

**CITY COUNCIL  
ROCHESTER, NEW HAMPSHIRE  
Nonpublic Session Minutes**

**Date:** August 3, 2021

**Motion to enter Nonpublic Session**

Made by: Rice

Seconded by: Walker

**Specific Statutory Reason cited as foundation for the nonpublic session:**

     RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

     RSA 91-A:3, II(b) *The hiring of any person as a public employee.*

     RSA 91-A:3, II(c) *Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

  X   RSA 91-A:3, II(d) *Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are averse to those of the general community.*

     RSA 91-A:3, II(e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against this board or any subdivision thereof, or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled*

     RSA 91-A:3, II(i) *Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.*

**Roll Call vote to enter nonpublic session:**

(circle replies below)

Mayor Lauterborn

Yes

No

Not Present

Deputy Mayor Walker

Yes

No

Not Present

Councilor Hutchinson

Yes

No

Not Present

Councilor Hunt-Hawkins	Yes	No	Not Present
Councilor Jean	Yes	No	Not Present
Councilor Hamann	Yes	No	Not Present
Councilor Lachapelle	Yes	No	Not Present
Councilor Abbott	Yes	No	Not Present
Councilor Fitzpatrick	Yes	No	Not Present
Councilor Hailey	Yes	No	Not Present
Councilor Rice	Yes	No	Not Present
Councilor Gray	Yes	No	Not Present
Councilor Bogan	Yes	No	Not Present

**Entered nonpublic session**

Time: 7:28 pm

**Other persons present during nonpublic session:**

City Manager Blaine Cox, Deputy City Manager Katie Ambrose, Director of Economic Development Michael Scala, City Engineer Michael Bezanson, and City Attorney Terence O'Rourke

**Description of matters discussed, and final decisions made:**

Hanson Street Pocket Park

Scala provided an update on the pocket park on Hanson Street. Scala stated he spoke with DPW Director Nourse who stated that his team will create the park. Scala will follow up when he receives firmer plans from DPW.

### 38 Hanson Street Update

Scala provided an update on the P & S with the O'Neills for the City owned parcel at 38 Hanson Street. Parking for the potential residents is the hang up. Scala presented a sketch plan for permit parking downtown, particularly Columbus Avenue. Councilor Fitzpatrick suggested that Scala contact the owner of the Downtowner for the City to purchase.

### 36 Allen Street

City Manager Cox presented an offer from the owner (Ralph Torr) of 36 Allen Street to purchase the property. Owner wants the City to have the first opportunity to buy it. Cox relayed that Director Nourse is interested in owning the property for snow storage and staging for downtown projects. Torr asked for between \$75-80,000.00. Sense of Council was no.

### **Motion to leave nonpublic session and return to public session**

Made by: Rice

Seconded by: Lachapelle

Motion: **PASSED** / DID NOT PASS (circle one)

### **Public session reconvened**

Time: 8:16 pm

Motion made to seal these minutes? **Yes** No (circle one)

Indefinitely? **Yes** No (circle one)

If yes, motion made by: Rice

Seconded by: Lachapelle

because it is determined that divulgence of this information likely would:

\_\_ Affect adversely the reputation of any person other than a member of this board.

X   Render a proposed action ineffective.

       Pertains to preparation or carrying out of actions regarding terrorism.

**Roll Call Vote to seal minutes:**

(2/3's vote of members present required)

Mayor Lauterborn	Yes	No	Not Present
Deputy Mayor Walker	Yes	No	Not Present
Councilor Hutchinson	Yes	No	Not Present
Councilor Hunt-Hawkins	Yes	No	Not Present
Councilor Jean	Yes	No	Not Present
Councilor Hamann	Yes	No	Not Present
Councilor Lachapelle	Yes	No	Not Present
Councilor Abbott	Yes	No	Not Present
Councilor Fitzpatrick	Yes	No	Not Present
Councilor Hainey	Yes	No	Not Present
Councilor Rice	Yes	No	Not Present
Councilor Gray	Yes	No	Not Present
Councilor Bogan	Yes	No	Not Present

**Motion:** **PASSED** / DID NOT PASS (circle one)

Time: 8:16 pm

**These minutes recorded by:** City Attorney Terence O'Rourke

**Note:** Under RSA 91-A:3, III. *Minutes of proceedings in nonpublic sessions shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, it is determined that divulgence of the information likely would affect adversely the reputation of any person other than a member of this board, or render the proposed action of the board ineffective, or pertain to terrorism. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply.*