

**Codes and Ordinances Committee**

Councilor Peter Lachapelle, Chair  
Councilor Elaine Lauterborn, Vice Chair  
Councilor Tom Abbott  
Councilor Chris Rice  
Councilor Laura Hainey



**Others Present**

Terence O'Rourke, City Attorney

**CODES AND ORDINANCES COMMITTEE**

Of the Rochester City Council

**Thursday, March 5, 2020**

**31 Wakefield Street, Rochester, NH**

City Council Chambers

**6:00 PM**

**Minutes**

**1. Call to Order**

Councilor Lachapelle called the meeting to order at 6:00 PM. Deputy City Clerk Cassie Givara took a silent roll call. All Committee members were present except for Councilor Rice, who was absent.

**2. Public Input**

No Discussion.

**3. Acceptance of the Minutes: September 5, 2019**

Councilor Lauterborn **MOVED** to accept the minutes of the September 5, 2019 Codes & Ordinances Committee meeting. Councilor Abbott seconded the motion. Councilor Hainey stated she was abstaining from the vote because she had not yet been appointed to the Committee when the meeting occurred. The **MOTION CARRIED** by a unanimous voice vote.

**4. Review of the City Council Rules of Order**

- **Proposed change to Rules of Order 4.12**

City Attorney O'Rourke explained the background on the proposed amendment (Addendum A); the previous City Council had discussed the routine suspending of the rules in order to do a second reading and adoption. It had been questioned why this rule was in place if it was going to be suspended each and every time. Attorney O'Rourke stated that he had revised the rules of order to reflect the process as it carries out currently.

Councilor Lachapelle clarified that the new wording would replace the entirety of section 4.12. Attorney O'Rourke confirmed that the amendment would replace the existing wording.

Councilor Lachapelle inquired if the Council would still be able to suspend the rules if needed after this amendment has been adopted. Attorney O'Rourke answered that the amendment is only changing the rule in question and will allow the Council to read a resolution for a first time and adoption without suspending this particular rules for a second reading unless otherwise required.

Councilor Abbott **MOVED** to send the amendment to section 4.12 of the Council Rules of Order to full Council. Councilor Lauterborn seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lachapelle asked the Committee if there were any other proposed changes to the Council Rules of Order. Councilor Lauterborn stated that she had reviewed the rules and did not feel there were changes needed; they reflect how the Council operates currently.

Councilor Lachapelle referred the Committee to section 1.1 of the Rules of Order titled "Regular Meetings." The rules currently state that City Council meetings will begin at 7:00 PM. Councilor Lachapelle suggested changing the start time to 6:00 PM due to the prevalence of Councilor early arrivals and the earlier start allowing earlier adjournment. Councilor Lachapelle reported that he had received favorable feedback from City staff regarding this proposed earlier start time. Councilor Abbott stated that there are occasionally subcommittee meetings prior to the Council meetings. It was agreed that subcommittee meetings may need to be adjusted if the City Council meetings occur earlier.

Councilor Lauterborn stated that she would support the earlier start time at the Codes meeting, but if there were reservations expressed at full Council regarding Councilors' inability to make it to the earlier start time, she intended to vote against the amendment under those conditions. Councilor Lachapelle clarified that there could be some flexibility with the proposed time and it could be adjusted earlier or later as needed.

Councilor Walker **MOVED** to recommend the 6:00 PM City Council meeting start time to full Council. Council Abbott seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Attorney O'Rourke informed the Committee that if there was a cause to have the meeting at a time other than what was stated in the rules of order, the Council is able to suspend the rules at the prior meeting and vote to have the meeting at an alternate time.

## **5. Proposed Amendment to 7.26 Board of Health**

Attorney O'Rourke explained that these officers of the Board of Health are appointments made by the City Manager. Rather than giving the different members varying term expirations for positions which are already challenging to fill, the amendment would make the term limits indefinite.

Councilor Abbott asked what would occur if there was a new City Manager hired who did not want the same officers serving on the Board of Health. Attorney O'Rourke stated that the City Manager has the authority to remove people from the Board if desired.

Councilor Lauterborn **MOVED** to send the amendment to 7.26 “Board of Health” to full Council. Councilor Abbott seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**6. Other**

No Discussion.

**7. Adjournment**

Councilor Abbott **MOVED** to **ADJOURN** the Codes & Ordinances Committee meeting at 6:08 PM. Councilor Lauterborn seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully Submitted,

Cassie Givara  
Deputy City Clerk

**PROPOSED CHANGE TO RULE OF ORDER 4.12**

Every Resolution, including those which propose to change the Ordinance, shall be placed on the City Council Agenda in accordance with Rule 4.1. Any Resolution shall receive a First Reading during the first meeting in which it appears on the Agenda. Following the First Reading, the Council shall take one of the following actions:

1. Vote to disapprove the Resolution.
2. Refer to a Public Hearing if required by law.
3. Refer to an appropriate standing committee, or to the City Council sitting as a Committee of the Whole, for further review. Any Resolution proposing a change to the Ordinance, which did not originate in the Codes and Ordinances Committee, must be referred to said committee prior to a vote of approval. Resolutions referred to Public Hearing per action #2 may also be referred to committee.
4. If actions #2 and #3 do not apply to the Resolution, the Council may proceed to a vote of approval.

For a Resolution which is not subject to action #1 or #4, it shall receive a Second Reading at the next meeting during which it appears on the City Council Agenda. Following the Second Reading, for any Resolution referred to a standing committee, the chairperson of said committee shall deliver a report detailing the review of the Resolution. After the committee report is delivered, the City Council shall entertain any motions to amend. Following disposition of the motions to amend, the City Council shall vote on final approval or disapproval of the Resolution.