

**Regular City Council Meeting
June 7, 2022
Council Chambers
6:00 PM**

COUNCILORS PRESENT

Councilor Beaudoin
Councilor Berlin
*Councilor Desrochers
Councilor Fontneau
Councilor Gilman
Councilor Gray
Councilor Hainey
Councilor Hamann
Councilor Larochele
Councilor Malone
Mayor Callaghan

OTHERS PRESENT

Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager
Terence, O'Rourke, City Attorney
Mark Sullivan, Deputy Finance
Peter Nourse, Director of City Services
Michael Scala, Economic Development
Manager
Paul Lynch, Chair of School Board

COUNCILORS EXCUSED/ABSENT

Deputy Mayor Lachapelle

MINUTES

1. Call to Order

Mayor Callaghan called the meeting to order at 6:00 PM.

2. Opening Prayer

Ed Cilley, Chaplain of the Rochester Police Department, gave the opening prayer.

3. Pledge of Allegiance

Mayor Callaghan led the Pledge of Allegiance.

4. Roll Call

Kelly Walters, City Clerk, called the roll. All Councilors were present, except for Councilor Lachapelle who had been excused and Councilor Desrochers who arrived at 6:20 PM. *The City Councilor of Ward 5 Seat B had been removed from the City Council on April 12, 2022.*

5. Acceptance of Minutes

5.1 City Council Regular Meeting: May 3, 2022
consideration for approval

Mayor Callaghan **MOVED** to **APPROVE** the Regular City Council meeting minutes of May 3, 2022, as revised with two additional corrections (4.1 and 14.1). Councilor Beaudoin seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

5.2 City Council Special Meeting: May 17, 2022
consideration for approval

Mayor Callaghan **MOVED** to **ACCEPT** the Special City Council meeting minutes of May 17, 2022. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6. Communications from the City Manager**6.1 City Manager's Report****Contracts and Documents Executed Since Last Month:****Department of Public Works**

- Pre-Paving ROW service agreement – Berry Surveying & Engineering
- Engineering Contract (septage facility)– Brown & Caldwell
- Change order, Winkley Farm paving – D&C Construction
- Estimate/Scope of Service, Hanson Street lot Drainage – S.U.R.
- Change Order, new DPW- Hutter Construction
- Scope of Services, 202A Water Main Ext – S.U.R.
- Haying Agreement Renewal – Parsell Farm
- Change Order, Pavement & Highway Improvement
- Agreement/Notice to Proceed, Woodman Area – S.U.R.
- Task Order, Portland St Bridge Repair – Hoyle, Tanner, and Assoc.
- Construction Phase Agreement, Tara Estates Sewer Pump Station – Weston & Sampson
- Change Order, Colonial Pines Sewer Extension
- Letter of Consent, Rochester Hill Tank site mods – T-Mobile
- Task Order/Engineering Services Agreement - Underwood Engineers

Economic Development

- FY22 CDBG Environmental Review – CAP Weatherization Briar Ridge
- Financial Management Plan – Easter Seals CDFA Grant
- FY23 CDBG Environmental Review – Hanson Pines Park Improvements
- FY23 CDBG Environmental Review – Public Service Agency Activities
- FY22 CDBG Environmental Review – CAP Weatherization, May 9
- CDBG-CV Environmental Reviews – Easter Seals Project
- FY22 CDBG Environmental Review – CAP Weatherization, May 17
- FY22 CDBG Environmental Review – CAP Weatherization, May 17 #2
- CDBG-CV Environmental Reviews – Gaffney Home Project
- FY23 CDBG Environmental Review – CAP Weatherization Release of Funds

IT

- Service Agreement – Consolidated Communications

Standard Reports:

- Personnel Action Report Summary

Blaine Cox, City Manager, expressed thanks to the organizers of the local Veterans Event held at the Rochester Common, which was named “Field of Honor”. He said there are many folks to thank; however, he wished to give special thanks to Jean Grover and Dawn Dupre who were instrumental in organizing that event.

City Manager Cox wished to thank the organizers of the Wings and Wheels Event, which had been successful. He thanked the Rotary Club members who volunteered and Jenn Marsh, Assistant Director of Economic Development Department who was a key organizer for that event.

Mr. Cox announced that the Lilac Family Fun Festival Event is to be held on Saturday, July 9th from 4:00 PM to 9:00 PM. He gave details of the event. Mayor Callaghan announced that volunteers are still needed for this event.

7. Communications from the Mayor

Mayor Callaghan wished to thank Ms. Gilman’s 4th grade class (William Allen School). Ms. Gilman invited the Mayor to speak to her

class about the City Government.

Mayor Callaghan said he was impressed with the Field of Honor Event held at the Common over the Memorial Day weekend.

Mayor Callaghan said the City Economic Development Team along with the Rochester Chamber of Commerce held two meetings during the month of May relative to the Manufactures Extension Partnership (NH MEP).

7.1. Recognition of exemplary service – Public Safety Communications Dispatchers

Assistant Fire Chief Wilder addressed the City Council. He said on the morning of June 15, 2021, Rochester agencies were dispatched to a home in Gonic, NH for the apparent pre-mature birth of a set of twins (24 weeks). He gave details about the report which included calling other communities to assist and the successful transport of bringing three viable patients to Frisbie Memorial Hospital. Mr. Wilder called upon the following dispatchers to come forward and be recognized with a certificate and an accommodations medal with the colors pink and blue for their efforts during the childbirth:

- Rochester Dispatch:
 - Michelle Kochanowicz
 - Khristine Bibeau

7.2. TIF Presentation

Mark Sullivan, Deputy Finance Director, gave a lengthy PowerPoint presentation about the TIF Districts.

Councilor Fontneau asked if there is new residential development within the Granite Ridge District, if the assessed value of that new development would be retained at 100%? Mr. Sullivan replied yes. Councilor Fontneau understood that a portion of that money would or could be used to off-set the impact on services (*such as schools, water, sewer etc.*). Mr. Sullivan said a dollar amount would need to be identified in order to determine the percentage (*if the new development within the TIF District would cause a direct impact on the school system and other services*). He said at that point, the 100% retained funding would be reduced to an appropriate amount to off-set those expenses. He explained that it would not be a direct cash transfer; however, it would be accomplished through an increase to the assessed property value in order to reduce the money needed to be raised through taxes,

which would have a lowering effect on the tax rate. He stated that other options could be explored to achieve the same goal.

Councilor Fontneau spoke in favor of the concept of the TIF District, however, he expressed concerns over how residential development would be handled.

City Manager Cox explained that the City Council adopted the TIF District Plan, which stipulates the funding is held at 100%; however, that plan can be adjusted. He suggested that Mr. Sullivan send a copy of the current TIF Plan to the City Council.

Councilor Beaudoin said the first obligation the City has with funds that are retained in a TIF District must be to pay back the bonds and interest of the TIF District. Mr. Sullivan agreed that enough assessed value would need to be retained in order to generate enough money to pay the debt service back first; however, once that is established, the amount to be retained by the City could be reduced to an appropriate level if the TIF Plan was adjusted. He gave an example and said by 2027 the TIF District will be at the end of Phase I and will be in a very good position to generate more revenue.

Councilor Hainey questioned the different TIF Districts' restrictions/plans. Mr. Sullivan said each TIF District has its own plan, and it can be different from one another. Councilor Hainey asked if the Ridge TIF District could be separated by commercial development vs residential development. Mr. Sullivan said he was not sure of that answer and would need to consult with the City Assessor.

Councilor Gray agreed with the concerns of Councilor Fontneau. He understood that in a TIF District, the tax revenue is not being sent right away to the School District, County, or other services, which makes sense for non-residential development; however, a residential development would have an immediate impact on the school, City services and other resources on the City. He gave reasons why this is a big step to take and said he is not sure if it is the right decision for the citizens of Rochester.

Mr. Sullivan explained how the County calculates the taxes for Rochester, which includes the assessed value of the TIF Districts. He explained that a portion of the retained funding could be authorized to offset the school expenses and lower the tax rate.

Councilor Gray said if a development project is constructed outside of the TIF District then it becomes part of what is called "new

construction” and the City has the ability to include it in the tax cap calculation. He said it seems inequitable for the schools, *in his opinion*.

Mr. Sullivan said the “net new construction” in a TIF District is not used in the figure to set the Tax Cap. Councilor Gray agreed and said that is the point; the schools would get the money sooner if the development occurred out of the TIF District.

8. Presentation of Petitions and Council Correspondence

8.1. Zoning Petition: Amendment to Chapter 275 Table 18-C to allow Indoor Recreation in the Industrial Zone as a permitted use- Lisa Stanley *motion to accept or deny the petition*

Mayor Callaghan read the title of the Zoning Petition as submitted by Lisa Stanley as follows:

Amendment to Chapter 275 Table 18-C to allow Indoor Recreation in the Industrial Zone as a permitted use

Councilor Beaudoin asked what happens if the petition is accepted this evening. Attorney O’Rourke said if the City Council accepts the petition this evening, the petition is sent to his office (legal department) to transform the petition into a resolution with the correct ordinance format. He said at that point, it is sent back to the City Council for a first reading and follows the adoption process; however, it can also be denied during any of those stages. Councilor Beaudoin **MOVED** to **ACCEPT** the Petition. Councilor Fontneau seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

9. Nominations, Appointments, Resignations, and Elections

9.1 *Nomination:* Mark Jennings - NHDES Local River Management Advisory Committee (Cocheco and Isinglass Rivers) *consideration for approval*

Mayor Callaghan nominated Mark Jennings to be appointed as a Member of the NHDES Local River Management Advisory Committee. Councilor Malone seconded the nomination. The **MOTION CARRIED** by unanimous voice vote.

9.2 *Resignation:* Ashley Greene - Supervisor of the Checklist, Ward 3 *consideration for approval*

Councilor Larochelle **MOVED** to **ACCEPT** the resignation of Ashley Greene, with regret, and to send a letter of appreciation. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

9.3 New Appointment: Susan Bailey – Supervisor of the Checklist, Ward 3 *consideration for approval*

Mayor Callaghan **MOVED** to appoint Susan Bailey as the Supervisor of the Checklist, Ward 3. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10. Reports of Committees

10.1 Appointments Committee

10.1.1 New Appointment: Laura Zimmerman – Zoning Board of Adjustments, Seat I, Alternate Member *term to expire 1/02/2025 consideration for approval*

Councilor Gray said the Committee recommends that Laura Zimmerman be appointed as an Alternate Member of Zoning Board of Adjustments (Seat I). Mayor Callaghan nominated Ms. Zimmerman as stated above. Mayor Callaghan **MOVED** that nominations cease and the Clerk cast one ballot for Ms. Zimmerman. Councilor Malone seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

10.2 Codes and Ordinances Committee

10.2.1 Committee Recommendation: To approve the amendments to Chapter 75-1 of General Ordinances of the City of Rochester "Appointment and Requirement of Fire Chief" *consideration for approval*

Councilor Beaudoin briefed the City Council about the Amendment to Chapter 75-1 as follows:

§ 75-1 Appointment and requirements of Fire Chief.

Upon appointment, the Fire Chief shall within six months establish residence *within a 20-mile radius from the fire station located at 37 Wakefield Street.* ~~the City's boundaries,~~ *unless this requirement is*

waived by the City Manager. The Fire Chief shall work under the direct supervision of the City Manager in accordance with the provisions of Section **18** of the Rochester City Charter. The Fire Chief shall manage the Fire Department and consult with and advise the City Manager on all matters pertaining to the equipment and control of the Fire Department. Subject to the approval of the City Manager, the Fire Chief shall make rules and regulations for the internal operation of the Fire Department as he/she deems necessary and shall keep the same posted in the fire station and other buildings of the Department.

Councilor Beaudoin **MOVED** to **APPROVE** the Amendment to Chapter 18. Councilor Fontneau seconded the motion.

Councilor Beaudoin said, initially, the discussion established that the City Manager could waive the residence requirement; however, the Committee further discussed the matter and decided that a limitation of distance (20 mile radius) from the fire department, would be more appropriate. Councilor Larochelle gave reasons why he suggests an edit to the verbiage.

Councilor Larochelle **MOVED** to **AMEND** the proposed change as follows: ~~unless this requirement is waived by the City Manager.~~ Councilor Fontneau seconded the motion.

Councilor Hainey spoke against the amendment all together. She said that she believed that the Fire Chief and other department heads should live within the city limits. Councilor Berlin said that taxpayers should not be paying for the fuel cost (City Vehicle) of a fire chief, if allowed to live outside the city limits (20-mile radius).

Councilor Fontneau wished to clarify that the position of Fire Chief is the only position in the entire City that is required to live within city limits. He said, initially, the request was to eliminate that requirement entirely; however, the Committee determined that instead of eliminating the requirement in its entirety, that a 20-mile radius restriction would make more sense. Councilor Desrochers spoke in favor of the change. The **MOTION CARRIED** to **AMEND** the motion by a majority voice vote.

Mayor Callaghan called for a vote on the motion as amended. The **MOTION CARRIED** by a majority voice vote.

The approved amendment is revised as follows:

§ 75-1 Appointment and requirements of Fire Chief.

Upon appointment, the Fire Chief shall within six months establish residence **within a 20-mile radius from the fire station located at 37 Wakefield Street. the City's boundaries, unless this requirement is waived by the City Manager.** The Fire Chief shall work under the direct supervision of the City Manager in accordance with the provisions of Section **18** of the Rochester City Charter. The Fire Chief shall manage the Fire Department and consult with and advise the City Manager on all matters pertaining to the equipment and control of the Fire Department. Subject to the approval of the City Manager, the Fire Chief shall make rules and regulations for the internal operation of the Fire Department as he/she deems necessary and shall keep the same posted in the fire station and other buildings of the Department.

10.2.2 Committee Recommendation: To approve the addition to the City Council Rules of Order, section 1.8 "Open Door" as detailed by City Staff consideration for approval

Councilor Beaudoin **MOVED** to **APPROVE** the City Council Rules of Order as outlined in Section 1.8 below. Councilor Fontneau seconded the motion.

Councilor Beaudoin said there were a few issues left to be addressed, one of which was the question about the need for a "crash bar" on the door, in cases of emergencies. He said the fire department has confirmed that no crash bar is required because the capacity of the room is under 100.

Councilor Beaudoin said that the City Council Chamber's door does in fact lock if closed for a period of time, which would not allow citizens to enter if closed. City Manager Cox explained that there is a thumb-wheel on the door handle that can be rotated to the "unlocked" position, which would allow the door to be open even if closed.

Councilor Beaudoin stated if the door is to be shut due to loud activity in the hallway during a meeting, then a sign would be posted on the outside of the City Council Chamber doors, which would read: Meeting In Session, Open to the Public, Please Enter Quietly, Door to Remain Closed.

Mayor Callaghan called for a vote on the motion. The **MOTION CARRIED** by a majority voice vote.

SECTION 1.8 OPEN DOOR

Except in circumstances when the City Council is using Council Chambers for Non-Public Sessions or Non-Meeting, the door to Council Chambers shall remain open. However, if the Chair determines that noise or other distractions emanating from the rest of City Hall are interfering with the conduct of business, the Chair may order the door to be closed. If the Chair does order the door closed, the door shall be immediately affixed with a sign stating "Meeting In Session, Open to the Public, Please Enter Quietly, Door to Remain Closed." As soon as any interference with the conduct of City Council business has terminated, the door to Council Chambers shall be ordered open by the Chair.

10.3 Finance Committee**10.3.1 Resolution Pursuant to RSA 34:1-a Establishing an Economic Development Reserve Fund first *reading and refer to Public Hearing June 21, 2022***

Mayor Callaghan read the Resolution by title only and referred the matter to a Public Hearing to be held on June 21, 2022.

Resolution Pursuant to RSA 34:1-a Establishing an Economic Development Reserve Fund**BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:**

By adoption of this Resolution, the City Council establishes a Non-Capital Reserve Fund pursuant to RSA 34:1-a for the purpose of encouraging economic development within the City, encouraging the development of industrial and commercial sites, promoting the City as an attractive location for businesses and residents, and acquisition of land related to the same. The name of such fund shall be the Economic Development Reserve Fund.

The City Council, at its sole discretion, may appropriate funds into said Economic Development Reserve Fund through supplemental appropriations or the annual budgeting process, however, in no case shall said annual appropriation be less than One Hundred Thousand Dollars (\$100,000.00). Revenue sources can be Waste Management Host Fee Revenues, or General Fund Unassigned Fund Balance. In addition, other unanticipated revenue sources, and proceeds from transactions that were originally derived from the Economic Development Reserve Fund, may

also be appropriated into the fund upon a majority vote of the City Council.

Pursuant to RSA 34:6, the Trustees of Trust Funds shall have custody of all non-capital reserves transferred to the Economic Development Reserve Fund. The Trustees of the Trust Fund will hold the monies appropriated to the Economic Development Reserve Fund in a separate liquid investment account. Appropriations made to the Economic Development Reserve Fund will be submitted to the Trustees of the Trust Fund within the same fiscal year of the appropriation.

Pursuant to RSA 34:10, the City Council names the Economic Development Commission as its agent to carry out the objects of the Economic Development Reserve Fund. All expenditures made by the Economic Development Commission shall be made only for or in connection with the purposes for which said Fund was established and only in accordance with §7-38-40 of the City Code. All requests for expenditures shall be approved by the 2/3rds vote of the Economic Development Commission prior to being presented to City Council for final approval. Upon said 2/3rds vote expenditure requests may then be presented to City Council. Expenditure requests shall identify expense categories, or specific project scope detail. General administrative, travel and conference activities shall be ineligible expense activities. Expenditure requests can be presented as part of the annual budget process, or through supplemental appropriations. All approved expenditures shall follow the City's Purchasing Policy.

The City Council may dissolve the Economic Development Reserve Fund at its sole discretion. Upon dissolution of any portion of said fund appropriated from the General Fund said funds will lapse to surplus (General Fund Unassigned Fund balance) and cannot be repurposed directly to a different capital fund or project.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution.

10.4 Planning Board

No discussion.

10.5 Public Safety

10.5.1 Committee Recommendation: To place a radar

sign permanently on Salmon Falls Road
consideration for approval

Councilor Berlin **MOVED** to **APPROVE** the Committee Recommendation to place a radar sign permanently on Salmon Falls Road. Councilor Malone seconded the motion.

Councilor Berlin said this roadway has had a number of issues/complaints and this is one of the first steps to resolve those issues. He said the Police Department recently purchased two radar signs; the recommendation is to install one of those signs on Salmon Falls Road permanently.

Mayor Callaghan asked where the sign would be located. Councilor Berlin said it would be placed at the technical discretion of the Department of Public Works. He said it would be close to the Portland Street/Salmon Falls Road intersection. It was determined that those folks traveling towards the State of Maine would see the sign.

Councilor Beaudoin asked if the funding source has been identified. Mayor Callaghan replied that this was a Police Department Budget purchase.

Councilor Larochelle spoke in favor of such signs; however, he said, by erecting a permanent sign on a road may result in other requests being made moving forward. He felt it was a slippery slope. Councilor Berlin said other options have been requested to resolve this issue; however, the costs involved with other solutions have been significantly more expensive than the motion on the floor. He felt Salmon Falls Road has become too dangerous and the City Council would not be obligated to enact this same method on other roads. He said the City Council would always have the final approval.

Mayor Callaghan asked for the traffic/pedestrian data of Salmon Falls Road. Police Chief Boudreau replied that information could be provided to the City Council; however, without that data present, he said Salmon Falls Road has been considered a road with consistent speed related complaints year after year. He spoke about the radar signs used on other roads in the City and spoke in favor of utilizing one of the radar signs for Salmon Falls Road permanently.

Councilor Berlin said the radar report for Salmon Falls Road shows the average speed is 5 mph over the speed limit.

Councilor Fontneau wished to confirm that this permanent radar

sign would not be on a movable trailer. Chief Boudreau replied that is correct. Mayor Callaghan asked if the permanent radar sign could collect speed data. Chief Boudreau replied that the sign has the ability to collect speed data, however, the process is not as seamless as the movable trailers.

Councilor Berlin wished to clarify that the Police Department has purchased two of these radar signs and only one will be permanently erected on Salmon Falls Road.

Mayor Callaghan called for a vote on the motion to adopt. The **MOTION CARRIED** by a unanimous voice vote.

10.5.2 Committee Recommendation: To reduce the speed limit to 25 mph 2,000 feet prior to the "stop" sign on Salmon Falls Road *consideration for adoption*

Councilor Berlin **MOVED** to **APPROVE** the Committee Recommendation to reduce the speed limit to 25 mph 2,000 feet prior to the "stop" sign on Salmon Falls Road. Councilor Malone seconded the motion. The City Council discussed/debated the issue. It was determined that 2,000 feet is located just after Stonewall Drive.

Councilor Berlin **MOVED** to **AMEND** the motion to post the signs on both sides of the Road. Councilor Fontneau seconded the motion. The **MOTION CARRIED** by a majority voice vote.

Mayor Callaghan called for a vote on the motion as amended. The **MOTION CARRIED** by a unanimous voice vote.

10.5.3 Committee Recommendation: To remove the "2 Hour parking" signs at 197 Columbus Avenue *consideration for approval*

Councilor Berlin **MOVED** to **APPROVE** the Committee recommendation to remove the "2 Hour Parking" sign at 197 Columbus Avenue. Councilor Malone seconded the motion. Councilor Fontneau asked for the location of 197 Columbus Avenue. Mayor Callaghan replied that it was the parking spaces in front of the old Lamper's Hardware building. The **MOTION CARRIED** by a unanimous voice vote.

10.5.4 Committee Recommendation: To place a "dead end" sign on Tuttle Court *consideration for approval*

Councilor Berlin **MOVED** to **APPROVE** the Committee Recommendation to place a “dead end” sign on Tuttle Court. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.5.5 Committee Recommendation: To remove the handicap sign on Stillwater circle consideration for approval

Councilor Berlin **MOVED** to **APPROVE** the Committee Recommendation to remove the handicap sign on Stillwater circle. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.6 Public Works

10.6.1 Resolution Authorizing Supplemental Appropriation to the FY 2022 Sewer Fund Capital Improvement Plan (CIP) Project Fund in Connection with Wastewater Treatment Plant (WWTP) Biosolids Dewatering Facility Project in the Amount of \$2,500,000.00 and Borrowing Authority pursuant to RSA 33:9 *first reading and refer to public hearing June 21, 2022*

Councilor Hamann read the resolution by title only and referred the matter to a Public Hearing to be held on June 21, 2022:

Resolution Authorizing Supplemental Appropriation to the FY 2022 Sewer Fund Capital Improvement Plan (CIP) Project Fund in Connection with Wastewater Treatment Plant (WWTP) Biosolids Dewatering Facility Project in the Amount of \$2,500,000.00 and Borrowing Authority pursuant to RSA 33:9

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the amount of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) is hereby appropriated as a supplemental appropriation to the Department of Public Works FY2022 Sewer CIP fund for the purpose of paying costs associated with the WWTP Dewatering Facility Project.

In accordance with the provisions of RSA 33:9 and in conjunction with

this supplemental appropriation, the City Treasurer, with the approval of the City Manager, be, and hereby are authorized to borrow the sum of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) through the issuance of bonds and/or notes, and/or through other legal form(s), such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter to the extent required, necessary and/or appropriate.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded.

11 Old Business

11.1 Resolution Authorizing Supplemental Appropriation to the Fiscal Year 2022 General Fund Capital Improvements Plan (CIP) Fund in the amount of \$500,000 for Paving Rehabilitation of Winkley Farm Lane, Fiddlehead Lane and Bickford Road *second reading and consideration for adoption*

Mayor Callaghan read the resolution for a second time as follows:

Resolution Authorizing Supplemental Appropriation to the Fiscal Year 2022 General Fund Capital Improvements Plan (CIP) Fund in the amount of \$500,000 for Paving Rehabilitation of Winkley Farm Lane, Fiddlehead Lane and Bickford Road.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester hereby authorized a supplemental appropriation to the fiscal year 2022 General Fund Capital Improvements Plan Fund in the amount of Five Hundred Thousand Dollars (\$500,000) for the paving rehabilitation of Winkley Farm Lane, Fiddlehead Lane and Bickford Road.

Further, for the purposes of funding the expenditures for these paving rehabilitation efforts the Mayor and City Council of the City of Rochester hereby resolve that the funding source shall be General Fund Unassigned

Fund Balance. Further, if final expenditures for the rehabilitation of Winkley Farm Lane, Fiddlehead Lane, and Bickford Road result in a surplus of funds said surplus may be allowed to carry forward into the annual pavement rehabilitation Capital Improvements program and be applied to additional pavement rehabilitation efforts.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

Councilor Beaudoin **MOVED** to **ADOPT** the resolution. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

11.2 Resolution Pursuant to RSA 34:11-a Discontinuing the History of Rochester Capital Reserve Fund
second reading and consideration for adoption

Mayor Callaghan read the resolution for a second time as follows:

Resolution Pursuant to RSA 34:11-a Discontinuing the History of Rochester Capital Reserve Fund

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

By adoption of this Resolution, the City Council hereby discontinues the History of Rochester Capital Reserve Fund. The Trustees of the Trust Funds shall pay all monies remaining in said Fund to the City treasury.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution.

Councilor Beaudoin **MOVED** to **ADOPT** the resolution. Councilor Malone seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

11.3 Amendment to Chapter 275-8 of the General Ordinances of the City of Rochester regarding the Granite Ridge Development Zone *second reading and consideration for adoption*

Mayor Callaghan read the Amendment for a second time by title only as can be found in Addendum A.

No motion was made; however, the City Attorney said some type of motion must be made.

Councilor Hamann **MOVED** to **APPROVE** the Amendment to Chapter 275-8. Councilor Fontneau seconded the motion.

Councilor Fontneau supported the project; however, he stated concerns about how the residential development would work in a TIF District. He suggested having another meeting/discussion about the TIF District prior to voting.

Councilor Beaudoin opposed the motion. He gave reasons why a TIF for industrial/commercial purposes is beneficial to the City; however, this residential development could have a huge impact on the local school system. He said a final proposal has not been forthcoming and it is unknown if there are 200 or more apartments being developed. He spoke about the additional burden on traffic in that area as well.

Councilor Malone agreed that there is just not enough information about how this development would impact the services to the City. She said the Conservation Commission has not fully reviewed the proposal.

Councilor Fontneau spoke positively about the Conservation Commission and Planning Board. He said this is simply a request to change the zoning in order to allow the residential development; however, if the amendment is approved, any plan moving forward must be fully vetted through the land use boards. He said, the Governor, in his state of the union address, expressed concerns that New Hampshire is in the midst of a housing crisis. He reiterated his support of the project and suggested other options be explored relative to the residential development/TIF District. He recommended referring this amendment back to Committee level.

Mayor Callaghan asked if this could be sent back to the Planning Board. Attorney O'Rourke replied no, because it was already approved by the Planning Board.

The City Council discussed tabling the motion to a date certain/not certain. The final motion is as follows: Councilor Larochelle **MOVED** to **TABLE/POSTPONE** until August 2, 2022. Councilor Beaudoin seconded the motion The **MOTION CARRIED** by a unanimous roll call vote of 10 – 1. Councilors Beaudoin, Berlin, Desrochers, Fontneau, Gilman Hainey, Hamann, Larochelle, Malone, and Mayor Callaghan voted in favor of the motion. Councilor Gray voted against the motion.

The City Council discussed tabling the motion to a date certain/not certain. The final motion is as follows: Councilor Larochelle **MOVED** to **TABLE/POSTPONE** until August 2022. Councilor Beaudoin seconded the motion The **MOTION CARRIED** by a roll call vote of 10 – 1. Councilors Beaudoin, Berlin, Desrochers, Fontneau, Gilman Hainey, Hamann, Larochelle, Malone, and Mayor Callaghan voted in favor of the motion. Councilor Gray voted against the motion.

**11.4 Resolution Approving Fiscal Year 2022-2023
Operating Budget for the City of Rochester *second
reading and consideration for adoption***

Mayor Callaghan read the resolution by title only as follows:

**Resolution Approving Fiscal Year 2022-2023
Operating Budget for the City of Rochester**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY
OF ROCHESTER:**

That a twelve (12) month operating budget for the City of Rochester be, and hereby is, approved and appropriated for the period beginning July 1, 2022 and ending June 30, 2023 in the amounts and for the purposes more particularly set forth in the City of Rochester, Proposed Budget, Fiscal Year 2023 (July 1, 2022 - June 30, 2023), as amended, the provisions of which are incorporated herein by reference thereto by attached **Exhibit A**. *See Addendum B*

This budget may be reconsidered before the tax rate is set if City, School and/or County revenues are changed by the State of New Hampshire or by the Federal Government. The budget appropriations contained in this Resolution are predicated upon projected revenues as more particularly

set forth in the City of Rochester, Proposed Budget, Fiscal Year 2023 (July 1, 2022 - June 30, 2023), as amended, the provisions of which are incorporated herein by reference thereto. (Exhibit A – See Addendum B)

Councilor Gray questioned if the motion had been previously tabled. City Attorney O'Rourke replied that after the first reading, the City Council has been meeting as a whole during normal budget deliberations.

Councilor Fontneau **MOVED** to **ADOPT** the resolution. Councilor Malone seconded the motion.

Mayor Callaghan **MOVED** to accept all the changes as outlined in Exhibit A dated May 17, 2022. Councilor Fontneau seconded the motion. Councilor Fontneau wished to clarify that a yes vote would not preclude any additional action on those items. Mayor Callaghan replied that is correct, the budget is still open for amendments. The **MOTION CARRIED** by a 10-1 roll call vote. Councilors Berlin, Desrochers, Fontneau, Hamann, Hailey, Larochelle, Beaudoin, Malone, Gilman, and Mayor Callaghan voted in favor of the motion. Councilor Gray voted against the motion.

Councilor Beaudoin referred to the Issues & Options Booklet (Page 52) Position of Deputy Technical Services/Public Works.

Councilor Beaudoin **MOVED** to **CUT/DELAY** the Position of Deputy Director for Technical Services/Public Works until FY 2024 in the amount of \$141,628. Councilor Malone seconded the motion.

Councilor Hailey asked how this cut would impact the issues the City currently surrounding EPA requirements. Peter Nourse, Director of City Services, said this position was recommended by the Water/Wastewater Workforce Study. He explained that the EPA requirements must be met; however, by eliminating this position it would make the efforts less efficient and more difficult.

Councilor Larochelle said the City is facing an uphill battle with meeting EPA regulations. He supported the expansion of the Department of Public Works personnel. Councilor Larochelle said the director did not come forward and request all of the recommended positions in the study; however, this is a step in the right direction to achieve the recommended level of staffing over the next five years.

Mayor Callaghan asked Mr. Nourse to outline the two proposed management positions being requested this year.

Mr. Nourse stated that the idea of creating a deputy structure within the Department of Public Works has been a goal/need for a long time. The Department of Public Works has the largest department and number of personnel of any department in the City; however, there is no deputy structure in place. He explained the technical and operations services. He said these positions are important to operate effectively, to keep employee retention, and to plan for succession.

Councilor Beaudoin believed the question had been asked if these positions could be delayed for a year and the answer at that time was yes, because the reporting requirements are at least a year-out at this time. He reiterated that his motion is merely to postpone the funding of this position for one year. Councilor Desrochers gave reasons why she would not support cutting this funding. Councilor Malone asked Mr. Nourse which one of the two deputy positions is most needed. Mr. Nourse replied that his first choice would be the Position of Deputy Director for Technical Services/Public Works, although both positions were recommended by the study. Councilor Fontneau said he would support this position because it is most recommended by the director; however, he would vote in favor of delaying the other position. City Manager Cox replied that he strongly supports both of these positions. He said this is the largest departments in the City and it does not currently have a deputy structure. He said even without the additional EPA requirements, the department has struggled without that support staff position.

Councilor Larochelle wished to reiterate that this is only a portion of the Study's recommendation. Mr. Nourse said the Study contains a five-year Master Plan to fully staff the department.

The **MOTION FAILED** by a roll call vote of 3 to 8. Councilors Beaudoin, Gilman, and Councilor Fontneau voted in favor of the motion. Councilors Hamann, Desrochers, Malone, Berlin, Hainey, Larochelle, Gray, and Mayor Callaghan voted against the motion.

Councilor Beaudoin referred to the Issues & Options Booklet (Page 49). Deputy Director for Operations and Administration/Public Works.

Councilor Beaudoin **MOVED** to **ELIMINATE** the Position of Deputy Director for Operations and Administration/Public Works in the amount of \$122,038. Councilor Malone seconded the motion.

The **MOTION FAILED** by a roll call vote of 4 to 7. Councilors Malone, Gilman, Fontneau, and Councilor Beaudoin voted in favor of the motion. Councilors Hainey, Gray, Laroche, Desrochers, Berlin, Hamann, and Mayor Callaghan voted against the motion.

Councilor Hamann referred to the Issues & Options Booklet (Page 62) Position of Wastewater Pump Station and Collections System Lead.

