

**City Council Workshop
July 20, 2021
Council Chambers
6:30 PM**

COUNCILORS PRESENT

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

OTHERS PRESENT

Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager
Terence O'Rourke, City Attorney
Ray Barnett, resident
Amy Alden, Resident
human, resident
Cassandra Borne, resident
Anna, resident
Shanna Saunders, Planning Director
Liza Cohen, Stantec
Michael Clark, Stantec
Mike Scala, Dir. Economic Development

COUNCILORS ABSENT/EXCUSED

Councilor Hainey
Councilor Jean

Minutes

1. Call to Order

Mayor Lauterborn called the workshop meeting to order at 6:43 PM. Deputy City Clerk Cassie Givara had taken a silent roll call prior to the public hearing preceding the workshop. All Councilors were present except for Councilors Hainey and Jean, who were both excused.

2. Public Input

Ray Barnett, Crimson Lane, addressed the Council in regards to allowing residential development in the Granite Ridge TIF district and the process which will be followed when the bond is paid off.

Amy Alden, Common Street, spoke about the lack of parking options for her tenants and proposed the idea of leased parking or a permitted parking format for residents in this area.

human, Portland Street, addressed Council regarding the municipal government's function during the COVID pandemic.

Anna, Hanson Street resident, spoke about the lack of resources for the homeless population with substance use disorder as well as lack of affordable housing.

Cassandra Borne, Pine Street, agreed that there needed to be additional resources for residents with substance use disorder.

3. Communications from the City Manager

City Manager Blaine Cox announced that there are currently 18 open positions for employment with the City of Rochester. He advised interested parties to visit the HR page on rochesternh.net for available openings and application information.

4. Communications from the Mayor

Councilor Lachapelle announced the annual Gonic vs East Rochester softball game which will take place on August 14th with a rain date of August 15th. The game is for Rochester residents ages 12-99 and will take place at Riverside Park behind the DPW facility on Old Dover Road.

5. Vacancies

5.1. City Council: Ward 2 Seat A candidate statements

The following candidates for the vacant City Council Ward 2, Seat A seat came forward and addressed the Council:

- Taylor Poro
- Arnold Bennett
- Daniel Fitzpatrick
- Jonathan Erlichman
- Amy Malone

5.2. School Board: Ward 4, Seat A candidate statements

The following candidates for the vacant School Board War 4, Seat A seat came forward and addressed the Council:

- Shane Downs

- Catherine Stewart

6. Presentation: Downtown Parking Study – Planning Department

Shanna Saunders, Director of Planning and Development, introduced Stantec consultants Liza Cohen, senior associate, and Michael Clark, transportation planner. She said that this parking study had been started last December. It is a mid-range, planning level analysis on parking which had been a cooperative effort between multiple departments to develop the product being presented.

Ms. Cohen gave a detailed presentation outlining the process and data which had gone into the analysis. She outlined the goals for traffic and parking in Rochester and presented potential options and solutions for the City moving forward.

Councilor Walker asked if the future development of residential units in the downtown area had been taken into consideration when analyzing the parking space usage downtown. Ms. Cohen stated that they had factored in a scenario where 180 residential units would be developed downtown to see how that number of residents would affect the model.

Councilor Rice asked about the consultant's discussion regarding moving away from leased spaces and moving towards a permitted parking system. He asked if the consultants could foresee a parking problem in the future with the residential development in the downtown area. Ms. Cohen stated that it all depends on how the City manages the parking issues and moves forward; while there are adequate numbers of available spaces, how they are utilized can potentially cause problems. Councilor Rice spoke in favor of enacting certain parking restrictions on business owners and employees or moving their parking to a designated area to free up premium parking for customers.

Councilor Lachapelle referenced the "parking ambassadors" which had been summarized in the presentation which could assist visitors with parking and limit the role of parking "enforcement." He stated that although the program was a good idea, it is something that would need to be considered in the budget with these roles taking additional salaries.

7. Update: 79-E Properties summary

Mike Scala, Director of Economic Development, announced that the assessing staff member who was scheduled to be present to review the 79-E properties was unavailable and requested that the presentation be moved to the

August 17 workshop meeting.

8. Update: Code of Ethics/ Ethics Committee

Councilor Lachapelle said that he provided the draft version of the Code of Ethics for Council to review and make suggestions on possible edits. The document will then go back to the Codes & Ordinances Committee for final recommendations before coming back to full Council for a vote in September.

Councilor Lachapelle stated that what the document ultimately boils down to is respect; respect for the democratic process, for fellow councilors, for other's viewpoints and opinions, and for the community that the council serves.

Councilor Lachapelle referenced a section in the draft Code of Ethics which relates to sanctions. He clarified that certain actions such as removing board members, are limited to what the State RSA and City Charter allows, which would necessitate a legal proceeding at the court level as opposed to being handled by an Ethics Committee. Attorney O'Rourke stated that removal of the mayor or City Councilors does not require going to court because the state RSA and city charter allows the body to regulate itself; but for School Board and Police Commission members

Mayor Lauterborn recommended sending the draft Code of ethics to the chairs of the School Board and Police Commission ahead of the next Codes & Ordinances meeting and invite members to attend and give input.

Councilor Hutchinson asked about the term "investigation" on page 16 of the document and asked what the term would entail. He suggested a definition of the term and what criteria would be used. There was further clarification on terminology used in the document. Councilor Lachapelle said that these items could be further discussed and additional changes made at the Codes and Ordinances meeting on August 5.

Councilor Rice asked if the "majority of the council" referenced to start the investigative process would be a simple majority. It was clarified that it would be a simple majority, although there would be a 2/3 majority needed to actually remove members of the Council. Councilor Rice said that there was not any verbiage in the Code of Ethics specifically relating to communications between Councilors and the media in regards to City business or other councilors. There was a brief discussion about non-public discussions being covered in the Code of Ethics; however, it was stated there cannot be constraints on who can speak to the media but rather regulating the subject matter that can be discussed.

Mayor Lauterborn stated that there was not urgency with the timeline on

passing the Code of Ethics. There was time to do further work and produce a product that everyone could agree on.

Councilor Walker revisited the portion of the document regarding investigations. He suggested there be additional verbiage to further clarify what information would be available to Council during an investigation and he stated that divulgence of certain information could potentially interfere with due process and court proceedings. Attorney O'Rourke agreed and said that certain privacy aspects are protected under the Right-to-Know law and, if discovered, would be protected and not released. He clarified that although it was not explicitly stated, in the instance of a criminal matter the investigation would not be done at the City Council level.

Councilor Hutchinson said that the original purpose of this ethics document was to have a process in place for complaints and how they would be handled, and that citizens could have an avenue to follow while still maintaining privacy and protecting confidentiality of the parties involved. He stated that the intent was never to have the government body conducting criminal investigations.

Councilor Rice asked if there was any verbiage which laid out repercussions if a Councilor or board member knew of misconduct or improper activity and didn't report that information. Councilor Lachapelle stated that there is no provision for such a circumstance; however it is a living document and can be changed and edited further.

9. Department Reports

No discussion.

10. Other

Councilor Rice asked City Manager Cox if there was a plan in place to fill the 18 vacant city staff positions. He said that he had started to receive calls from constituents and was particularly interested in having the vacant planning department positions filled now that this department has started to experience a backlog.

City Manager Cox said that there had been a conditional offer made to a candidate in planning and they hoped to have one of those positions filled soon. He said that the City has also been trying new advertising and marketing techniques, and the City has been contacting as many organizations, professional organizations and entities to try to source qualified applicants.

Councilor Hutchinson asked the City Manager for an update on the service trailers which had been brought forward to Council by the Fidelity Committee. He asked if there had been any further discussion on where the laundry and shower trailers could be located in Rochester. City Manager Cox said that the City had looked at placing the trailers at the Community Center, but unfortunately it was not feasible because the only location with enough space as well as water and sewer hookups was in front of an existing business. He said that Dover had found a space on River Street to place the trailers for the remainder of the season. Rochester would be investigating possible locations for next year. City Manager Cox said that the plan was never to rotate the trailers on a short term basis due to their size and the need for sewer hookups as well as the logistics of moving and attaching them.

Councilor Hutchinson stated that his understanding from the Fidelity Committee perspective was that the plan was never for the trailers to be in a fixed location for an entire season, but rather to rotate so they could be utilized throughout the tri-city area for those in need. He asked if there was a plan B once it was determined that the Community Center was not a viable location or if Rochester would provide a ride-share service for those in need of the services who could not easily get to Dover.

City Manager Cox said that Rochester was not a part of the purchase of these trailers; the City of Dover had taken the initiative to use grant funding for the purchase. These trailers need to be hard connected to utilities and moving them on a short term basis is problematic. He said that Rochester will continue looking for locations where the trailers could be placed, but this may mean adding utility connections at an additional expense. Councilor Hutchinson asked for further thought and discussion to be put into the placement of the trailers within Rochester and asked for an update at a future meeting.

Councilor Rice suggested Councilors look at local maps and try to determine locations where the trailers could be placed. He also said that if the City were to install connections and potentially provide a secure location for these trailers, they would need to look at the expense of doing so.

Councilor Bogan stated that Dover had purchased the trailers and they currently had a space to house the trailers. She asked why this arrangement was not sufficient when it had been Dover's decision to obtain the trailers and with the trailers being so difficult to relocate. Councilor Hutchinson acknowledged that Dover has taken the initiative to purchase the trailers, but reminded Council of the Master Plan to end Homelessness which had been accepted by Rochester, Dover and Somersworth and the collaborative effort amongst the three municipalities to provide services to those in need. He noted that a great number of the homeless population in the area are Rochester-based and it would stand to reason that

Rochester would have local resources to assist this community.

11. Non-Public/Non-Meeting

There was no non-meeting or non-public session held this evening.

12. Adjournment

Mayor Lauterborn **ADJOURNED the** City Council Workshop meeting at 8:20 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk