

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

COUNCILORS PRESENT

Councilor Beaudoin
Councilor Berlin
Councilor de Geofroy
Councilor Desrochers
Councilor Fontneau
Councilor Gilman
Councilor Gray
Councilor Hailey
Councilor Hamann
Councilor Malone
Councilor Larochelle
Deputy Mayor Lachapelle
Mayor Callaghan

OTHERS PRESENT

Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager
Terence O'Rourke, City Attorney
Peter Nourse, Director of City Services
Lauren Krans, Director of Rec & Arena
Gary Boudreau, Chief of Police

COUNCILORS ABSENT

Minutes

1. Call to Order

Mayor Callaghan called the meeting to order at 6:00 PM. All City Councilors were present. Councilors de Geofroy and Desrochers were attending the meeting remotely. Mayor Callaghan asked both Councilors if it was reasonably impractical for each of them to attend the meeting in person. Councilors de Geofroy and Desrochers both responded yes. Councilor Desrochers indicated that her 6-year-old child was in the next room over.

2. Opening Prayer

Mayor Callaghan called for a moment of silence.

3. Pledge of Allegiance

Councilor Beaudoin led the Pledge of Allegiance.

4. Roll Call

Kelly Walters, City Clerk, called the roll. All City Councilors were present, with Councilors de Geofroy and Desrochers connecting remotely, as stated above.

5. Acceptance of Minutes

5.1 Regular City Council Meeting: November 1, 2022 ***consideration for approval***

5.2 Special City Council Meeting: November 15, 2022 ***consideration for approval***

Councilor Lachapelle **MOVED** to **ACCEPT** both the November 1, 2022, Regular City Council meeting minutes and the November 15, 2022, Special City Council meeting minutes. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Berlin, Desrochers, Gray, Fontneau, Hamann, Hainey, Lachapelle, Larochelle, Beaudoin, Malone, Gilman, de Geofroy, and Mayor Callaghan voted in favor of the motion.

5.3 Exemptions & Veteran Tax Credits Ad Hoc Committee: October 31, 2022 ***consideration for approval***

Councilor Lachapelle **MOVED** to **ACCEPT** the Exemptions & Veterans Tax Credits Ad Hoc Committee minutes of October 31, 2022. Councilor Fontneau seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Gilman, de Geofroy, Gray, Hainey, Larochelle, Berlin, Lachapelle, Fontneau, Hamann, Beaudoin, Desrochers, Malone, and Mayor Callaghan voted in favor of the motion.

6. Communications from the City Manager

6.1 City Manager's Report

City Manager Cox presented the following report:

Contracts and documents executed since last month:

- **Department of Public Works**
 - Authorization to file building permit – T-Mobile
 - Lease amendment for equipment modification – T-Mobile
 - Change Order, Pavement & Highway Improvements
 - Purchasing Waiver- Sole Source- Topographix, LLC

- ARPA Cybersecurity implementation grant application.
- Change Order, Betts/Cross Road intersection.
- Task Order, WTP Asset Management Project
- Estimate/Scope of Services, Alder Creek drainage – S.U.R.
- **Economic Development**
 - FY22-FY23 CAP Weatherization – Briar Ridge
 - FY22-FY23 CAP Weatherization – Country Ridge
- **Finance**
 - Pictometry Agreement
- **IT**
 - Workflow Scripting – Canon
 - Quote for desk phones – Twinstare

The following Standard Report has been enclosed:

- Personnel Action Report Summary

City Manager Cox gave details about the local and county taxes. He said the Tax Rate for the City of Rochester has been set at \$25.28 per thousand dollars of property value, which equates to a sixty-three cent increase over the previous year. The tax bills will be mailed on December 16, 2022, with a due date of January 17, 2023.

City Manager Cox gave a detailed status update on the Willand Warming Center, which has been activated three times this winter season. He indicated there have not been any reported safety incidents on any of those evenings. In addition to the efforts of the SOS Recovery Community and the staff of Strafford County, support has also been provided by the Greater Seacoast Community Health Families, the First Mobile Health Care Van Team, Strafford County Community Care Team, Red's Good Vibes Food Truck, and COAST Bus Transportation. City Manager Cox reported that staff is continually seeking additional volunteers.

