

City Council Work Session
February 3, 2020

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

Others present: City Manager Jim Wheeler, City Clerk Shelli Fortin, Community Development Director Pamela Laflamme, Fire Chief James Watkins, Ralph Collins, Adam Hammill, Richard Laflamme, School Superintendent Julie King, Police Chief Pete Morency, Gina Welch, Jamie Welch, Barbara Tetreault, *Berlin Daily Sun* and public.

Mayor Grenier opened the meeting at 6:30 p.m. He asked to add a communication regarding rules for public comments to the agenda; Councilor Rozek so moved and Councilor Higbee seconded. The motion carried with all voting in favor.

Fire Department Fees

Chief Watkins explained that due to the changes in staff, it has been difficult to garner the information. There have been 45 LP tank permits at \$75 each and the department has billed \$3,375.00 since July. Chief Watkins went over some of the other permits issued by the Fire Department. There have been 11 LP furnace permits @ \$30 each for a total of \$510.

Councilor Eastman stated that the fee should be applicable to a new install only. Chief Watkins emphasized that, for safety purposes, an inspection is necessary every time a tank is changed out. He was not concerned about the fee. Councilor Remillard suggested that if the installer does not put a tank in correctly, he should be paying the fee.

Chief Watkins noted that over the last few weeks, tanks were improperly installed by licensed professionals and the FD inspection corrected the safety issue. Council conceded to charging \$30 for a new LP install; an lp swap would be done for free and a re-inspection for a tank that does not pass inspection the first time, would be charged \$30 to the installer. Mayor Grenier added that installers should be notified. Mr. Wheeler noted that the City typically deals with the property owner; he suggested contacting NHMA and Councilors agreed to hear back before initiating the change of fees.

Councilor Berthiaume asked if fees from other cities have been looked at. She suggested a \$10 fee to swap out a tank for some accountability. Mr. Wheeler stated that he and Chief Watkins would come back with a proposed fee structure.

Downtown Tax Incentive Application

Ms. Laflamme explained that using the incentive gives the applicant the ability to rehab a downtown building without having the additional tax burden of the renovations. The application needs to be made before the rehab starts. Upon receipt, the Council has 60 days to schedule a public hearing; then 45 days to make a decision based on the merits of the application. The City Council can grant the relief for up to 5 years. Relief cannot exceed construction costs. The applicant would be responsible for market change. There are covenants that specify insurance needs for the building which would end when the tax relief ends. The covenant gets recorded.

Councilor Rozek remarked that this is a good idea and he asked if it is limited to just downtown. Ms. Laflamme said that there is also relief for new industrial construction which was used for the Capone project.

Councilor Higbee voiced that this application meets all the requirements and the City should do what we can to help. Councilor Eastman asked what we have do right now. Ms. Laflamme went through the checklist with the Council and found that the project meets all the criteria. It is located in the Downton Zone; it is a qualifying structure; it enhances the economic vitality of the downtown; it improves a structure; it promotes the development of the downtown. The applicant is willing to sign a covenant and the rehabilitation is consistent with the Master Plan.

Ms. Laflamme noted that if the City Council is comfortable with the merits of the application, the next step is to hold a public hearing. Councilor Rozek moved to schedule a public hearing regarding the application for Downtown Tax Relief from Adam Hammill at the next meeting, 2/10/2020; Councilor Higbee seconded and the motion carried unanimously.

Other

Mayor Grenier thanked Councilor Eastman for providing the Rules of Conduct that the BOA uses. He confirmed that, at the last meeting, the Council agreed to a time limit of 5 minutes with additional time at the discretion of the Council. He added that as chair, he will never allow the integrity of the City Council, City Manager or staff to be compromised. To keep the discussion professional, speakers are asked to address the chair.

Councilor Rozek clarified that there are two sections for public comments on the agenda and a speaker can have 5 minutes at each. Mayor Grenier added that there is a Public Comment opportunity for Old Business and one for New Business. Mayor Grenier noted that the rules, once finalized, should be posted on the city's web site and in the room. He noted that items 1,2,3,4,9, and 10 should be incorporated into the Council rules and the item will be brought back next week. Chief Morency reasoned that defined repercussions need to be in rules. Mayor Grenier suggested that he and the City Manager meet to find the proper language.

Fire Department Fees (reconsidered)

Councilor Remillard reconsidered the Fire Department fees and indicated that a \$10 fee for swapping a tank would work. It would cost \$30 for a new install; \$10 for swapping a tank and if the inspector has to come back because of an improperly installed tank, the homeowner would be charged an additional \$10. Councilor Remillard so moved; Councilor Rozek seconded and the motion carried. It was noted that the ordinance may need to be revised to adjust the fees.

Non-Public Session

Councilor Rozek moved with a second from Councilor Morgan to go into non-public session per RSA 91-A:3II (d) Consideration of the acquisition, sale, or lease of real or personal property. So moved the motion carried unanimously by roll call.

Councilor Higbee moved to come out of non-public session; Councilor Berthiaume seconded and the motion carried.

Councilor Higbee moved to seal the minutes indefinitely as releasing them would make any action taken ineffective; Councilor Berthiaume seconded and the motion carried.

Councilor Rozek moved with a second from Councilor Eastman to go into non-meeting per RSA 91-A:2, I (b) Collective bargaining.

Adjournment

There being no further business in Work Session, Mayor Grenier moved on to the Regular Meeting at 8:00 p.m.

Respectfully Submitted,
Susan Tremblay
Administrative Assistant

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