

City Council Work Session

Pursuant to Executive Order 2020-04, Section 8 and Emergency Order #12, Section 3

February 1, 2021

At 6:30 p.m. Mayor Grenier opened the meeting. Due to the State of Emergency declared by the Governor as a result of COVID-19 pandemic and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04 this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are:

- a) *Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means;*

We are utilizing the Zoom platform for this electronic meeting. All members of the Council have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone # 1-646-558-8656, meeting ID 879 3859 9987; Passcode 831682, or by clicking on the City Council agenda on the City's website, [www.berlinnh.gov](http://www.berlinnh.gov).

- b) *Providing public notice of the necessary information for accessing the meeting:*

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have been provided on the City of Berlin's website of the Council at City Council-agendas

- c) *Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:*

If anybody has a problem, please call Pam Laflamme at 603-752-8587 or e-mail at: [plaflamme@berlinnh.gov](mailto:plaflamme@berlinnh.gov)

- d) *Adjourning the meeting if the public is unable to access the meeting*

In the event the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote. By roll call, each member is to state their presence, and whether there is anyone in the room during this meeting, which is required under the Right to Know law.

Present at roll call were: Mayor Grenier at City Hall and in the room with James Wheeler; via Zoom, Councilors Theberge, Rozek, Morgan, Berthiaume, Otis, Higbee, Remillard, and Eastman who noted they were alone in their respective rooms.

Others present: City Manager James Wheeler, Ann & Anthony Delisle (by phone) Chief Morency, Jessica Johnson, Community Development Director Pamela Laflamme, Lauren Ryan, John Nadeau, City Clerk Shelli Fortin, others from the public, Barbara Tetreault, Berlin Daily Sun.

### **Cemetery Fees**

Ms. Fortin reported that the Cemetery Trustees met and reviewed fees that were last adopted in a resolution dated June 2, 2003. The fees being charged for weekend burials no longer covered the City's cost. The updated fees increase the cost of weekend burials from \$75 to \$125. Councilor Remillard asked if there were any other changes and Ms. Fortin replied that the cremains definition was removed and the reference to perpetual care for lots purchased prior to 1977 was removed. The resolution is on the Regular meeting agenda for consideration.

### **Wood Street Resident Petition**

Mayor Grenier stated that he received a complaint from neighbors of an Air B & B on Wood Street. As a courtesy, the owners were notified of the meeting and they let us know that they are putting the property up for sale and they won't be offering it up as an Air B & B. It looked like the Ryan's tried hard to answer the concerns of the neighborhood. They have a bookings until 2/8 and after that booking they intend to list the property. Lauren Ryan, representing the owners asked if they can rent the property until it sells. Mayor Grenier noted there is nothing stopping the Ryan's from renting. The Council will hold larger discussion at a future meeting to see if additional regulations need to be implemented.

Chief Morency commented that there have been 4 calls to the police regarding noise and parking. Councilor Eastman asked how the rules are enforced and Chief Morency noted that people need to call the police. Councilor Eastman commented that he hates to shut down a business but this will need to be addressed. Councilor Higbee noted that he likes Air B & B and it is always up to the owner to specify the rules and to establish the expectations. He said that there is not a lot to do as a City Council. Lauren Ryan stated that most complaints have come from one neighbor. She added that Berlin has been a blessing to her family. They chose Berlin and are happy with the location but they don't want enemies or a hostile situation.

John Nadeau indicated that he's lived at his address for 22 years; they pay high taxes to live in a family neighborhood not a vacation destination. Mayor Grenier reasoned that the renters will have to comply with city ordinances and it will be an enforcement issue if there are laws being broken.

Mayor Grenier noted that the Council will review the issue of Air B & B's in a future work session. Councilor Higbee suggested researching what other towns have done to regulate.

### **Discussion re: Live Streaming of Public Meetings – Platforms & Social Media**

Ms. Laflamme reported the City has been live streaming Council meetings on Facebook. There are other options for viewing the meetings such as recording and making them available on YouTube. The problem with Facebook is that there is no way to turn off comments on a page, only with a group. People are making comments that have nothing to do with the agenda. She added that it is near impossible to be the one to censor the comments left on Facebook and so far no comments have been deleted. Public comments should be made through the zoom call number on the agenda.

Councilor Higbee said that he likes having the meeting going to the public live. He added that he took offence to some comments that were made. Councilors Remillard and Eastman agreed that the meetings should be left on Facebook because people are watching. Mayor Grenier offered to continue with the Facebook livestream until the Council is able to meet in person. The meetings can then be moved to You Tube. Councilor Eastman voiced that the meetings should continue to stream on Facebook; Councilor Remillard agreed. Councilor Higbee stated that he would love to see it continue on Facebook.

### **Mask Ordinance**

Mr. Wheeler established that on January 11, the Council extended the mask ordinance for 30 days which would go until February 11. The Town of Gorham has linked its ordinance to the State Mask mandate. When the Governor's mask mandate ceases then the Town's ordinance would as well. Councilor Remillard agreed that the City should do the same. Councilor Remillard moved to keep the mask ordinance in place for as long as the State mandate; Councilor Eastman seconded and the motion carried by roll call with all Councilors voting affirmatively with the exception of Councilor Otis who voted in the negative.

There being no further business in work session, Mayor Grenier moved on to the Regular Meeting.

Respectfully Submitted,  
Susan Tremblay  
Administrative Assistant

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