

**Regular City Council
November 1, 2022
Council Chambers
6:00 PM**

COUNCILORS PRESENT

Councilor Beaudoin
Councilor Berlin (via Teams)
Councilor de Geofroy
Councilor Desrochers
Councilor Gilman
Councilor Gray
Councilor Hamann
Councilor Larochelle
Councilor Malone
Deputy Mayor Lachapelle
Mayor Callaghan

OTHERS PRESENT

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

COUNCILORS EXCUSED

Councilor Fontneau
Councilor Hailey

Minutes

1. Call to Order

Mayor Callaghan called the meeting to order at 6:00 PM. He announced that Councilor Berlin would be participating in the meeting via Teams.

Mayor Callaghan asked Councilor Berlin if it was reasonably impractical for him to attend the meeting in person. Councilor Berlin confirmed this was true.

2. Opening Prayer

Mayor Callaghan called for a moment of silence.

3. Pledge of Allegiance

Mayor Callaghan asked Councilor Beaudoin to lead the Pledge of Allegiance.

4. Roll Call

Kelly Walters, City Clerk, called the roll. All City Councilors were present except for Councilors Hailey and Fontneau. Councilor Berlin was participating

remotely through Teams.

5. Acceptance of Minutes

5.1 Regular City Council Meeting: October 4, 2022 *consideration for approval*

Council Lachapelle **MOVED** to **ACCEPT** the Regular City Council meeting minutes of October 4, 2022. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Beaudoin, de Geofroy, Hamann, Desrochers, Lachapelle, Malone, Berlin, Larochelle, Gray, Gilman, and Mayor Callaghan voted in favor of the motion.

6. Communications from the City Manager

6.1 City Manager's Report

City Manager Cox said the following report could be found in the City Council Packet:

Contracts and documents executed since last month:

◦ **Department of Public Works**

- Change Order, Rt 202 Water Main Extension – D&C construction
- Contract Amendment, Tara Est Sewer Pump Station – Weston & Sampson Engineers
- Scope of Service, Whitehall Rd. drainage culvert – S.U.R.
- Certificate of substantial completion, Betts-Cross Rd Intersection.
- Engineering Task Order, Lagoon Operations Pilot Phase – Underwood Engineers, Inc.
- Settlement Agreement, closed Municipal landfill.
- 2023 HHW Grant Agreement

◦ **Economic Development**

- FY22-FY23 CAP Weatherization 10-14 #1
- FY22-FY23 CAP Weatherization 10-14 #2
- FY22-FY23 CAP Weatherization 10-17
- FY22-FY23 CAP Weatherization 10-21

• **Library**

- Play-based learning materials grant

The following standard report has been enclosed:

- o Personnel Action Report Summary

6.2 Water Pollution and Flood Reduction work team

City Manager Cox announced that the Water Pollution and Flood Reduction work team held their first meeting on October 11 and said they will continue meeting monthly for the next 9 – 12 months. This group is chaired by Deputy Mayor Lachapelle and membership includes leadership from several City departments, members of the Strafford Regional Planning Commission, members of the Rochester business community, and the City's engineering consultants. He explained that the goal of this work group is to identify potential causes of stormwater pollution and flooding, identify mitigation strategies, and develop sustainable funding strategies to support these mitigation strategies.

City Manager Cox gave an update on the ARPA (American Rescue Plan Act) proposal for City Employee childcare. He said that there is a workgroup being formed and Deputy City Manager Ambrose is working on developing a charge for this group and determining membership. He addressed several questions posed during public input at the October 18 City Council Workshop regarding this ARPA proposal, the City's ongoing financial commitment to the proposal, and whether it would compete with existing childcare in the area. City Manager Cox explained that the goal is to develop a self-supporting employee childcare program. Additionally, he stated that due to a local and nationwide shortage in childcare, this program would not compete with local childcare centers; in fact, there is a scenario proposed which may have the City contracting with a private childcare provider to help operate the City-based facility. The feasibility report from this workgroup will be delivered to City Council for a decision on how to move forward.

City Manager Cox reported that the expanded warming area at the entrance to the police department will be completed within the next few weeks. Additionally, he reported that SOS had been formally contracted to run the Willand Road extreme cold weather warming center. The dates of possible activation for the center will be November 25 through March 31, with operation from 5:00 PM to 9:00 AM. SOS has collaborated with the County Commissioners and the Tri Cities to establish guidelines on when the shelter will be open. He stated that SOS is seeking volunteers for the center and will hosting training sessions for those interested.

City Manager Cox also gave an update on the City Hall life safety improvements project. There have been improvements made on all levels of

City Hall. The Opera House balcony improvement project went out to bid and the bid results will be available in early 2023 at which point there will be a supplemental improvement request coming before Council for the project. The Opera House will also be requesting a supplemental Appropriation for their stage fly wheel system, which had been discussed in the prior year's budget cycle.

City Manager Cox announced that November is National Runaway and Homelessness prevention month. The City of Rochester is participating with their "Paint the City Green" initiative, with green being the color of the national campaign and the front lawn lights at City hall will be filtered green for the month of November.

7. Communications from the Mayor

Mayor Callaghan said that, along with Mayor Carrier of Dover and Mayor Hilliard of Somersworth, he had attended the statewide conference on homelessness in Concord.

Mayor Callaghan referenced a comment during public input during the October 18 workshop meeting that the public hearing held on that evening may not have been posted appropriately or followed legal guidelines. He reported that City Attorney O'Rourke had reviewed the process and determined that the meeting had been posted legally.

The Mayor said that he had attended the Rochester Main Street Halloween event on Saturday and passed along that it had been very well attended and successful for the thousands that participated.

Mayor Callaghan read a proclamation resolving that November will be National Runaway Prevention Month in Rochester. He announced that on November 10 there would be a "Light the Night" event at Waypoint.

Councilor Malone praised the Rochester Police Department for the work they have done with homeless youth and reported that they are only the second police department in the country to have partnered with a runaway and homeless youth agency. She passed along information on dates and events happening throughout the month of November to bring awareness. Councilor Malone reported that the Waypoint youth drop in center had just finished their second full day of operation in Rochester and she had seen 14 local youth already. She emphasized the importance of this service and thanked the Rochester police department for their support.

8. Presentation of Petitions and Council Correspondence

No discussion.

9. Nominations, Appointments, Resignations, and Elections

Councilor Lachapelle **MOVED** to **ACCEPT** the resignations listed under 9.1, 9.2, and 9.3 as follows:

9.1. Resignation: Tom Evans – Selectman, Ward 3 *consideration for approval*

9.2. Resignation: Marilyn Jones – Historic District Commission, Seat A *consideration for approval*

9.3. Resignation: Karen Brieger – GSBP TIF Advisory Board *consideration for approval*

Councilor Malone seconded the motion. Mayor Callaghan read the names above. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Berlin, Desrochers, Gray, Hamann, Lachapelle, Larochelle, Beaudoin, Malone, Gilman, de Geofroy, and Mayor Callaghan voted in favor of the motion.

Councilor Lachapelle **MOVED** to **AMEND** the Agenda in order to take action on two more appointments. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Gilman, de Geofroy, Gray, Larochelle, Berlin, Lachapelle, Hamann, Beaudoin, Desrochers, Malone, and Mayor Callaghan.

Mayor Callaghan nominated Joelle Boumel for Ward Clerk of Ward 5. Councilor Lachapelle seconded the nomination. Councilor Lachapelle **MOVED** that nominations cease. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Gilman, de Geofroy, Gray, Larochelle, Berlin, Lachapelle, Hamann, Beaudoin, Desrochers, Malone, and Mayor Callaghan voted in favor of the motion.

Mayor Callaghan called for a roll call vote to elect Ms. Boumel. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Larochelle, Desrochers, Gray, Malone, de Geofroy, Berlin, Gilman, Beaudoin, Lachapelle, Hamann, and Mayor Callaghan voted in favor of the motion.

Mayor Callaghan nominated Stephen Kerlee for Selectman of Ward 5. Councilor Lachapelle seconded the nomination. Councilor Lachapelle **MOVED** that nominations cease. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Lachapelle, Larochelle,

Desrochers, Gilman, Berlin, de Geofroy, Malone, Beaudoin, Hamann, and Mayor Callaghan voted in favor of the motion.

Mayor Callaghan called for a roll call vote to elect Mr. Kerlee. The **MOTION CARRIED** by a unanimous roll call vote. Councilors, Malone, Gray, Hamann, de Geofroy, Beaudoin, Desrochers, Lachapelle, Hamann, and Mayor Callaghan voted in favor of the motion.

10. Reports of Committees

10.1 Codes & Ordinances Committee

Councilor Lachapelle stated that there were no action items from the October Codes and Ordinances Committee meeting. He announced that there would be no Codes meeting in November due to the State General Election; the next meeting will be held December 1, 2022.

10.2 Finance Committee

10.2.1 Resolution Authorizing Supplemental Appropriation of \$43,000 to the Recreation Special Events Fund-Lilac Family Fun Festival *first reading and refer to public hearing*

Mayor Callaghan read the resolution for a first time and referred the matter to a Public Hearing on November 15:

Resolution Authorizing Supplemental Appropriation of \$43,000 to the Recreation Special Events Fund-Lilac Family Fun Festival

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

That the sum of Forty-Three Thousand Dollars (\$43,000.00) is hereby appropriated to the Recreation Special Events Fund for the purpose of paying costs associated with the annual Lilac Family Fun Festival. Advanced appropriation is needed in order to prepay costs associated with the event. The entirety of the supplemental appropriation shall be derived from the General Fund Unassigned Fund Balance.

The City of Rochester Recreation Department shall manage the use of funds under the City's established purchasing policies. Funds shall be expended solely

November 1, 2022

on the annual Lilac Family Fun Festival event. Eligible uses of funds shall be for fireworks, various entertainment activities, and other miscellaneous expense pertinent to assuring a safe and successful community event.

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 and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded.

10.3 Planning Board

10.3.1 Amendment to Chapter 275-21.4 and table 18-C of the General Ordinances of the City of Rochester regarding indoor recreation in Industrial Zones *first reading and refer to public hearing*

Mayor Callaghan read the resolution for a first time and referred the matter to a Public Hearing (*see addendum A*).

Mayor Callaghan announced that the Finance Committee will next be meeting on November 15th prior to the City Council meeting.

10.4 Public Safety

10.4.1 Committee Recommendation: to change the temporary "no parking" area on Pickering Road to permanently no parking *consideration for approval*

Councilor Lachapelle summarized the issues being experienced on Pickering Road. Councilor Lachapelle **MOVED** to change the temporary "no parking" area on Pickering Road to permanently no parking. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors de Geofroy, Beaudoin, Hamann, Desrochers, Lachapelle, Malone, Berlin, Larochelle, Gray, Gilman, and Mayor Callaghan voted in favor of the motion.

10.4.2 Committee Recommendation: to place "no parking (between certain times) on right side Sheridan Avenue and "no parking "on the left

side of Sheridan Avenue by the corner at the at the technical discretion of the Public Works Department *consideration for approval*

Councilor Lachapelle summarized the issues on Sheridan Avenue. Councilor Lachapelle **MOVED** to place “no parking” (between certain times) on the right side of Sheridan Avenue and “no parking” on the left side of Sheridan Avenue by the corner at the technical discretion of the Department of Public Works. Councilor Larochelle seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Gray, Malone, Gilman, Larochelle, de Geofroy, Desrochers, Berlin, Beaudoin, Hamann, Lachapelle, and Mayor Callaghan voted in favor of the motion.

10.5 Public Works

10.5.1 Committee Recommendation: To accept the Donation of lighting fixtures and equipment at a total value of \$13,319 for the Hanson Pines basketball Court lighting Project *consideration for approval*

Councilor Hamann **MOVED** to **ACCEPT** the donation of lighting fixtures and equipment as stated above. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Berlin, Desrochers, Gray, Hamann, Lachapelle, Larochelle, Beaudoin, Malone, Gilman, de Geofroy, and Mayor Callaghan voted in favor of the motion.

10.5.2 Committee Recommendation: To approve the Paving Program as recommended by DPW (list included in minutes) *consideration for approval*

Councilor Hamann **MOVED** to **APPROVE** the Paving Program as recommended by DPW. Councilor Beaudoin seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Gilman, de Geofroy, Gray, Larochelle, Berlin, Lachapelle, Hamann, Beaudoin, Desrochers, Malone, and Mayor Callaghan.

11. Old Business

11.1. Amendment to Chapter 275 of the General Ordinances of the City of Rochester Regarding the Location and Boundaries of Zoning Districts *second reading and consideration for adoption*

Councilor Lachapelle **MOVED** to **ADOPT** the Amendment to the General

Ordinances. Councilor Desrochers seconded the motion. (See Addendum A)

Councilor Hamann **MOVED** to **AMEND** the motion. Councilor Beaudoin seconded the motion (See Addendum B). The **MOTION CARRIED** by a unanimous roll call vote. Councilors Larochelle, Desrochers, Gray, Malone, de Geofroy, Berlin, Gilman, Beaudoin, Lachapelle, Hamann, and Mayor Callaghan voted in favor of the motion.

Mayor Callaghan called for a vote on the motion as amended. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Lachapelle, Larochelle, Desrochers, Gilman, Berlin, de Geofroy, Malone, Beaudoin, Hamann, and Mayor Callaghan voted in favor of the motion.

12. Consent Calendar

No discussion.

13. New Business

No discussion.

14. Non-Meeting/Non-Public Session

Mayor Callaghan requested a roll call vote to enter a Non-meeting at 6:36 PM. Councilors, Malone, Gray, Hamann, de Geofroy, Beaudoin, Desrochers, Lachapelle, Hamann, and Mayor Callaghan voted in favor of the motion.

15. Adjournment

Mayor Callaghan **ADJOURNED** the meeting at 6:37 PM.

Respectfully submitted,

Kelly Walters, CMC
City Clerk

Amendment to Chapter 275 of the General Ordinances of the City of Rochester
Regarding the Location and Boundaries of Zoning Districts

THE CITY OF ROCHESTER ORDAINS:

WHEREAS, Chapter 275-1.10 establishes that the location and boundaries of zoning districts within the City of Rochester are established as shown on a map titled, "City of Rochester Zoning Map."

WHEREAS, Chapter 275-1.10 further declares that the City of Rochester Zoning Map is incorporated by reference as party of Chapter 275 of the General Ordinances of Rochester regarding zoning.

WHEREAS, the Mayor and City Council of Rochester desire to amend the City of Rochester Zoning Map to convert certain properties from the Residential-2 Zone to the Downtown Commercial Zone.

THEREFORE, the Mayor and City Council of Rochester ordain that properties shall be converted to Downtown Commercial Zone in accordance with the Attached Exhibit. (**Exhibit A**).

The effective date of these amendments shall be upon passage.



City of Rochester, New Hampshire
Office of Economic & Community Development
33 Wakefield Street, Rochester, NH 03867
(603) 335-7522, www.rochesterredc.com

July 6, 2022

Mr. Mark Collopy
Chair
City of Rochester Planning Board
31 Wakefield Street
Rochester, NH 03867

RE: Expansion of the Downtown Commercial Zone

Dear Chairman Collopy:

As part of the City's strategy for the redevelopment of the downtown area, the Department of Economic Development is seeking a change in classification for the properties listed below and outlined in Exhibit A.

These parcels are currently zoned Residential-2 (R2) and Econ Dev is requesting they be re-designated as Downtown Commercial (DC).

