

**Committee of the Whole Budget Workshop
Community Room
James W. Foley Community Center
150 Wakefield Street &
Remotely via Microsoft Teams
Immediately following the Regular meeting
6:30 PM**

COUNCILORS PRESENT

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

OTHERS PRESENT

Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager
Terence O'Rourke, City Attorney
TJ Jean, resident
Collin Coppinger, resident
Todd Marsh, Welfare Director
Sonja Gonzalez, CIO
Andrew Watkins, Deputy CIO
Paul Toussaint, Police Chief
Gary Boudreau, Deputy Police Chief
Mark Klose, Fire Chief

COUNCILORS ABSENT/EXCUSED

Councilor Lachance

MINUTES

1. Call to Order

Mayor McCarley called the Committee of the Whole Budget Workshop meeting to order at 8:27 PM. The following preamble was read at the Public Hearing earlier in the evening.

Good Evening, as Chairperson of the City Council, I am declaring that an emergency exists and I am invoking the provisions of RSA 91-A:2, III (b). Federal, state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to our community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, I also find that this meeting is imperative to the continued operation of City government and services, which are vital to public safety and confidence during this emergency. As such, this meeting will be conducted without a quorum of this body physically present in the same

location.

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

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

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

In addition to the above listed public access information, the City Council will be allowing the public to enter the Community Room and speak in person during the Public Input portion of this meeting. In an effort to adhere to CDC guidelines: enter only into the right side door on the Chestnut Hill Road entrance at the rear of the building and exit through the opposing door. Please adhere to 6-foot social distancing while inside. Hand sanitizer and facemasks will be available at the Community Room entrance. The public will be allowed to attend the meeting in-person. Please note, seating will be provided that is arranged such that 6-foot social distancing can be maintained.

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

Phone number: 857-444-0744 Conference code: 843095

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

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

time they wish to speak.

City Clerk Kelly Walters took the roll call. All Councilors were present and indicated that they were alone in the location from which they were connecting remotely or attending in-person at the Community Center except for Councilor Lachance who had recently resigned.

2. Public Input

City Manager Cox indicated that there were no emails (public input) received. Mayor McCarley invited other members of the public to address the City Council. No members of the public were present to address the City Council and Mayor McCarley closed public input at 6:35 PM.

3. Communications from the City Manager

City Manager Cox reported that he has been working with City staff in order to finalize plans to resume the City Council meeting in-person in the City Council Chambers beginning with the June 1, 2021 Regular City Council meeting.

4. Communications from the Mayor

4.1. City Council Statements of Interest

4.1.1. TJ Jean, Ward 1, City Council, Seat B

4.1.2. Collin Coppinger, City Council, Seat B

Mayor McCarley invited the candidates to come forward and give brief statements about their interest in serving as the Ward 1, Seat B, City Councilor for the City of Rochester.

TJ Jean, resident, addressed the City Council about his interest in serving on the City Council.

Collin Coppinger, resident, addressed the City Council about his interest in serving on the City Council.

5. Budget Presentations:

5.1. Welfare

Todd Marsh, Director of Welfare, gave an overview of the Department's

budget.

Councilor Walker commended Mr. Marsh for the work he has accomplished with his Team and for being fiscally responsible. Mayor McCarley thanked Mr. Marsh for his work on the Fidelity Committee and she said Mr. Marsh is known across the State for his work accomplishments.

5.2. Information Technology Services (CIP Pg. 13)

CIP Review:

Sonja Gonzalez, Chief Information Officer (CIO), and Andrew Watkins, Deputy CIO, gave an overview of the CIP items and opened up for any questions.

Councilor Rice asked which departments are included with the Annual Software Replacement. Ms. Gonzalez replied that she knows this will include the Welfare Department, Police Department, and the Munis/CIP Database. She agreed to check to see if there were any others missing from this list.

Councilor Walker stated that the City purchases a lot of software each year. He questioned if there were any software items budgeted last year which have not yet been purchased this year. Ms. Gonzalez recalled that there are remaining funds left in the Office 365 line item and a few other line items which may not be utilized as of yet. Ms. Gonzalez agreed to gather that information and provide it to the City Council.

