

**Regular City Council Meeting
September 1, 2020
Meeting Conducted Remotely
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 Regular City Council Meeting 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.) **Providing public access to the meeting by telephone:** At this time, I also welcome members of the public accessing this meeting remotely. Even though this meeting is being conducted in a unique manner under unusual

circumstances, the usual rules of conduct and decorum apply. Any person found to be disrupting this meeting will be asked to cease the disruption. Should the disruptive behavior continue thereafter, that person will be removed from this meeting. The public can call-in to the below number using the conference code. Some meetings will allow live public input, however you must have pre-registered online, otherwise, the meeting will be set to allow the public to "listen-in" only, and there will be no public comment taken during the meeting. [Public Input Registration](#) (Please note: In order to notify the meeting host that you would like to speak, press 5* to be recognized and unmuted)

Phone number: 857-444-0744 Conference code: 843095

b.) **Public Access Troubleshooting:** If any member of the public has difficulty accessing the meeting by phone, please email PublicInput@RochesterNH.net or call 603-332-1167.

c.) **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*)

In addition to the above listed methods, the City Council will be allowing the public to come to City Hall and speak via video conferencing software for Public Input. In an effort to adhere to CDC guideline, please enter only at the front Wakefield Street entrance and exit on the side door closest to the Police Department. We ask that you adhere to 6-foot social distancing protocols while inside the building. Hand sanitizer and face masks will be available at the Wakefield Street entrance.

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).*

d.) **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. All Councilors stated they were present and alone in the location from which they were connecting to the meeting.

2. Opening Prayer

Mayor McCarley asked for all those present to observe a moment of silence.

3. Pledge of Allegiance

The Council stood for the pledge of allegiance.

4. Roll Call

Deputy City Clerk Cassie Givara had taken the roll call earlier in the meeting following the preamble. All Councilors were present.

5. Acceptance of Minutes

5.1 Regular City Council Meeting: August 4, 2020
consideration for approval

Councilor Lachapelle **MOVED** to **ACCEPT** the minutes of the August 4, 2020 regular meeting. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Rice, Belken, Abbott, Gray, Walker, Hutchinson, Bogan, Lachapelle, Lachance, Hailey, Hamann, Lauterborn and Mayor McCarley all voting in favor.

5.2 Special City Council Meeting: August 18, 2020
consideration for approval

Councilor Lachapelle **MOVED** to **ACCEPT** the minutes of the August 18, 2020 special meeting. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Abbott, Hutchinson,

Lauterborn, Hainey, Bogan, Rice, Hamann, Lachance, Belken, Lachapelle, Walker, Gray, and Mayor McCarley all voting in favor.

6. Communications from the City Manager

6.1 City Manager's Report

No discussion.

7. Communications from the Mayor

7.1. Proclamation: Shop Small

Mayor McCarley read the proclamation and encouraged residents to support small businesses and merchants throughout the year.

Mayor McCarley encouraged residents to visit the Farmer's Market which will be taking place every Tuesday from 3:00PM – 6:00 PM and has moved back to the Common from the Community Center.

8. Presentation of Petitions and Council Correspondence

8.1 Gudim Land Purchase

City Manager Cox said that Mr. Gudim is interested in purchasing a small piece of City-owned property adjacent to his property. The Gudim family has been doing maintenance on this piece of land for many years and per City staff, there is no use for this property as far as the City is concerned. Councilor Lachance **MOVED** that the council authorize the City Manager to negotiate a fair price for the parcel. Councilor Lachapelle seconded the motion. Councilor Lauterborn stated that the parcel in question appears to be part of a much larger parcel and asked if the City uses this land for anything currently. City Manager Cox answered that the City does not currently utilize this land. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Belken, Gray, Hamann, Rice, Lauterborn, Hainey, Lachapelle, Hutchinson, Walker, Lachance, Abbott, Bogan, and Mayor McCarley all voting in favor.

9. Nominations, Appointments, Resignations, and Elections

No Discussion.

10. Reports of Committees

10.1 Appointments Committee

- 10.1.1 New Appointment: Trevon Scott – Recreation & Arena Commission, Regular Member – Term to expire 1/2/2021 *consideration for approval***
- 10.1.2 New Appointment: Lance Whitehill – Planning Board, Alternate Member – Term to Expire 1/2/2022 *consideration for approval***
- 10.1.3 New Appointment: Paul Giuliano – Planning Board, Alternate Member – Term to Expire 1/2/2021 *consideration for approval***
- 10.1.4 Appointment: Peter Bruckner – Planning Board, Elevate from alternate to regular member – Term to Expire 1/2/2021 *consideration for approval***
- 10.1.5 Re-Appointment: Nancy Carignan – Recreation & Arena Commission, Regular Member – Term to Expire 1/2/2023 *consideration for approval***

Councilor Bogan detailed the above listed appointments and reappointments and stated that the Appointments Committee had unanimously recommended each one of these appointments for the above listed expirations. Councilor Bogan **MOVED** to **APPROVE** all of the above listed appointments. Councilor Walker seconded the motion. Councilor Rice inquired why several of the appointments had terms which expired within 6 months. Mayor McCarley clarified that these people are filling open positions with pre-determined expirations; they will just need to be reappointed when their initial term expires. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Lachapelle, Rice, Walker, Hainey, Abbott, Bogan, Gray, Belken, Hamann, Lauterborn, Lachance, Hutchinson, and Mayor McCarley all voting favor.

10.2 Codes & Ordinances Committee

Councilor Lachapelle stated that there are no action items from the Codes & Ordinances Committee at this time. The next meeting is scheduled for Thursday, September 3. The committee will be starting the process of looking at the City Ordinances and cleaning up the outdated references and acronyms chapter by chapter.

10.3 Community Development

Councilor Lauterborn spoke about a proposal from Waypoint NH for a drop-in youth center to be established in Rochester. The organization provides services for homeless or at-risk youth to provide counseling, laundry and showers, etc. It would have paid staff on site which will be, in part, funded by a grant. They are currently looking at 38 Hanson Street as a potential property.

10.3.1 Resolution to Amend the Community Development Block Grant (CDBG) Funds for Fiscal Year 2021 Plan
first reading and consideration for adoption

Councilor Lauterborn **MOVED** to read the resolution for the first time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote with Councilors Hainey, Lauterborn, Abbott, Hutchinson, Rice, Lachapelle, Walker, Gray, Bogan, Hamann, Belken, Lachance, and Mayor McCarley all voting in favor. Mayor McCarley read the resolution for the first time by title only as follows:

Resolution to Amend the Community Development Block Grant (CDBG) Funds for Fiscal Year 2021 Plan

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

WHEREAS, the City of Rochester has received additional Community Development Block Grant (CDBG) funds through the Coronavirus Aid, Relief, and Economic Security (CARES) Act eligible projects and has unallocated prior year CDBG funds;

WHEREAS, the Mayor and City Council of the City of Rochester desire to program these additional funds into other worthwhile activities;

WHEREAS, the Mayor and City Council passed an amended CDBG Block Grant Funds Plan for FY2021 to reflect the programming of the CARES Act funds;

WHEREAS, the Mayor and City Council recognize that funds must be allocated to planning and administrative activities related to the use of the CARES Act funds;

THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby adopt the following allocation: Twenty

Nine Thousand Nine Hundred Forty Two and 80/100 Dollars (\$29,942.80) or Twenty Percent (20%) of the CARES Act CDBG Grant to planning and administrative activities;

FURTHER, that the funds necessary to fund the above appropriation shall be drawn in their entirety from the above-mentioned CARES Act CDBG grant funds that the City of Rochester has received from the federal government; and

FURTHER STILL, to the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund accounts(s) as necessary to which said sums shall be recorded.

Councilor Lauterborn **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion. Councilor Lauterborn clarified that this is part of the CARES act funding. She stated that when the original resolution was passed in August, the funding wasn't accounted for in the text and this action will clear up the financial side of the process. The **MOTION CARRIED** by a 12-1 voice vote with Councilors Belken, Gray, Hamann, Rice, Lauterborn, Hainey, Lachapelle, Hutchinson, Walker, Abbott, Bogan, and Mayor McCarley voting in favor and Councilor Lachance voting opposed.

10.4 Fidelity Committee

Councilor Hutchinson announced that the next Fidelity Committee meeting would take place on Thursday September 10, 2020 at 6:00 PM via Teams. There were no questions regarding the Fidelity minutes.

10.5 Finance Committee

10.5.1 Committee Recommendation: To upgrade part-time clerk typist position in tax collector's office to full-time *consideration for approval*

Councilor Lachapelle **MOVED** to approve the upgrade of the part-time clerk typist position in the tax office to a full time position. Councilor Walker seconded the motion. Mayor McCarley clarified that this had item had passed at the Finance committee, but not unanimously in part due to the discussion that the position upgrade was being requested so soon after the start of a new

budget adoption. She stated that this position has been needed for many years and feels it is now time to approve it.

Councilor Rice asked what the difference in salary would be if the position is upgraded. Finance Director Ambrose stated that the difference with benefits, salary and roll-ups would be \$44,000. This money would come from general overhead contingency.

Councilor Lauterborn questioned the connection between needing the full time typist position and COVID-19, as had been referenced in previous discussions. Mayor McCarley clarified that she did not intend to imply that the position was needed due to COVID-19, but rather the position had been removed from the approved city manager's budget early in the budget process due to the unknowns with the pandemic and potential revenue shortfalls anticipated with COVID-19. Councilor Rice asked if the Council approves this position, if there can be a stipulation stating that Council will reevaluate whether or not to extend or renew the position in the next budget cycle. City Manager Cox said that this position would be included in his budget next year, but Council can discuss whether or not to keep the position as-is, or reduce or eliminate it at that time. Councilor Lauterborn stated that it is not the norm that a position, once approved, would be removed from future budgets.

Councilor Gray asked if the City Manager has looked into any other options such as pulling staff from other departments to assist in the tax office. He also asked what the tax office has been doing in the time since the request for extra help was made. It was stated that the staff of the tax office has been working extra hours to accomplish their work. Deputy City Manager Ambrose stated that many of the tasks done by staff in tax office require certifications, and due to this, the City is not able to borrow staff from other departments to fill in.

10.6 Planning Board

Councilor Walker gave a brief overview of the items which the Planning Board had heard over the past month. There were no action items at this time.

10.7 Public Safety

10.7.1 Committee Recommendation: to approve temporary and permanent "rules and regulations" sign for installation at Canoe and Kayak Launch consideration for approval

Councilor Walker **MOVED** to approve. Councilor Lachapelle seconded the motion. Councilor Lachance asked for clarifications on why the motion is for both temporary and permanent signs. Councilor Hamann clarified that the signs in place currently are temporary and don't contain the full information and regulations. The permanent signs are being worked on currently and will be installed when complete. The **MOTION CARRIED** by a 12-0 with Councilors Hailey, Lauterborn, Abbott, Hutchinson, Rice, Lachapelle, Walker, Gray, Bogan, Hamann, Belken and Mayor McCarley all voting in favor. Councilor Lachance abstained from the vote due to the fact that he had been unable to review the signs in person prior to making a decision.

10.7.2 Committee Recommendation: To Install Caution/Tractor signs in each direction at 290-298 Chestnut Hill Road *consideration for approval*

Councilor Hamann **MOVED** to approve the installation of caution/tractor signs on Chestnut Hill Road as requested by a local resident. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote with Councilors Rice, Walker, Belken, Bogan, Lachapelle, Hamann, Lauterborn, Hailey, Abbott, Gray, Hutchinson, Lachance, and Mayor McCarley all voting in favor.

10.7.3 Committee Recommendation: To accept the signage and lighting placement per plan submitted by Waste Management for the newly relocated Rochester Neck Road *consideration for approval*

Councilor Hamann **MOVED** to **ACCEPT** the signage and lighting placement for the newly relocated Rochester Neck Road. Councilor Belken seconded the motion. Councilor Rice encouraged everyone to go take a look at the area and stated that WM has done a wonderful job with all the work which they've done in the area. The **MOTION CARRIED** by a unanimous voice vote with Councilors Belken, Gray, Hamann, Rice, Lauterborn, Hailey, Lachapelle, Hutchinson, Walker, Lachance, Abbott, Bogan, and Mayor McCarley all voting in favor.

Councilor Hamann stated that the net Public Safety meeting will take place on Wednesday, September 16 at 6:00 PM.

10.8 Public Works

10.8.1 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 *first reading and referral to public hearing*

Councilor Walker **MOVED** to read the resolution by title only and refer to a public hearing. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Rice, Walker, Belken, Bogan, Lachapelle, Hamann, Lauterborn, Hainey, Abbott, Gray, Hutchinson, Lachance, and Mayor McCarley all voting in favor. Mayor McCarley read the resolution for a first time by title only as follows:

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

10.8.2 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 *first reading and referral to public hearing*

Councilor Walker **MOVED** to read the resolution by title only and refer to a public hearing. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Hainey, Lauterborn, Abbott, Hutchinson, Rice, Lachapelle, Walker, Gray, Bogan, Hamann, Belken, Lachance, and Mayor McCarley all voting in favor. Mayor McCarley read the resolution for a first time by title only as follows:

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.

10.8.3 Committee recommendation: To approve Oak Street in Gonic for concrete sidewalk replacement consideration for approval

Councilor Walker **MOVED** to **APPROVE** the replacement of concrete sidewalk on Oak Street in Gonic. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Belken, Gray, Hamann, Rice, Lauterborn, Hainey, Lachapelle, Hutchinson, Walker, Lachance, Abbott, Bogan, and Mayor McCarley all voting in favor.

Councilor Lachapelle asked if there was an estimate on how much the Oak Street sidewalk replacement would cost. Director Nourse said they are currently formulating cost estimates, but he estimated it would be upwards of a couple hundred thousand dollars.

11. Old Business

No Discussion.

12. Consent Calendar

No Discussion.

13. New Business

13.1 Resolution Accepting \$518.85 Forfeiture Funds from the State of New Hampshire and Supplemental Appropriation in Connection Therewith *first reading and consideration for adoption*

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Hamann, Walker, Hutchinson, Belken, Lachance, Abbott, Gray, Rice, Bogan, Hailey, Lachapelle, Lauterborn, and Mayor McCarley all voting in favor. Mayor McCarley read the resolution for a first time by title only as follows:

Resolution Accepting \$518.85 Forfeiture Funds from the State of New Hampshire and Supplemental Appropriation in Connection Therewith

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

That the amount of Five Hundred Eighteen and 85/100 Dollars (\$518.85) in State of New Hampshire Forfeiture Funds is hereby accepted. Further, that the amount of Five Hundred Eighteen and 85/100 Dollars (\$518.85) is hereby appropriated as a supplemental appropriation to the Rochester Police Department Operating Budget and that the funding for this supplemental appropriation shall be derived in its entirety from the Forfeiture Funds.

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 Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion. Councilor Lachance asked from what the forfeiture money is being received. Mayor McCarley stated this is from drug money. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Hailey, Lauterborn, Abbott, Hutchinson, Rice, Lachapelle, Walker, Gray, Bogan, Hamann, Belken, Lachance, and Mayor McCarley all voting in favor.

13.2 Resolution Accepting \$59,325.00 CARES Act Funds from the State of New Hampshire and Supplemental Appropriation in Connection Therewith *first reading and consideration for adoption*

Councilor Lachapelle **MOVED** to read the resolution for a first time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a 12-1 roll call vote with Councilors Hamann, Walker, Hutchinson, Belken, Abbott, Gray, Rice, Bogan, Hainey, Lachapelle, Lauterborn, and Mayor McCarley voting in favor and Councilor Lachance voting opposed. Mayor McCarley read the resolution for a first time by title only as follows:

Resolution Accepting \$59,325.00 CARES Act Funds from the State of New Hampshire and Supplemental Appropriation in Connection Therewith

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

That the amount of Fifty Nine Thousand Three Hundred Twenty Five Dollars (\$59,325.00) in State of New Hampshire CARES Act Funds is hereby accepted. Further, that the amount of Fifty Nine Thousand Three Hundred Twenty Five Dollars (\$59,325.00) is hereby appropriated as a supplemental appropriation to the City Clerk's Operating Budget to pay for increased election costs associated with the response to the COVID-19 pandemic and that the funding for this supplemental appropriation shall be derived in its entirety from the CARES Act Funds.

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 Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion. Councilor Lachance stated that he would not support this motion because it uses borrowed money from the federal government which will ultimately have to be paid back by tax payers. He stated that he does not feel the City needs these funds to operate. The **MOTION CARRIED** by a 12-1 roll call vote with Councilors Belken, Gray, Hamann, Rice, Lauterborn, Hainey, Lachapelle, Hutchinson, Walker, Abbott, Bogan, and Mayor McCarley voting in favor and Councilor Lachance voting opposed.

13.3 Resolution Deauthorizing \$11,974.16 from Granite Shield Grant Funds *first reading and consideration for adoption*

Councilor Lachapelle **MOVED** to read the resolution for a first time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Lachapelle, Rice, Walker, Hainey, Abbott, Bogan, Gray, Belken, Hamann, Lauterborn, Lachance, Hutchinson, and Mayor McCarley all voting in favor. Mayor McCarley read the resolution for a first time by title only as follows

Resolution Deauthorizing \$11,974.16 from Granite Shield Grant Funds

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

That the amount of Eleven Thousand Nine Hundred Seventy Four and 16/100 Dollars (\$11,974.16) in previously accepted Granite Shield Grant Funds is hereby deauthorized. No funds will be returned, the Police Department will reduce its request under the Grant for reimbursement.

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 Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion. Councilor Rice asked where this money would go. Finance Director Ambrose stated that the money would be deauthorized and placed into the general fund. Councilor Belken asked if this was originally grant money. City Attorney O'Rourke said that this is not funding that the City currently has, but rather an amount that is reimbursed. The City will file for a smaller reimbursement due to less overtime being used. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Belken, Gray, Hamann, Rice, Lauterborn, Hainey, Lachapelle, Hutchinson, Walker, Lachance, Abbott, Bogan, and Mayor McCarley all voting in favor.

14. Other

Councilor Rice stated that although he had voted against it in the past, he would like to change his vote regarding in-person meetings for both committees and council and would like to discuss this option. Councilor Rice **MOVED** to restart in-person meetings for both council and committees. Councilor Walker seconded the motion. Councilor Lachapelle reiterated that he would like to get back to in person meetings, but he suggested the council

wait until the technology which is being put in place is established and tested before they make the decision. Councilor Gray asked if social distancing and PPE requirements would be enacted as it is in the school system for students. He also mentioned that there is not an adequate venue available in order for the Council to maintain social distancing during meetings, which is not plausible in council chambers. Mayor McCarley said she is in favor of in-person meetings with the stipulation that there are provisions in place for social distancing and PPE while following CDC guidelines.

Councilor Hutchinson stated that the Governor has extended the state of emergency through October 1, 2020 and the City should take it into consideration. The Council should continue to model good public health policy regardless of what the school and other entities are doing currently. He reiterated that it is not only committee members meeting, but there is also city staff and others present at each meeting. Councilor Lachance suggested that the vote be tabled until the workshop meeting to reevaluate the technology at that time.

Councilor Lachance **MOVED** to **TABLE** the motion to meet in person until the September 18 workshop. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** to table the motion by a 7-6 roll call vote with Councilors Lachapelle, Abbott, Bogan, Gray, Belken, Lachance, and Hutchinson voting in favor and Councilors Rice, Walker, Hailey, Hamann, Lauterborn, and Mayor McCarley voting opposed.

Councilor Lauterborn **MOVED** that committees meet in person at the discretion of the chair. Councilor Walker seconded the motion. Councilor Bogan asked if a committee member chose not to meet in person, if they would be able to connect remotely. City Attorney O'Rourke clarified that any member of a committee is always welcome to connect remotely; but if a chair person decides to meet in person they are essentially declaring that a state of emergency no longer exists which would require a quorum to be present in person to carry out business. If the majority is not present in person, the meeting would have to be canceled. Councilor Hamann stated that he would be reluctant to make a decision as the chair of a committee to meet in person due to the amount of people who would potentially be present between city staff and committee members. Councilor Hutchinson stated that he felt there is no rush to get back to in-person business during a worldwide pandemic and that city business is still able to be carried out via remote meetings. The **MOTION FAILED** by a 7-6 roll call vote with Councilors Rice, Lauterborn, Hailey, Walker, Lachance, and Mayor McCarley voting in favor and Councilors Belken, Gray, Hamann, Lachapelle, Hutchinson, Abbott, and Bogan voting opposed.

15. Non-Public/Non-Meeting

15.1 Non-Public Session – Land, RSA 91-A:3, II (d)

15.2 Non-Public Session – Personnel, RSA 91-A:3, II (a)

Councilor Lauterborn **MOVED** to go into non-public session at 7:46 PM under RSA 91-A:3, II (d) for land and RSA 91-A:3, II (a) for personnel. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a 12-0 roll call vote with Councilors Hamann, Walker, Hutchinson, Belken, Abbott, Gray, Rice, Bogan, Hainey, Lachapelle, Lauterborn, and Mayor McCarley voting in favor. Councilor Lachance was not audible at the time of the vote.

Councilor Lauterborn **MOVED** to exit the non-public session at 9:43 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a 12-0 roll call vote with Councilors Hamann, Walker, Hutchinson, Belken, Lachance, Abbott, Rice, Bogan, Hainey, Lachapelle, Lauterborn, and Mayor McCarley voting in favor. Councilors Gray was not audible at the time of the vote.

Councilor Lauterborn **MOVED** to seal the minutes of the non-public session RSA 91-A:3, II (d) under land as disclosure could render the proposed action ineffective. Councilor Walker seconded the motion. The **MOTION CARRIED** with a unanimous roll call vote with Councilors Lachapelle, Rice, Walker, Hainey, Abbott, Bogan, Gray, Belken, Hamann, Lauterborn, Lachance, Hutchinson, and Mayor McCarley voting in favor of the motion.

16. Adjournment

Mayor McCarley **ADJOURNED** the meeting at 9:46 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk