

**City Council Work Session
February 28, 2022**

Present were: Mayor Grenier, Councilors Robert Theberge, Higbee, Eastman, Roland Theberge, Remillard, Morency and Berthiaume. Councilor Morgan was absent

Others present: Interim City Manager Pamela Laflamme, Finance Director Holly Larsen, Chief of Police Dan Buteau, City Clerk Shelli Fortin, Rob Rosa, Lori Korzen, Steven Korzen, Stuart Light, William Carroll, Berlin Daily Sun and Members of the Public.

Mayor Grenier opened the meeting at 6:30 p.m.

Community Member/Volunteer Recognition Request

Mayor Grenier advised this item is being skipped. He stated a group of citizens is trying to recognize Guy Lopez. Unfortunately, one of the individuals presenting had a death in the family and asked if the item could be moved to next week's meeting of March 7, 2022.

I&I Building Demolition Contract Award

Ms. Laflamme advised Council this is the last piece of the I&I project and is for building demolition of City owned properties which have illicit connections, potential illicit connections or safety issues. Ms. Laflamme stated there was a bid opening this month for this project and the lowest qualified bidder is All-Ways Wrecking in the amount of \$654,400 which is the total cost of demo with all three bid alternates. She commented Wright-Pierce, the Engineer on this project, reviewed all bids received and have stated there are not aware of any reason why this contract should not be awarded to All-Ways Wrecking as the lowest responsible and responsive bidder. Ms. Laflamme presented a sheet to Council showing the total cost and total funds to cover the project as follows;

Total cost of demo with all three bid alternates:	\$654,400.00
Total cost adding in tipping fees (estimated):	\$736,075.00
Recommended Contingency – 5%:	\$36,803.75
Wright Pierce Fees -bid prep/construction:	\$14,800.00
NH Historic Mitigation Project fees:	\$20,000.00 +/- (we have until 1/2024 to do project).
Total Cost of everything	<u>\$807,678.75</u>

SRF Money/DES	\$500,000.00
Money for 54 Pleasant St (Primex)	\$41,000.00
469 Hillsboro Street (Construction loan)	\$42,075.00
Money from Sewer Fund	\$225,000.00
Total Funds to cover project:	<u>\$808,075.00</u>

Ms. Laflamme stated we have a raze & remove order from the Coos County Superior Court for 469 Hillsboro Street which is not an I&I property. She advised she has been working with Wright-Pierce and former City Manager Wheeler reviewing the budget as to where funding is available for this. She stated Mr. Wheeler had identified originally taking it from the construction loan where he took the money for the Princess Theater and adjacent building 4 & 8 Main Street. She commented this can be something Council chooses not to do with this money, but she hasn't identified money anywhere else to pay for this and we've had this standing order to tear it down for about a year now. The rest of the money comes from the Sewer Fund which she has reviewed with

Wastewater Superintendent Jon Goodreau and both agreed the sewer fund can handle covering the balance for this purpose. This was Mr. Wheeler's recommendation as well.

Mayor Grenier commented that the neighbors of 469 Hillsboro Street have endured this piece of property for 15 years and its high time it comes down. Councilor Remillard questioned where All-Ways Wrecking is out of. Ms. Laflamme responded she believes out of Plymouth. Councilor Remillard asked Ms. Laflamme for a list of all the properties and the demolition schedule. Ms. Laflamme commented she doesn't have the schedule as the project hasn't been awarded yet. As soon as the project is awarded, there will be a schedule provided. Councilor Remillard asked that the list and schedule be provided to Council when available. Councilor Remillard moved to award the I&I demolition project to All-Ways Wrecking, LLC with the three bid alternates for a cost of \$807,678.75, Councilor Berthiaume seconded and the motion carried by all in favor.

Taxi Cab Ordinance

Ms. Laflamme advised we had some questions about a current business that is doing ride share here in the City which caused us to have to pull up the Taxi Cab Ordinance. If any of you read it, it's quite a bit antiquated. She questioned if the City is required to have a Taxi Cab Ordinance. She commented City Clerk Shelli Fortin asked for some information from other Clerks and Communities, and our City Attorney Chris Boldt also gave some information. She stated the City is not required to have a Taxi Cab Ordinance and she is suggesting we repeal it. If we do decide to repeal it, we will need to have a Public Hearing as the Public may very well want to keep it.

