

**Rochester City Council Workshop  
January 15, 2019  
Council Chambers  
7:00 PM**

**COUNCILORS PRESENT**

Councilor Abbott  
Councilor Bogan  
Councilor Gates  
Councilor Gray  
Councilor Hamann  
Councilor Hutchinson  
Councilor Keans  
Councilor Lachapelle  
Councilor Lauterborn  
Councilor Torr  
Councilor Walker  
Deputy Mayor Varney  
Mayor McCarley

**OTHERS PRESENT**

Blaine Cox, City Manager  
Terence O'Rourke, City Attorney  
Ray Barnett, Resident  
Paul Martin, Resident  
Kelly Walters, City Clerk

**Minutes**

**1. Call to Order**

Mayor McCarley called the City Council Workshop meeting to order at 7:00 PM. Deputy City Clerk Cassie Givara took a silent roll call. All Councilors were present.

**2. Public Input**

Mayor McCarley invited members of the public to come forward and address the Council.

Ray Barnett, resident, spoke about impact fees and inquired about benefits offered to City employees.

Paul Martin, resident, addressed Council in regards to the Tri-City Mayors' Task Force on Homelessness and the current status of their Master Plan as well as the progress on opening a warming shelter. Mr. Martin also spoke about the City's ordinance on manufactured housing.

### **3. Communications from the City Manager**

No Discussion

### **4. Communications from the Mayor**

Mayor McCarley addressed Council regarding a request she had made for suggestions and goals for Rochester in 2019. Mayor McCarley stated that in the responses she had received, there was an emphasis and focus on downtown; from a zoning perspective, a police protection perspective, a homeless perspective and in a general direction for development. There had also been suggestions regarding working more with the school board and school budget.

The Mayor spoke about the potential of Council dealing with CIP projects and guaranteeing that they will be ready to start in January as opposed to July each year. The Mayor recommended that Council consider discussing this change during the budget process at which time they can determine what Finance, Public Works and the Public Works Committee would need to do to get that process started.

Councilor Varney said that the current system often puts projects behind because the bid process doesn't start until the end of summer which causes the project to miss the construction season, pushing it into the following year. It is similar for road paving; authorizing it later in the summer causes the paving to begin in September and sometimes as late as November which is not ideal. Having the CIP adopted in January would allow projects to be finished quicker and more efficiently.

Councilor Walker spoke about passing the full CIP in January and asked if that was something that was plausible.

City Manager Cox said that it is possible to pass the full CIP in January, but the concern is the use of cash for CIP projects and knowing what the cash amount is prior to starting the O&M Budget discussion. Mr. Cox stated that it could be done, but Council would have to be very deliberate in regards to how much cash CIP they want to commit when they approve the CIP budget in January and adhere to that amount when approving the O&M Budget.

Councilor Keans stated that she felt that the issue was more of a scheduling problem and less about passing the CIP budget earlier in the year. She said that the money still can't be spent until July 1 even if it is approved in January.

Councilor Lauterborn reported that the City of Dover passes their CIP in January and they are on a fiscal year budget just like Rochester. Councilor Lauterborn suggested Rochester could try passing the CIP in January, and then when they have a clearer picture in June of some of the other needs of the City, Council could make amendments to the CIP in June.

Mayor McCarley discussed another idea that was proposed for Council to have an agenda setting meeting on a Saturday, perhaps with a facilitator, where they can talk through some of these suggested goals for Rochester and possibly bringing in school board members for part of the conversation. The Mayor took a sense of Council to see if there was an interest in such a meeting.

## **5. Discussion: Codification Project**

City Clerk Kelly Walters made a presentation to Council addressing several questions which had arisen in regards to the codification of the City Ordinances and Schedule A. "Schedule A" was a document which had been distributed to Council describing the entirety of corrections and clarifications which had been made to the ordinances.

Mayor McCarley stated that prior to the meeting tonight, there had been more questions raised by Council than could be covered in this workshop. She suggested that the items which had been brought forward prior to the meeting could be outlined, but there may have to be further discussions after this meeting.

Councilor Varney remarked that the City's website has two sections to access the ordinances, and each section contains the same chapters. He inquired how one is supposed to know which section is correct or up-to-date. Ms. Walters clarified that there is a cover sheet at the front of the online ordinances which explains which chapters have been updated and where to locate them, but until the codification is adopted and the uploaded to the City's website, it will still appear in two locations.

There was a discussion in Committee regarding the changes which had been made to the ordinances. Some Councilors felt that even if just a word or two had been changed for clarification, it could potentially change the context or meaning of the entire ordinance. Several Councilors felt that the ordinance changes needed to go to a Public Hearing prior to approval.

Councilor Walker felt it would be beneficial to see the original ordinance side-by-side with the proposed changes to each ordinance.

Councilor Varney cautioned that going through the entire code of ordinances line by line would take a significant amount of time as it had taken him 6+ hours just to research Schedule A.

Councilor Lauterborn suggested that for the next meeting, Councilor Abbott provide a copy of Schedule A notated with the changes he had questioned at the prior Council meeting in regards to the water and sewer ordinances.

Councilor Walker stated that he felt the suggested changes should be reviewed item by item at the next several Codes & Ordinances meetings. Any Councilors with questions or concerns should appear at these Codes meetings to have their questions addressed. Councilor Walker said the codification should then go to a Public Hearing.

Councilor Hamann expressed hesitation at passing the codification of the ordinances in its entirety with all the proposed changes, even just the minor grammatical corrections. Councilor Hamann stated that voting for these changes would indicate his support as well as the support of the current Council, and he is not prepared to support anything with which he doesn't totally agree. He agreed that the Council should go through the proposed changes line by line.

Mayor McCarley clarified that this discussion is not about changing the ordinances, but rather about the codification of those ordinances; cleaning them up and correcting mislabeling, formatting and redundancy.

Councilor Lachapelle stated that he would welcome reviewing this item at the Codes & Ordinances meeting on February 7, 2019 and 6:00 PM. He stated that the Committee could focus on Schedule A which is the listing of any proposed changes. Any Councilors wishing to question any of the proposed changes should attend the Codes & Ordinances meeting to have their concerns heard.

Councilor Gates inquired where in the City Charter it states that the City Council shall/will approve any adoption, amendment or change to the City Ordinances. Ms. Walters stated that this language is found in a couple locations and she would research the specifics and get the information to him after the meeting.

Ms. Walters clarified to Council that they would not be voting on a blanket change to the Code of Ordinances. They were only voting on the changes to Schedule A, but the existing ordinances will remain as is. Schedule

A will be attached to the ordinance as a safety net, showing any changes which were made and the date they were approved.

## **6. Department Reports**

No Discussion

## **7. Other**

Councilor Gray stated that he had attended the Doorway Presentation in Dover that morning, which is a hub and spoke model for systems providing “Doorways” for recovery services offered to those with substance use disorder. Councilor Gray stated that one of the missing components of treatment has been intensive care for those trying to beat an addiction. This program provides that service. The service is available for any constituents seeking help by calling 211 to be connected with the necessary services.

Mayor McCarley said that although Rochester has great representation in Concord, she said it was critical that the Rochester Council have a presence at the first congressional budget hearing in the house and senate in terms of reminding them of the \$4 million dollars which had been promised to Rochester for the vocational center.

## **8. Non-Public/Non-Meeting**

### **8.1. Non-Public Session, Personnel, RSA 91-A:3,II (a)**

Councilor Lauterborn **MOVED** to enter a non-public session per RSA 91-A:3, II(a) Personnel at 8:14 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous roll call. Councilors Hutchinson, Keans, Lauterborn, Hamann, Lachapelle, Abbott, Walker, Gates, Torr, Gray, Bogan, Varney and Mayor McCarley voted in favor of the motion.

Councilor Lauterborn **MOVED** to exit the non-public session at 9:29 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lauterborn **MOVED** to indefinitely seal the minutes of the Non-Public Session of January 15, 2019 because disclosure would render a proposed action ineffective. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous roll call. Councilors Bogan, Gray, Torr, Gates, Abbott, Keans, Lachapelle, Hamann, Varney, Lauterborn, Hutchinson,

and Mayor McCarley voted in favor of the motion.

## **9. Adjournment**

Councilor Lachapelle **MOVED** to **ADJOURN** the meeting at 9:31 PM. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully Submitted,

Cassie Givara  
Deputy City Clerk