation committee, named the Somersworth Community Power Committee, is required to be created in order to implement a community power aggregation plan for the City of Somersworth; and

WHEREAS, the City shall establish the Somersworth Community Power Committee consisting of Five (5) members, said membership established as follows:

Two (2) City Councilors appointed by the Mayor
One (1) Planning Board member appointed by the Planning Board Chair
One (1) Somersworth Business Owner appointed by the Mayor
One (1) Somersworth Resident appointed by the Mayor,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to execute the Joint Powers Agreement of the Community Power Coalition of New Hampshire and to take any other actions necessary to become party to the Community Power Coalition of New Hampshire, and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT an electric aggregation committee, named the Somersworth Community Power Committee, shall be established.

Authorization

Sponsored by Councilors:

David A. Witham
Donald Austin
Robert Gibson
Richard Michaud

Approved:

City Attorney



City of Somersworth – Resolution

Resolution No: 3-24

TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE A LEASE EXTENSION WITH HIDEOUT GOLF, INC. TO OPERATE AND MAINTAIN AN 18-HOLE PUBLIC GOLF COURSE KNOWN AS THE OAKS GOLF COURSE IN SOMERSWORTH, NEW HAMPSHIRE

July 10, 2023

WHEREAS, the City of Somersworth and Hideout Golf, Inc. entered into a 38-year lease agreement on September 26, 2002, for Hideout Golf, Inc. to construct, operate, and maintain an 18-hole public golf course, known as The Oaks, on City owned property; and

WHEREAS, Hideout Golf, Inc. has approached the City with a proposal to make a number of capital improvements to the property to include new irrigation construction, bunker and cart path construction, and redesign of several holes; and

WHEREAS, to realize the full value and benefits of these capital improvements Hideout Golf, Inc. is proposing to extend the lease term and make any other lease amendments, that may be in order, to benefit both parties; and

WHEREAS, the proposal was presented to the Public Works and Environment Committee and they support the consideration of extending the lease agreement; and

WHEREAS, the proposal was presented to the Finance Committee and they support the consideration of extending the lease agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to negotiate a lease extension with Hideout Gold, Inc. for the operation and maintenance of an 18-hole golf course on City owned property, and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the negotiated lease extension shall be presented to the Somersworth City Council for review and final approval.

Authorization

Sponsored by Councilors:

David A. Witham
Denis Messier
Donald Austin
Martin Pepin
Richard Michaud
Robert Gibson
Kenneth S. Vincent

Approved:

City Attorney