

**Reconvened Regular City Council Meeting
January 11, 2022
Council Chambers
6:30 PM**

COUNCILORS PRESENT

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

OTHERS PRESENT

Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager
Terence O'Rourke, City Attorney

COUNCILORS ABSENT

Minutes

1. Call to Order

Mayor Callaghan reconvened the meeting from January 4, 2022 to order at 6:30 PM

2. Opening Prayer

Mayor Callaghan called for a moment of silent 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.

5. Acceptance of Minutes

5.1 Regular City Council Meeting: December 7, 2021 *consideration for approval*

Councilor Lachapelle **MOVED** to **ACCEPT** the Regular City Council meeting of December 7, 2021. Councilor Rice 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**
 - Task Order, Rt 202A Water Main Ext – Wright Pierce
 - Agreement/Notice to proceed – D&C Construction
 - Contract, WWTP secondary clarifier – Brown & Caldwell
 - Contract, UV light disinfection system replacement – Brown & Caldwell
 - Estimate/Scope of service, Demolition of 11 Barker Ct – SUR
 - Change Order, Little Falls Bridge turn lane
 - **Economic Development**
 - FY22 CDBG Environ. Review – CAP Weatherization Hope at Haven Hill, 36 Charles Street
 - FY22 CDBG Environmental Review – CAP Weatherization 12-3
 - Environmental Review for exempt activity – Easter Seals
 - FY22 CDBG Environ. Review – CAP Weatherization, Easter Seals
 - Scope of Work, subdivision survey, 28 and 32 N. Main St – Berry Engineering
 - Grant application certification – Easter Seals
 - FY22 CDBG Environ. Review – CAP Weatherization 12-21
 - **Finance**
 - MPX Service Agreement amendment

The following standard report has been enclosed:

- Personnel Action Report Summary

City Manager Cox said that the Interim Fire Chief received an email from Superintendent Repucci providing a formal thank you recognition to the Fire Department for conducting the School Vaccine Clinics.

City Manager Cox expressed thanks to the Utility Billing Office regarding

the positive feedback from a customer in reference to two employees, Michele Grant and Jeremy Whitehouse, who both gave excellent customer service.

City Manager Cox gave a brief update about the Willand Warming Center, which had 59 clients last evening nine of which were new clients. He said the center is all set with food and drinks for the time being.

City Manager Cox drew attention to the City of Rochester Flag, which is now erected in the City Council Chambers.

Councilor Hainey asked if the rumors were true that the Warming Center was filled to capacity. City Manager Cox indicated that the facility placed a cap on the number of residents that they are able to accommodate due to Covid/Social Distancing requirements. Councilor Malone agreed that the allotted beds were limited because of Covid and they have been very creative to allow the most beds occupied as possible; however, they are still having to turn some away.

Councilor Desrochers stated that there are certain individuals who are not permitted to enter the facility at all unless there is an emergency policy that is over turned.

7. Communications from the Mayor

7.1. Mayoral Appointments of Subcommittees

Mayor Callaghan appointed the following Councilors to the Committee’s listed below:

<p><u>APPOINTMENTS</u> <u>REVIEW COMMITTEE</u> James Gray, Chair Laura Hainey, Vice Chair Amy Malone Ashley Desrochers Dana Berlin</p>	<p><u>FINANCE COMMITTEE</u> Paul Callaghan, Chair Peter Lachapelle, Vice Chair Donald Hamann James Gray Laura Hainey John LaRochelle Steve Beaudoin</p>
<p><u>PUBLIC WORKS COMMITTEE</u> Donald Hamann, Chair James Gray, Vice Chair Steve Beaudoin Chris Rice John LaRochelle</p>	<p><u>PUBLIC SAFETY COMMITTEE</u> Chris Rice, Chair Peter Lachapelle, Vice Chair Skip Gilman Amy Malone Dana Berlin</p>

<p><u>CODES & ORDINANCES COMMITTEE</u> Peter Lachapelle, Chair Steve Beaudoin, Vice Chair Skip Gilman Ashley Desrochers Tim Fontneau</p>	<p><u>COMMUNITY DEVELOPMENT COMMITTEE</u> Laura Hainey, Chair Skip Gilman, Vice Chair Tim Fontneau Amy Malone John LaRochelle</p>
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8. Presentation of Petitions and Council Correspondence

8.1. Creation of Special joint committee of the School Board and City Council

Superintendent Repucci addressed the City Council about requesting the creation of a joint Committee of the School Board and City Council. He said as of January 1st of this year, the State building aide has become available. If the City Council decides to create the joint Committee, an application could be submitted to the State by July. It would be wise for the City to take advantage of State and Federal funds if possible.

Mayor Callaghan requested that any City Councilors interested in serving on this Committee report to him directly after the City Council meeting.

8.2. Correspondence from Public Health Network

Mayor Callaghan stated that a letter can be found in the City Council's packet regarding regional recommendation about the Omicron Variant from the Strafford County Public Health Network.

Councilor Desrochers said she has been working in the field of public health/emergency management over the past two years. She wished to point a few key factors from the letter. She said the Omicron Variant is 73% more infectious; however, it has not shown to be as deadly as the previous variant. This will create a significant burden on our workforce as well as our families and the homeless population. She said that the World Health Organization has recently stated that airborne transmission of the Omicron variant is possible. She said it is important to look at more messaging to the public as a way to prevent more spreading of this variant.

9. Nominations, Appointments, Resignations, and Elections

9.1 **Resignation: Nancy Carignan, Recreation & Arena Committee *consideration for approval***

- 9.2 **Resignation:** Tim Fontneau, Planning Board (Regular Member) *consideration for approval*
- 9.3 **Resignation:** Lance Whitehill, Planning Board (Alternate member) *consideration for approval*
- 9.4 **Resignation:** Paul Giuliano, Zoning Board of Adjustments (Regular member) *consideration for approval*
- 9.5 **Resignation:** Mark Hourihane, Rochester Economic Development Commission (Regular member) *consideration for approval*
- 9.6 **Resignation:** Lionel Sylvain, Planning Board (Regular Member) *consideration for approval*

Councilor Lachapelle **MOVED** to **ACCEPT** the above resignations referenced as 9.1 through 9.6 with regret. Councilor Rice seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

- 9.7 **New Appointment:** Jeremiah Minihan – Historic District Commission, Alternate Member *term to expire 1/02/2023 consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the appointment as stated above. Councilor Rice seconded the motion. Mayor Callaghan explained that this is a corrective measure, because had been appointed at the December meeting inadvertently as a Regular member and there is only room for an Alternate Member at this time. The **MOTION CARRIED** by a unanimous voice vote.

- 9.8 **Mayoral Nomination/Confirm by City Council:** Arts and Culture (Government Representative - Ashley Desrochers) *Term to Expire on 1/2/2024*

- ~~9.9 **Mayoral Nomination/Confirm by City Council:** Opera House Board of Directors (City Council Representative Christopher Rice) *Term to Expire on 1/2/2024*~~

- 9.10 Mayoral Nomination/Confirm by City Council: Historic District Commission (City Council Representative - Laura Hailey) Term to Expire on 1/2/2024**
- 9.11 Mayoral Nomination/Confirm by City Council: Planning Board Regular Member – Donald Hamann Term to Expire on 01/02/2024**
- 9.12 Mayoral Nomination/Confirm by City Council: Planning Board Alternate Member – Ashley Desrochers Term to Expire on 01/02/2024**
- 9.13 Mayoral Nomination/Confirm by City Council: Recreation and Arena Commission, Regular Member – Dana Berlin Term to Expire on 01/02/2024**
- 9.14 Appointment: Rochester Economic Development (Chair – Paul Giuliano) Chair Term to Expire on 01/02/2024**
- 9.15 Appointment: Rochester Recreation & Arena Commission (Chair – Sheila Colson) Chair Term to Expire on 01/02/2024**

Councilor Lachapelle said if there were no objections he would **MOVED** to **APPROVE** items 9.8 through 9.15 as referenced above but excluding 9.9 which is not actually a Mayoral appointment. Councilor Rice seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10. Reports of Committees

10.1 Appointments Committee

10.1.1 Reappointment memo for review

Councilor Lachapelle **MOVED** to **APPROVE** the members listed on

the re-appointments memo. Councilor Rice seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Kevin Barry	Rec & Arena Commission	Term to Expire 1/02/2024
Molly Meulenbroek	Historic District Commission, (Current Chair)	Term to Expire 1/02/2025
Ralph Sanders	Utility Advisory Board	Term to Expire 1/02/2024
Kristin Ebbeson	REDC	Term to Expire 1/02/2023
David Colson	Rec & Arena Commission	Term to Expire 1/02/2025
Dale Bickford	Rec & Arena Commission	Term to Expire 1/02/2024
Bruce Jolin	Library Trustees	Term to Expire 1/02/2025
Leo Brodeur	Zoning Board	Term to Expire 1/02/2025
Sheila Colson	Rec & Arena Commission	Term to Expire 1/02/2025
Richard Clough	Rec & Arena Commission	Term to Expire 1/02/2025
Mark Jennings	Conservation Commission	Term to Expire 1/02/2024
Thomas Jean	Personnel Advisory Board	Term to Expire 1/02/2024

10.2 Codes & Ordinances Committee

10.2.1 February 3, 2022 meeting – Review of Council Rules of Order

Councilor Lachapelle said there will be a meeting on February 3, 2022, of the Codes and Ordinances Committee, in order to review the City Council's Rules of Order. He invited the City Councilors who are not on the Committee to join the discussion as well.

10.3 Public Safety

10.3.1 Committee Recommendation: To relocate the current streetlight at the corner of Hoover and Washington to the utility pole across the street *consideration for approval*

Councilor Rice stated that the Public Safety Committee is scheduled to meet on January 19, 2022.

Councilor Rice gave a brief overview of reasons why a streetlight is being requested at the corner of Hoover and Washington Street. He **MOVED** to **APPROVE** the following Committee Recommendation: To relocate the current streetlight at the corner of Hoover and Washington to the utility pole across the street. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Rice spoke briefly about the Evolis Radar Speed Limit signs. He said a request to purchase the two signs was forwarded to the Finance Committee at the cost of \$5,950. He said the signs are portable and could be mounted on poles/telephone poles around the City. The City Council discussed whether or not actual telephone poles could be utilized. It was determined that a permit would be required but the Public Works staff would work to ensure the signs were mounted properly.

10.4 Public Works

Councilor Hamann said there are no action items. He said the Committee met in December and discussed updates to various public works projects. He said there will not be a meeting in January; however, there will be a full agenda for the February meeting. Councilor Larochelle inquired of how to make a correction to the Public Works Committee minutes. City Clerk Walters replied that it is appropriate to make the correction at the Committee level.

11. Old Business

No discussion.

12. Consent Calendar

No discussion.

13. New Business

13.1 Resolution for Supplemental Appropriation of \$422,805 to Department of Public Works (DPW) Sewer CIP Fund *first reading and consideration for adoption*

Councilor Lachapelle **MOVED** to read the resolution for a first time by title only. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor Callaghan read the resolution by title only as follows:

Resolution for Supplemental Appropriation of \$422,805 to Department of Public Works (DPW) Sewer CIP Fund

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 appropriate an amount not to exceed Four Hundred Twenty-Two Thousand Eight Hundred Five Dollars (\$422,805.00) to the Sewer CIP Fund for the purpose of paying costs associated with the NPDES permit through the Municipal Alliance for Adaptive Management (MAAM) and Intermunicipal Agreement with the Cities of Dover, Portsmouth, Newington, Exeter, Milton, Rollinsford and Rochester, NH, and further;

The City of Rochester, Department of Public Works in accordance with the provisions of the Intermunicipal Agreement shall act as the fiscal agent for the Municipal Alliance for Adaptive Management. The source of funds related to carrying out the activities approved by the MAAM shall be derived from City of Portsmouth, NH, One Hundred Seventy Six Thousand Eighty Eight and 67/100 Dollars (\$176,088.67), City of Dover, NH One Hundred Twelve Thousand Nine Hundred Eight and 15/100 Dollars (\$112,908.15), Town of Newington, NH, Six Thousand Nine Hundred Sixty Six and 67/100 Dollars (\$6,966.67), Town of Rollinsford, NH, Three Thousand Six Hundred Three and 45/100 Dollars (\$3,603.45), Town of Milton, NH, Two Thousand Four Hundred Two and 30/100 Dollars (\$2,402.30) and City of Rochester's Sewer Fund Retained Earnings One Hundred Twenty Thousand Eight Hundred Thirty Five and 75/100 Dollars (\$120,835.75).

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

14. Other

Councilor Hailey announced that the next Community Development meeting would be on January 24, 2022.

Councilor Rice took a few moments to briefly give a history and his views over the proposed redistricting plans being made at the State level of government. He said that the City of Rochester has nine dedicated State representatives and the potential to lose the dedicated State Representative seat for Ward 5 if this proposed plan passes. He said Ward 5 would be separated from the other wards in the City of Rochester and would be joined to share 3 seats with the Town of Milton. He said potentially, this could mean that those Representative chosen to represent Ward 5 of Rochester could all be residents of Milton. He expressed frustration over this proposed change. He gave details of the population decrease in Milton and the population slight increase to Rochester. He encouraged Senator Gray to vote against this proposed redistricting plan. He said for the record that both the State Representatives for Ward 5 voted yes on this proposed plan.

Councilor Gray called for a point of order over Councilor Rice calling out other State Representatives in a discriminatory manner. Councilor Gray felt Councilor Rice was over the line. He agreed to further educate Councilor Rice on the matter. A brief debate broke out between Councilor Rice and Councilor Gray. Mayor Callaghan said he would end this discussion now and place it on the Workshop Agenda. Councilor Gray said that his integrity and the integrity of two State Representatives have been questioned and he believed he should be able to respond to such accusations. Mayor Callaghan said the topic would be on the next Workshop Agenda.

Councilor Hainey said she attended the New Councilors Orientation last Friday and the tour and staff were amazing. Councilors Malone and Fontneau agreed.

15. Non-Public/Non-Meeting

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

Councilor Rice **MOVED** to enter into a Non-Public Session for Land, RSA 91-A:3, II (d) at 7:27 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Berlin, Desrochers, Gray, Fontneau, Hamann, Hainey, Lachapelle, LaRochelle Beaudoin, Malone, Gilman, Rice, and Mayor Callaghan voted in favor of the motion.

Councilor Rice **MOVED** to exit the Non-Public Session at 8:11 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

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

16. Adjournment

Respectfully submitted,

Kelly Walters, CMC
City Clerk