Councilor Hamann **MOVED** to **ADD** to the City Manager's proposed budget to include the position of Wastewater Pump Station and Collections System Lead in the amount of \$90,935. Councilor Desrochers seconded the motion. Councilor Hamann said this is a position with much training required and it would not be good to delay the hiring for another year, especially since some of the current employees are nearing retirement age. He said it is important to fully staff and train employees prior to the EPA Permitting Requirements coming on board. Mr. Nourse said this is another position recommended by the Water/Wastewater Workforce Study and it is part of the five-year master plan. He said the recommendation is to bring the level of staffing for the Water and Wastewater Facilities from twenty-nine employees to forty-one employees. He said forty-one employees is still less than the regional average. He gave a brief overview of the positions being recommended in the five-year master plan and current staffing at the facilities. He said a Draft Permit for Rochester Wastewater Treatment Facility is approaching very soon and could result in many new regulations/requirements, which the City Council has been briefed upon.

Councilor Beaudoin spoke against the motion because the two previous motions to approve the deputy positions passed. Councilor Fontneau requested the City Manager speak about why this position was not included with the City Manager's proposed budget. City Manager Cox explained that as he reviewed all the requests submitted for personnel, this position would have come next on his list of recommendations, but was unable to because of the Tax Cap compliance; however, He does support funding the position now that City Council has created a situation with more room to include this position, and still be in compliance with

the Tax Cap. Councilor Fontneau agreed with Councilor Beaudoin that if the City Council did not just vote to support both management positions then he would be inclined to support this position.

Councilor Berlin requested the current figures associated with compliance with the Tax Cap. Deputy City Manager Ambrose said the budget is currently \$921,120 below the Tax Cap. She added that the position of Wastewater Pump Station and Collections System Lead would be funded solely through the Sewer Fund and subsequently, not impact the Tax Cap calculation.

The **MOTION FAILED** by a roll call vote of 3 to 6. Councilors Desrochers, Hamann, and Larochelle voted in favor of the motion. Councilors Berlin, Gray, Fontneau, Hainey, Beaudoin, Malone, Gilman, Mayor Callaghan voted against the motion.

Mayor Callaghan **MOVED** to **INCREASE** the City Manager's proposed budget by increasing the Motor Vehicle Registrations Revenues by \$100,000 and by increasing the Waste Management Host Fees Revenues by \$300,000. Councilor Fontneau seconded the motion. Councilor Beaudoin supported the motion; however, he gave reasons why he felt the City is still spending above the Tax Cap by utilizing the unassigned fund balance. Councilor Hainey asked about allocating some of the money from the Host Fees to be given to the schools. Mr. Sullivan said an amendment to the motion would be needed to accomplish that action. The **MOTION CARRIED** by unanimous roll call vote of 11 to 0. Councilors Gilman, Gray, Hainey, Larochelle, Berlin, Fontneau, Hamann, Beaudoin, Desrochers, Malone, and Mayor Callaghan voted in favor of the motion.

Mayor Callaghan **MOVED** to **DECREASE** the School Department's Budget (bottom line) by \$200,000 (CASH/CIP- Operating Budget). Councilor Malone seconded the motion.

Councilor Fontneau asked if this was a general reduction to the School Department Budget or is based upon something more specific. Mayor Callaghan said figure is based upon a conversation he (Mayor Callaghan) had with the School Board Chair and Vice Chair. Councilor Gray requested that Mr. Lynch comment on the conversation, which generated this cut. Mayor Callaghan invited Paul Lynch, Chairman of the Rochester School Board to address the City Council. Mr. Lynch confirmed

that there could be an opportunity in another area in which this amount could be supplemented to work with that amount of a reduction. The **MOTION CARRIED** by 9 to 2 roll call vote. Councilors Hamann, Gilman, Malone, Fontneau, Gray, Berlin, Hainey, Beaudoin, and Mayor Callaghan voted in favor of the motion. Councilors Desrochers and Larochelle voted against the motion.

Councilor Hamann referred to the Issues & Options Booklet (Page 21) Additional Police Personnel – Support Lieutenant.

Councilor Beaudoin **MOVED** to **DECREASE** the City Manager's Proposed Operating Budget in the amount of \$140,392 (Additional Police Personnel – Support Lieutenant). Councilor Fontneau seconded the motion. Councilor Beaudoin spoke about the various new positions already included with the City Manager's Proposed Budget, which equates to approximately \$250,000 in salary/benefits. He said it seems the position being discussed is not a "boots on the ground" position and that the Police Department could request this increase to personnel next year when the economy has turned around.

Councilor Gray asked if this position is currently included in the City Manager's budget or not. Mayor Callaghan replied that the position was not initially included with the City Manager's proposed budget; however, a separate budget adjustment was made to add it into the budget.

Councilor Larochelle said the Police Department is heavily overstressed and over worked. He said the news media reports, on a daily basis, that Police Departments are not functioning properly. He said this position deals specifically with the technical support, which would in effect create more boots on the ground. He said it is an essential safety position.

Councilor Fontneau stated that he fully supports the Police Department; however, he would support a patrolman's position before supporting another management position.

Mayor Callaghan gave reasons why he felt the Police Department created a budget with cost savings. Councilor Beaudoin said this position would be essentially dealing with paperwork, which would in effect create more boots on the ground. The **MOTION FAILED** by a 5 to 6 roll call vote. Councilors Beaudoin, Fontneau, Malone, Desrochers, and Mayor

Callaghan voted in favor of the motion. Councilors Laroche, Gilman, Berlin, Hamann, Gray, and Hailey voted against the motion.

Katie Ambrose, Deputy City Manager, stated that the State Aide Revenue figures just passed based on the NH Retirement Contributions and the budget could be adjusted as follows:

- \$442,538 School Revenue
- \$197,919 City Revenue

City Manager Cox said this increase to State Aid is due to legislation recently adopted at the State level by providing a 7.5% of employee contribution to the Retirement Fund. He said it is a onetime FY 23 additional revenue from the State. It increases the non-property tax revenues, which would reduce the property tax levy. Councilor Fontneau added that the initial legislation was to add that 7.5% as a permanent contribution; however, that legislation was amended to the onetime contribution. Councilor Beaudoin **MOVED** to **APPROVE** the increase as outlined above. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Hailey **MOVED** to **INCREASE** the City Manager's Proposed Budget in the amount of \$174,000 for the purpose of including the Issues and Options request by the Opera House for the Fly Wheel Replacement. Councilor Desrochers seconded the motion.

Councilor Fontneau recalled that a reduced amount had been discussed at a previous meeting in the amount of \$155,000. Councilor Hailey replied yes, she had a previous motion to reduce the amount and move the project into a CIP item. Ms. Ambrose informed the City Council that if this motion passed and the funds were not expended by the end of Fiscal Year, the funds would no longer be available unless the funding source was adjusted to a Cash CIP, in which case it would be in a multi-year fund. City Manager Cox agreed with Councilor Fontneau that the suggestion from the last attempt to have this approved was with a reduced amount and to request that the Opera House make up the difference in cost through fundraising efforts.

The **MOTION FAILED** by a 2 to 9 roll call vote. Councilors Desrochers and Hailey voted in favor of the motion. Councilors Gray,

Hamann, Beaudoin, Gilman, Malone, Fontneau, Larochele, Berlin, and Mayor Callaghan voted in favor of the motion.

Councilor Berlin asked about the additional contribution from the State relative to retirement funds. He asked what impact that would have on the School's budget next year. Ms. Ambrose explained that the contribution is an increase to the non-property tax revenue for the School Department in the amount of \$442,538, which would bring the School side of the budget below the Tax Cap. Councilor Berlin understood that means their revenues would be that amount "less" next year. Ms. Ambrose said it is not a negative impact on the appropriation side of the budget; however, it is a reduction to the revenue side of the budget for next year. Councilor Gray stated when "new revenue" is received, it does reduce the amount to be raised through taxes and therefore puts the figure under the Tax Cap in the School Budget.

Mayor Callaghan said if there are no more Operating Budget deliberations at this time, he would **TABLE** the deliberations. A discussion ensued regarding tabling the motion until the June 14, 2022 Special Council meeting; however, Attorney O'Rourke advised that the City Council may need to go back to the Operating Budget once the CIP portion of the meeting is complete. Councilors were amendable to the revision. Mayor Callaghan restated that the Operating Budget would now be **TABLED** until after the CIP budget deliberation has been completed. *(Once the CIP Budget deliberations were complete – the Mayor Tabled the Operating Budget to the June 14, 2022, Special City Council meeting).*

11.5 Resolution Authorizing and Approving Fiscal Year 2022-2023 Capital Budget for the City of Rochester and Authorizing Borrowing in connection therewith
second reading and consideration for adoption

Mayor Callaghan read the resolution by title only as follows:

**Resolution Authorizing and Approving Fiscal Year 2022-2023
Capital Budget for the City of Rochester and Authorizing
Borrowing in connection therewith**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That the capital budget for the City of Rochester for fiscal year 2022-2023 (July 1, 2022 to June 30, 2023) in the total amount specified in **Exhibit A** annexed hereto, be, and hereby is, authorized and appropriated, and, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, is hereby authorized to arrange borrowing to finance a portion of said capital budget appropriation as identified on **Exhibit A** annexed hereto.

The aforementioned borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful lives of the capital projects for which borrowing is authorized by this resolution shall be more particularly set forth in the "City of Rochester, New Hampshire, Proposed CIP Budget, Fiscal Year 2023 (July 1, 2022 - June 30, 2023), as amended. (Exhibit A - See Addendum C)

Councilor Beaudoin **MOVED** to **ADOPT** the resolution. Councilor Malone seconded the motion.

Councilor Fontneau **MOVED** to accept all the changes as outlined in Exhibit A dated May 17, 2022. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Beaudoin said the City Manager has already pushed one of the 6-wheel dump trucks out to FY 24 and he (Councilor Beaudoin) would like to move the other truck out to FY 24.

Councilor Beaudoin **MOVED** to adjust the budget by **DECREASING** the CIP Budget (Cash) in the amount of \$212,000 by **DELAYING** the purchase of Truck #17 Plow & Laser and Stainless-Steel Dump Body Truck, until FY 24. Councilor Fontneau seconded the motion.

Councilor Beaudoin supported the motion. He said the Department of Public Works has a state-of-the-art mechanics bay to make necessary repairs. Councilor Berlin said he was initially in favor of this type of cut; however, once the Director of Public Works explained the issues with the vehicle, he has changed his mind.

Mr. Nourse stated that the original request was to purchase two 6-wheel dump trucks, one purchase was cut from the City Manager's proposed budget and the other remains. Truck #17, which remains in the budget, has significant problems. He said the solution of maintaining trucks for the long term is what is in place now; however, these trucks have been unwashed/uncovered for many years. He said keeping an old

truck on the road equates to more overtime for labor. He said it is also a risk factor keeping the older trucks on the road. He added that it also causes delays in the time it takes to plow, if one truck is out of service. He said the shipment for trucks/parts is greatly delayed. Councilor Desrochers asked for the additional cost to be quantified. Mr. Nourse said currently he does not have that data; however, he is hopeful that type of data could be collected moving forward through asset management. Councilor Desrochers asked if the City would be paying more money by not investing in this truck now. Mr. Nourse replied that the City would be paying more money (not as much as the cost of a new truck), however, it will take more time to repair the truck with labor/parts and increase the risk on the road.

Councilor Fontneau asked what fuel price was used to calculate the budget for the trucks. Mr. Sullivan replied that the departments with vehicles were advised to keep their fuel budgets level funded over the last five fiscal years. Mr. Sullivan said the City used to seek a vendor to offer a secure flat rate; however, that did not always result in a positive outcome. Mr. Sullivan said keeping the fuel estimate at \$3 average will likely be okay for the remainder of this fiscal year; however, there may be transfer of funds or request from contingency in FY 23. Councilor Fontneau asked what the total cost of fuel is estimated to be for FY 23. Mr. Sullivan replied it is approximately \$217,000 which includes the Police Department, Fire Department, Assessing, Department of Public Works, and any other City Vehicles. Councilor Fontneau questioned if that amount may double in the coming year. Mr. Sullivan said the Finance Department would continue to monitor all factors as it relates to the price and types of fuel needed throughout the year.

The **MOTION FAILED** by a 5 to 6 roll call vote. Councilors Beaudoin, Gilman, Fontneau, Berlin, and Mayor Callaghan voted in favor of the motion. Councilors Malone, Gray, Hamann, Desrochers, Hainey and Councilor Larochelle voted in favor of the motion.

Councilor Beaudoin **MOVED** to **DECREASE** the CIP Budget by \$160,000 by removing the purchase of the Mini Vacuum Street Sweeper. Councilor Fontneau seconded the motion. Councilor Beaudoin was not aware that the City actually swept the sidewalks in Rochester. Mr. Nourse said this is a new resource. He said this device can be operated by one employee and it can accomplish a lot of work. He said it will allow the sidewalks to be swept, which is an ability the City currently lacks and it

will bring the City into compliance with MS-4. He gave details about the vehicle and all the jobs that it can accomplish with a single operator. He said the downtown clean up continues to be an increasing challenge. Councilor Fontneau supported the motion to cut the purchase out of the budget because it seems more of a want and that funding might be better spent on fuel.

City Manager Cox said this was included with his proposed budget because Director Nourse makes a compelling case for the efficiencies the vehicle offers. He agreed that there is more emphasis being placed on the downtown area. Councilor Larochelle questioned what the estimated life expectancy of this vehicle. Mr. Nourse estimated that the life expectancy of the vehicle would be twenty years.

Councilor Malone spoke against the motion. She said it seems this would reduce the labor cost for that work and keep the downtown clean, which she felt is a priority. Councilor Desrochers spoke against the motion as well.

The **MOTION FAILED** by a roll call vote of 4 to 7. Councilors Gilman, Fontneau, Beaudoin, and Mayor Callaghan voted in favor of the motion. Councilors Larochelle, Hainey, Desrochers, Berlin, Gray, Malone, and Hamann voted against the motion.

Councilor Beaudoin **MOVED** to **DECREASE** the CIP Budget by \$200,000 by removing the purchase of the New Sidewalk Tractor. Councilor Berlin seconded the motion.

Councilor Beaudoin said it seem that a sidewalk tractor is needed; however, the price for this piece of equipment seems too pricey. He preferred that Mr. Nourse return with a more feasible option.

Councilor Berlin spoke against the motion. He said winter cleanup is an issue and many times his constituents cannot walk on the sidewalks due to the conditions. Councilor Desrochers agreed and said the sidewalks are not walkable in the winter.

Mr. Nourse gave a detailed overview of the condition of the sidewalk equipment. He said the goal is to purchase the new sidewalk tractors and phase out the older equipment.

Mayor Callaghan asked how many miles of sidewalks the City currently maintains. Mr. Nourse replied appropriately 45-miles of sidewalks.

Councilor Desrochers asked if there has been an increase to the miles of sidewalks that the City maintains over the past several years. Mr. Nourse said the sidewalks have not grown over the last 20 years, however, the sidewalks are deteriorating, which causes problems for the equipment.

City Manager Cox requested that Mr. Nourse expand on the quality of this vehicle. Mr. Nourse gave details about this vehicle and attachments. He said that he would like to standardize this make/model vehicle because it is better than other vehicles of this type. Councilor Fontneau asked how much the other sidewalk track vehicles cost. Mr. Nourse confirmed that they are about the same at an estimated \$180,000.

The **MOTION FAILED** by a roll call vote of 4 to 7. Councilors Fontneau, Malone, Gilman, and Councilor Beaudoin voted in favor of the motion. Councilors Laroche, Hailey, Desrochers, Gray, Berlin, Hamann, and Mayor Callaghan voted against the motion.

Councilor Beaudoin **MOVED** to **DECREASE** the CIP Budget by \$100,000 (Bond) by removing the current funding of the Economic Development/Water Street Development Design Engineering. Councilor Malone seconded the motion.

Councilor Beaudoin said this may be a project the City could invest in; however, it seems that the project is many years away from that happening. Councilor Fontneau spoke in favor of supporting this project, as it is important for the downtown revitalization. Mayor Callaghan agreed.

Councilor Desrochers requested that Michael Scala, Economic Development Director, address the City Council about the matter.

Michael Scala briefed the City Council about this long term plan for the downtown and connected the four rights-of-way in that area, which would increase the walkability and increase commercial development in the future. He said the Water street is not a City street; however, this is an opportunity to connect the Water street with Main Street and to make it more accessible to all the new apartments being developed in that area. He said it could also tie into the Woodman Renovation Project along Charles Street. He said at this point, the funds are necessary for completing the design work. He said it would connect over to the Riverwalk as well.

Councilor Desrochers shared that she has spoken with the Director of the Housing Authority about the need for walkable areas in the downtown area. She added that there were conversations at the Planning Board last evening about expanding the Riverwalk.

Councilor Beaudoin asked if the City has acquired the real-estate along that corridor. Mr. Scala said in theory, the City has three of the agreements on the four parcels of land; however, the other parcel is still in negotiations.

The **MOTION FAILED** by a 3 to 8 roll call vote. Councilors Beaudoin, Gray, and Gilman voted in favor of the motion. Councilors Hainey, Desrochers, Hamann, Berlin, Fontneau, Malone, Laroche, and Mayor Callaghan voted against the motion.

Ms. Ambrose gave details about housekeeping adjustments that should be made. She said the first is to remove the Cocheco Well Treatment Upgrades Project from the CIP (Bond) from the FY 23 Budget because it was recently appropriated for FY 22.

Councilor Hamann **MOVED** to **REMOVE** the Cocheco Well Treatment Upgrades Project from the CIP (Bond) from the FY 23 Budget in the amount of \$5,600,000. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Ms. Ambrose gave details about an additional housekeeping adjustment that should be made. She said adjustments are needed to the Route 11 Capacity Enhancements Projects, as recommended by the State, as follows: to Reduce the total appropriation to \$254,000 as well as to change the funding source to \$203,200 State Highway Funds and \$50,800 TIF Retained Earnings.

Councilor Hamann **MOVED** to **APPROVE** the adjustment to the Route 11 Capacity Enhancements Projects as recommended by Deputy City Manager Ambrose as follows: to Reduce the total appropriation to \$254,000 as well as to change the funding source to \$203,200 State Highway Funds and \$50,800 TIF Retained Earnings. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Mayor Callaghan **TABLED** the discussion and adoption of the CIP Budget and the Operating Budget to June 14, 2022, at a Special City Council meeting following the Finance Committee meeting.

12. Consent Calendar

Councilor Hamann **MOVED** to **ACCEPT** the Consent Calendar as outlined in 12.1. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

12.1 Resolution Deauthorizing Various Rochester Police Department Grants *first reading and consideration for adoption*

Resolution Deauthorizing Various Rochester Police Department Grants

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That the following funds previously appropriated to the Rochester Police Department as part of the named grants are hereby deauthorized:

<u>Name of Grant</u>	<u>Amount</u>
Highway Safety Distracted Driving Grant	\$1,833.62
Highway Safety Drive Sober or Get Pulled Over Grant	\$425.75
Highway Safety Join the Clique Grant	\$15.87
Highway Safety Speed Grant	\$588.39
Highway Safety U-Drive, U-Text, U-Pay Grant	\$55.59

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

13. New Business

13.1 City of Rochester Dog Warrant (May 1, 2021 to April 30, 2022) *Motion to Send Warrant to the Police Department for Action*

Mayor Callaghan **MOVED** to send the Warrant to the Police Department for Action. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.2 Resolution Authorizing Acceptance of New Hampshire Department of Justice (NHDOJ) Forfeiture Funds and Appropriation in Connection Therewith in the amount of \$434.25 *first reading and consideration for approval*

Mayor Callaghan read the resolution for a first time as follows:

**Resolution Authorizing Acceptance of New Hampshire
Department of Justice (NHDOJ) Forfeiture Funds and
Appropriation in Connection Therewith in the amount of \$434.25**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY
OF ROCHESTER, AS FOLLOWS:**

WHEREAS, that NHDOJ Forfeiture Funds in the amount of Four Hundred Thirty Four and 25/100 Dollars (\$434.25) awarded to the City of Rochester is hereby accepted by the City of Rochester;

FURTHER, that the sum of Four Hundred Thirty Four and 25/100 Dollars (\$434.25) be, and hereby is, appropriated to the Established Forfeiture Fund(s) Account:

FURTHER, to the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution.

Councilor Malone **MOVED** to **ADOPT** the resolution. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**13.3 Resolution Authorizing the Acceptance of a \$750.00
Juvenile Court Diversion Network Program Grant by
the Rochester Police Department (RPD) and
Supplemental Appropriation in Connection
Therewith *first reading and consideration for
adoption***

Mayor Callaghan read the resolution for a first time as follows:

**Resolution Authorizing the Acceptance of a \$750.00 Juvenile
Court Diversion Network Program Grant by the Rochester Police
Department (RPD) and Supplemental Appropriation in
Connection Therewith**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE
CITY OF ROCHESTER:**

That a Seven Hundred Fifty Dollar (\$750.00) Juvenile Court Diversion Network Program Grant is hereby accepted by the City on behalf of the RPD.

Further, the City Council authorizes a supplemental appropriation to the RPD Juvenile Alcohol Grant fund 6128 in the amount of Seven Hundred Fifty Dollars (\$750.00) with the entirety of the supplemental appropriation being derived from said Grant.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution and to establish special revenue, non-lapsing, multi-year fund accounts(s) as necessary to which said sums shall be recorded.

Mayor Callaghan **Moved** to **ADOPT** the resolution. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.4 Amendment to Chapter 218 of the General Ordinances of the City of Rochester Regarding Stormwater Management and Erosion Control *first reading and consideration for adoption*

Mayor Callaghan read the resolution for a first time as follows:

Amendment to Chapter 218 of the General Ordinances of the City of Rochester Regarding Stormwater Management and Erosion Control

THE CITY OF ROCHESTER ORDAINS:

That Chapter 218 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows (deletions ~~struck out~~ additions in **RED**):

§ 218-11 **Maintenance and inspection.**

- C. Installation, Construction, Maintenance and Inspection Requirements and responsibilities/Post Construction Inspection and Maintenance. All applicants requiring a Stormwater Management and Erosion Control Plan shall submit relevant pollutant accounting

information to the Planning Department as required by the Department of Public Works. Required information shall be submitted at the time of as-builts.

