

CITY COUNCIL MEETING – Monday, July 20, 2020

Public Hearing

Mayor Grenier opened the Public Hearing at 7:55 pm for Resolution 2020-15 Airport CARES Grant \$30,000.

Richard Laflamme of 128 Jasper Street spoke against it and stated that Berlin has no use for a municipal airport. Laflamme commented that people wanted to purchase property there and the City neglected to follow through, and that money was spent on jet fuel tanks.

Mayor Grenier closed the Public Hearing at 7:57 pm.

Mayor Grenier opened the Public Hearing at 7:57 pm for Resolution 2020-16 Construction Loan Financing.

Richard Laflamme of 128 Jasper Street spoke against it and stated that Berlin has no use for heated sidewalks as businesses are leaving the downtown and the streets are in disrepair with potholes.

Mayor Grenier advised Mr. Laflamme that the Construction Loan was partly for street repair.

Mr. Laflamme commented that the dump trucks using Hutchins Street should be paying as they are destroying it.

Mayor Grenier closed the Public Hearing at 8:00 pm.

Regular Meeting

Mayor Grenier called the Regular City Council Meeting to order at approximately 8:50 p.m. via Zoom, pursuant to Executive Order 2020-04, Section 8 and Emergency Order #12, Section 3.

a. Pledge of Allegiance

b. Roll Call

Present: Mayor Grenier, Councilors Remillard, Otis, Morgan, Eastman, Higbee, Rozek, and Theberge

Absent: Councilor Berthiaume

Also present: James Wheeler, Pamela Laflamme, Shelli Fortin, James Watkins, Jamie Welch, Christy Galloway, Richard Laflamme, and Barbara Tetreault, Berlin Daily Sun.

c. Councilor Remillard moved, with a second by Councilor Otis, to accept the minutes of the July 6, 2020 Regular Meeting and Work Session, and the July 8, 2020 Special Meeting. So moved, the motion carried by roll call vote. Higbee- yes, Rozek – yes, Theberge – yes, Remillard – yes, Otis – yes, Morgan – yes, Eastman – yes, Grenier - yes

Disbursements:

Disbursement Summary Draft #1867 start date 07/01/2020 end date 07/16/2020 for a total cash disbursement of \$2,551,354.98. Councilor Theberge moved with a second by Councilor Morgan to accept the disbursement summary and pay all bills as recommended by the Committee on Accounts/Claims. So moved, the motion carried by roll call vote. Higbee- yes, Rozek – yes, Theberge – yes, Remillard – yes, Otis – yes, Morgan – yes, Eastman – yes, Grenier - yes

PUBLIC COMMENTS

Christy Galloway of 431 Willard Street commented that we are now at the highest risk since the beginning of the pandemic. Galloway urged the City Council to send out public service announcements encouraging citizens to stay safe and vigilant. City Manager Wheeler advised that we do have our Facebook page, website, and use the newspaper. Mr. Wheeler noted that some will not comply regardless of the information provided by the City, but that they can certainly try to get information out.

Richard Laflamme of 128 Jasper Street commented that he sent a letter to City Manager Wheeler some time ago about a report of child pornography at City Hall. Mr. Laflamme stated that he has called his congressman and

senator about the issue, so that it will be investigated and will report back. Mayor Grenier advised Mr. Laflamme that this is an active police investigation and until it is complete there will be no comment. Mr. Laflamme commented that the meetings should be held in the City Hall Auditorium for social distancing instead of on Zoom.

UNFINISHED BUSINESS

1. Council Committee Reports

There were no Council Committee Reports.

2. Resolution 2020-15 Airport CARES Grant \$30,000 (tabled 7/6/2020)

In the Year of Our Lord Two Thousand Twenty

A RESOLUTION appropriating Thirty Thousand Dollars (\$30,000.00) of CARES Act funding to the Berlin Regional Airport.

Resolved by the City Council of the City of Berlin as Follows:

Whereas, the State of NH has made a Grant Offer of \$30,000.00 to the City of Berlin/Berlin Airport Authority; and

Whereas, the City Council, at their May 11, 2020 Work Session, voted to accept and expend CARES Act funding; and

Whereas, funding can be used to maintain safe and efficient airport operations at the Berlin Regional Airport.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berlin, NH that upon award, Thirty Thousand Dollars (\$30,000.00) of CARES Act funding is hereby appropriated to the Berlin Regional Airport.

Be it further resolved that the City of Berlin/Berlin Airport Authority accept the terms of the grant and that the City Manager is authorized to do all things necessary to effectuate the grant.

This resolution shall be in full force and effect from and after passage.

