

**City Council Work Session
November 15, 2021**

Present were: Mayor Grenier, Councilors Eastman, Remillard, Higbee, Berthiaume and Otis. Councilors Morgan, Theberge and Rozek were absent.

Others present: City Manager Jim Wheeler, Community Development Director Pam Laflamme, City Clerk Shelli Fortin, Finance Director Holly Larsen, Chief of Police Peter Morency, Waste Water Treatment and Collection System Superintendent Jon Goodreau, William Carroll, Berlin Daily Sun, Stuart Light, Karen Collins, Micah and Amber Bachner.

Mayor Grenier called the meeting to order at 6:31pm.

Mayor Grenier requested to enter in Non-Meeting per RSA 91-A:2, I. (c) Legal Consultation. Councilor Higbee moved with a second from Councilor Berthiaume to enter into Non-Meeting per RSA 91-A:2, I. (c) Legal Consultation. So, moved, the motion carried by roll call with majority in favor with one recusal from Councilor Eastman.

At 6:48pm, Mayor, Council and Staff came out of Non-Meeting.

Mayor Grenier requested to add an item to the work session agenda for the Consent Decree between the City of Berlin and the State of NH Department of Revenue Administration to resolve the ongoing BTLA/DRA case. Councilor Higbee moved to add, as a work session item, the Consent Decree between the City of Berlin and the State of NH Department of Revenue Administration with a second from Councilor Berthiaume. So, moved, the motion carried by roll call with majority in favor with one recusal from Councilor Eastman.

FY2022 Tax Rate

Mr. Wheeler presented a handout to Council which was produced from the NHDRA portal website. He explained the NHDRA portal gives the ability to apply fund balance in order to achieve a tax rate. The handout represents what he is suggesting as a tax rate and the amount of undesignated fund balance. He stated there is \$4,325,939 in fund balance and a good portion of this amount came back through the schools. He advised he applied \$3,000,000 to temper the tax rate which leaves \$1,325,939 in fund balance. This is 5.01% of the general operating expenditures which is at the minimum target that the DRA wants the City to uphold. The new tax rate suggested is \$36.54 which is a \$0.61 increase from last year's rate of \$35.93. He suggested not going any lower than that rate in order to maintain the 5% minimum. Councilor Eastman questioned in order to reduce the tax rate below \$36.54, it would need to be done on the budget side. Mr. Wheeler responded this is for the budget that has already been passed so the only way to reduce this rate at this point is using fund balance. Councilor Berthiaume moved to set the FY2022 tax rate at \$36.54 and authorize the City Manager to sign the tax warrant for issuance of tax bills, Councilor Otis seconded and the motion carried by roll call vote. Berthiaume – yes, Higbee – yes, Remillard – yes, Otis – yes, Eastman – no, Grenier – yes.

Wastewater Treatment Plant Position Request

Mr. Goodreau advised Council a couple months ago his assistant chief/chemist gave his notice of retirement. He reminded Council he had asked for permission to post and fill the position. He was able to fill the position by promoting an employee from within which created an open operator position. He asking for permission to post and fill this new open position. Councilor Berthiaume moved to allow the

Wastewater Treatment Plant Superintendent to post and fill the vacant position of Laborer/Wastewater Apprentice, Councilor Higbee seconded and the motion carried by all in favor.

Building and Land Sale Fall 2021

Ms. Laflamme advised she was ready to hear questions or comments from Council in regards to the list of properties she presented to Council at the last City Council Work Session. She commented there are eight multi-families, three single families from the summer sale and seven parcels of land. She stated she did speak with the Maple Street and Seventh Avenue property owners. She advised that both additional abutters to those properties are behind in taxes which, per the bid process, would disqualify them immediately. She stated if Council agrees, then we could proceed with the two interested parties. Councilor Berthiaume moved to allow the sale of Maple Street – Map128 Lot232 and Seventh Avenue - Map110 Lot153, Councilor Otis seconded and the motion carried by all in favor.

Ms. Laflamme suggested starting with the three single family properties that were left from the summer sale. This includes 293 Burgess Street, 827 Western Avenue and 212 Glen Avenue. She commented she will put them back out to bid if this is Council's wish. Councilor Berthiaume moved to put back out for re bid, with the same minimum bid amounts approved for the summer sale, the three single family homes that the City currently own, Councilor Otis seconded and the motion carried by all in favor.