Ms. Gonzalez invited Diane Hoyt, Director of Human Resources, to give an overview of the CIP project entitled Kronos Scheduler. She spoke about the complexity of the Public Safety (police and fire) scheduling because they must cover all shifts 24/7. The City Council discussed the matter.

Councilor Hainey mentioned that this is an expensive program and questioned how reliable it would be moving forward with software updates. Ms. Gonzalez said this is the premier product available and they would certainly have upgrades regularly without downtime for the City. She stated that while there are no guarantees, there is no indication that this company would dissolve in the next five years. Councilor Hainey asked about the upgrade costs. Ms. Gonzalez agreed to get back to the City Council about those costs.

Councilor Walker asked if this (Kronos Software) was the proposed software request cut from last year's budget. Ms. Hoyt replied yes. Councilor Walker asked questions about timesheet errors and how those are corrected.

Ms. Hoyt said the employee still needs to submit their own timesheet and the supervisor can make manual corrections and must approve the timesheet. It is anticipated that there would be someone assigned as a "time keeper" in each department who would essentially catch any errors ahead of time. Councilor Walker shared information about his experience in this type of process and how it worked out. Ms. Hoyt reviewed the process for the City Council. Ms. Gonzalez reviewed the process of punching in/out to avoid errors in manual punches and the safeguards that are in place.

Councilor Belken spoke in favor of the motion. She said it will be well worth the investment if it is saving multiple departments valuable staff time. Councilor Lachapelle agreed and said it would save time and money.

The City Council discussed the technical software programs being currently used. It was determined that TeleStaff is a component of Kronos Workforce, which handles the scheduling and shifts; however, Munis is the system of record for all payroll, W-2s, and 1095 forms. Councilor Rice asked who monitors the transfer from Kronos to Munis. Ms. Hoyt said one employee is designated as the payroll specialist and she designates one day every two weeks for that work now and would continue under this adjustment. She added that it only takes about 10 minutes for that process.

Network Upgrade/Expansion

Mr. Watkins gave an overview of the Network Upgrade/Expansion CIP request. Councilor Belken said it seems this project cost increases significantly over future years. She asked why this year the estimated cost is so low. Ms. Gonzalez explained that in future years, the goal is to make major replacements for aging equipment.

IMC Software Replacement

Mr. Watkins gave an overview of the IMC Software Replacement CIP request.

Councilor Hamann questioned if the replacement software would integrate with the State's software and/or other cities and towns. He questioned if it is possible that the State may want to unify the process throughout the State. Chief Toussaint said that is exactly what has happened and some cities and towns have already dropped IMC software altogether. He added that at this point, it is uncertain which software will be chosen; however, whatever is chosen must be able to be integrated with the State and other departments. Chief Toussaint said the IMC software was purchased in 1996. He gave other details about why they must seek an alternate software

program. Ms. Gonzalez said they researched what Dover would be spending on their similar upgrade and adjusted the figures to ensure they would have enough funds to cover the cost. She stated that she would report back to the City Council with this information. Chief Toussaint gave an overview of what they are seeking in terms of a software replacement, including the ability to store video recordings/photos records.

Mayor McCarley asked how complex is the process of changing over to an entire new software system. Ms. Gonzalez replied that the transition process to the new system is quite complex and lengthy, which accounts for the most expensive part of the software replacement plan. It will take adequate time to process this change over. Chief Toussaint added that all of the data since 1996 must be transferred over during this process.

Councilor Rice supported the replacement software project; however, he questioned the estimate. He asked how much Dover spent on a similar conversion program. Ms. Gonzalez recalled it cost between \$625,000 and \$650,000; however, she could get back to the City Council with that exact figure if needed. Mr. Watkins explained that the City of Rochester has a different platform than what Dover had been utilizing and the estimate is based upon that additional information.

Councilor Rice recalled that current police officers have laptop equipment in their vehicles. He asked if these laptops would need to be replaced. Mr. Watkins said the more modern the software, the better "use" it will have with the current equipment.