Councilor Higbee moved, with a second by Councilor Remillard, to remove this item from the table. So moved, the motion carried by roll call vote. Higbee- yes, Rozek – yes, Theberge – yes, Remillard – yes, Otis – yes, Eastman – yes, Morgan – yes, Grenier – yes

Councilor Higbee moved, with a second by Councilor Remillard, to read Resolution 2020-15 by short title for a second time. So moved, the motion carried by roll call vote. Higbee- yes, Rozek – yes, Theberge – yes, Remillard – yes, Otis – yes, Morgan – yes, Eastman – yes, Grenier - yes

Councilor Higbee moved, with a second by Councilor Remillard, to read Resolution 2020-15 by short title for a third time. So moved, the motion carried by roll call vote. Higbee- yes, Rozek – yes, Theberge – yes, Remillard – yes, Otis – yes, Morgan – yes, Eastman – yes, Grenier - yes

Councilor Higbee moved, with a second by Councilor Remillard that Resolution 2020-15 be passed. So moved, the motion passed by roll call vote. Higbee- yes, Rozek – yes, Theberge – yes, Remillard – yes, Otis – yes, Morgan – yes, Eastman – yes, Grenier – yes

3. Resolution 2020-16 Construction Loan Financing (tabled 7/6/2020)

In the Year of Our Lord Two Thousand Twenty

A RESOLUTION authorizing: the borrowing of funds in the amount of One Million, One Hundred Thousand Dollars and No Cents (\$1,100,000.00) in order to fund Fire Station Improvements and Street Improvements, with such funds to be issued through the City's banking institution and such funds to be financed for a maximum period of ten years.

Resolved by the City Council of the City of Berlin as Follows:

WHEREAS, the Mayor and City Council of Berlin desire to fund important capital improvement work including structural improvements, roofing replacements, window replacements and other miscellaneous facility work at the Fire Station; and

WHEREAS, the Mayor and City Council of Berlin also desire to fund important capital improvement work on Hutchins Street from the intersection with East Mason Street to the new construction near the intersection with Napert Street and other miscellaneous street improvements.

NOW THEREFORE BE IT RESOLVED that the Mayor and City Council hereby authorize and approve the borrowing of funds in the amount of One Million, One Hundred Thousand Dollars and No Cents (\$1,100,000.00) in order to fund Fire Station Improvements and Street Improvements.

Be it further resolved that the City Manager, Finance Director and Treasurer are hereby authorized to execute and deliver the Loan Agreement and any and all documents or to take any other actions necessary to effectuate this Resolution;

This Resolution shall be in full force and effect from and after passage.

Councilor Remillard moved, with a second by Councilor Morgan, to remove this item from the table. So moved, the motion carried by roll call vote. Higbee- yes, Rozek – yes, Theberge – yes, Remillard – yes, Otis – yes, Morgan – yes, Eastman – yes, Grenier – yes

Councilor Remillard moved, with a second by Councilor Morgan, to amend Resolution 2020-16 to read from the intersection of East Mason Street, instead of Community Street. So moved, the motion carried by roll call vote. Higbee- yes, Rozek – yes, Theberge – yes, Remillard – yes, Otis – yes, Morgan – yes, Eastman – yes, Grenier – yes

Councilor Remillard moved, with a second by Councilor Higbee, to read Resolution 2020-16 as amended by short title for a second time. So moved, the motion carried by roll call vote. Higbee- yes, Rozek – yes, Theberge – yes, Remillard – yes, Otis – yes, Morgan – yes, Eastman – yes, Grenier - yes

Councilor Remillard moved, with a second by Councilor Morgan, to read Resolution 2020-16 as amended by short title for a third time. So moved, the motion carried by roll call vote. Higbee- yes, Rozek – yes, Theberge – yes, Remillard – yes, Otis – yes, Morgan – yes, Eastman – yes, Grenier - yes

Councilor Remillard moved, with a second by Councilor Morgan that Resolution 2020-16 as amended be passed. So moved, the motion passed by roll call vote. Higbee- yes, Rozek – yes, Theberge – yes, Remillard – yes, Otis – yes, Morgan – yes, Eastman – yes, Grenier – yes

NEW BUSINESS

4. City Manager's Report

1. Staff from Corcoran Consulting Associates have been reviewing all City properties from the street during the last two weeks of June and the first two weeks of July. Staff will have clearly marked vehicles with "Assessor's Office" signs and personnel will have introduction letters from the City Manager and car information on file with the Berlin Police Department. Corcoran Associates is scheduled to give the Board of Assessors a status update on their work on the statistical revaluation on Wednesday of this week.

2. There is a fantastic group of volunteers from the Berlin Main Street Program, Androscoggin Valley Chamber of Commerce, Granite United Way and White Mountain Rotary Club of Berlin and Gorham who are working on sprucing up the Downtown, Heritage Park, and City Parks. Many, many thanks to these wonderful community minded people.
3. After the last meeting on July 13th, as requested, businesses were sent a letter encouraging the use of face masks. A copy of the letter is attached.
4. Attached is Central Rivers Power notification of drawdown of the Smith Hydro headworks from September 14, 2020 to September 25, 2020.
5. Attached is a letter from Atty. Eric Maher of DTC providing an update on their effort to develop Comprehensive Public Right of Way Regulations for multiple communities including Berlin.
6. Attached is a communication from Eversource notifying us of their Transmission Line Inspections using drones.
7. Police statistics as reported to the Police Commission at the July meeting are attached.
8. BEMS statistics are attached.

5. Mayor's Report

- a. Letter from Kathy and John Trumbull re: Speeding on First Avenue

Mr Wheeler,

Today on First Avenue we witnessed yet another of many speeding cars going by at more than 60 mph. We were out at the end of our driveway with our two dogs, and just a few seconds before the vehicle sped past, my neighbor had picked up her very young child in the street who had fallen on her bicycle, we surmise, screaming and crying, not 20 seconds apart. I called Berlin Police and spoke with Sgt. Gendron, explaining the situation. What will it take to get this problem addressed?

You may recall that we forwarded this concern to the City Council last summer. I invite you to review the resulting action taken to resolve this serious issue. It was months of waiting for the "Safety Committee" to meet and send us a letter stating merely that they denied our request to put speed limit signs up! I'm not sure why their scope was so limited, but it was certainly disappointing to receive that letter.

I would like this addressed at the next meeting and not referred to a committee that will do nothing this time. Please advise if you require further information.

Sincerely,

Kathy and John Trumbull
603.631.5983

Councilor Rozek advised that the Traffic Safety Committee did meet on this issue and although they do feel sorrow for the Trumbull's, the committee agreed that signage would have a minimal impact. This was discussed at great length with the Police Department and Public Works Director. It was suggested that the police patrol the area more often and set up the radar cart, which will help to slow traffic down. It was also mentioned that when the construction is done on Western Avenue, less cars will be detouring onto First Avenue. City Manager Wheeler advised that the letter was shared with the Police Chief.

Councilor Rozek moved, with a second by Councilor Higbee, to remand the letter from Kathy and John Trumbull concerning speeding on First Avenue to the Police Commission and Police Chief for further action. So moved, the motion carried by roll call vote. Higbee- yes, Rozek – yes, Theberge – yes, Remillard – yes, Otis – yes, Morgan – yes, Eastman – yes, Grenier – yes

6. PUBLIC COMMENTS

There were no Public Comments.

7. Council Comments

There were no Council Comments.

Non-Public Session

On a motion by Councilor Higbee, seconded by Councilor Morgan, the Council voted to enter non-public session at 8:31 pm per RSA 91-A:3 II (d) consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community (e) Consideration or negotiation of pending claims (l) Consideration of legal advice provided by legal counsel. So moved, the motion carried unanimously by roll call vote. Higbee- yes, Rozek – yes, Theberge – yes, Remillard – yes, Otis – yes, Morgan – yes, Eastman – yes, Grenier – yes

The Council discussed land matters.

On a motion by Councilor Rozek, seconded by Councilor Higbee, the Council voted to leave non-public session at 8:58 pm. So moved, the motion carried unanimously by roll call vote. Higbee- yes, Rozek – yes, Theberge – yes, Remillard – yes, Otis – yes, Morgan – yes, Eastman – yes, Grenier – yes

On a motion by Councilor Higbee, seconded by Councilor Morgan, the Council voted to seal the minutes of the non-public session indefinitely. So moved, the motion carried unanimously by roll call vote. Higbee- yes, Rozek – yes, Theberge – yes, Remillard – yes, Otis – yes, Morgan – yes, Eastman – yes, Grenier – yes

8. Adjournment

On a motion by Councilor Rozek, seconded by Councilor Morgan, the Council voted to adjourn the meeting at 9:00 pm. So moved, the motion carried unanimously by roll call vote. Higbee- yes, Rozek – yes, Theberge – yes, Remillard – yes, Otis – yes, Morgan - yes, Eastman – yes, Grenier – yes

A True Record, Attest:

Shelli Fortin
City Clerk

Note: Minutes are unofficial until they have been accepted by the Council by motion.