Ms. Laflamme discussed the eight multi-family properties which include; 422 Champlain Street, 767 Second Avenue, 373 Champlain Street, 426 Burgess Street, 37-39 Cambridge Street, 96-98 Hillside Avenue, 609 Hillsboro Street, 615 & 611 Rockingham Street. Councilor Remillard commented she would like them to go out to bid to see what comes back, but would also like some kind of condition requiring the details of what they plan on doing with the properties. Ms. Laflamme stated she believes the bid documents do require a plan from the bidders. She also commented that the bid documents include a detailed list from code and fire of the things that need to be taken care of concerning building and life safety codes. Councilor Remillard questioned if the documents require verifying if the bidders have the financial ability to do these repairs. Ms. Laflamme commented this was not required in the past. Ms. Laflamme commented that they do require a security bond when doing demo projects so this might be a way to secure financial ability. Councilor Berthiaume commented she is good with the properties going out with the exception of 373 Champlain Street as she is questioning if that building is structurally sound, she commented there has been discussions about it, but nothing confirmed. Mayor Grenier asked if all those buildings were on the demo list at one time. Ms. Laflamme responded yes, they were all on the list at some point.

Councilor Remillard commented there are no funds available to tear these buildings down and would like to see if someone could do something with them. Mayor Grenier commented he is dead set against putting any multi-family building back up for bid. He stated the housing market in the southern part of the State is so hot that this will result in people moving north as they can't afford their rents in the southern part of the State. They will come to Berlin for a cheaper rent with no ties to the community. One building might generate about \$4,500-\$5,000 a year in taxes and one child who is coded in the school system could cost \$50,000-\$100,000 which makes no sense. He's all for putting back out two-family homes, but the multi-family homes don't attract the same tenants. He feels it's time to realize this and stop recycling these pieces of property. Councilor Remillard questioned how many were two-families and how many were multi-families. Ms. Laflamme commented she believes six are two-families and two are multi-families. Mayor Grenier suggested putting back out to bid the properties that are two-families and hold any properties that are over two-families. Ms. Laflamme stated she would verify all properties by pulling their tax cards to confirm which ones are two-family homes and which ones are

over two-families. She will bring this information at the next Council work session. Councilor Remillard asked Ms. Laflamme to provide, at the next meeting, a sample text of the conditions listed in the bid documents.

Ms. Laflamme discussed the land parcels. Mayor Grenier asked if there is any land that the City or Berlin Water Works may need in the future. Ms. Laflamme commented there is one property which is on Jericho road that needs to be offered to BWW first. She commented she already removed the parcels she knew the City was keeping because of drainage, snow, terrain, etc. The first six parcels all had buildings on them at one time. They might be of interest to abutters or Council could specify what kind of house they would want on these parcels. Ms. Laflamme stated she would put a sample text together in regards to land sale to present at the next City Council Work session. Mayor Grenier asked Ms. Laflamme to include the minimum requirements as they are not all standard lot sizes. Ms. Laflamme also commented she doesn't have an update on the Lavoie property yet.

Zoning Ordinance Amendments

Ms. Laflamme advised Council she will be bringing zoning ordinance amendments from the Planning Board at the next City Council regular meeting for the first read. She stated she wanted to introduce the amendments to Council before bringing them forward. The first one is to amend the 100' x 100' lot size that was adopted back in 1999 to its original size of 50' x 100'. The second one is in regards to signage allotment. The Planning Board wants to allow two billboard signs per property with at least 100' of frontage in front of each. The third one is in regards to allowing manufacture housing for people who want manufactured homes to the building sites as opposed to pre-modular homes. She commented there are still working with other communities who allow these types of homes for the ordinance language. Ms. Laflamme commented there can be many requirements for these types of homes like slabs, skirting, etc. She has a lot of information on manufactured homes she will send to Council so they can get more familiar with the concept. Councilor Remillard commented that the majority of the Planning Board Members were opposed to this concept, but changed their minds after receiving the detailed information.

Vote on Consent Decree between the City of Berlin and the State of NH DRA

Councilor Remillard moved to accept the Consent Decree between the City of Berlin and the State of NH Department of Revenue Administration to resolve the BTLA matter, Councilor Higbee seconded and the motion carried by roll call with majority in favor with one recusal from Councilor Eastman.

At 7:22pm, there being no further business in Work Session, Mayor Grenier recessed before moving on to the Regular Meeting.

Respectfully Submitted,
Danielle Rioux
Executive Assistant

*Minutes are unofficial until they have been accepted by the City Council by motion.