

**City Council Work Session**  
**September 6, 2016**

Present were: Mayor Grenier, Councilors Otis, Remillard, Gentili, Morgan Allain, Higbee, Rozek, Nelson and Theberge.

Also present were City Manager James Wheeler, Attorney Tom McCue, Police Chief Pete Morency, Assistant Chief Dan Buteau, Public Works Director Michael Perreault, Finance Director Patty Chase, and Barbara Tetreault, *Berlin Daily Sun*

Mayor Grenier opened the meeting at 6:35 p.m.

**Legislative Policy**

Councilor Rozek moved to appoint Tom McCue as the voting delegate to the Legislative Policy Conference on September 23, 2016. So moved, the motion carried.

Mr. Wheeler stated that he reviewed the policies and he did not see any occurrences where the City should oppose the NHMA position. He stated that the City has expressed support for changing RSA 83-F which would prevent utility values determined by the DRA from being used by the utility taxpayer in any application for abatement. The City has always opposed the Pollution Control Exemption as well.

Mr. McCue mentioned a floor proposal submitted by Portsmouth that would add a surcharge to the rooms and meals tax for the purpose of paying for impacts of tourism. That would be interesting for Berlin because much of the rooms and meals are in Gorham. He added that a community looking to attract a hotel should not be the community that supports a local hotel tax.

Mr. McCue also noted that Portsmouth is concerned about the use of accessory dwellings being used as short term rentals and they have proposed a policy that accessory dwellings cannot be used short term. Mayor Grenier indicated his support for prohibiting the Income Approach on Appeal which would prevent the use of the income approach of assessing on tax appeals if the requested information has not been submitted by the taxpayer. Mayor Grenier added that the BTLA is not the right venue to hear industrial appeals; they were meant for property taxes and small business. Mr. McCue added that not every community has as much involvement as Berlin because there is not industry in every town.

Mayor Grenier asked for questions and there were none. He thanked Mr. McCue and said that he appreciates the job done for the city and that the City is well represented.

Councilor Rozek moved to accept the NHMA action policy recommendations; Councilor Morgan Allain seconded and the motion carried.

**Communication re: Sixth Avenue Property**

Mr. Wheeler referred to a communication from Denise and Gary Roy regarding the condition of a property at 811 Sixth Avenue. This was the second complaint received about the property. Michel Salek spoke with the property owner and went to the next step and submitted a letter to the property owner. The letter states that further action will be taken if the problems are not addressed.

Mayor Grenier mentioned two other properties that he receives complaints about regularly: 35 Western Avenue and 1519 Main Street. He said that if attempts to work with the property lessor/owner come to no avail, strong enforcement is necessary. He suggested coming up with a change in the law to further deal with properties that have junk all over. He added that once a cohesive strategy going forward is developed, there are more properties that could be dealt with.

**Carry Over of Police Dept Funds**

Pete Morency stated that he is excited about growth in the North Country and the upcoming ATV event. In cooperation with multiple State, County and Local agencies, every effort is being made to make sure Camp RZR is a safe event. There will be a medical tent in place so that we are not over burdening the hospitals. The County was approached and agreed to fund communications for the event.

Chief Morency reported that the PD returned funds to the City at year end and he proposed that \$20,000 be set up as a contingency fund to make sure the community is being taken care of during the event. If the funds are not spent, they will be returned to the city. Chief Morency added that he fully expects to explain what is spent.

Councilor Nelson acknowledged that we don't know what to expect and the PD could need extra staffing. Councilor Remillard stated that safety is the priority. Mayor Grenier indicated that next year this event will be scheduled so any needs will be made through the budget process. The resolution will require a 2/3 majority and public hearing. There was no opposition from Council members and the final resolution will be voted on September 19.

#### **Electronic Message Signs**

Mr. Wheeler indicated that Ms. Laflamme will come to the meeting on the 19<sup>th</sup> should there be questions on electronic message signs.~ Mayor Grenier asked why there is a need for the ordinance.~~ Why are we prohibiting a rotating sentence on the sign?

Councilor Remillard, the Council's representative on the Planning Board, stated that the ordinance would prevent signs from being over lit.~ There are controls in the sign that will light at certain times and dim as necessary.~ The sign could be set on strolling on a timer to allow it to be seen with less distraction.~ This would put the existing sign in compliance.~ If others want a sign it could be allowed by special exception.~

Councilor Rozek asked if we are creating a problem where none exists.~ As far as he knows the existing sign has not caused traffic accidents.~ Councilor Remillard said she had no problem putting the item off until the next meeting.

Councilor Rozek asked if there was a complaint brought forward by a citizen.~ Councilor Remillard stated that there are already signs established and there is no ordinance to regulate.~ Councilor Rozek commented that since there is only one business owner, could he be asked to attend the next meeting.~ Mayor Grenier stated that he would not support the ordinance as presented.

Councilor Nelson asked that this be explained in a work session adding that she doesn't care how long the sign scrolls. She is in favor of the signs being compliant; however she could not support the ordinance at this time.~ Councilor Remillard noted that Ms. Laflamme compares ordinances with other cities and towns before presenting.~

Councilor Rozek moved to remove Items 4 & 5 pertaining to electronic signage from the agenda; Councilor Nelson seconded and the motion was unanimously approved.

#### **Wright Pierce Contract**

Mr. Wheeler explained that the proposed contract is to continue with the next phase of Inflow & Infiltration ( I &I) work. The work would be designed for next year. Mr. Perreault added that most of the work is on the east side where we want to increase capacity. The contract amount is \$87,750 from the sewer fund. Councilor Higbee asked why this does not go to a selection process for engineering. Mr. Wheeler replied that so much work has been done already, it would not make sense to have another firm start from the beginning to work on this project.

Councilor Rozek moved with a second from Councilor Theberge to authorize the City Manager to sign a contract with Wright Pierce for \$87,750 to engineer the next phase of I & I work. So moved, the motion carried.

Councilor Rozek asked if I & I has been found to be a major issue. Mr. Wheeler reported that there has not been a (combined sewer overflow) CSO for over one year. We have found that the work already done has been effective at reducing I & I.

#### **Non-Public Session**

At 7:35 p.m. Councilor Rozek moved with a second from Councilor Morgan Allain to go into non meeting per RSA 91-A:2 I(b) Collective Bargaining.

There being no further business in the work session, the meeting was moved to the regular session.

Respectfully Submitted,  
Susan Tremblay  
Administrative Assistant

