

CITY COUNCIL WORKSHOP MEETING
October 15, 2013
COUNCIL CHAMBERS
7:50 PM

MEMBERS PRESENT

Councilor Gray
Councilor Hervey
Councilor Hynes
Councilor Keans
Councilor LaBranche
Councilor Lachapelle
Councilor Larochelle
Councilor Lauterborn
Councilor Reed-Erickson
Councilor Torr
Councilor Varney
Councilor Walker
Mayor Jean

OTHERS PRESENT

Thomas Kaczynski, Resident
Capt. Frank Nataluk, Salvation Army
David Ouellette, Trustee
Robert Pallas, Trustee
City Manager Dan Fitzpatrick
Deputy City Manager Blaine Cox

MINUTES

1. Call to Order

Mayor Jean called the Workshop Meeting to order at 7:50 PM. All Council members were present.

2. Public Input

Thomas Kaczynski, resident, said he recently attended a Codes and Ordinances Committee meeting. He urged citizens to be aware of matters that are discussed at committee meetings. In particular, he cited the discussion on a possible "grass ordinance." He said that no town in New Hampshire has this ordinance and we would be the first. He asked who would be enforcing such an ordinance; who would have to cut grass that the property owners neglect. He is against this proposal and believes it is a violation of rights.

Mr. Kaczynski also cited the political sign ordinance and had asked a City Councilor why this had been passed. He was told it was because of signs that he had posted. He said he has complied with the ordinance to have the candidate's name and address on all signs. He pointed out that there is a sign in his neighborhood without that information and it happens to be the same person who blamed him for the sign ordinance. He asked if there is an exemption for some people.

Mayor Jean closed Public Input at 7:55 PM.

3. Presentation by Salvation Army Representative Relative to a Water/Sewer Issue

Capt. Frank Nataluk of the Salvation Army spoke regarding a water and sewer bill that the Salvation Army had received several months ago. Due to the large increase in water usage, the Water Department had contacted him. Upon investigation, it was determined that there had been a significant water pipe leak under the building.

Capt. Nataluk had appealed to the Utility Advisory Board for consideration of an abatement of the \$10,541.26 water bill. An abatement was granted in the amount of \$6,969.30, leaving a balance due of \$3,571.96.

Capt. Nataluk was appealing to the City Council on behalf of the Salvation Army and the people they serve to have an abatement of the balance due. He said that the amount of money due could be better used in serving people in need, by providing meals, assisting with financial difficulties, after school programs, fuel assistance, and many other programs.

Councilor Larochelle said that the cost for water is essentially overhead and that the fee for water is relatively small. He suggested that the matter be referred to the Finance Committee.

Mayor Jean asked Deputy City Manager Cox to expand on how the UAB treated this appeal. Mr. Cox said that the UAB granted an abatement for the sewer bill for the last quarter. By ordinance, he cannot go back to prior billing quarters. He said an abatement in the amount of \$4,800 was granted for sewer and approximately \$2,100 in a hardship abatement.

City Manager Fitzpatrick said that what the City Council does with this request will affect all other requests in the future. He said that a change in policy will affect all future policies going forward.

Councilor Lauterborn asked if the November [2012] and February [2013] bills were paid. Capt. Nataluk said yes, but that he had not noticed that the bill had increased so much over time.

Councilor Walker said that procedurally, he thought that the Utility Advisory Board appealed to the City Manager, not to the City Council. Mr. Fitzpatrick said that was correct; every appeal from the UAB goes to the City Manager for review. He said that there is no dispute in the fact that the water was used; the question is regarding a hardship situation. There is no mechanism in place to waive fees for hardship and to do so would be setting a precedent that would be difficult to control. He had denied this appeal.

Councilor Larochelle said he understands that a decision had been made regarding abatement, but could the City Manager change his mind? Mayor Jean explained that the City needs to be cautious on how it proceeds in this matter.

Mr. Wensley explained that under the ordinance, once a decision is made it cannot be changed.

Mr. Fitzpatrick said that there are two issues to consider. One is that for water bills that are not paid, the other citizens ultimately pay for them. Also, the Finance Department has worked out payment plans for people who cannot pay their bills in order to assist them during financial hardship.

Councilor Varney said that the City Council has already set a precedence by overriding the cost for replacing a septic system at an establishment on North Main Street. He questioned why the UAB and the City Manager could not have rebated the entire amount of the sewer bill for the Salvation Army. Capt. Nataluk said that they had not gone back two quarters and they, in fact, had not discovered the leak in the system until the spring.

Councilor Torr said he hoped that citizens were hearing this appeal and that there would be some assistance coming to them through donations. He said this is an organization that does so much good for the community and should be helped.

Councilor Varney asked Mr. Cox what was the total remaining sewer bill. Mr. Cox said that the previous two quarters that the UAB could not consider totals about \$1,322. He said that adding up all of the sewer fees for the period of time when the leak occurred it would total about \$6,200.

Mayor Jean said that going forward it may be necessary to make changes to the ordinance in order to keep it consistent. He suggested that the matter be put on the Finance Committee agenda for discussion.

Councilor Lauterborn asked if there is any kind of insurance that could cover this type of loss. Most councilors agreed that coverage would probably only cover damage from the water.

4. Presentation by the Trustees of the Trust Fund Relative to New Book Release - "*History of Rochester*"

Mr. David Ouellette and Mr. Robert Pallas, two of the Trustees of the Trust Fund, came forward to present the newly published *History of Rochester - from 1890 to 2010: a Compact Little Industrial City*.

Mr. Ouellette said that in 1998, the City Council put together a trust for the writing of the book. Due to certain circumstances., the book was not written and due to some financial hardships some of the funding had to be restored. The project was put aside, but in 2010, the Trustees took on the project. They hired Catherine Grover as the author and she worked hard with the Historical Society. They got a lot of help from members of the community in gathering information and stories. Linda Carlson did the

artwork for the cover of the book and Mr. Pallas presented a framed print of the picture to the City of Rochester.

Mr. Ouellette said the book will be going on sale shortly. He added that they will be working on a workbook that can be used in the schools. He said that the people who pre-ordered a book can pick it up at the Charter Trust. There will be a book signing in November.

The City copy of the book and the framed picture were presented to Mayor Jean for the City.

When asked what the cost of the book is, Mr. Ouellette said it will be sold for \$45. He said that each member of the City Council will have a book in their mailboxes the next day.

5. Communication from the Mayor

5.1 Absentee Ballots for the November 5, 2013, Municipal Election are Now Available.

Mayor Jean reminded everyone that Absentee Ballots are available for the November 5, 2013, municipal election at the City Clerk's office.

6. Communication from the City Manager

None.

7. Department Reports

8. Other

Mayor Jean announced that Karen Pollard, Deputy City Manager and Director of Economic Development, has been nominated to become the Director of the New Hampshire Economic Development Division. It is a State appointment that would take her out of the City of Rochester, moving to a State level position. She was nominated by Governor Hassan, contingent upon the confirmation of the Executive Council.

9. Non-Public Session

9.1-Personnel, RSA 91-A:3 II(a)

Councilor Walker **MOVED** to enter Non-Public Session at 8:25 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by unanimous roll call vote. Councilors Hynes, Walker, Laroche, Reed-Erickson, Varney, Gray, Torr, Keans, Lauterborn, Lachapelle, LaBranche, Hervey, and Mayor Jean all voted yes.

Councilor Lachapelle **MOVED** to exit Non-Public Session at 8:40 PM and to seal the minutes indefinitely. Councilor Walker seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

10. Other

There was no other business before the Council.

11. Adjournment

Councilor Walker **MOVED TO ADJOURN** the workshop meeting at 8:40 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

Respectfully submitted,

Marcia H. Roddy

Deputy City Clerk