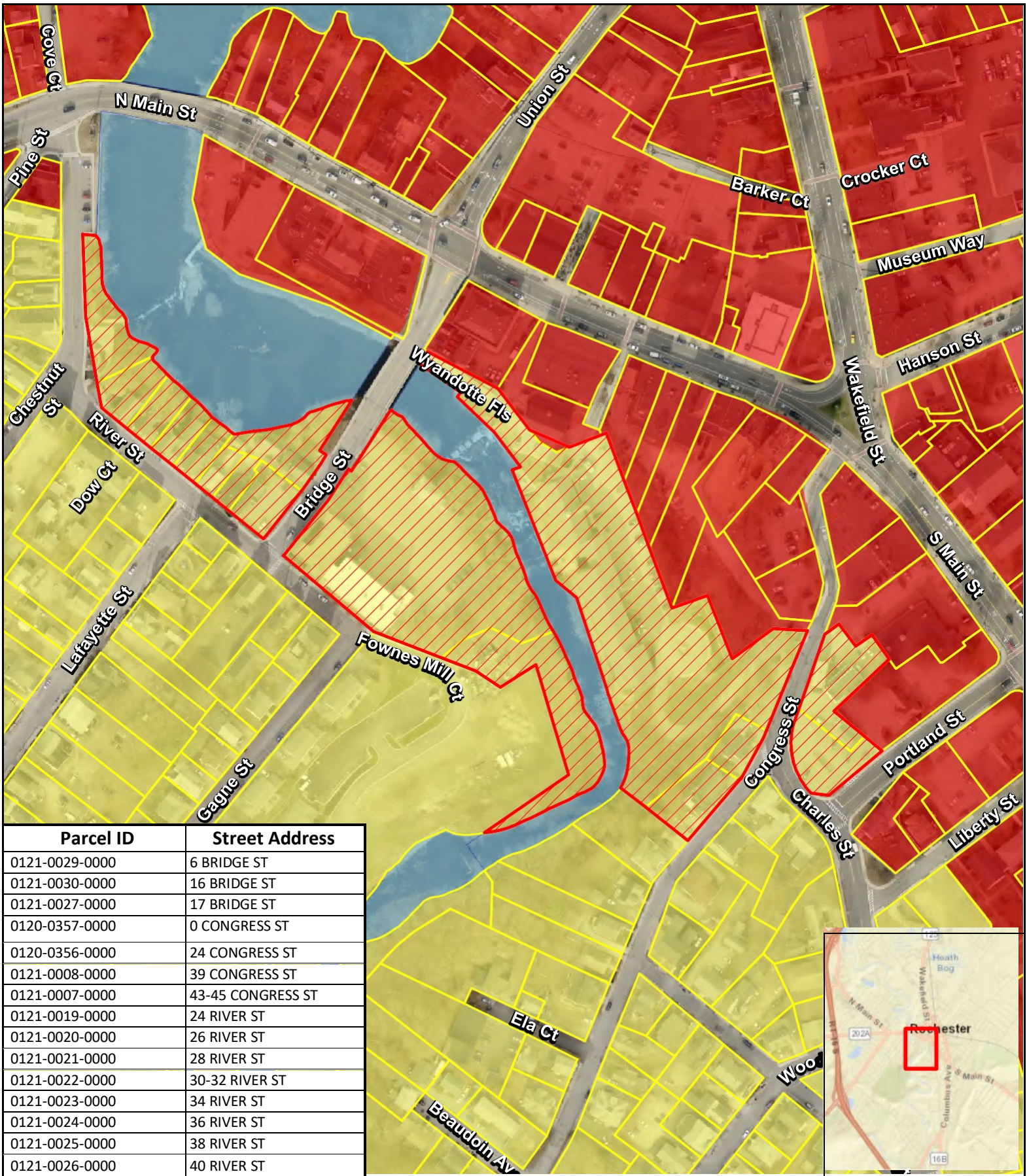
Parcel ID	Street Address
0121-0029-0000	6 Bridge Street
0121-0030-0000	16 Bridge Street
0121-0027-0000	17 Bridge Street
0120-0357-0000	0 Congress Street
0120-0356-0000	24 Congress Street
0121-0008-0000	39 Congress Street
0121-0007-0000	43-45 Congress Street
0121-0019-0000	24 River Street
0121-0020-0000	26 River Street
0121-0021-0000	28 River Street
0121-0022-0000	30-32 River Street
0121-0023-0000	34 River Street
0121-0024-0000	36 River Street
0121-0025-0000	38 River Street
0121-0026-0000	40 River Street

The rezoning of these parcels would allow for future development more in line with the DC redevelopment strategy of increased density within our urban center.

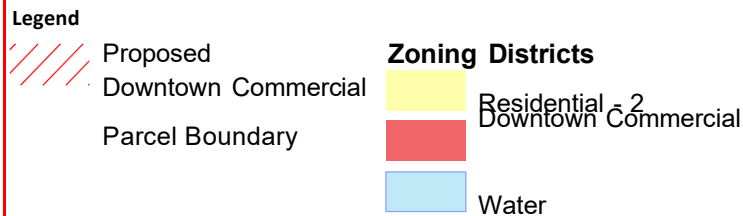
If the recent success of the City's downtown redevelopment efforts are to continue, we need to evaluate where future growth could and should go. Expanding the DC Zone to include these parcels will provide additional options for redevelopment and growth.

Sincerely,

Michael Scala
Director of Economic Development



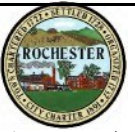
Parcel ID	Street Address
0121-0029-0000	6 BRIDGE ST
0121-0030-0000	16 BRIDGE ST
0121-0027-0000	17 BRIDGE ST
0120-0357-0000	0 CONGRESS ST
0120-0356-0000	24 CONGRESS ST
0121-0008-0000	39 CONGRESS ST
0121-0007-0000	43-45 CONGRESS ST
0121-0019-0000	24 RIVER ST
0121-0020-0000	26 RIVER ST
0121-0021-0000	28 RIVER ST
0121-0022-0000	30-32 RIVER ST
0121-0023-0000	34 RIVER ST
0121-0024-0000	36 RIVER ST
0121-0025-0000	38 RIVER ST
0121-0026-0000	40 RIVER ST



Data Sources:
 Rochester - Zoning (2022)
 CAI - Parcel Boundaries (2021)
 NHDOT - Roads (2021)
 Eagleview - Imagery (2020)
 Inset Map 161-A-20050 (2022)

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This map is intended for planning purposes only.

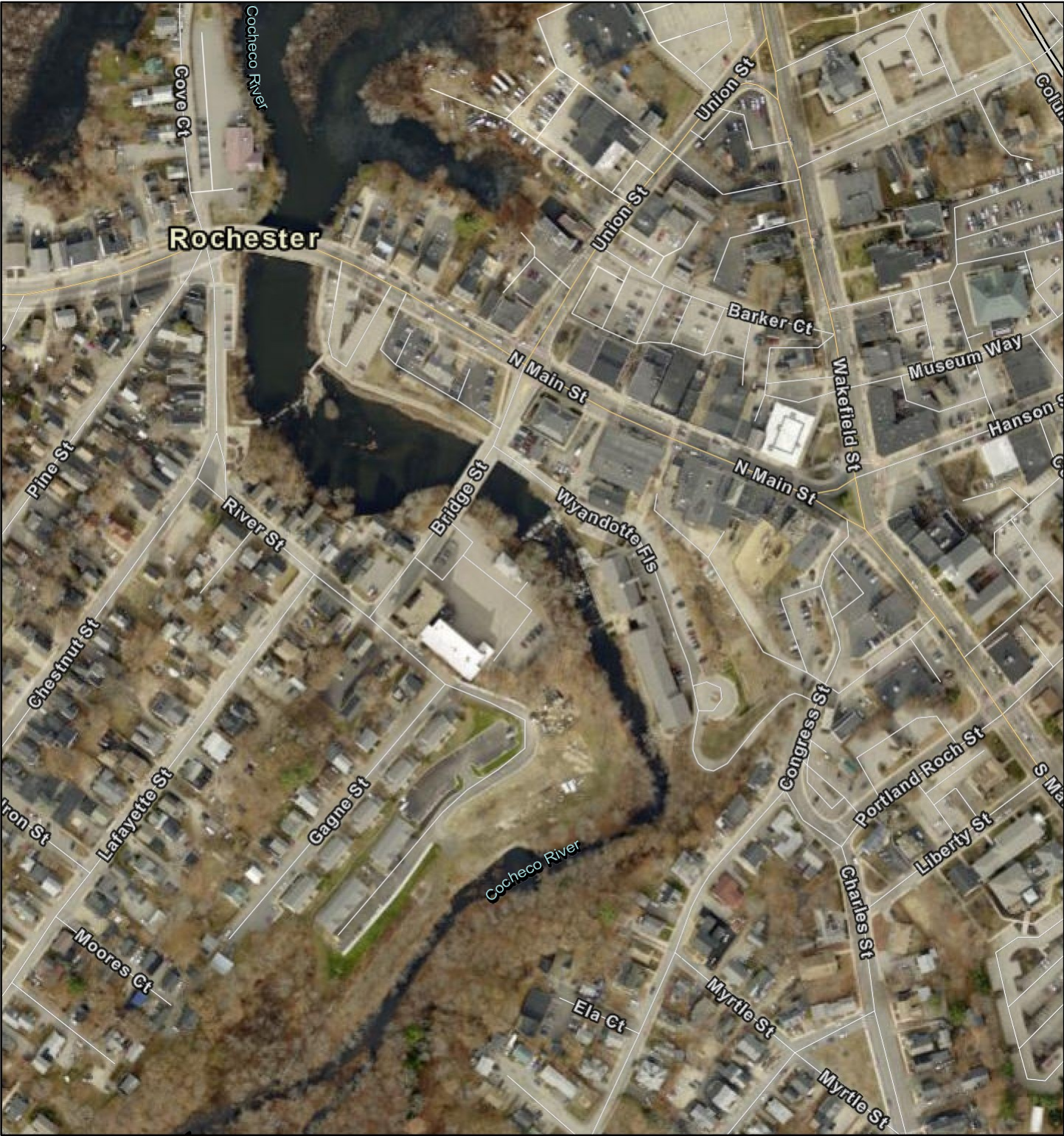
All features shown should be considered approximate.

Map created by: DC, City of Rochester, NH


Date: 6/27/2022

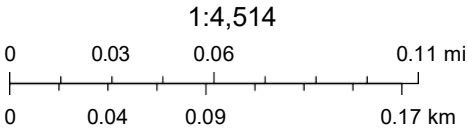
Path: \\roch-fileshare\pdp\share\GIS\EconDevelopment\ZoningChange\DowntownCommercial\DTExpansion.mxd

ArcGIS Web AppBuilder



7/6/2022, 12:22:24 PM

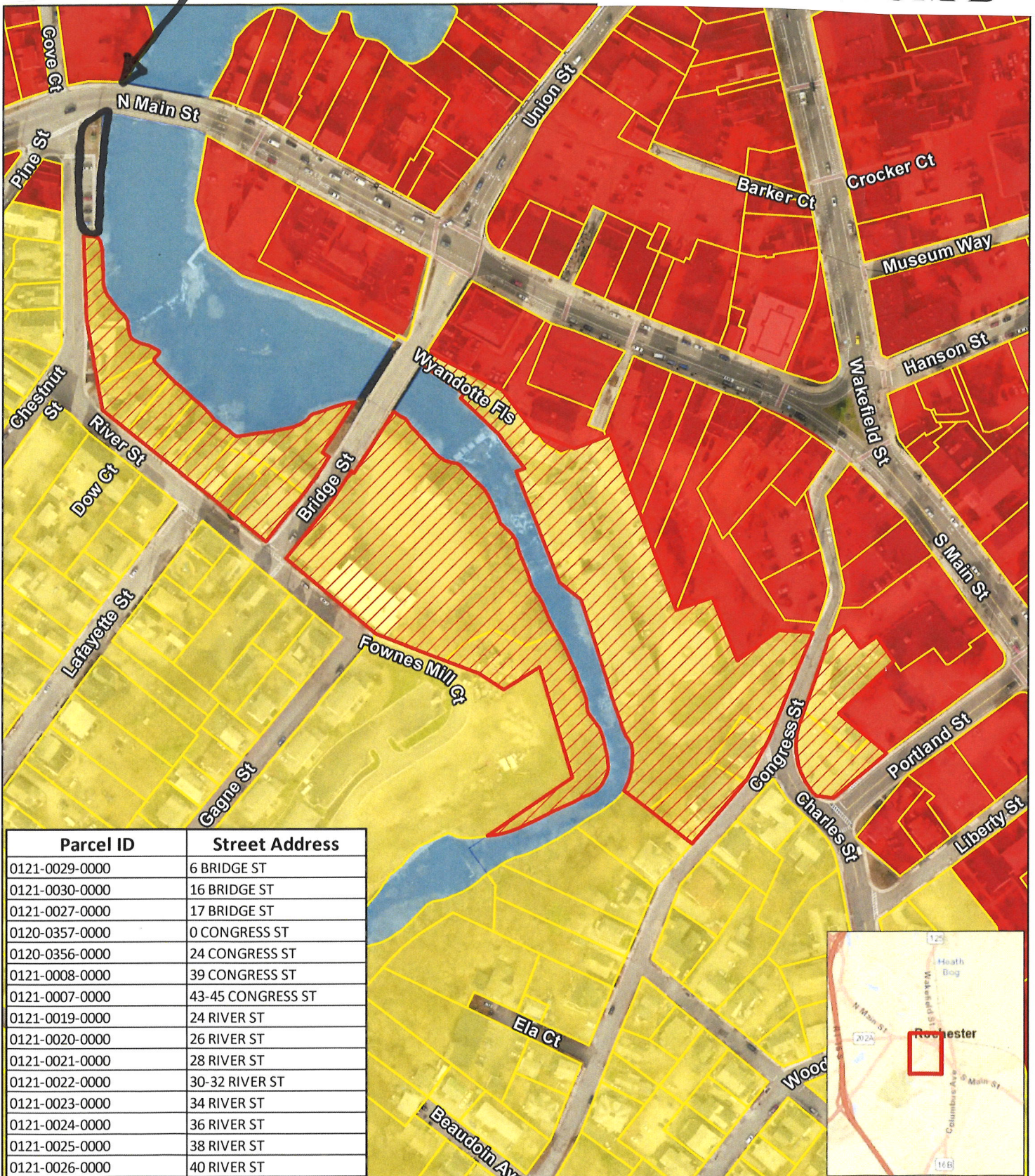
 Tax Parcels
Parcel Info





Esri, HERE, Garmin, GeoTechnologies, Inc., NGA, USGS, Esri Community Maps Contributors, Rochester GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

The motion was made to extend the red line all the way to N. Main Street as outlined in black ink below:




ADDENDUM B



Legend

-  Proposed Downtown Commercial
-  Parcel Boundary

Zoning Districts

-  Residential - 2
-  Downtown Commercial
-  Water

Data Sources:
 Rochester - Zoning (2022)
 CAI - Parcel Boundaries (2021)
 NHDOT - Roads (2021)
 Eagleview - Imagery (2020)
 Inset Map - Esri ArcGIS Online (2022)



1 in = 200 ft
 0 100 200 ft



This map is intended for planning purposes only.
 All features shown should be considered approximate.
 Map created by: DC, City of Rochester, NH
 Date: 6/27/2022

Path: \\roch-fs\share\dpw\share\GIS\Development\ZoningChange\DownTownCommercial\DTExpansion.mxd