Mayor Callaghan asked what the percentage increase is for the tax rate over last year. City Manager Cox calculated the percentage to be a 1.6% increase over last year's tax rate.

7. Communications from the Mayor

Mayor Callaghan said the Tree Lighting Ceremony, the Christmas

Parade, and the Tree Lighting Contest were successful events this past weekend.

8. Presentation of Petitions and Council Correspondence

No discussion.

9. Nominations, Appointments, Resignations, and Elections

9.1. Resignation: James Hayden – Zoning Board of Adjustments, Seat A *consideration for approval*

9.2. Resignation: Paul Giuliano – Planning Board, Seat D *consideration for approval*

9.3. Resignation: Paul Giuliano – Rochester Economic Development Commission, Seat D *consideration for approval*

9.4. Resignation: Leo Brodeur – Zoning Board of Adjustments, Seat C *Consideration for approval*

Councilor Lachapelle **MOVED** to **ACCEPT** the resignations as stated above, with regret. Councilor Fontneau seconded the motion. Mayor Callaghan read the names of resignations as stated above. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Fontneau, Laroche, Hailey, Desrochers, Gray, Malone, de Geofroy, Berlin, Gilman, Beaudoin, Lachapelle, Hamann, and Mayor Callaghan voted in favor of the motion.

10. Reports of Committees

10.1 Appointments Review Committee

10.1.1 New Appointment: Rick Healey – Planning Board, Seat M (alternate member) *Term to expire 1/2/2025 consideration for approval*

10.1.2 Appointment: Matthew Richardson – Planning Board, Seat A (elevation from alternate to regular) *Term to expire 1/2/2024 consideration for approval*

10.1.3 Appointment: James Hayden – Planning Board,

**Seat D (elevation from alternate to regular)
Term to expire 1/2/2025 *consideration for approval***

10.1.4 Re-Appointment: Joan Strogon – Recreation & Arena Commission, Seat A term to expire 1/2/2026 *consideration for approval*

10.1.5 Re-Appointment: A. Raymond Varney – Trustees of the Trust Fund, Seat C term to expire 1/2/2026 *consideration for approval*

Mayor Callaghan nominated each individual as stated above. He read the names/positions aloud. Councilor Lachapelle seconded the nomination.

Councilor Lachapelle **MOVED** that nomination cease and the City Clerk cast one ballot for each applicant listed above. Councilor Malone seconded the motion. The **MOTION CARRIED** by a roll call vote of 13 to 0. Lachapelle, Larochelle, Hailey, Desrochers, Gilman, Berlin, de Geofroy, Gray, Malone, Fontneau, Beaudoin, Hamann, and Mayor Callaghan voted in favor of the motion.

Mayor Callahan called for a roll call to accept the appointments. The **MOTION CARRIED** by a 13 to 0 roll call. Councilors Malone, Gray, Hamann, de Geofroy, Beaudoin, Desrochers, Lachapelle, Gilman, Hailey, Fontneau, Larochelle, Berlin, and Mayor Callaghan voted in favor of the motion.

10.2 Finance Committee

10.2.1 Resolution Authorizing the Readoption of the Optional Veterans' Tax Credit in the amount of \$300 and the Adoption of the All Veterans' Tax Credit *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Authorizing the Readoption of the Optional Veterans' Tax Credit in the Amount of \$300 and the Adoption of the All Veterans' Tax Credit

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE

CITY OF ROCHESTER, AS FOLLOWS:

By adoption of this Resolution, the City Council readopts the Optional Veterans' Tax Credit in the amount of \$300 pursuant to RSA 72:27-a and adopts the All Veterans' Tax Credit pursuant to RSA 72:28-b.

WHEREAS, House Bill 1667 was signed into law and made effective July 26, 2022.

WHEREAS, House Bill 1667 amended eligibility criteria for certain veterans' property tax credits to include individuals who have not yet been discharged from service in the armed forces.

NOW THEREFORE, the Optional Veterans' Tax Credit, previously authorized by the City Council pursuant to RSA 72:27-a and RSA 72:28 in the amount of \$300 is hereby readopted in the amount of \$300.

FURTHER, the Mayor and City Council Pursuant to RSA 72:27-a and RSA 72:28-b adopt the All Veterans' Property Tax Credit in the amount of \$300.

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 Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Larochelle seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Gray, Larochelle, Hainey, Desrochers, Gilman, Lachapelle, de Geofroy, Berlin, Fontneau, Beaudoin, Malone, Hamann, and Mayor Callaghan voted in favor of the motion.

10.2.2 Resolution Authorizing Increase in the Elderly and Disabled Tax Exemption Asset Limitation, Income Limitations, and Authorizing Increase in the Elderly Tax Exemption Amounts taken off Assessments *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Authorizing Increase in the Elderly and Disabled Tax Exemption Asset Limitation, Income Limitations, and Authorizing Increase in the Elderly Tax Exemption Amounts Taken Off

Assessments

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

That the Elderly Tax Exemption Asset Limitation and Disabled Tax Exemption Asset Limitation, previously authorized by the City Council pursuant to RSA 72:39-a, be increased from \$100,000.00 to \$120,000.00.

Further, that the Elderly and Disabled Income Limitations be established as follows:

Single: \$38,500.00 (previously \$35,000.00)

Married: \$55,000.00 (previously \$50,000.00)

Still further, the Elderly Tax Exemption Amounts taken off Assessments be established as follows:

Ages 65-74: \$90,000.00 (previously \$75,000.00)

Ages 75-79: \$120,000.00 (previously \$100,000.00)

Ages 80 and up: \$150,000.00 (previously \$125,000.00)

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 Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Fontneau seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Desrochers, Gray, Hamann, de Geofroy, Beaudoin, Hainey, Lachapelle, Gilman, Malone, Fontneau, Larochelle, Berlin, and Mayor Callaghan voted in favor of the motion.

10.3 Planning Board

No discussion.

10.4 Public Works

10.4.1 Committee Recommendation: To authorize the

DPW to move forward with the DPW Building Modifications and Sidewalk Repair Project as planned with the existing facility funds
consideration for approval

Councilor Hamann **MOVED** to authorize the Department of Public Works to move forward with the DPW Building Modifications and Sidewalk Repair Project, as planned, with the Existing Facility Funds. Councilor Lachapelle seconded the motion.

Councilor Beaudoin gave reasons why he felt the price tag is too high for these renovations; however, the Director of Public Works had made multiple attempts to gather competitive bids. He stated he understood that the market is just high and said he would support the two projects.

Councilor Hainey **MOVED** to **DIVIDE** the question:

- DPW Building Modifications
- Sidewalk Repair Project

Councilor Berlin seconded the motion. Councilor Larochelle questioned if a vote to divide the question was in order. He believed a City Councilor could simply divide the question without requiring a vote. The City Council briefly discussed the matter.

Mayor Callaghan called for a vote to divide the question. The **MOTION CARRIED** by a 10 to 3 roll call vote. Councilors Gilman, Malone, Fontneau, Larochelle, Gray, Hainey, Lachapelle, Beaudoin, and Mayor Callaghan. Councilors Hamann, Desrochers, and Berlin voted against the motion.

Mayor Callaghan called for discussion on the first question: To authorize the Department of Public Works to move forward with the DPW Building Modifications.

Mayor Callaghan asked if the amount of money for each item should be clarified. City Attorney O'Rourke said the money currently exists within the Department's budget and was not mentioned as part of the recommendation, so the specific amounts are not necessary in order to vote on each item separately.

Councilor Hainey asked if the building modification is essentially creating two additional employee offices for the two new positions created

with the FY 22 budget. Director of City Service Peter Nourse replied yes; he explained that two current employees will be ascending into those new positions, which would leave their current positions vacant until filled. Councilor Hainey stated that she understood the money for this renovation would be coming directly from the surplus of the new building project completed last year; however, she questioned why the building was not constructed with future needs included. She said the new positions were "known" during the construction phase of the building and there should have been modifications made during that time. Mr. Nourse explained that the design for the building was drafted in 2018, and the floor plan included workspace for every employee the Department employed at that time. He said construction started in March of 2020; however, the new positions were not approved until Fiscal Year 2022.