Amendment is effective upon adoption.

Mayor Callaghan **MOVED** to **ADOPT** the resolution. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.5 Resolution Authorizing the Acceptance of a \$4,000.00 Governor's Commission Alcohol Fund Grant by the Rochester Police Department (RPD) and Supplemental Appropriation in Connection Therewith *first reading and consideration for adoption*

Mayor Callaghan read the resolution for a first time as follows:

Resolution Authorizing the Acceptance of a \$4,000.00 Governor's Commission Alcohol Fund Grant by the Rochester Police Department (RPD) and Supplemental Appropriation in Connection Therewith

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That a Four Thousand Dollar (\$4,000.00) Governor's Commission Alcohol Fund Grant is hereby accepted by the City on behalf of the RPD.

Further, the City Council authorizes a supplemental appropriation to the RPD Juvenile Alcohol Grant fund 6128 in the amount of Four Thousand Dollars (\$4,000.00) with the entirety of the supplemental appropriation being derived from said Grant.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution and to establish special revenue, non-lapsing, multi-year fund accounts(s) as necessary to which said sums shall be recorded.

Mayor Callaghan **MOVED** to **ADOPT** the resolution. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous

voice vote.

13.6 Resolution Authorizing City Manager to Execute a State of New Hampshire ARPA Grant Agreement for the Ledgeview Drive Pump Station Upgrade Project
first reading and consideration for adoption

Mayor Callaghan read the resolution for a first time as follows:

Resolution Authorizing City Manager to Execute a State of New Hampshire ARPA Grant Agreement for the Ledgeview Drive Pump Station Upgrade Project

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester hereby authorize the City Manager to execute a State of New Hampshire ARPA Grant Agreement for the Ledgeview Drive Pump Station Upgrade Project in the amount of Three Hundred Seventy Nine Thousand Five Hundred Dollars (\$379,500.00). The Mayor and City Council previously accepted said Grant by a vote on April 5, 2022.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

Mayor Callaghan **MOVED** to **ADOPT** the resolution. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

14. Non-Public/Non-Meeting

14.1 Non-Public Session – Personnel, RSA 91-A:3, II (a)

14.2 Non-Public Session – Land, RSA 91-A:3, II (d)

City Attorney O'Rourke stated that the Non-Public Session for Personnel has been cancelled.

Councilor Hainey **MOVED** to enter into Non-Public Sessions under

Personnel, RSA 91-A:3, II and Land, RSA 91-A:3, II (d). at 8:29 PM. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 10 to 0. (Councilor Beaudoin declared a conflict of interest because he is a stockholder of the Rochester Agricultural and Mechanical Association. Councilors Berlin, Desrochers, Gray, Fontneau, Hamann, Hainey, Larochelle, Malone, Gilman, and Mayor Callaghan voted in favor of the motion. *Councilor Beaudoin abstained from voting and the Non-Public Session.*

Councilor Malone **MOVED** to exit the Non-Public Session at 9:20 PM. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Malone **MOVED** to seal the minutes because disclosure would render the proposed action ineffective. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll vote. Councilors Hamann, Desrochers, Malone, Berlin, Hainey, Larochelle, Gray, Gilman, Fontneau, and Mayor Callaghan voted in favor of the motion.

15. Adjournment

Mayor Callaghan **ADJOURNED** the Regular City Council meeting at 9:21 PM.

Respectfully submitted,

Kelly Walters, CMC
City Clerk

Addendum A

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

Article 8 Granite Ridge Development (GRD)

§ 275-8.1 Purpose.

Well-planned commercial ~~Zones districts~~ provide many benefits. For the community, tax revenue is maximized, infrastructure burden is reduced, and traffic impacts are minimized. For landowners and developers good planning allows for a process that is coherent, flexible and easy to navigate. ~~The Granite Ridge Development Zone (GRD) is intended to:~~

The Granite Ridge Development Zone (GRD) is intended to:

- Provide landowners and Developers with flexible yet clearly defined requirements.
- Minimize infrastructure cost to the City through good planning for the Zone as a whole rather than based on individual lots.
- Maximize the developable areas on the parcels within the Zone through the development of both commercial and residential projects.
- Minimize traffic impacts to Route 11 through implementation of a service road and shared intersections with Route 11.

~~A. Provide landowners and developers with flexible yet clearly defined requirements.~~

~~B. Minimize infrastructure cost to the City through good planning for the district as a whole rather than based upon individual lots.~~

~~C. Maximize the developable areas on the parcels within the district through creation of flexible dimensional requirements.~~

~~D. Minimize traffic impacts to Route 11 through implementation of a service road and shared intersections with Route 11.~~

A. Purpose and Intent

1. Nonresidential Commercial development remains the primary goal of the GRD, but the addition of Multifamily, and Mixed-Use is designed to allow a mixture of residential and commercial uses on one parcel. Developers will be required to receive Conditional Use approval from the Planning Board prior to project construction. The Zone includes options that enable and encourage greater flexibility in the design of mixed-use projects. Developers will provide a Development Plan outlining the project and how it conforms to the regulations and design standards outlined in this document.
2. Developments are intended to be complementary of one another and to create a sense of community between the mixed uses. Housing and commercial uses can be developed to provide the appropriate use of land, facilitate the economical and efficient provision of public services, promote open space conservation, protect the natural and scenic attributes of the land, and expand opportunities for the development of, outside the traditional residential developments.

B. Conditional Use Permit

1. Conditional Use approval may be granted by the Planning Board after proper public notice and public hearing provided that the proposed project complies with the following standards:

(a) The Applicant demonstrates that the development complies with the design guidelines outlined in the Design Standards portion of this document, as well as, applicable Site Review Regulations and requirements of §275.21.4. These guidelines encourage components that act as one project and not as two adjacent projects.

(b) The Applicant demonstrates that the development poses no detrimental effects on surrounding properties. Potential areas of impact that need to be analyzed include, but are not limited to, vehicular traffic, noise, visual blight, light pollution, offensive emissions such as dust, odor, or smoke.

§ 275-8.2 Delineation of Granite Ridge Development Zone.

A. The Granite Ridge Development Zone includes those parcels of land so identified on the Zoning Map of the City of Rochester, New Hampshire, which accompanies this chapter and is on file in the offices of the Director of Planning, Zoning, and Development and the Director of Building and Licensing Services. The GRD includes parcels of land located on both the easterly and westerly sides of New Hampshire State Route 11/Farmington Road.

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~~A. The zone includes those parcels of land so identified on the Zoning Map of the City of Rochester, New Hampshire, which accompanies this chapter and is on file in the offices of the Director of Planning and Development and the Director of Building, Zoning, and Licensing Services.~~

~~B. The Granite Ridge Development Zone includes parcels of land located on both the easterly and westerly sides of Route 11/Farmington Road. These parcels will benefit from any improvements to be made to Route 11/Farmington Road. Parcels located on the westerly side of Route 11/Farmington Road may have direct contact with, and benefit from, the service road planned to be built on the westerly side of Route 11/Farmington Road and intersections connecting to this service road, if and when opportunities for construction of this service road and these intersections develop.~~

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§275 – 8.3. Permitted Uses

A. Principal Uses

1. Nonresidential uses are allowed as follows:

[1] Any use as allowed within Tables 18B-18E of §275, Attachments 2-5.

2. Housing: (Conditional Use)

[1] Dwelling, mixed-use

[2] Dwelling, development multifamily

[3] Dwelling, multifamily

B. Accessory Uses

- (a) Recreational facilities
- (b) Community center
- (c) Maintenance Buildings
- (d) Rental and Sales Offices
- (e) Laundry facilities
- (f) Co-working Space – A space where multiple tenants rent working space and have the use of communal facilities.

§275-8.4. Site Plan Process

- A. The Developer shall prepare a Site Plan, which locates the proposed types of nonresidential and residential development, accessory uses, utilities, access roads, open space, and public ways. The parcels comprising the development may be under separate ownership, but shall be treated as one development and shall be bound by the approval granted for the entire Site Plan. If approval is granted, individual lots must be developed as part of the larger Development Plan and phasing outlined below, and not separately. A long term Maintenance Plan may also be required.
- (1) Commercial is the primary use within the GRD, with residential being considered a secondary use. As such, a minimum of fifty-five percent (55%) of total footprint of the project will be reserved for commercial/non-residential use. The remaining forty-five percent (45%) of the total project footprint may be utilized for residential development. By a majority vote, the Planning Board may adjust the final commercial / residential percent allocations subject to Conditional Use details in §275.21.4.
 - (2) Dwelling, Mixed-Use (MU) providing that one-hundred percent (100%) of the square footage of the first floor is reserved for a commercial use. Accessory and support uses (e.g. mechanical, storage, etc.) are permitted on the first floor of a mixed-use building, and will be recognized as commercial use. Buildings classified as MU will be exempt from requirements outlined in §275-8.4.A.1 and §275-8.4.A.6.
 - (3) A minimum of fifteen percent (15%) of the square-footage of the original parcel shall be reserved as open space and identified as such on the Development Plan. Fifty percent (50%) of the required open space must be usable uplands and reasonably accessible to all property owners/tenants in the project. Any open space provided above fifteen percent (15%) may be mixed wetlands and upland. Amenities constructed for use by the tenants (clubhouse, gym, ball courts, etc.) may be considered part of the “open space” calculation as determined by the Planning Board. The Planning Board shall have the flexibility to negotiate with the Developer when determining the final open space requirement.
 - (4) Residential uses require the submission of a plan outlining the number of proposed units achievable under current zoning allowances. This plan should be based upon maps that include plans for open space, parking, roadways, and all nonresidential and accessory buildings associated with the project. The final number of approved units will be subject to Planning Board review, and in some cases may require an analysis of the project’s impact on existing city infrastructure prior to approval.

(5) The minimum size of a residential unit shall be 500 square feet.

(6) No more than fifty percent (50%) of the residential development may be occupied prior to the completion of between twenty-five to fifty percent (25%-50%) of the non-residential structures. By a majority vote, the Planning Board may adjust these percent allocations subject to Conditional Use details in §275.21.4.

(7) The Development Plan may be phased for a term of up to five years (5).

For purposes of this section, development shall include:

- (a) construction of structures – to include proposed timeline, phasing, and ratio of commercial/residential construction;
- (b) schedule for proposed occupancy and leasing of commercial and residential uses;
- (c) environmental remediation;
- (d) site preparation or demolition;
- (e) roadway utility or recreation and common area design and construction; and
- (f) bonding or other security for site development

(8) Providing the Developer is making reasonable efforts to develop the site, the Planning Board may extend the initial five (5) year phasing period provided a request for extension is submitted before the expiration of the initial five-year (5) phasing term.

(9) Residential Development Plan Guidelines.

- (a) Dwelling layouts shall be so designed that parking is screened from external roadways by landscaping, building locations, grading, or screening. Major topographical changes or removal of existing trees shall be avoided wherever possible, and water, wetlands, and other scenic views from the external streets shall be preserved as much as possible.
- (b) Where possible, it is desirable and encouraged to mix residential and nonresidential uses. This may be achieved through situating the buildings close to each other, or through allowing structures to house residential – preferably on the second or above floor, and nonresidential on the first floor. Creativity and flexibility is encouraged and the development plan may offer another option for mixed-use.
- (c) All residential development must adhere to the architectural design guidelines outlined in section §275-8.5 of this ordinance.

(10) Nonresidential Development Plan Guidelines

- (a) The general character of the nonresidential structures within the development lot is intended to be a pedestrian friendly setting, with emphasis on the natural characteristics of the site. The site design should create a sense of character and cohesiveness through landscaping, façade treatment, and signage.

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§ 275-8.5 Architectural and Design standards.

A. Architecture:

The purpose of these Standards is to promote flexibility in large-scale mixed-use developments by considering project proposals based upon a comprehensive, integrated, and detailed plan rather than the specific constraints applicable to piecemeal, lot-by-lot development under conventional zoning requirements. A mixed-use development should improve the quality of new development by encouraging attractive features and promoting quality site design.

B. Non-residential Site Layout

Planning for mixed-use development on a site encompasses items such as its relationship to surrounding uses, building orientation on the site, pedestrian and vehicular circulation, and efficiency of parking areas, screening of loading and utility areas, and the design of landscaping, signage, and lighting.

(1) Trash and Loading:

- (a) Trash and loading areas should be integrated into building design, and possibly inset and/or screened with architectural features. Orient support uses such as trash enclosures, compactors, truck loading areas, and outdoor storage away from residential uses to the extent practical.
- (b) Whenever practical, and not impeded by wetlands or other physical constraints, trash and delivery areas shall be located off a shared access driveway between sites. The access driveway may be located at/along the side lot line(s), with each lot having its own trash and delivery area located off this access driveway.
- (c) Trash, delivery, and loading areas shall be well screened from Route 11. The lots situated between Market Place Boulevard and Route 11 call for special treatment because they have double frontages.

(2) Building Design:

- (a) Facade treatment. Building facades fronting on a service road and Route 11 shall both be treated as front facades, both thereby meriting attractive treatment, under the architectural standards included in the City of Rochester Site Plan Regulations.
- (b) Outdoor seating. If applicable, restaurant proprietors are encouraged to include seasonal outdoor seating in their initial site plan. Seating should be screened from parking and roadways.
- (c) Signage. All provisions of Article 29, Signage, herein shall apply.
- (d) When practical, locate some parking and service functions behind the building. For multi-building projects, organize the site layout to provide functional pedestrian spaces and landscaping amenities.
- (e) All facades, including back and side elevations of a building generally visible from public view or adjacent to residential areas, should be architecturally treated.
- (f) Design multi-building projects to include architecturally sensitive design elements throughout the project.

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- (g) Building elevations should incorporate architectural features and patterns that consider a pedestrian scale.
- (h) Building roofs shall be uncluttered and when flat roofs are visible from public roads, pitched roofs or parapets are required.
- (i) Rooftop and ground- mounted mechanical units and ventilating fans are to either be integrated into the design of the building, or screened from view.
- (j) At least two of these elements should repeat horizontally. Buildings with facades greater than 150 feet in length should include several of the elements listed below, repeated at appropriate intervals, either horizontally or vertically:
- Color change. Recognizable, but not strongly contrasting.
 - Texture change.
 - Material change.
 - Architectural variety and interest through a change in plane such as offsets, reveals, archways or projecting ribs.
 - Wall plane projections or recesses.
- (k) Service and exit doors should be integrated into the architecture of publicly visible elevations.
- (l) Where practical, variations in rooflines or parapets should be used to reduce the scale of non-residential buildings. Roof size, shape, material, color and slope should be coordinated with the scale and theme of the building.
- (m) All exterior building walls and structures shall be constructed with attractive, durable materials such as textured concrete, masonry, stone, brick, clapboard, finishing wood, stucco or glass.
- (n) The exterior walls of buildings should not predominantly utilize the following materials, except as accents:
- Pre-fabricated steel panels.
 - Corrugated metal.
 - Asphalt shingle roofs, except for period architecture.
 - Highly reflective glass.
- (o) Buildings should have clearly defined customer entrance(s) incorporating appropriate architectural elements

(3) Pedestrian Amenities:

- (a) Wherever practical, design attractive, safe, and convenient pedestrian and bicycle connectivity to streets, to include access to residential, commercial, and open space areas.
- (b) Design sites to minimize pedestrian and vehicular conflicts. Where pedestrian circulation paths cross vehicular routes, provide a change in paving materials, textures or colors to emphasize the conflict point. Where applicable, and to encourage outdoor seating, dining, and other amenities, sidewalks should be constructed of concrete and at least 10 feet wide.

(4) Vehicular Circulation and Parking:

- (a) To promote safe pedestrian access, create wide and well-lit sidewalks (concrete) and pathways.
- (b) Strive to minimize driveway cuts on arterial streets by providing vehicular cross-access easements and shared access driveways between adjacent commercial projects.
- (c) Traffic calming devices are encouraged in the interior of a site to enhance safety.
- (d) Landscaped parking areas shall be consistent with Section 5 of the Site Plan Regulations in order to break up the mass of large parking lots.

(5) Outdoor Display Areas:

- (a) On final site plans, identify the location of all proposed outdoor display and sales areas, including what type of items would be sold. Their location should not displace required parking, pedestrian, or landscaped areas.

(6) Signage:

- (a) Signage should refer to Article 29 of the City's Zoning Ordinance.

(7) Landscaping and Grading:

- (a) All landscaping and grading shall be consistent with Section 5 of the City's Site Plan Regulations, while complementing and enhancing project architecture.

(8) Lighting:

- (a) Design lighting to follow all site plan regulations and requirements, and where applicable, include pedestrian scale lighting

(9) Building Design/Architectural

- (a) Where practical, building mass should be broken into smaller elements, consistent with the proportions of the architectural style selected and surrounding uses.
- (b) Reduction of building mass may be achieved by using a combination of the following techniques:

- Variation in the rooflines and form.
- Use of ground level arcades and covered areas.
- Use of protected and recessed entries.
- Use of vertical elements on or in front of expansive blank walls.
- Use of pronounced wall plane offsets and projections.
- Use of focal points and vertical accents.
- Inclusion of windows on elevations facing streets and pedestrian areas.
- Retaining a clear distinction between roof, body and base of a building.
- The City supports the construction of “Solar Ready” structures designed for rooftop solar arrays.

(10) Dimensional Requirements:

(a) Non-residential / Mixed-use Buildings

- (1) Minimum structure setback from external lot line
Side: 50 feet
Rear: 100 feet
- (2) Minimum structure setback from external ROW 300 feet
- (3) Maximum non-residential building height 75 feet.
- (4) Structures over 55 feet shall be placed as close to the center of the lot as practical.

(b) Residential Structures:

- (1) Minimum structure and parking setback from external lot line
Side: 50 feet
Rear: 100 feet
- (2) Maximum residential building height 100 feet.
- (3) Structures over 55 feet will be placed as close to the center of the lot as practical.
- (4) Minimum setback from Route 11: 200 feet

(11) Parking:

- (a) All dwelling units shall require two independently accessible parking spaces per unit, or as determined by Planning Board, and be consistent with Section 10.C of the Site Plan Regulations
- (b) Non-residential uses shall comply with parking requirements defined by Site Plan Regulations.

(12) Utility Standards

- a) All utilities shall be underground.
- b) Utilities into individual sites shall be run from the common utility lines to be placed in the service road right-of-way.
- c) Service connections for utilities for pad sites, if any are created, shall be provided within the service road right-of-way.
- d) Transformer boxes shall be screened and utilize proper landscaping features.

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~~§ 275-8.3 Pavement dimensional regulations.~~

~~The setbacks shown in the table below shall apply to pavement used for parking and interior accessways. Driveways into the site from the service road are exempt from these setbacks. These setbacks guarantee a minimum ten-foot wide area for landscaping around the perimeter of the site (five feet plus five feet for adjoining lots along the side lot lines). This section shall supersede perimeter landscaping buffer requirements (15 feet along the front and 10 feet along the side lot lines) established in the Site Plan Regulations.~~

	Minimum Property Line Setbacks (in feet)		
	Front	Side	Rear
Pavement	10	5	10

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~~§ 275-8.4 Granite Ridge Development Study.~~

~~This article was created pursuant to the March 2009 "Granite Ridge Development Study, Farmington Road, Rochester, New Hampshire," prepared by CLD Consulting Engineers. This study should be referred to for reference in designing, reviewing, and approving proposed site plans and subdivision plans.~~

~~§ 275-8.5 Service road regulations.~~

~~The following requirements apply to those lots situated on the westerly side of Route 11/Farmington Road, on which the planned service road and access roads leading to or from the service road are to be situated.~~

- A. ~~Rights-of-way. To the extent practical and appropriate, as determined by the Planning Board, as part of any proposed site plan or subdivision plan, each landowner/developer shall incorporate into his/her plan, on the subject land, a sixty-foot wide right-of-way for the construction of the service road and/or access road(s). The right of way shall traverse the subject lot from the southerly lot line to the northerly lot line, as appropriate, and in the case of any access road, from the easterly to the westerly lot line, as appropriate, in accordance with the layout of the planned service road and access road(s).~~
- B. ~~Temporary termination. Where the service road has not been built on the lot adjacent to the subject property, a temporary cul-de-sac shall be built on the subject property to provide for an appropriate turnaround and future connection to the service road on that adjacent lot. Appropriate provisions may be established by the Planning Board to facilitate seamless connection of that cul-de-sac in the future to a service road on the adjacent lot, when that road may be constructed. The temporary cul-de-sac shall~~

conform to the City of Rochester Subdivision Regulations.