Mayor Grenier commented the Taxi Cab Ordinance we currently have is a relic of the 1960's when we had three cab companies who were always fighting amongst each other. He feels it should be repealed. Councilor Berthiaume commented she feels we should repeal, but make sure the City is not responsible if something happens and we don't have an ordinance. Councilor Eastman stated he agrees and thinks it should be repealed. Councilor Robert Theberge commented he would like to hear from the Police Chief before repealing as he questions the liability and safety issues. Mayor Grenier asked Council for approval to let Police Chief Buteau comment. All agreed. Police Chief Buteau stated he discussed this briefly and was only made aware about this today so he didn't have a lot of time to look into it. He commented he doesn't have any issues with what was stated by Mayor Grenier and Ms. Laflamme about there is no need to have this ordinance in place. He mentioned the liability issue is a big thing and suggested maybe consulting with our City Attorney. Ms. Laflamme stated she already consulted with Attorney Boldt. Chief Buteau commented if that has been buttoned up, he doesn't see an issue with repealing.

Councilor Morency commented he did some research on Uber and Lyft. He stated they go through a list of requirements and do extensive background checks. His concern is that if we absorb more responsibility by putting things in place that we may or may not be able to enforce. He suggested maybe putting permitting in place so we'd be able to know who the owners are if there are any problems. Councilor Remillard stated we owe it to the citizens safety to make sure the business owner is safe. It doesn't have to be an ordinance but maybe a permit confirming they have insurance just like any other businesses requiring licensing or permits. This would show the citizens we've done our due diligence in the safety of that service. Councilor Berthiaume commented she doesn't think a permit is a bad idea, every other business in the City that operates has to get a permit in some way. At least for insurance purposes. Councilor Eastman commented that the State of NH doesn't require insurance so how can the City require insurance and how do you enforce it. Mayor Grenier commented that the law states you do not need insurance but you do need to demonstrate financial responsibility. Ms. Laflamme stated Council does not need to decide tonight, she just wanted to start the conversation and will try to get more information and see if other communities don't have the ordinance but have some sort of process in place. Councilor Eastman commented the first step should be to repeal the ordinance and then discuss permitting. Mayor Grenier stated

his only question is if the City has permitting in place, does it increase our liability. Ms. Laflamme stated she has enough guidance to move forward and will obtain additional information.

Notice to Municipalities re: Presidential View Services LLC

Mayor Grenier read the letter received from the State of NH Liquor Commission. Councilor Morency stated that these letters are usually verified through the PD to make sure there are no conflicts in statements going over there. He questioned Chief Buteau if he had received this communication, chief Buteau stated yes, he did receive it. Councilor Morency stated it should be coordinated with the PD. Councilor Remillard moved to send a communication to the NH Liquor Commission approving of the issuance of the license, Councilor Higbee seconded and the motion carried by all in favor.

City Manager Recruitment Update

Mayor Grenier read a [communication](#) announcing the hiring of Phillip Warren Jr. as the new City Manager effective May 2, 2022. Mayor Grenier commented he's had numerous conversations with Mr. Warren and he's the most professional person in that position he's ever met. He will be a huge asset to the City. He is very well rounded and his learning curve in the City won't take long. He is exactly the person we need at this moment in time as we've gone through the worst of the worst and now seeing improvements. He comes from a community that has boomed in the last ten years. He will be able to take us out of our foxhole mentality and allow us to move forward with some of the exciting things we've got going with Route 110. He is looking forward to working with Mr. Warren.

Other

Councilor Morency commented he was asked to testify on HB 1565 which is about the opioid abatement trust fund. When he got there, it ended up being a work session but he was still able to testify and talk about Berlin's issues and how most things in the State are population based and not needs based. He stated it was obvious they really didn't have an intent of changing that 15% to 40%, but the middle ground was to bring more money to the Counties and let them divide it up. As of right now it looks like they will come back to the table with a 30% to the Counties which would double their income. Mayor Grenier commented he supports enforcement of laws, but a lot of these people are sick and need treatment. We need to help them so they can become productive members of society. Mayor Grenier commented the funds that will be received shouldn't be used for reducing budgets or for buying automatic weapons for the Police Departments, it really needs to be spent on treatment and addiction, helping people. Councilor Robert Theberge stated as a Representative, along with Representative Laflamme and Kelley, they are there to help the City as much as they can.

Adjournment

There being no further business, Councilor Remillard moved to adjourn; Councilor Higbee seconded and the motion carried by all in favor. The meeting ended at 7:16pm.

Respectfully Submitted,
Danielle Rioux
Executive Assistant

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