Mayor Callaghan asked for clarification on the source where the money would be derived. Mr. Nourse explained that when the new DPW facility was completed, it left a surplus of approximately \$511,000. He confirmed that the request for the renovation would be \$47,000 (bond converted to cash). Councilor Gray said it should be noted that the original estimate included the cost of furnishing the new space; however, the furnishing of the space is now Department of Public Works' current budget instead.

Mayor Callaghan called for a vote on the first question: DPW Building Modification. Deputy City Manager Ambrose informed the City Council that if these projects were approved now, it would trigger a future resolution to come forth to change the funding source from bond to cash. The **MOTION CARRIED** by a 12 to 1 roll call vote. Councilors de Geofroy, Beaudoin, Hamann, Desrochers, Lachapelle, Malone, Berlin, Larochelle, Gray, Gilman, Fontneau, and Mayor Callaghan voted in favor of the motion. Councilor Hainey voted against the motion.

Mayor Callaghan called for a vote on the second part of the question: To authorize the DPW to move forward with the Sidewalk Repair Project. Councilor Beaudoin asked if Mr. Nourse could explain, for the public, why this request is being made at this time.

Mr. Nourse said the sidewalks were completed last summer and already there is significant scaling and pitting on nearly all the sidewalks at the new facility. He said the contractor hired a third party vendor to give an opinion on what happened to the sidewalks. The material testing analysis resulted in an opinion that the problem had been caused by carbonization and, if this is the case, the sidewalks would continue to erode. He explained that the City had also hired a third party to determine

a cause to the problem. The third party materials testing company determined that the problem could have been caused by the original contractor using an improper curing compound. Mr. Nourse stated that City staff looked into options regarding how to resolve the issue; however, it was determined that it is in the City's best interest to remove and replace all of the sidewalks. He explained the reasoning behind why it was agreed that the City would pay for a third of the cost of the project with the original contractor paying for two-thirds of the total cost of replacing the sidewalks.

Mr. Nourse said the total cost of replacing the sidewalks is \$60,000, of which the City would be responsible for \$20,000. He summarized that the City is sharing a portion of the cost due to salting, but acknowledged that the experts agreed that it was a contractor curing error which caused the issue. Councilor Hainey inquired if the City did not approve this project if they would miss out on the funding being paid by the contractor. Mr. Nourse confirmed this to be true. Councilor Hamann cautioned the City Council that if the replacement project was not approved, those sidewalks would deteriorate very quickly.

Councilor Fontneau asked if the same contractor would be hired to replace the sidewalks. Mr. Nourse replied no, it was agreed that the City's contractor would complete the work next spring. Mayor Callaghan called the question. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Hainey, Gray, Malone, Gilman, Fontneau, Larochelle, de Geofroy, Desrochers, Berlin, Beaudoin, Hamann, Lachapelle, and Mayor Callaghan voted in favor of the motion.

10.4.2 Resolution Authorizing Supplemental Appropriation in the amount of \$450,000 for the Route 125 Pump Station Upgrade on Gonic Road *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Authorizing Supplemental Appropriation in the amount of \$450,000.00 for the Route 125 Pump Station Upgrade on Gonic 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 in the amount of Four Hundred Fifty Thousand Dollars (\$450,000.00) to the FY23 Sewer CIP to cover the costs associated with upgrading the Route 125 Pump Station to facilitate two developments and to increase capacity for future growth in the area. The supplemental appropriation as follows: Three Hundred Forty Thousand Six Hundred Thirty Two Dollars (\$342,632.00) from the Sewer Fund Retained Earnings and One Hundred Seven Thousand Three Hundred Sixty Eight Dollars (\$107,368.00) from a developer contribution.

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

Mayor Callaghan requested that Director Nourse give a quick overview of this proposed resolution.

Mr. Nourse said there is a proposed development, "Bayberry Common," off Brock Street on Old Gonic Road. This development consists of twenty-five buildings, which equates to 170 three-bedroom apartments. He said this development will place a demand on the wastewater system and the Route 125 Pump Station would need to be upgraded due to this demand. The City staff calculated the upgrades to cost approximately \$320,000 with the share that the developer agreed to pay being \$107,368. He informed the City Council that this project would not have been initiated at this time if it were not for this new development. He said a draft Memorandum of Understanding includes a clause that states the developer must have at least 65% of the development completed within 2 years and, if they do not, the developer will pay the City's portion of the project.

Councilor Beaudoin asked about the "user fees" paid by the developer. Mr. Nourse explained how the developer would be required to pay the Sewer System Development fees to off-set the cost of the project. He said more information could be found in the packet under the Department of Public Work's minutes. The City Council briefly discussed the matter.

Mayor Callaghan called for a vote on the motion to adopt the

resolution. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Berlin, Desrochers, Gray, Fontneau, Hamann, Hainey, Lachapelle, Larochelle, Beaudoin, Malone, Gilman, de Geofroy, and Mayor Callaghan voted in favor of the motion.

Councilor Lachapelle mentioned that the Public Works Committee had a discussion regarding speed tables. He said at some point, the Public Safety Committee should be involved with those discussions. He cautioned that once one speed table is installed, it will trigger others to be requested as well at a cost of \$3,000 per speed table. He suggested there should be a plan in place to regulate what criteria is used for implementation. Councilor Berlin agreed and said he himself sought input from other Councilors earlier in the year to create a policy/guideline for speed tables. Councilor Gray stated that a speed bump has already been installed at the Ridge.

Mayor Callaghan said the residents of Winkley Farm lane were happy with the construction project and they have shown their appreciation to the construction workers this past Halloween.

11. Old Business

11.1. Resolution Authorizing Supplemental Appropriation of \$43,000 to the Recreation Special Events Fund-Lilac Family Fun Festival *second reading and consideration for adoption*

Mayor Callaghan read the resolution for the second time by title only as follows:

Resolution Authorizing Supplemental Appropriation of \$43,000 to the Recreation Special Events Fund-Lilac Family Fun Festival

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

That the sum of Forty-Three Thousand Dollars (\$43,000.00) is hereby appropriated to the Recreation Special Events Fund for the purpose of paying costs associated with the annual Lilac Family Fun Festival. Advanced appropriation is needed in order to prepay costs associated with the event. The entirety of the supplemental appropriation shall be derived from the General Fund Unassigned Fund Balance.

The City of Rochester Recreation Department shall manage the use of funds under the City's established purchasing policies. Funds shall be expended solely on the annual Lilac Family Fun Festival event. Eligible uses of funds shall be for fireworks, various entertainment activities, and other miscellaneous expense pertinent to assuring a safe and successful community event.

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 and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded.

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

Councilor Beaudoin stated that he supported the event; however, he would oppose the motion because he felt the 72% increase over last year's cost for the event was too high.

Lauren Krans, Director of the Recreation and Arena Department, addressed the City Council. She distributed a worksheet for review.

Ms. Krans gave an overview of the reasons for the increased cost (not including salaries) for the Lilac Family Fun Festival next year. She reviewed each increase separately. Ms. Krans said there had been feedback that the fireworks display had been too low. She explained that an additional \$5,000 dollars is being requested to enhance the fireworks display. This additional cost covers not only the increases caused by inflation, but the enhancement in the display to include higher shells.

Ms. Krans said positive feedback had been received about providing free kiddie rides; however, the attendees complained that the wait time for the rides was too long for the children. She said the increase of \$9,000 is to provide a few more rides for children and to provide more live entertainment, such as a magician. Lastly, there was additional funding requested for basic supplies and to cover other potential increased costs that may have occurred due to supply and demand.

Mayor Callaghan asked if the Recreation Department would be seeking corporate sponsorship for the event. Ms. Krans replied that it is something they could look into that for future events. Both Councilors de Geofroy and Desrochers spoke in favor of the motion.

Ms. Krans informed the City Council that the event would be covered under a non-lapsing fund, so if the budget is not spent it would carry over to the next fiscal year. Deputy City Manager Katie Ambrose said because this event occurs in July and the money must be expended prior to the beginning of the next fiscal year it makes sense to proceed with the supplemental appropriation for next year and incorporate the funding (one year in advance) for the next budget cycle moving forward.

Councilor Hamann said he has received a lot of positive feedback from constituents. He only received one negative comment about the event, which was to reduce the total cost.

Mayor Callaghan called for a vote on the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Gilman, de Geofroy, Gray, Hainey, Larochelle, Berlin, Lachapelle, Fontneau, Hamann, Beaudoin, Desrochers, Malone, and Mayor Callaghan voted in favor of the motion.

Ms. Krans invited the City Council and public to volunteer for this event. She said training sessions would begin early spring.

11.2. Amendment to Chapter 275-21.4 and table 18-C of the General Ordinances of the City of Rochester regarding indoor recreation in Industrial Zones *second reading and consideration for adoption*

Mayor Callaghan read the Amendment for a second time by title only. See Addendum A.

Councilor Lachapelle **MOVED** to **ADOPT** the Amendment. Councilor Fontneau seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Fontneau, Larochelle, Hainey, Desrochers, Gray, Malone, de Geofroy, Berlin, Gilman, Beaudoin, Lachapelle, Hamann, and Mayor Callaghan voted in favor of the motion.

12. Consent Calendar

No discussion.

13. New Business

Councilor Malone **MOVED** to Suspend the Rules of order, in order

to add a Resolution to the Agenda under New Business. Councilor Berlin seconded the motion.

Councilor Malone explained that since the Rochester Mental Health Alliance has not obtained the 501-c3 Tax Exempt status yet, they are seeking to apply for a grant under the City's non-profit status.

The City Council was forced into a recess due to a Fire Alarm at 6:39 PM. Mayor Callaghan reconvened the meeting at 6:50 PM.

Councilor Malone confirmed that the grant application would not have any cost to the City and the City would basically hold the money for the Rochester Mental Health Alliance through the Community Development Department.

Mayor Callaghan called for a vote to add the grant application to the Agenda. The **MOTION CARRIED** by a unanimous roll call vote as follows: Councilors Lachapelle, Larochelle, Hainey, Desrochers, Gilman, Berlin, de Geofroy, Gray, Malone, Fontneau, Beaudoin, Hamann, and Mayor Callaghan voted in favor of the motion.

Councilor Malone **MOVED** to **APPROVE** the submission of a grant application and requesting that the City act as the Official Financial Sponsor of the Grant Application. She said that the Rochester Mental Health Alliance would be the sub-recipient. Councilor Hainey seconded the motion. City Manager Cox clarified that the City of Rochester would apply for the grant as the fiscal agent. He further clarified that if the City of Rochester were to be awarded the grant for the Rochester Mental Health Alliance, at that point a vote would be required by the City Council to accept the grant.

Councilor Berlin wished to clarify that this grant is being brought forth quickly because the deadline to submit the application is December 9th. Councilor Gray stated that this is not a new approach for the City to take and that the City has acted as the fiscal agent for the "Bridging the Gaps" grant applications as well.

Mayor Callaghan read the application by title only as follows:

Subject and amount: To support activities of the Rochester Mental Health Alliance \$10,000 [Greater Rochester Community Health Foundation Grant](#) Application deadline: December 9, 2023

The Rochester Mental Health Alliance intends to provide coordination and

facilitation of partners in the Rochester community to explore viable options to expand access to care and prevention programs for those experiencing mental health and/or substance use challenges through the establishment and development of a community-based coalition. We have held two meetings with community members and stakeholders and have identified the need for such efforts with a focus on stronger connections and access to care and supportive resources. Funds from this grant opportunity will allow the Rochester Mental Health Alliance to increase access to care by getting more school staff and community members trained in Youth Mental Health First Aid, build awareness of existing resources and hosting youth and community engagement events to increase participation in the alliance to create a supportive and resilient Rochester. The Rochester Mental Health Alliance joins other community-based efforts in the region, following the grassroots model provided by the Dover Mental Health Alliance, an established coalition that is changing the culture of mental health in the Dover community.

The Rochester Mental Health Alliance steering committee has members from the school district, police department, library, city council, NAMI NH, Community Partners, Strafford County Public Health Network, Granite United Way, and Waypoint. The alliance is currently facilitated by Rochester Listens.

Since the Rochester Mental Health Alliance isn't a legal entity, this would need to be the City's grant rather than a fiscal sponsor relationship. The Mental Health Alliance would then become a subrecipient of the grant.

The **MOTION CARRIED** by a unanimous roll call vote. Councilors Malone, Gray, Hamann, de Geofroy, Beaudoin, Desrochers, Gilman, Hainey, Fontneau, Larochelle, Berlin, and Mayor Callaghan voted in favor of the motion.

13.1. Resolution Deauthorizing \$3,545.00 of the Rochester Fire Department Homeland Security Shelter Drill Grant *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Deauthorizing \$3,545.00 of the Rochester Fire Department Homeland Security Shelter Drill Grant

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

That Three Thousand Five Hundred Forty Five Dollars (\$3,545.00) of funds previously appropriated to the Rochester Fire Department as part of the Homeland Security Shelter Drill Grant are hereby deauthorized.

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.

Councilor Lachapelle **Moved** to **ADOPT** the Resolution. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Gray, Larochelle, Hainey, Desrochers, Gilman, de Geofroy, Berlin, Fontneau, Beaudoin, Malone, Hamann, and Mayor Callaghan voted in favor of the motion.

13.2. Resolution authorizing acceptance of \$250.00 Play-Based Learning Grant from the New Hampshire State Library *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Authorizing Acceptance of \$250.00 Play-Based Learning Grant from the New Hampshire State Library

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

That a Two Hundred Fifty Dollar (\$250.00) Play-Based Learning Grant from the New Hampshire State Library is hereby accepted on behalf of the Rochester Public Library.

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.

Councilor Lachapelle **Moved** to **ADOPT** the Resolution. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Councilors Desrochers, Gray, Hamann, de Geofroy, Beaudoin, Hainey, Lachapelle, Gilman, Malone, Fontneau, Larochelle, Berlin, and Mayor Callaghan voted in favor of the motion.

13.3. Resolution Authorizing Acceptance of Donated Equipment to the Rochester Police Department *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Authorizing Acceptance of Donated Equipment to the Rochester Police Department

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

The City hereby accepts donated equipment for the Rochester Police Department valued at approximately Seven Hundred One and 59/100 Dollars (\$701.59).

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.

Councilor Lachapelle **MOVED** to **ADOPT** the Resolution. Councilor Malone seconded the motion. Councilor Lachapelle asked what equipment would be donated. Chief Boudreau replied that the list was inadvertently not placed in the Council packet; however, he explained that the majority of the equipment was basically law enforcement equipment such as holsters and law enforcement gear. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Hamann, Desrochers, Gilman, Malone, Fontneau, Larochelle, Gray, de Geofroy, Berlin, Hainey, Lachapelle, Beaudoin, and Mayor Callaghan voted in favor of the motion.

14. Non-Meeting/Non-Public Session

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

Councilor Lachapelle **MOVED** to enter into a Non-Public Session for Land, RSA 91-A:3, II (d) at 6:55 PM. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors de Geofroy, Beaudoin, Hamann, Desrochers, Lachapelle, Malone, Berlin, Hainey, Larochelle, Gray, Gilman, Fontneau, and Mayor Callaghan voted in favor of the motion.

Councilor Lachapelle **MOVED** to exit the Non-Public Session at 7:15 PM. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Beaudoin, de Geofroy, Hamann, Desrochers, Lachapelle, Malone, Berlin, Hainey, Larochelle, Gray, Gilman, Fontneau, and Mayor Callaghan voted in favor of the motion.

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

15. Adjournment

Mayor Callaghan **ADJOURNED** the Regular City Council Meeting at 7:17 PM.

Respectfully Submitted,

Kelly Walters, CMC
City Clerk



City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

AGENDA SUBJECT

COUNCIL ACTION ITEM <input type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>	FUNDING REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
RESOLUTION REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/>	FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input type="checkbox"/>

AGENDA DATE		
DEPT. HEAD SIGNATURE		
DATE SUBMITTED		
ATTACHMENTS YES <input type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

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SUMMARY STATEMENT

RECOMMENDED ACTION

Petition for Zoning Ordinance Amendment

Date: April 26, 2022

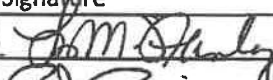
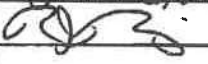
The filings of this petition and payment of the required fees, hereby propose a change in Chapter 42, Table 18-C, of the General Ordinances of the City of Rochester.

It is respectfully requested that the Honorable Mayor and City Council amend the above as follows:

That "Recreation, Indoor" as defined in 275-2.2 of the Zoning Ordinance of the City of Rochester be made a permitted use in the Industrial Districts.

Indoor Recreation is currently allowed by *Conditional Use* in the *Recycling Industrial* zone but is not permitted in the other Industrial Districts. The petitioners feel that Indoor Recreation should be an allowed use, **by right**, in the Industrial Zone.

There are at least three examples of Indoor Recreation facilities currently operating in the Industrial Districts of the City. All were required to seek, and were granted, variances for their operation. (Red Alert Skate Park in the Gerrity Industrial Park, the YMCA in the Ten Rod Road Industrial Park, and Deeproot Crossfit on Amarosa Drive). The petitioners believe these uses operate without conflict in their respective locations and demonstrate the appropriateness of this proposed amendment.

	Printed Name	Signature	Street Address	Map & Lot Number
1	LISA STANLEY LTR PROPERTIES LLC		54 ALLEN ST.	0117-0002-0011
2	Robb Riley YMCA Executive Director		35 Industrial Way	0230-0021-0000
3				
4				
5				
6				
7				
8				
9				
10				

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OFFICE

**Amendment to Chapter 275 of the General Ordinances of the City of Rochester Regarding
Table 18-C**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 275 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows:

Within Table 18-C, Recreation, Indoor shall be designated as a Permitted Use within the General Industrial (GI) District.

These amendments shall take effect upon passage.

ZONING

275 Attachment 3

City of Rochester

**Table 18-C Food-Lodging-Public Recreation Uses
[Amended 5-7-2019]**

LEGEND

P = Permitted Use

C = Conditional Use

E = Use Allowed by Special Exception

Food-Lodging-Public Recreation Uses	Residential Districts				Commercial Districts				Industrial Districts		Special		Criteria/Conditions
	R1	R2	NMU	AG	DC	OC	GR	HC	GI	RI	HS	AS	Reference
Cafe	—	—	P	C	P	P	P	P	—	—	—	P	Article 21
Campground	—	—	—	E	—	—	—	—	—	E	—	—	Article 22
Caterer	—	—	P	—	P	P	—	P	P	P	—	—	
Club	—	—	C	—	P	P	—	P	—	—	—	—	Article 21
Community center	—	—	P	—	P	P	P	P	—	—	—	—	
Conference center	—	—	C	—	P	P	P	P	—	—	P	P	Article 21
Country club	—	—	—	C	—	—	P	E	—	C	—	—	Article 21
Food stand	—	—	E	—	E	E	P	E	E	E	E	E	Article 22
Function hall	—	—	—	—	P	P	P	P	—	—	—	—	
Golf course	—	—	—	P	—	—	P	—	—	P	—	—	Article 22
Health club	—	—	C	C	P	P	P	P	—	—	—	—	Article 21
Lodging, bed-and-breakfast	—	C	P	—	P	P	—	P	—	—	—	—	Article 21
Lodging, hotel	—	—	C	—	P	C	P	P	—	—	C	C	Article 21
Lodging, motel	—	—	—	—	—	—	P	P	—	—	—	C	Articles 20 and 21
Nightclub	—	—	—	—	P	—	P	P	—	—	—	—	
Recreation, indoor	—	—	C	—	P	C	P	P	P	C	—	—	Article 21
Recreation, outdoor	—	—	—	C	—	C	P	P	—	C	—	—	Article 21
Recreation, park	P	P	P	P	P	P	—	P	—	C	—	—	Article 21
Restaurant	—	—	P	—	P	C	P	P	—	—	—	P	Article 21
Restaurant, drive-through	—	—	—	—	P	—	P	P	—	—	—	—	
Tavern	—	—	C	—	P	—	P	P	—	—	—	P	Article 21
Theater/cinema (5,000 square feet or less)	—	—	P	—	P	P	P	P	—	—	—	—	Article 21
Theater/cinema (over 5,000 square feet)	—	—	—	—	C	—	P	P	—	—	—	—	Article 21