C. ~~Route 11 intersections. As part of any site plan or subdivision plan, the landowner/developer shall incorporate predetermined Route 11 access points into his/her plan.~~

D. ~~NHDOT. Developers shall coordinate with the New Hampshire Department of Transportation (NHDOT) regarding the design of the access roads and any intersections with Route 11.~~

~~§ 275-8.6 Road design standards.~~

~~[Amended 3-5-2019]~~

A. ~~Service and access roads shall comply with the following standards:~~

~~(1) Right of way: 60 feet.~~

~~(2) Lane width (each): 12 feet.~~

~~(3) Paved shoulder (each): four feet.~~

~~(4) Sidewalk (bituminous): five feet.~~

~~(5) Grass strip: five feet (between road and sidewalk).~~

~~(6) Curb: granite.~~

~~(a) Sloped: side without sidewalk.~~

~~(b) Vertical: side with sidewalk.~~

~~(7) Cross-sectional requirements:~~

~~(a) Wearing course (minimum): one inch (NHDOT Item 403.11).~~

~~(b) Bearing course: two inches (NHDOT Item 403.11).~~

~~(c) Crushed gravel: six inches (NHDOT Item 304.3).~~

~~(d) Bank run gravel: 12 inches (NHDOT Item 304.2).~~

B. ~~All materials shall be installed in compliance with NHDOT specifications and the City of Rochester Subdivision Regulations.~~

~~§ 275-8.7 Stormwater management requirements.~~

A. ~~Stormwater controls for each individual site plan shall be designed in compliance with the New Hampshire Stormwater Manual Volume 2. To ensure adequate stormwater control given the more flexible dimensional regulations, these design guidelines shall be followed regardless of any requirement imposed as part of the New Hampshire Department of Environmental Services alteration of terrain permitting (for 100,000 square feet +\ of disturbed surface).~~

~~B. The Planning Board shall consider proposals for use of innovative stormwater control structures, such as porous pavement, bioretention areas, gravel wetlands, etc. If the Board concludes that use of these structures is in order, then:~~

~~(1) It may be appropriate to allow for interior landscaped islands within parking lots to be constructed without perimeter curbing if the curbing would interfere with the routing of the stormwater.~~

~~(2) The Planning Board is hereby empowered to adjust parking requirements specified in Article 26, Roads and Parking, herein.~~

~~§ 275-8.8 Utility standards.~~

~~A. All utilities shall be underground.~~

~~B. Utilities into individual sites shall be run from the common utility lines to be placed in the service road right of way.~~

~~C. Service connections for utilities for pad sites, if any are created, shall be provided within the service road right of way.~~

~~§ 275-8.9 Parking lot interconnections.~~

~~A. Where practical, and not impeded by wetlands or other physical constraints, parking lots shall be interconnected between sites.~~

~~B. Appropriate cross easements shall be developed between properties to accommodate parking lot interconnections.~~

~~§ 275-8.10 Design standards.~~

~~A. Trash and delivery areas. The lots situated between the service road and Route 11 call for special treatment because they have double frontages.~~

~~(1) Whenever practical, and not impeded by wetlands or other physical constraints, trash and delivery areas shall be located off of a shared access driveway between sites.~~

~~(2) The access driveway may be located at/along the side lot line(s), with each lot having its own trash and delivery area located off this access driveway.~~

~~(3) Trash, delivery, and loading areas shall be well screened from Route 11.~~

~~B. Facade treatment. Building facades fronting on the service road and Route 11 shall both be treated as front facades, both thereby meriting attractive treatment, under the architectural standards included in the City of Rochester Site Plan Regulations.~~

~~C. Outdoor seating. Restaurant proprietors are encouraged to include seasonal outdoor seating.~~

~~D. Signage. All provisions of Article 29, Signage, herein shall apply.~~

~~§ 275-8.11 Adjustments in requirements.~~

~~Since a number of the requirements specified in this Article 8, herein, are design oriented, the Planning~~

~~Board may adjust any requirements of § 275-8.3, Pavement dimensional regulations, § 275-8.5, Service road regulations, § 275-8.6, Road design standards, § 275-8.7, Stormwater management requirements, § 275-8.8, Utility standards, and § 275-8.10, Design standards, on a case-by-case basis, where it reasonably determines that strict application of any requirement is impracticable due to particular conditions on a given site.~~

Primary Area of Granite Ridge Development			
PID	Address	Acres	Owner
0208-0001-0000	126 Farmington Road	82.50	Adamian Construction & Dev.
0208-0001-0001	116 Farmington Road	34.18	Infinity Properties Rochester
0208-0002-0000	0 Farmington Road	32.00	The Kane Co. Inc.
0208-0004-0000	148 Farmington Road	1.30	John & Carolyn Meader
0208-0005-0000	150 Farmington Road	0.63	Roslyn Stone & Carolyn Meader
0208-0006-0000	154 Farmington Road	1.05	Alkurabli LLC
0208-0006-0001	152 Farmington Road	0.94	Richard Ottino
0208-0007-0000	160 Farmington Road	1.33	160 Farmington Road Realty Trust
0216-0001-0000	20 Farmington Road	15.00	Robert Beranger
0216-0002-0000	22 Farmington Road	2.60	Robert Beranger
0216-0003-0000	0 Farmington Road	2.90	Robert Beranger
0216-0004-0000	36 Farmington Road	17.10	Northgate Investment Properties
0216-0005-0000	46 Farmington Road	1.24	Gene V. Roe
0216-0006-0000	48 Farmington Road	5.62	Casaccio Real Estate Holdings
0216-0007-0000	58 Farmington Road	7.60	Casaccio Real Estate Holdings
0216-0008-0000	60 Farmington Road	6.30	Packy's Investment Properties
0216-0009-0000	68 Farmington Road	20.00	Stratham Industrial Properties
0216-0010-0000	76 Farmington Road	21.00	PSNH
0216-0011-0000	92 Farmington Road	85.00	Stratham Industrial Properties
0216-0017-0000	5 Lydall Way	12.00	State of New Hampshire DOT
0216-0019-0000	0 Farmington Road	4.50	PSNH
0216-0020-0000	8 Crane Drive	6.09	Newport Partners LLC
0216-0021-0000	33 Crane Drive	4.80	Spinelli Realty Trust
0216-0022-0000	27 Crane Drive	6.35	Black Marble Realty Trust
0216-0023-0000	21 Crane Drive	3.16	Black Marble Realty Trust
0216-0024-0000	7 Crane Drive	4.01	Four Hidden Road Trust
0216-0025-0000	47 Farmington Road	2.80	Poulin Realty Acquisition
		382.00	

Secondary Area of Granite Ridge Development			
PID	Address	Acres	Owner
0208-0008-0000	174 Farmington Road	60.00	Diane Smith
0208-0008-0001	176 Farmington Road	11.61	Robidas Properties LLC
0208-0009-0000	178 Farmington Road	4.30	Rochester/Rural District
0208-0010-0000	180 Farmington Road	1.02	WAH Realty Corporation
0208-0011-0000	184 Farmington Road	4.00	Bonnie J. O'Shea
0208-0015-0000	0 Farmington Road	0.29	City of Rochester
0208-0016-0000	0 Farmington Road	1.66	Robert Rowe
0208-0017-0000	127 Farmington Road	8.90	Robert Rowe
0208-0018-0000	17 Sterling Drive	2.02	Raven Realty
0208-0018-0001	18 Sterling Drive	2.85	Raven Realty
0208-0018-0002	27 Sterling Drive	5.04	Axis Property Holdings LLC
0208-0018-0003	23 Sterling Drive	1.55	Raven Realty
0208-0018-0004	0 Sterling Drive	0.64	Raven Realty
0208-0019-0000	123 Farmington Road	1.16	Black Dog Car Wash LLC
0208-0019-0001	115 Farmington Road	1.25	Hermitage Place LP
0208-0019-0002	131 Farmington Road	0.57	JMB Automotive Group LLC

Primary Area of Granite Ridge Development			
PID	Address	Acres	Owner
0209-0001-0000	105 Farmington Road	1.70	Rudolph Tetreault
0216-0012-0000	4 Little Falls Bridge Road	1.89	Ralph Torr Rev. Trust
0216-0013-0000	0 Little Falls Bridge Road	11.80	State of New Hampshire DOT
0216-0018-0000	95 Farmington Road	3.50	Motiva Enterprises LLC
0216-0018-0001	83 Farmington Road	2.25	Joseph Blanchette
0216-0018-0002	77 Farmington Road	3.60	Rochester Hospitality LLC
0216-0019-0000	0 Farmington Road	4.50	PSNH
0216-0020-0000	8 Crane Drive	6.09	Newport Partners LLC
0216-0021-0000	33 Crane Drive	4.80	Rose Realty LLC
0216-0022-0000	27 Crane Drive	5.30	Black Marble Realty Trust LLC
0216-0023-0000	21 Crane Drive	3.16	Black Marble Realty Trust LLC
0216-0024-0000	7 Crane Drive	4.01	Four Hidden Rod Road Realty Trust
0216-0025-0000	47 Farmington Road	2.60	Poulin Realty Acquisitions LLC
0216-0026-0000	0 Farmington Road	68.00	Donald & Bonnie Toy
0216-0028-0000	23 Farmington Road	1.70	Miles Cook III
0216-0028-0001	25 Farmington Road	0.10	City of Rochester
0216-0029-0000	21 Farmington Road	2.41	Cardinals Seafarer Restaurant
0221-0154-0000	2 Farmington Road	20.80	Jean Ederly Trust
0221-0156-0000	14 Farmington Road	1.20	Renee & Louanne Cardinal
0221-0157-0000	0 Farmington Road	1.20	Wayne Cardinal
0221-0158-0000	14 Farmington Road	1.30	Rene & Luanne Cardinal
0221-0159-0000	10 Farmington Road	2.45	Lawrence Shapiro Trust
0221-0160-0000	18 Farmington Road	1.32	Michael & Jean Garzillo
0221-0162-0000	18A Farmington Road	6.40	Richard & Phyllis Glidden
0221-0163-0000	20 Farmington Road	3.20	Robert & Karen Beranger
0221-0164-0000	17 Farmington Road	0.91	Rene G Cardinal & Cardinal Way
0221-0165-0000	11 Farmington Road	1.70	Seckendorf Real Estate
0221-0166-0000	9 Farmington Road	1.10	MIB LLC Greenwood Inn
0221-0167-0000	7 Farmington Road	0.30	Basel Alkurabi
0221-0168-0000	3 Farmington Road	14.00	Charles Karacas
		290.15	

PROPOSED 2022-2023 OPERATING BUDGET-EXHIBIT A**OPERATING BUDGET SUMMARY**

Appropriations:		Proposed
City	\$	38,838,989
County Tax	\$	7,254,738
Overlay	\$	350,000
Estimated Veteran's Credits	\$	694,625
School	\$	72,246,585
School Federal Grants	\$	4,415,000
School Lunch	\$	1,900,000
School State Property Tax	\$	3,699,292
City Grants & Special Revenues	\$	297,641
Tax Incremental Financing Districts	\$	1,335,630
Water Fund	\$	7,686,468
Sewer Fund	\$	9,620,843
Arena Special Revenue Fund	\$	431,661
Community Center	\$	941,071
Sub Total	\$	149,712,543
Revenues:		
City	\$	13,330,106
Use of Fund Balance	\$	3,293,250
School	\$	33,245,449
School Federal Grants	\$	4,415,000
School Lunch	\$	1,900,000
City Grants and Donations	\$	297,641
Tax Incremental Financing Districts	\$	1,335,630
Water Fund	\$	7,686,468
Sewer Fund	\$	9,620,843
Arena Special Revenue Fund	\$	431,661
Community Center	\$	941,071
Amount to be Raised by Taxes *	\$	73,215,424
Sub Total	\$	149,712,543

PROPOSED 2022-2023 CAPITAL BUDGETS-EXHIBIT A**CAPITAL BUDGET SUMMARY****Proposed Capital Appropriations:**

City	\$	8,724,250
School	\$	1,775,000
Water Fund	\$	6,817,500
Sewer Fund	\$	2,467,500
Community Center	\$	766,000
Tax Incremental Financing Districts	\$	704,400
Total Appropriations	\$	21,254,650

Source of Revenues**General Fund**

Bonding and/or other Borrowing	\$	5,780,000
Operating Budget	\$	3,918,250
Grants	\$	1,317,000
Other Sources	\$	250,000
Subtotal General Fund Revenues	\$	11,265,250

Enterprise Funds & Tax Incremental Financing Districts

Bonding and/or other Borrowing	\$	6,475,000
Operating Budget	\$	835,000
Grants	\$	2,679,400
Subtotal Enterprise Funds & Tax Incremental Financing Revenues	\$	9,989,400

Total Revenues

Total Revenues	\$	21,254,650
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