

**Regular City Public Hearing
October 6, 2020
Council Chambers
31 Wakefield Street
and remotely via Microsoft Teams
6:30 PM**

COUNCILORS PRESENT

Councilor Abbott
Councilor Belken
Councilor Bogan
Councilor Gray
Councilor Hailey
Councilor Hamann
Councilor Hutchinson
Councilor Lachapelle
Councilor Lachance
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
Peter Nourse, Director of City Services

Minutes

1. Call To Order

Mayor McCarley called the City Council Public Hearing to order at 6:30 PM and read the following preamble:

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 Council Chambers and speak in person during the Public Input portion of this meeting. In an effort to adhere to CDC guidelines: enter only at the front Wakefield Street entrance and exit on the side closest to the police department and adhere to 6-foot social distancing while inside. Hand sanitizer and facemasks will be available at the Wakefield Street entrance. Participants will be admitted into Council Chambers one at a time to speak, and will exit directly thereafter. Please note; the seating in Council Chambers will not be available for the public during meetings.

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.)

Deputy City Clerk Cassie Givara took the roll call. The following Councilors were present in Council Chambers: Councilors Belken, Gray, Hainey, Hamann, Rice, Walker, Lauterborn and Mayor McCarley. The following Councilors were connecting

remotely and stated that they were alone in the location from which they were connecting: Councilors Abbott, Bogan, Hutchinson, Lachance, and Lachapelle.

Mayor McCarley read the two following resolutions by title only and invited members of the public to come forward and speak:

2. Resolution Authorizing Supplemental Appropriation to the Department of Public Works (DPW) CIP Fund in the Amount of \$1,000,000.00 for the FY 2021 Paving Rehabilitation Program

Resolution Authorizing Supplemental Appropriation to the Department of Public Works (DPW) CIP Fund in the Amount of \$1,000,000.00 for the FY 2021 Paving Rehabilitation Program

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

That the amount of One Million Dollars (\$1,000,000.00) is hereby appropriated as a supplemental appropriation to the DPW CIP Fund for the purpose of paying costs associated with the FY 2021 Paving Rehabilitation Program. The funding for this supplemental appropriation shall be derived in its entirety from the General Fund Unassigned Fund Balance.

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.

Resolution Authorizing Supplemental Appropriation to the Department of Public Works (DPW) CIP Fund in the Amount of \$250,000.00 for the FY 2021 Sidewalk Replacement Program

Resolution Authorizing Supplemental Appropriation to the Department of Public Works (DPW) CIP Fund in the Amount of \$250,000.00 for the FY 2021 Sidewalk Replacement Program

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

That the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) is hereby appropriated as a supplemental appropriation to the DPW CIP Fund for

the purpose of paying costs associated with the FY 2021 Sidewalk Replacement Program. The funding for this supplemental appropriation shall be derived in its entirety from the General Fund Unassigned Fund Balance.

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.

Ray Barnett, resident, spoke about the paving project and stated that he did not have a problem with the project itself, but rather with the funding. Mr. Barnett addressed the Council regarding the City and School budget, supplemental appropriations, and City spending and how it affects the tax cap.

Councilor Lauterborn inquired, if the money for these projects had been included in the City budget when it was adopted and transferred from the general fund to increase the revenue in the budget, would the City have been in compliance with the tax cap at that time.

Mayor McCarley stated that while the budget was being developed, there were no certainties about revenues for the upcoming fiscal year and how they would be affected by COVID-19. The City, as opposed to going along with the \$2 million annual paving program, opted to delay the project. A couple months into the fiscal year, it became evident that revenues were fairly strong. Mayor McCarley said that the paving program had been a smart investment for the City over the past several years and it was not a project on which they wanted to fall behind. Pushing the project out a fiscal year could cause paving rates and quotes to increase. Mayor McCarley also clarified that \$5.2 million of the \$5.8 million going to the schools was State money granted to the school department which just had to be allocated to them by the City.

Councilor Walker agreed that the paving project had originally been in the budget and had been discussed by Council. At the advice of the Finance department, the paving projects had been held back due to concerns about cash flow. Now that these concerns have been alleviated, it is appropriate to bring these projects forward. Councilor Lauterborn reiterated her question; would the budget have been in compliance with the tax cap had the \$1 million been transferred from the general fund.

Councilor Gray spoke about the schools budget, how much will be returned to the City, and the amount which remains in unexpended fund

balance. He stated that the details will not be finalized until the audit is completed in January.

City Manager Cox responded that the City would have had a tax compliant budget even if the paving project had been included; the City would have made non-property tax adjustments in revenues and/or increased the amount of transfer from fund balance.

3. Adjournment

Mayor McCarley **ADJOURNED** the City Council Public Hearing at 6:46 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk