

**City Council Workshop Meeting
November 17, 2020
Council Chambers and
Remotely via Microsoft Teams
6:30 PM**

COUNCILORS PRESENT

Councilor Abbott
Councilor Belken
Councilor Bogan
Councilor Gray
Councilor Hainey
Councilor Hamann
Councilor Hutchinson
Councilor Lachapelle
Councilor Lachance
Councilor Rice
Councilor Walker
Deputy Mayor Lauterborn
Mayor McCarley

OTHERS PRESENT

Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager
Terence O'Rourke, City Attorney
Chris Bowlen, Recreation & Arena
Mark Klose, Fire Chief

Minutes

1. Call to Order

Mayor McCarley called the Workshop meeting to order at 6:36 PM. She had read the following preamble prior to the Public Hearing immediately preceding the workshop:

Good Evening, as Chairperson of the City Council, I am declaring that an emergency exists and I am invoking the provisions of RSA 91-A:2, III (b). Federal, state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to our community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, I also find that this meeting is imperative to the continued operation of City government and services, which are vital to public safety and confidence

during this emergency. As such, this meeting will be conducted without a quorum of this body physically present in the same location.

a.) **Public Input:** Due to the ongoing situation with COVID-19, the City of Rochester will be taking extra steps to allow for public input, while still ensuring participant safety and social distancing. In lieu of attending the meeting, those wishing to share comments, when permitted, with the City Council (Public Hearing and/or Workshop settings) are encouraged to do so by the following methods:

- **Mail:** City Clerk/Public Input, 31 Wakefield Street, Rochester, NH 03867 (*must be received at least three full days prior to the anticipated meeting date*)
- **email** PublicInput@rochesternh.net (*must be received no later than 4:00 pm of meeting date*)
- **Voicemail** 603-330-7107 (*must be received no later than 12:00 pm on said meeting date in order to be transcribed*)

Please include with your correspondence the intended meeting date for which you are submitting. *All correspondence will be included with the corresponding meeting packet (Addendum).*

In addition to the above listed public access information, the City Council will be allowing the public to enter Council Chambers and speak in person during the Public Input portion of this meeting. In an effort to adhere to CDC guidelines: enter only at the front Wakefield Street entrance and exit on the side closest to the police department and adhere to 6-foot social distancing while inside. Hand sanitizer and facemasks will be available at the Wakefield Street entrance. Participants will be admitted into Council Chambers one at a time to speak, and will exit directly thereafter. Please note; the seating in Council Chambers will not be available for the public during meetings.

At this time, I also welcome members of the public accessing this meeting by phone. The public can call-in to the below number using the conference code. This meeting will be set to allow the public to "listen-in" only, and there will be no public comment taken via conference line during the meeting.

Phone number: 857-444-0744

Conference code: 843095

b.) **Roll Call:** Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Let's start the meeting by taking a Roll Call attendance. When each member states their name (and/or ward), also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law. (Additionally, Council members are required to state their name and ward each time they wish to speak.)

Deputy City Clerk Cassie Givara took the roll call. The following Councilors were present in Council Chambers: Councilors Rice, Hainey, Walker, Deputy Mayor Lauterborn and Mayor McCarley. The following Councilors were connecting remotely and indicated that they were alone in the location from which they were connecting: Councilors Abbott, Belken, Bogan, Gray, Hamann, Hutchinson, Lachance, and Lachapelle.

2. Public Input

No Discussion.

3. Communications from the City Manager

City Manager Blaine Cox announced that starting December 4th, Comcast subscribers would be able to access the Government Channel on channel 22 and the education channel on channel 95. These channels will also still be available for Atlantic Broadband subscribers.

City Manager Cox also announced that there are new public posting boards in Shaw Park between City Hall and the Fire Station. This new boards are where all public notices and meeting announcements will be posted going forward.

Councilor Lachapelle inquired if there would be additional equipment required at City Hall in order for the government channel to be broadcast on Comcast. City Manager Cox answered that there was some additional hardware and wiring required, but it has already been completed.

