

**Reconvened Regular City Council Meeting  
January 9, 2024  
Council Chambers  
6:20 PM**

**COUNCILORS PRESENT**

Councilor Creteau  
Councilor de Geofroy  
Councilor Fitzpatrick  
Councilor Fontneau  
Councilor Herman  
Councilor Karolian  
Councilor Richardson  
Councilor Sullivan  
Councilor Turner  
Councilor Walker  
Deputy Mayor Hamann  
Mayor Callaghan

**OTHERS PRESENT**

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

**COUNCILORS ABSENT**

**Minutes**

**1. Call to Order**

Mayor Callaghan called the Regular City Council meeting to order at 6:20 PM (following the Finance Committee meeting).

**2. Opening Prayer**

Mayor Callaghan called for a moment of silence.

**3. Pledge of Allegiance**

Councilor Karolian led the City Council and all those present in the Pledge of Allegiance.

**4. Roll Call**

Deputy City Clerk Cassie Givara took the roll call attendance. All Councilors were present as listed above.

**5. Acceptance of Minutes**

**5.1 Regular City Council Meeting: December 5, 2023**  
***consideration for approval***

Councilor Walker **MOVED** to **ACCEPT** the minutes of the Regular City Council meeting of December 5, 2023. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**5.2 City Council Special Meeting: December 19, 2023**  
***consideration for approval***

Councilor Walker **MOVED** to **ACCEPT** the minutes of the Special City Council meeting of December 19, 2023. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**6. Communications from the City Manager**

City Manager Ambrose announced that there would be a Special City Council meeting held on Wednesday, January 24 at 6:00 PM following the declaration of vacancy for the Ward 2 B City Council seat at this evening's meeting.

City Manager Ambrose stated that there were agenda bills included in the packet explaining her recommendations for the CIP Committee appointees that appear on this evening's agenda.

**6.1 City Manager's Report**

**7. Communications from the Mayor**

Mayor Callaghan thanked City Manager Ambrose and her staff for the work they had done to organize the City Council orientation on Friday, January 5 and announced that the second portion of the City Council orientation would take place on Friday, January 12. He thanked the Councilors for their participation and the strong turnout for this year's orientation.

**7.1. Mayoral Appointments of Subcommittees**

A memo appeared in the City Council packet detailing the Mayoral appointments to all City Council subcommittees and special committees.

**8. Presentation of Petitions and Council Correspondence**

**9. Nominations, Appointments, Resignations, and Elections**

**9.1. Resignation:** Matthew Richardson, Planning Board Regular Member *consideration for approval*

**9.2. Resignation:** David Walker, Planning Board Regular Member *consideration for approval*

Mayor Callaghan asked that agenda items 9.1 and 9.2, the above-listed Planning Board resignations, be taken together.

Councilor Walker **Moved** that the resignation of himself and Matthew Richardson from the Planning Board be accepted, with regret. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**9.3. Resignation:** Dennis Raymond, Moderator for Ward 5 *consideration for approval*

Councilor Walker **Moved** that the resignation of Dennis Raymond as Moderator of Ward 5 be accepted, with regret. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**9.4. Mayoral and City Manager Nominations and Appointments**

**9.4.1. Mayoral Nomination/Confirm by City Council:** Arts and Culture - Government Representative – Patricia Turner *Term to Expire on 1/2/2026*

**9.4.2. Mayoral Nomination/Confirm by City Council:** Historic District Commission - City Council Representative, David Herman *Term to Expire on 1/2/2026*

**9.4.3. Mayoral Nomination/Confirm by City Council:** Planning Board Regular Member – Donald Hamann *Term to Expire on 01/02/2026*

**9.4.4. Mayoral Nomination/Confirm by City Council:** Planning Board Alternate Member –

**Matthew Richardson** *Term to Expire on 01/02/2026*

**9.4.5. Mayoral Nomination/Confirm by City Council: Recreation and Arena Commission, Regular Member - Bryan Karolian** *Term to Expire on 01/02/2026*

**9.4.6. Mayoral Appointment: CIP Committee, Regular Member – Donald Hamann** *Term to Expire on 01/02/2026*

**9.4.7. Mayoral Appointment: CIP Committee, Regular Member – Daniel Fitzpatrick** *Term to Expire on 01/02/2026*

**9.4.8. Mayoral Appointment: CIP Committee, Regular Member – David Walker** *Term to Expire on 01/02/2026*

Mayor Callaghan stated that agenda items 9.4.1 through 9.4.8 were Mayoral appointments to subcommittees and special committees and were put on the agenda for informational purposes but did not require a vote for approval.

**9.4.9. City Manager Nomination/Confirm by City Council: CIP Committee, Regular Member – Keith Fitts** *Term to Expire on 01/02/2026*

**9.4.10. City Manager Nomination/Confirm by City Council: CIP Committee, Regular Member – Sheila Colson** *Term to Expire on 01/02/2026*

Councilor Walker **MOVED** to confirm the nomination of both Keith Fitts and Sheila Colson as Mayoral appointees to the CIP Committee with terms to expire 1/2/2026. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Walker questioned whether a Council vote was needed to confirm the earlier Mayoral appointments. Mayor Callaghan stated that there is no vote needed.

**9.5. Appointment: Rachel Laughner – Municipal**

**Registration Agent for the City of Rochester**  
**(requires majority Council signatures)**

Councilor Walker **MOVED** to approve Rachel Laughner as the Municipal Registration Agent for the City of Rochester. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Karolian, Hamann, Turner, Fontneau, Sullivan, de Geofroy, Herman, Walker, Creteau, Fitzpatrick, Richardson, and Mayor Callaghan all voting in favor. The Mayor stated that all Councilors could sign the approval documentation following the meeting.

**9.6. Declaration of Vacancy – City Council Ward 2, Seat B**

Mayor Callaghan officially announced the City Council Ward 2, Seat B vacancy. He reiterated that there would be Special City Council meeting on January 24 at 6:00 PM to interview potential candidates and encouraged any ward 2 constituents who were interested in filling the seat to submit a Statement of Interest no later than 9:00 AM the morning of January 24.

**10. Reports of Committees *\*no December meetings held*****11. Committee of the Whole: Review of Code of Ethics and Conduct *Refer to Codes & Ordinances***

Mayor Callaghan explained that the review of the Code of Ethics and Conduct would be sent to the Codes and Ordinances Committee for review and recommendations. Following the review at the Codes and Ordinances meeting, the Code of Ethics would come back to full council if there were any recommendations. Mayor Callaghan announced that the Codes and Ordinances Committee would also be reviewing the City Council Rules of Order at their first meeting.

Councilor Fontneau encouraged all Councilors to review the Code of Ethics and the Rules of Order and to attend the Codes meeting if possible to participate in the review and possible amendments.

Councilor Walker **MOVED** to refer the Code of Ethics and Conduct to the Codes and Ordinances Committee. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**12. Unfinished Business**

There was no unfinished business on the agenda.

**13. Consent Calendar**

**14. New Business**

**14.1. Resolution for Supplemental Appropriation of \$440,751 to Department of Public Works (DPW) Sewer CIP Fund *first reading and consideration for adoption***

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

**Resolution for Supplemental Appropriation of \$440,751 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 Forty-Four Thousand Seven Hundred Fifty-One Dollars (\$440,751.00) 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, Epping, 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 Fifty-Three Thousand One Hundred Thirteen and 98/100 Dollars (\$153,113.98), City of Dover, NH Ninety-Eight Thousand One ~~N~~Hundred Seventy-Six and 76/100 Dollars (\$98,176.76), Town of Exeter, NH, Sixty-Two Thousand Six Hundred Sixty-Six and 02/100 Dollars (\$62,666.02), Town of Epping, NH Ten Thousand Four Hundred and ~~F~~orty-Four and 34/100 Dollars (\$10,444.34), Town of Newington, NH, Six Thousand Fifty-Seven and 72/100 Dollars (\$6,057.72), Town of Rollinsford, NH, Three Thousand

One Hundred Thirty-Three and 30/100 Dollars (\$3,133.30), Town of Milton, NH, Two Thousand Eighty-Eight and 87/100 Dollars (\$2,088.87) and City of Rochester's Sewer Fund Retained Earnings One Hundred Five Thousand Seventy Dollars and 01/100 Dollars (\$105,070.01).

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 de Geofroy seconded the motion. There was a brief discussion regarding the rules of order for first readings and adoption. The **MOTION CARRIED** by a unanimous voice vote.

**14.2. Unsealing of Non-Public Minutes *Motion to unseal the following:***

**14.2.1. September 5, 2023, RSA 91-A:3, II(d) Land**

**14.2.2. October 17, 2023, RSA 91-A:3, II(d) Land**

Councilor Hamann **MOVED** to unseal the minutes of the non-public session of September 5, 2023 and October 17, 2023, both under RSA 91-A:3, (II) for Land. Councilor Creteau seconded the motion. Councilor de Geofroy said that in the minutes of the October 17, 2023 non-public meeting, there were several votes that were unrecorded on the motion to enter into the non-public session. He requested that this be amended. The Clerk stated that this would be fixed. The **MOTION CARRIED** by a unanimous voice vote.

**15. Non-Meeting/Non-Public Session**

**15.1. Consultation with Legal Counsel**

Mayor Callaghan requested a roll call vote to enter into the non-meeting with legal counsel. The **MOTION CARRIED** by a 12-0 roll call vote with Councilors Fitzpatrick, Turner, Hamann, Richardson, Sullivan, Fontneau, Karolian, Creteau, Herman, de Geofroy, Walker, and Mayor Callaghan all voting in favor.

**16. Adjournment**

Mayor Callaghan **ADJOURNED** the City Council Regular meeting at  
6:30 PM

Respectfully Submitted,

Cassie Givara  
Deputy City Clerk