Councilor Rice asked if the Fire Department would be upgraded as well. Ms. Gonzalez replied that the Fire Department has been included with the meetings and that would continue.

Munis Employee Self Service

Ms. Gonzalez gave an overview of the Munis Employee Self Service CIP request which was listed as essential; however, now it is listed as "desirable." She gave details of how City staff resolved an issue that was taking up a lot of staff time dealing with printing and stuffing envelopes for certain types of documents.

Councilor Walker recalled there was an issue with the Assessing software and the Munis software connectivity and questioned if that had been resolved. Mark Sullivan, Deputy Finance Director, replied yes.

5.3. Police/Dispatch (CIP Pg. 33 & 36)

Paul Toussaint, Police Chief and Gary Boudreau, Deputy Police Chief, gave a PowerPoint presentation on the Police/Dispatch CIP projects.

Councilor Rice asked a question about the Taser Replacement Program. He asked what the goal was in terms of the replacement plan for the Tasers once the final payment has been made on the new units. He also inquired about the life span of the new Tasers. Chief Toussaint said the life span of these Tasers is unknown at this time; however, the last set of Tasers lasted over ten years. He added that those Tasers were purchased at the end of their cycle and the vendor stopped making replacement parts after a period of time. He indicated that these Tasers should last for another five years.

Councilor Walker spoke in support of the Body Cameras CIP Project. Councilor Rice agreed; however, he questioned the number of cameras being purchased. Chief Toussaint gave reasons why it is important for the front line officers to be assigned to their own body cameras, especially if they run into overtime and another officer needs to start a shift with that particular unit.

Councilor Lachapelle supported the project. He recalled that there may be some grant funding in place or coming soon to purchase body cameras. Councilor Gray, who is a State Senator, said he was not aware of that specific grant; however, there are funds being forwarded to the Governor's office because of Federal Legislation that has recently passed. Chief Toussaint said it would be great if a grant was available to offset the cost of this purchase.

Councilor Lauterborn questioned if there was any push-back from the Police Officers regarding wearing body cameras. Chief Toussaint recalled that when the body camera idea was presented many years ago, there was a lot of push back from police officers; however, that has changed over the past few years and police officers are seeking to have these in place as evidence for their behavior.

Councilor Hailey asked if the body cameras and the software to store the video recordings are from the same company. Chief Toussaint replied yes; the name of the software is Watch Guard. He gave details of how that software would work in conjunction with the vehicle cameras already in place.

Chief Toussaint disclosed that if the body camera software is approved, it would increase the bottom line of the budget by approximately \$40,000 in order to maintain this program.

Chief Toussaint gave an overview of the frontline/patrol fleet replacement plan and backline vehicles (CIP).

Dispatch Center/EOC Center

Chief Toussaint gave an overview of moving the current dispatch center to the third floor of the Police Department building, which had been reserved for expansion.

Councilor Walker asked a question about passing a particular code he had concerns about during the Dispatch Center tour. Chief Toussaint explained that he is in communication with the Fire Department and Code Enforcement and that particular code is more of a recommendation and not a requirement. He gave details about the logistics of the set up.

Councilor Walker asked about the estimated price of \$900,000. Chief Toussaint replied that is based on conversations with the Public Works Department and a contractor. This is the best estimate without starting the bidding process. Councilor Walker requested that the estimate be looked at again with consideration of the current construction costs, which are constantly rising. Chief Toussaint agreed to revisit that estimate based on new construction costs.

Councilor Rice asked why the design of the new dispatch center is based on an increase of two dispatch stations. Chief Toussaint clarified that this design is based on future needs of the City rather than what is currently needed. Deputy Chief Boudreau gave details about the current situation and how difficult it can be for training purposes without the additional stations.

Councilor Rice asked about the high turnover of employees at the dispatch center. Chief Toussaint gave a brief overview of the long hours, pay, and how tough it is to recruit employees for this important job.

Councilor Rice cautioned about the unknown hike in construction cost. Chief Toussaint replied that this is just a figure to get the process started and understood the City Council may have hesitation or may request for delay if the bids come back too high. Mayor McCarley agreed there could be some other options such as delaying the first floor renovations. City Manager Cox replied that because this is a CIP project it would not have tax cap implications and the bond amount could be adjusted.

5.4. Fire Department/Emergency Management (CIP Pg. 37 & 47)

Chief Klose and Deputy Chief Wilder presented the CIP budget.

Councilor Walker said some of the CIP budget items being reviewed are not related to the FY 22 Budget. Katie Ambrose, Deputy City Manager, confirmed

that some of the items were requested for the FY 22 budget; however, the City Manager's approved budget pushed some of those items to FY 23.

Councilor Walker questioned how many "Jaws of Life" units the Fire Department currently has in operation. Mr. Wilder replied two and gave details on the aging equipment that is still being maintained by the Fire Department. Councilor Walker asked how reliable the batteries are, which are needed for the current Jaws of Life. Mr. Wilder replied that they are very reliable and gave details on the improvements made to the life of such batteries by the vendor.

Chief Klose presented the Jaws of Life which are being borrowed from the Newington Fire Department. He gave details of the equipment.

Councilor Hainey asked if this CIP request includes only one new Jaws of Life unit. Chief Klose replied yes, one unit to be purchased this year and two more over the course of three years total.

Councilor Walker asked about the Mechanical CPR Devices (\$30,000). Chief Klose gave an overview of how this battery operated equipment works and meets all national standards to save lives. Councilor Rice asked why only one of these devices is being requested and where would this device be stored. Chief Klose said it would be stored at Station II in Gonic and gave reasons why only one is being requested. He added that there are fewer fire fighters working at Station II.

Councilor Walker had concerns that by the time this equipment would be out of the bag and in use, that an EMT would already be actively starting chest compressions. Chief Klose said that is correct. The manual process would begin until this unit was set up and ready to take over; this equipment is most beneficial during the transportation of the patient. Councilor Hainey questioned who conducts the training of such equipment. Chief Klose replied that the vendor offers the training and it is included with the purchase. He indicated that the equipment that is before the City Council this evening has been borrowed from the Milton Fire Department. Chief Klose shared his own experience in witness of this equipment saving lives on two separate occasions.

Councilor Hainey questioned if this equipment could be used on children. Chief Klose replied no; however, there is a software upgrade, which can be purchased for use on children.

Chief Wilder said the \$30,000 would actually cover two CPR devices; one for each station in Rochester. He added that due to the decreased personnel at the Gonic Station, it is a more urgent need to have a unit at that location.

Councilor Rice asked questions about the CPR devices working in conjunction

with other vital equipment during a rescue. Chief Klose confirmed that is correct and gave details of how such vital equipment works.

Councilor Walker asked about the vehicle equipment replacement program which includes replacing a 2012 Chevy Tahoe that is in good working condition. Chief Klose said that currently the gear, which gets contaminated, is stored inside the SUV which should not be the case for health reasons. He gave further details of why this SUV is being replaced with a pick-up truck and that it still has value as a trade-in.

Councilor Walker asked if the amount being requested for the pick-up truck would be covered even without the trade-in value of the SUV. Mr. Wilder replied yes.

Councilor Rice questioned if the pick-up truck would include the necessary upgrades needed for the Fire Department. Chief Klose replied yes.

Councilor Walker **MOVED** to **CUT** the FY 23 CIP purchase of an Ambulance at the cost of \$340,000 and gave reasons to support his motion. Councilor Lauterborn seconded the motion. The City Council briefly discussed the matter. The **MOTION CARRIED** by a 12 – 0 roll call vote with Councilors Walker, Rice, Belken, Bogan, Lachapelle, Hamann, Lauterborn, Hainey, Abbott, Gray, Hutchinson, and Mayor McCarley voting in favor of the motion.

Emergency Management CIP

Chief Klose gave an overview of the Middle School Generator CIP project.

Councilor Lauterborn cautioned that this is an expensive cost for an electrical engineer. She questioned why this cost is solely on the City vs the State or the Seabrook Power Plant since the City is only a portion of the plan for an emergency evacuation plan. Chief Klose gave details of why there is no more funding for this part of the project. Councilor Lauterborn questioned why another location is not being sought out if the Middle School location will cost a quarter of a million dollars to have an electrical engineer set up. He said this is the evacuation location in place for the City of Rochester and not just for the Seabrook Power Plant evacuation plan. He said the other building that could potential suffice would be the Community Center, which does not have an emergency generator in place.

Councilor Rice **MOVED** to reduce the Mechanical CPR device by \$15,000. Councilor Walker seconded the motion. Councilor Rice gave reasons why he felt the second unit could be delayed until a future date. The **MOTION FAILED** by a roll call vote of 5 - 7 with Councilors Hutchinson, Abbott, Rice, Walker, and Mayor McCarley voted in favor of the motion. Councilors Gray, Hainey, Lauterborn,

Hamann, Lachapelle, Bogan, and Belken voting against the motion.

Councilor Walker asked if the proposed project by the Police Department to move the EOC to the third floor of the Police Department would impact the Fire Department budget. The matter was briefly discussed and it was determined that no cost would be needed through the Fire Department budget.

6. Discussion: Charter Amendments

6.1. Previously discussed amendments

Mayor McCarley requested that the City Council review each request and take a sense of council vote on each of these amendments and the language to be sent to the Regular Meeting in June for a final vote on the Charter Amendments.

Section 5

Mayor McCarley requested a vote on Section 5 as follows:

Section 5 Election of Councilors.

~~Beginning with the regular municipal election of 2003, two Councilors shall be elected from each ward, for terms of two years each, commencing on the first business day after January 1 following their election.~~

Beginning with the regular municipal election of 2023, each ward shall elect a Councilor A and a Councilor B, each Councilor A shall be elected for a term of four years and each Councilor B shall be elected for a term of two years, commencing on the first business day after January 1 following their election. Beginning with the regular municipal election of 2025, each Councilor B shall be elected for a term of four years, commencing on the first business day after January 1 following their election.

Pursuant to Section 47 of this Charter, the City Clerk shall establish each ward seat as a separate municipal office, and shall establish a system to distinguish each separate ward seat on the municipal election ballot. Qualified persons may declare their candidacy for no more than one seat on the City Council at any municipal election.

The **Sense of Council PASSED** by a roll call of 9 – 3 with Councilors Walker, Rice, Bogan, Lachapelle, Hamann, Hainey, Abbott, Gray, and Mayor McCarley voting in favor of the motion. Councilors Belken, Lauterborn, and Hutchinson voted no on the motion.

Section 6

Mayor McCarley requested a vote on Section 6 as follows:

Section 6 Qualifications of Councilors.

Each City Councilor and the Mayor shall be a registered voter of the City of Rochester at the time they file their declaration of candidacy, pursuant to Section 47 of this Charter. Each Ward Councilor shall be a resident and registered voter of their ward at the time they file said declaration, at the time of their election, and throughout their term of office. If a City Councilor ~~or the Mayor~~ moves their residence from the City of Rochester during their term of office, then their office shall be declared vacant, and the vacancy shall be filled as provided in Section 68 of this Charter. If a Ward Councilor moves their residence from their ward during their term of office, then their office shall be declared vacant, and the vacancy shall be filled as provided in Section 68 of this Charter.

Council briefly discussed the matter. Councilor Walker questioned if these proposed amendments could be bundled together if possible. Terence O'Rourke replied that he would present these proposed amendments with the City Clerk to the State for approval. At that point, the State would determine which amendments could be bundled together. The **Sense of Council PASSED** by a 12 – 0 roll call vote with Councilors Belken, Bogan, Walker, Rice, Lachapelle, Hamann, Lauterborn, Hainey, Abbott, Gray, Hutchinson, and Mayor McCarley voting in favor of the motion.

Section 8

Mayor McCarley said the recommendation that was emailed to the City Council earlier today, because of concerns brought forth at the last meeting by several terms and is as follows:

Section 8 Election of Mayor.

At the municipal election to be held in November 1989, and at every regular municipal election thereafter, the Mayor shall be elected for a term of two years. ***If the successful candidate for Mayor is a sitting City Councilor with more than 2 years remaining on a term in office, then a Special Election shall be held within 90 days of the successful Mayoral candidate's inauguration to elect a candidate to serve the remaining time of said City Council term of office.***

Councilor Walker said this would essentially only be in effect if the first amendment passed otherwise this proposed amendment would be null and

void. City Attorney O'Rourke said that is correct, the verbiage of how that would occur would be discussed with the Secretary of State's office. **The Sense of Council FAILED** to pass by a roll call vote of 7 -5 with Councilors, Rice, Hainey, Abbott, Belken, and Mayor McCarley voted in favor of the motion. Councilors Lachapelle, Gray, Bogan, Hutchinson, Hamann, Lauterborn, and Walker voted against the motion.

Section 22

Mayor McCarley called for a vote on the motion as follows:

Section 22 Board of Library Trustees.

The Board of Library Trustees shall be comprised of the City Manager, or his designee, and six members to be elected by the City Council, one member to be elected from each ward for a term of three years, and their election so arranged that 1/3 of the members of the Board shall be elected each year. Elections by the City Council shall be conducted pursuant to Section 68 of this Charter. The duties and powers of said Board of Trustees shall be those enumerated in Chapter 202-a of the Revised Statutes Annotated, as presently enacted or the corresponding provisions of any recodification or amendment of the New Hampshire Revised Statutes Annotated. The Board of Trustees of the Public Library shall organize annually by the choice of a Chairman and such other officers and committees as it deems necessary. ~~The Board of Trustees of the Public Library shall elect a Library Director and such other employees as may be necessary for the efficient operation of the Public Library, as vacancies occur.~~ ***The Board of Trustees shall appoint a librarian who shall not be a trustee and their compensation and other terms of employment shall be in conformity with relevant provisions of this Charter and City Ordinances.***

Councilor Walker asked if this could be considered a clean-up amendment. Terence O'Rourke said it is more that the City Council is exercising an option that the State statute allows. He clarified that the language as written is not breaking any laws; however, it provides the Trustees with more authority than what the City Council would want considering what is in place now for hiring/promotions for employees. It would still allow for the Library to appoint the Librarian; however, once hired, that employee falls under a union contract as with other City employees. Councilor Lauterborn questioned where the proposed amendment originated from. Attorney O'Rourke said it was discovered as part as hiring/appointing a new librarian recently and the proposed amendment was sent to the Codes and

Ordinances Committee for review. He added that it would change the Charter to conform to current practice. He said the City Charter should conform to what is happening with the current union contracts.

Councilor Hailey questioned why the language was changed from "elect" to "appoint" with the new proposed amendment. Attorney O'Rourke replied that the language "appoint" comes directly from the RSA.

Councilor Walker wished to clarify what would happen if this amendment did not pass. Attorney O'Rourke explained that there is a conflict between the Charter and current practice which should be corrected. There could be problems if the Library Trustees decided to give push-back to the City against the authority written in the Charter at this time.

City Manager Cox asked if the State statute would cover this regardless of the outcome. Attorney O'Rourke said the State statute gives the authority; however, it does not require that language. He said the existing language is how a town might handle the library employees but it is not how it is handled in the City of Rochester and therefore it should be corrected. The **Sense of Council PASSED** by a 12 – 0 roll call vote with Councilors Hamann, Walker, Hutchinson, Belken, Abbott, Gray, Rice, Bogan, Hailey, Lachapelle, Lauterborn, and Mayor McCarley voting in favor of the motion.

Section 70

Mayor McCarley said this was reviewed by the City legal counsel and it was determined that the City Council would only have authority over removing members of the City Council and not of any other elected official. The amendment is as follows:

Section 70 **Removal of elected officials.**

By an affirmative roll-call vote of at least nine City Councilors, the City Council may ~~remove any elected City official from office for prolonged absence, inattention to duty, mental or physical incapacity, incompetence, willful violations of state statutes, this Charter, or City ordinances, or misconduct in office. Such vote shall be on specific written charges approved by a majority of the City Council, and after due notice and hearing called upon the majority vote of the Council,~~ **on specific charges and after due notice and hearing, at any time remove the Mayor or one of its own members for cause, including but not limited to prolonged absence from or other inattention to duties, crime or misconduct in office, or as specified in the charter.** A vacancy occasioned by removal under this section shall be

filled in the manner provided in the Charter.

The **Sense of Council PASSED** by a 12 – 0 roll call vote. Councilors Lauterborn, Lachapelle, Hainey, Bogan, Rice, Gray, Abbott, Belken, Hutchinson, Walker, Hamann, and Mayor McCarley voted in favor of the motion.

Contemplated Charter Amendment

Mayor McCarley said this proposal was previously discussed and now the language is in place and is as follows:

See Addendum A

Councilor Walker spoke against the motion. He said it seems if this change were in place it could mean an automatic tax increase in certain situations; and it is not often that non-taxable property becomes taxable.

Councilor Lauterborn wished to clarify a few facts prior to determining her opposition to the proposed Charter Amendment. She asked if a 79-E property would be included in this methodology being proposed. City Manager Cox replied no and explained why 79-E properties would be exempt from this change to the Charter; because 79-Es are already figured into the Tax Cap calculation. Mayor McCarley agreed. Councilor Lauterborn asked the same question in regards to the TIF Districts. City Manager Cox replied that this would have an impact on any TIF properties and other non-taxable properties that become taxable. Councilor Lauterborn recalled that not everyone was in favor of the TIF Districts and the taxpayers were told that the benefit of allowing TIF Districts would be at the end of the TIF cycle when the non-taxable increase becomes taxable; however, that would no longer be the case under this methodology. She would vote against moving this amendment based upon that reasons. Councilor Rice gave reason why he could not support this proposal and said under the Frisbie Hospital situation, the tax rate could have increased by ninety-two cents.

Councilor Gray supported the proposal and gave reasons why he felt strongly this change is necessary. He believed when certain projects come “online” that they should be made part of the tax cap calculation and that he had believed they would have been when he first voted in favor of the tax cap years ago. He said the school situation needs to be addressed at some point and this is one way in which it could be of a benefit to the Schools. The **Sense of Council FAILED** by roll call vote of 10 – 2 with Councilors Gray and Belken voting in favor of the motion. Councilors Hamann, Rice, Lauterborn, Hainey, Lachapelle, Hutchinson, Walker, Abbott, Bogan, and Mayor McCarley voted

against the motion.

Other Election Amendments:

Mayor McCarley said if there were no objections these next proposed Charter Amendments would only require one vote for all proposed amendments coming to us from the City Clerk as follows:

See Addendum B

The **Sense of Council PASSED** by a 12 – 0 roll call vote with Councilors Bogan, Abbott, Walker, Hutchinson, Lachapelle, Hainey, Lauterborn, Rice, Hamann, Gray, Belken, and Mayor McCarley voted in favor of the motion.

6.2. New proposed amendments *Forthcoming*

This proposed amendment was discussed during the current amendment review.

7. Department Reports

Councilor Lauterborn had a comment about the Planning Department Report (page 57). She thanked Shanna Saunders, Director of Planning and Development, for giving a descriptive outline of the ZBA responsibilities. She found the information helpful.

Councilor Lauterborn stated that the City Clerk Report indicates that the office is still closing each weekday from 1pm to 2pm. She gave reasons why this should no longer be happening and requested that the City Manager look into this matter as well as any other offices that may have adjusted their hours through the pandemic.

8. Other

Councilor Gray gave the City Council a head up from the NH legislators that the process of redistricting is fast approaching and the timeframe may be compressed. He gave a brief overview of the time involved in that process. He indicated those figures could be given to the City by the State as soon as August and that a Committee shall be needed. Mayor McCarley thanked Councilor Gray for the reminder and said that the pandemic has delayed the process and the timeframe will be compressed. The City Council briefly discussed the matter. Deputy Mayor Lauterborn thanked Councilor Gray and anticipated that a Committee could be appointed in July.

9. Adjournment

Mayor McCarley **ADJOURNED** the meeting at 9:40 PM.

Respectfully submitted,

Kelly Walters, CMC
City Clerk