4. Communications from the Mayor

4.1 Tri-City Extreme Weather Warming Facility \$1M Grant Initiative

Mayor McCarley gave an update on the search for seasonal shelter and warming center options for the impending winter. She said that 38 Hanson Street had been considered again for use this year, but there was question

about ventilation and spacing concerns in light of COVID. Mayor McCarley reported that the tri-cities have been in discussions with the IDN (Integrated Delivery Network) and the County about possible locations for a seasonal shelter which would be run with support from Rochester, Dover and Somersworth to provide volunteers and funding. The shelter is proposed to be open by December 1st and Mayor McCarley stated that there would be more information released with the next week or two. The County will provide the staffing with the Tri-Cities providing funding for food and supplies.

Mayor McCarley gave a brief update on the shelter at the Garrison Hotel in Dover, being run by CAP (Community Action Partnership). The shelter opened the day prior and is already at full capacity. The idea behind this shelter is to provide food and warmth overnight for a short term basis, and during daytime hours to provide wrap-around services and assist residents in continuing care and support in an effort to move them on to more permanent or appropriated spaces. Mayor McCarley emphasized the need for a regional shelter as the colder weather approaches to assist with the great need.

5. Update: Recovery Friendly Workplace Initiative (Director Bowlen, Recreation & Arena)

Councilor Hutchinson reminded Council that the Recovery Friendly workplace initiative was one of the actions items within the 7 strategies of the Master Plan developed by the Mayors' Task Force on Homelessness.

Chris Bowlen, Director of Recreation & Arena, reported that Lauren Krans, Assistant Director, had spearheaded this program about one year prior. It is a program through the Governor's office which Director Bowlen indicated was in place in multiple non-profits and organizations throughout the state; however he believed that Rochester Rec & Arena is the first municipal department to introduce the program locally.

Director Bowlen said that the program had been initiated early in the year, but had been delayed due to COVID. He clarified that not only is the problem beneficial for those with a history of substance misuse, but for their families, friends and others affected. He gave a brief summary of the process of introducing the program into the department and reported that the program had not been met with resistance. He stated that it was not time-intensive for staff or difficult to implement. There are two local representatives with the service agency being SOS; this allows for easy local contact if support is needed or if there needs to be a referral made. He stated that the program has been worthwhile and encouraged other departments to consider becoming recovery friendly as well.

Mayor McCarley asked if there was a timeline in which the program implementation needed to take place. Director Bowlen stated that the program can be adapted and tailored to meet an organizations needs and can be implemented at whatever pace works best for the organization.

City Manager Cox stated that the City leadership team had discussed the Recovery Friendly Workplace program prior to COVID, with Recreation & Arena stepping up to be the first department to take part. He stated that further implementation had been put on hold due to the pandemic, but the plan is to introduce the program to other City departments going forward.

Councilor Belken thanked Director Bowlen for taking the initiative to become a Recovery Friendly department and spoke in support of the program and its benefits.

6. Department Reports

Councilor Lachapelle directed Council to page 52 of the packet in reference to the fire department and police department overtime lines in the Finance department report. Councilor Lachapelle pointed out that the overtime is over 50% expended at 5 months into the fiscal year and inquired if the chiefs of police and fire were comfortable with these expenses at this stage in the budget. Chief Klose, fire department, stated that COVID has hit the department fairly hard and they have also had some significant fire evens in the City this year which have both affected overtime. He spoke about the potential of COVID exposures and how it could affect the department. Chief Klose also reported that the police department had a midnight shift of 6 employees who were all exposed and needed to quarantine for 2 weeks. City Manager Cox agreed that this exposure along with an earlier COVID incident had contributed to the police overtime line.

Councilor Hainey referenced the asbestos abatement, water main extension and Eversource hook up for the Scenic/Salinger building. She asked if these costs were being covered by Chinburg or if they were additional expenses for the City. City Manager Cox stated that there may be a piece of the cost which the City is covering in regards to the water main extension due to the line being in the public portion of the street.

7. Other

Mayor McCarley asked Council if, due to the current state of COVID with the numbers on the rise again, the Council should consider a mask mandate. She clarified that as a governing body, the City Council does not have the ability to introduce an emergency order to be voted on, but there are other

avenues which could be taken through the Board of Health and otherwise to effect a similar outcome.

City Manager Cox reminded Council that he had not instituted a mask mandate in City buildings, but that was an option they could consider. He suggested Council discuss whether or not to require masks in all public locations throughout Rochester or just in City buildings.

Councilor Walker said that he felt the City could trust their citizens to wear masks without a formal mandate; he reported that in his experience, it is the exception to the rule to see unmasked people in public spaces.

Chief Klose gave a brief update on the numbers of COVID cases within Rochester and throughout the state, and the percentage of increase the City has experienced.

Council Lachapelle agreed with Councilor Walker that there is no need to mandate to the citizens that they must wear masks where the majority of the residents have already been doing so. Councilor Belken said that in her experience, it is location specific; sometimes she will go into a business where everyone is masked, while there are other places where there are no masks being worn. She stated that she would not support fines even if the City did decided to enact a mask mandate.

Councilor Hutchinson spoke about the difference between an enforced mask mandate and an unenforced mask mandate, both of which have been enacted in various communities throughout the State. He stated that he did not see an issue with establishing a mandate, but did not agree with fining residents for not complying. Councilor Hutchinson also cautioned that COVID numbers do not tell the whole story; with local residents traveling from community to community regardless of borders, with some being asymptomatic.

Councilor Hamann suggested that the Council could simply go on record as recommending masks as opposed to mandating.

Councilor Lachance stated that he felt a mask mandate is a matter of public health as opposed to civil liberties and did not feel that it violated any constitutional rights by requiring residents to wear mask in public places. He

suggested at least mandating masks in city buildings and schools, but agreed that there should not be fines enforced.

Mayor McCarley suggested that there may be more support for a mask mandate from private businesses than Council would suspect; with a mandate, the pressure is removed from the business owner for requiring customers to wear a mask and potentially causing tension. Mayor McCarley said that she did support at least having the City Manager enact a mask mandate for City buildings, which would not require any Council action.

Councilor Lauterborn suggested that there be further clarification that the mandate require masks in public areas of public buildings, so staff would not have to remain masked in their offices all day to be in compliance. Mayor McCarley agreed that the masks should be worn in public spaces and areas where 6-feet social distancing is not possible.

Councilor Lachapelle questioned the legality of the City imposing a mask mandate on private businesses. Mayor McCarley stated that the City's health board could draft a document explaining the expectations of such a mask mandate, with timelines and specific dates, and the Council could then adopt that document which would act as an emergency order. Mayor McCarley stated that if this is the way the Council intends to move forward, they can have the Health Board draft the language to be presented at the December 1, 2020 regular meeting. Councilor Belken suggested that the Health Board develop the language to be presented at the December meeting; that way even if it does not end up being adopted, the Council will have the document in place to review and consider.

Chief Klose stated that in his experience, the City's outdoor public areas such as parks, basketball courts and playgrounds are being frequented by residents not wearing masks. Chief Klose recommended the Council consider these areas in the mandate as well.

Councilor Rice speculated that the City does not have the police resources to handle the potential influx of complaints and calls regarding disturbances or confrontations resultant from residents not wearing masks. Councilor Walker agreed that a mandate may cause more tension and disagreements.

Councilor Bogan stated that she did not see the purpose of a mask mandate if it will not be enforced. She asked how the City would propose to enforce the mandate if it is put in place.

Councilor Belken acknowledged that a mandate could potentially be a strain on the police and fire departments; but the alternative is the populace potentially becoming ill with the virus which she felt was a more serious consequence.

Mayor McCarley asked for a show of hands to show support for the City directing the Board of Health to draft language for a City-wide mask mandate to be presented at the December 1st meeting. 11 Councilors raised their hand in support. Mayor McCarley stated that it would be up to the City Manager and Health inspector to come up with a protocol for Public buildings and spaces. City Manager Cox stated that he would be requiring masks in City buildings and public spaces.

Councilor Gray noted that the City needs to be cautious about denying services to residents who are unmasked. There are some people who either can't or won't wear masks, and there needs to be a process in place to accommodate these people and offer them services. City Manager Cox stated that this scenario will be taken into consideration and the City will try to accommodate all customers.

Councilor Rice asked if there was still cleaning and sanitizing being done in City buildings between the hours of 1:00 PM – 2:00 PM daily. City Manager Cox confirmed that the public spaces and offices are still being cleaned during these times each day.

8. Adjournment

Mayor McCarley **ADJOURNED** the workshop meeting at 6:58 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk