

**Regular City Council Meeting
October 3, 2017
Council Chambers
7:00 PM**

COUNCILORS PRESENT

Councilor Abbott
Councilor Barnett
Councilor Bogan
Councilor Gates
Councilor Gray
Councilor Hamann
Councilor Keans
Councilor Lachapelle
Councilor Lauterborn
Councilor Varney
Councilor Willis
Mayor McCarley

OTHERS PRESENT

City Manager Daniel Fitzpatrick
Deputy City Manager Blaine Cox
City Attorney Terence O'Rourke
Eric Babine Police
Department Communications
Police Chief Toussaint

MEMBERS EXCUSED

Councilor Torr

Minutes

1. Call to Order

Mayor McCarley called the meeting to order at 7:00 PM.

2. Presentation of the Colors: Roland E. Patnode Jr. American Legion Post 7

2.1. Pledge of Allegiance

The Roland E. Patnode Jr. American Legion Post 7 led the Pledge of Allegiance.

3. Opening Prayer

3.1. Opening Prayer: Roland E. Patnode Jr. American Legion Post 7

The Roland E. Patnode Jr. American Legion Post 7 led the Pledge of Allegiance.

4. Roll Call

Kelly Walters, City Clerk, called the roll. All Councilors were present except for Councilor Torr who had been excused.

5. Acceptance of Minutes

5.1. Regular City Council Meeting: September 5, 2017 *consideration for approval*

Councilor Lachapelle **MOVED** to **ACCEPT** the minutes. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

5.2. Special City Council Meeting: September 19, 2017 *consideration for approval*

Councilor Lachapelle **MOVED** to **ACCEPT** the minutes. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6. Communications from the City Manager

6.1. Employee of the Month Award

City Manager Fitzpatrick announced that Eric Babine, Rochester Police Department, has been awarded the Employee of the Month Award for October.

6.2. City Manager's Report

City Manager Fitzpatrick gave the following report:

Contracts and documents executed since last month:

Department of Public Works

- Dewey Street Bridge Project – Construction Engineering Services
- Household Hazardous Waste Day
- Paving Contract 16-13 Change Order 2 & 2 A
- Wakefield Street Easement Deed

Economic & Community Development

- Buxton Contract Renewal
- CDBG Agreement – US. HUD
- CDBG Certification of Consistency

Legal Department

- Cider Hill – Tax Deed

Police Department

- Highway Safety STEP Grant Modification

Planning Department

- E911 Staff Change memo
- PB Memo – Proposed Zoning Changes

Computer Lease/Purchase

- Wheeler, J – Fire Department

Standard Reports:

- City Council Request & Inquiry Report - No Items – No Report included
- Monthly Overnight Travel Summary
- Permission & Permits Issued
- Personnel Action Report Summary

Councilor Keans said a new position had been approved by the City Council in June 2017. This would have been a hybrid position for construction engineer/GIS position. City Manager Fitzpatrick said the draft job description had been reviewed by the Personnel Advisory Board and it should be presented to the City Council soon.

6.3. City Assessor: *City of Rochester/Re-Assessment 2017*

Jonathan Rice, Chief Assessor, gave a brief overview of the City's Re-Assessment for 2017.

6.4. Deputy City Manager: *Tax Rate Calculation*

Blaine Cox, Deputy City Manager, gave a brief overview of the Tax Rate Calculation.

6.5. City Attorney: General Ordinances [Chapter 42.29 Signage]

Terence O'Rourke, City Attorney, said the question of whether or not the City's ban on signs in the public right-of-way is in violation of the First Amendment. He explained that the ban on signage is both content/viewpoint neutral and does not violate the First Amendment.

Councilor Gates asked when this Sign Ordinance had been amended to include this ban. Councilor Lachapelle recalled that the sign ordinance had reviewed by the Codes and Ordinances Committee and this amendment had been approved by the full City Council about five years ago.

7. Communications from the Mayor

7.1. Chris Foley Day – Friday, October 6, 2017

Mayor McCarley announced that Friday, October 6, 2017, would be declared "Chris Foley" Day in the City of Rochester. The entire proclamation would be read at the Spaulding High School Football Game this Friday evening in memory of the beloved Principal who had been employed by the City of Rochester starting in 2007 through 2013.

7.2. POW Empty Chair Project: Veterans Council Request for Space at City Hall

Mayor McCarley said a representative from Rolling Thunder POW/MIA Veterans Organization met with the Rochester Veterans Council in order to give a POW Empty Chair to be displayed at City Hall. The Rochester Veterans Council agreed to take financial responsibility of this project; however, they would need space made available at City Hall. The City Council briefly discussed the project, which would not be a permanent fixture in the sense that the Rochester Veterans Council would transport the display for special events if they wished. Mayor McCarley asked if the City Council had any objections. Mayor McCarley said seeing no objections the Veterans Council will be allowed to utilize space at City Hall to display the POW Empty Chair.

7.3. Historic East Rochester Fire Station: Grant Application

Mayor McCarley said East Rochester has an old fire station with some interesting historic artifacts. She explained it had been discovered or realization that some of the curtains are actually

original hand-painted curtains and they are in a state of disrepair. She added that the City could apply for a grant to assist in preserving this great work of art. Mayor McCarley said if there were no objections this project would be sent to the Community Development Committee for further review.

8. Presentations of Petitions and Council Correspondence

No discussion.

9. Nominations, Appointments, Resignations, and Elections

No discussion.

10. Reports of Committees

10.1. Appointments Review Committee

10.1.1. Re-Appointment: Peter Bruckner, Historic District Commission, Regular Member, Term to Expire January 2, 2021

Mayor McCarley **NOMINATED** Peter Bruckner to be appointed to the Historic District Commission, with a term to expire on January 2, 2021. Councilor Lachapelle seconded the nomination. Councilor Lachapelle **MOVED** that nominations cease. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Bruckner has been appointed to the Historic District Commission by a unanimous ballot vote.

10.1.2. Appointment: Joyce Bruckner, Planning Board, Alternate Member, Term to Expire January 2, 2020

Mayor McCarley **NOMINATED** Joyce Bruckner to be appointed to the Planning Board as an Alternate Member, with a term to expire on January 2, 2020. Councilor Lachapelle seconded the nomination. Councilor Lachapelle **MOVED** that nominations cease. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Ms. Bruckner has been appointed to the Historic District Commission by a unanimous ballot vote.

10.1.3. Re-Appointment: Nancy Dibble, Historic District, Regular Member, Term to Expire January 2, 2020

Mayor McCarley **NOMINATED** Nancy Dibble to be reappointed to the Historic District Commission, with a term to expire on January 2, 2020. Councilor Lachapelle seconded the nomination. Councilor Lachapelle **MOVED** that nominations cease. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Ms. Dibble has been appointed to the Historic District Commission by a unanimous ballot vote.

10.1.4. Re-Appointment: Michael Dionne, Conservation Commission, Regular Member, Term to Expire January 2, 2020

Mayor McCarley **NOMINATED** Michael Dionne to the Conservation Commission with a term to expire on January 2, 2020. Councilor Lachapelle seconded the nomination. Councilor Lachapelle **MOVED** that nominations cease. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Dionne has been appointed to the Conservation Commission by a unanimous ballot vote.

10.1.5. Appointment; Mark Collopy, Planning Board, Alternate Member, Term to Expire January 2, 2020

Councilor Keans announced that another Alternate Position must be vacant prior to making this appointment.

10.1.6. Re-Appointment: Marilyn Jones, Historic District Commission, Regular Member, Term to Expire January 2, 2020

Mayor McCarley **NOMINATED** Marilyn Jones to be reappointed to the Historic District Commission, with a term to expire on January 2, 2020. Councilor Lachapelle seconded the nomination. Councilor Lachapelle **MOVED** that nominations cease. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Ms. Jones has been appointed to the Historic District Commission by a unanimous ballot vote.

10.2. Community Development Committee

10.2.1. Recommended Committee Action: AB 34 To Allow the Rochester Museum of Fine Arts to display Art Work in the hallways of the former Office of Economic

**Development located at the Rochester
Community Center *consideration for
approval***

Councilor Lauterborn said that Matt Wyatt, Rochester Museum of Fine Arts, has an existing art exhibition in the long hallway of the Rochester Community Center. He has expressed an interest in placing some of the more valuable pieces of art in a more secure location of that same building. Councilor Lauterborn **MOVED** to approve the recommendations made by the Community Development Committee to allow this to happen. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**10.2.2. Recommended Committee Action: AB 33
Resolution Approving a 2018 Workforce
Housing Charrette Application to the
Workforce Housing Coalition of the
Greater Seacoast *first reading***

Councilor Lachapelle **MOVED** to suspend the rules and read the resolution for the second time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

**Resolution Approving a 2018 Workforce Housing Charrette
Application to the Workforce Housing Coalition of the Greater
Seacoast**

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

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, approve the submission of a charrette application to the Workforce Housing Coalition of the Greater Seacoast in order to hold a workforce housing charrette in autumn 2018. **CC FY 18 2017, 10-03 AB 33**

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Lauterborn seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lauterborn stated that the Community Development Committee meeting for October has been canceled. She said that City Hall would be closed in honor of Columbus Day. She added that moving forward the Community Development Committee would meet

at the new Annex Building.

Councilor Bogan expressed gratitude for Chris Connor, Make Rochester Great Again, for the work completed in the downtown. Councilor Varney suggested that the City Manager inquire if she is being supplied with trash bags for the cleanup project. The City Manager agreed to research the matter.

10.3. CTE Renovation Joint Building Committee

Councilor Varney said the Joint Building Committee reviewed the design of the building. He said the architect would be contacting the Planning Department/Planning Board to move to the next step of the project. The goal is to begin construction in the Spring of 2018. The next meeting is scheduled for October 31, 2017.

10.4. Public Safety Committee

10.4.1. Recommended Committee Action: To stop the practice of printing the call details out [Fire Department's Committee Report – Monthly Fire Incidents] *consideration for approval*

Councilor Hamann **MOVED** to approve the Committee Action as stated above. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.4.2. Recommended Committee Action: To install 2 “No thru Trucks” signs:

- 1. Olde Farm Lane (*Signal Street Intersection*)**
- 2. McKinley Street (*Portland Street Intersection*) at the developer's expense *consideration for approval***

Councilor Hamann **MOVED** to approve the Committee Action as stated above. Councilor Lachapelle seconded the motion. The City Council discussed this matter. The project itself has been approved the Planning Board and the Police Department gave favorable input about erecting the signs. Councilor Gray requested that the Department of Public Works staff replace the missing “stop” sign at the end of McKinley Street. Commissioner Nourse concurred. The **MOTION CARRIED** by a unanimous voice vote.

10.4.3. Recommended Committee Action: To deny the request for “children at play” signage for Ashwood/Watson Drive, such signs are not recognized by the Manual on Uniform Traffic Control Devices (MUTCD) *consideration for approval*

Councilor Hamann **MOVED** to approve the Committee Action as stated above. Councilor Lachapelle seconded the motion. The City Council discussed this matter. The **MOTION CARRIED** by a unanimous voice vote.

10.4.4. Recommended Committee Action: To install 2 “no parking” signs on the side of the street that is currently not posted, from end to end of McIntyre Court, at the discretion of DPW *consideration for approval*

Councilor Hamann **MOVED** to approve the Committee Action as stated above. Councilor Lachapelle seconded the motion. The City Council discussed this matter. The **MOTION CARRIED** by a majority voice vote.

Councilor Lauterborn asked a question about emails being sent to the full City Council. If an email addressed to the entire City Council is about a safety issue should she reply or can it be assumed that members of the Safety Committee would reply to such a message. Councilor Hamann replied yes, as Chair of the Public Safety Committee he replies to such emails.

10.5. Public Works and Building Committee

10.5.1. Recommended Committee Action: AB 38 Resolution Accepting NH Department of Transportation (NHDOT) Highway Block Grant funds in the Amount of \$530,588.40
first reading

Councilor Varney reviewed the Public Works and Building Committee. Councilor Lachapelle **MOVED** to suspend the rules and read the resolution for the second time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

Resolution Accepting
NH Department of Transportation (NHDOT) Highway Block
Grant funds in the Amount of \$530,588.40

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

That a NHDOT Highway Block Grant in the amount of Five Hundred Thirty Thousand Five Hundred Eighty-Eight and 40/100 Dollars (\$530,588.40) to the City of Rochester, for the purpose of municipal highway projects, is hereby accepted by the City of Rochester.

Further, a supplemental appropriation to the Department of Public Works Capital Improvement Plan (CIP) Budget in the amount of Five Hundred Thirty Thousand Five Hundred Eighty-Eight and 40/100 Dollars (\$530,588.40) is hereby approved and the supplemental appropriation shall be derived, in its entirety, from the aforementioned NHDOT Highway Block Grant funds.

Furthermore, to the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish non-lapsing, multi-year accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution. **CC FY18 10-03 AB 38**

Councilor Lachapelle **MOVED** to suspend the rules and read the resolution for the second time by title only. Councilor Bogan seconded the motion. Mayor McCarley read the resolution for the second time by title only.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.5.2. Recommended Committee Action: AB 35
Resolution Authorizing Supplemental
Appropriation to the Department of Public
Works Capital Improvements Plan Budget
for the Olde Farm Lane Lighting Project in
the amount of \$150,000 *first reading*

Councilor Varney **MOVED** to read the resolution by title only. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Councilor Varney read the resolution for the first time by title only as follows:

**Resolution Authorizing Supplemental Appropriation to the
Department of Public Works Capital Improvements Plan Budget
for the Olde Farm Lane Lighting Project in the amount of
\$150,000**

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

That the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) be, and hereby is, appropriated as a supplemental appropriation to the Department of Public Works Capital Improvements Plan budget for the purpose of providing funds necessary to pay costs and/or expenditures with respect to the Olde Farm Lane Lighting Project. The entire supplemental appropriation shall be derived from the General Fund unassigned fund balance.

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. **CC FY18 10-03 AB 35**

Councilor Lachapelle **MOVED** to suspend the rules and read the resolution for the second time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Councilor Varney read the resolution for the second time by title only.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Gray said three regular parking places at City Hall were converted to accessible parking spaces during construction at the City Hall Annex. He questioned if these parking places would be converted back now that the construction has ended at the City Hall Annex. City Manager Fitzpatrick agreed that is the plan.

Councilor Lachapelle informed the public that the Codes and Ordinances Committee would meet on Thursday, October 5, 2017.

11. Old Business

No discussion.

12. Consent Calendar

No discussion.

13. New Business

13.1. **AB 37** Resolution, in accordance with RSA 674:39-aa, recognizing the "Involuntary Merger" of a Property Known As 77 Autumn Street (Currently, Rochester Tax Map 105, Lot **98-19**), and Acknowledging the Appropriateness of Restoration of Such Lot To Its Pre-Merger Configuration

Councilor Lachapelle **MOVED** to read the resolution by title only. Councilor Bogan seconded the motion. Councilor Keans questioned how this sort of merger had happened in the first place. Attorney O'Rourke replied that the merger occurred over fifty years ago. At the time, it made sense to draw the lots together as one map. The owners are now requesting that the lots be restored to its pre-merger configuration. Councilor Gray stated that there is now a specific State Law which gives guidelines for such a merger. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

**Resolution, in accordance with
RSA 674:39-aa, recognizing the "Involuntary Merger" of a
Property Known As 77 Autumn Street (Currently, Rochester
Tax Map 105, Lot **98-19**), and Acknowledging the
Appropriateness of Restoration of Such Lot To Its Pre-
Merger Configuration**

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

WHEREAS, the owners of property situate at, currently known as, 77 Autumn Street, Rochester, New Hampshire (Tax Map 105, Lot **98-19**), have, in August 2017 filed a request with the City of Rochester, and its City Council, pursuant to the provisions of RSA 674:39-aa, requesting that such property, which they assert was previously "involuntarily merged" by action of one or more administrative agency/official of the City of Rochester in, or around, 1961 from three (3) separate lots, into a single lot, currently known as 77 Autumn Street, Rochester, New Hampshire, and currently depicted on Rochester Tax Map 105, **98-19**; and

WHEREAS, RSA 674:39-aa provides that under certain conditions the owner(s) of lots previously involuntarily merged by a

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municipality, shall, upon request, by the owner(s) to the municipality's governing body, be restored to its pre-involuntary merger status; and

WHEREAS, the owners of 77 Autumn Street have filed a request to have the involuntary merger of such lot be restored to its pre-merger three (3) separate lot status configuration; and

WHEREAS, City officials in the Planning and Assessing Departments, as well as other City officials, have reviewed the facts surrounding the merger of the property currently known as 77 Autumn Street, and have determined that the lot currently known as 77 Autumn Street (Rochester Tax Map 105, Lot ~~98-19~~) was created by the involuntary merger by the City of Rochester and that no voluntary action by, or on behalf of, the current or prior owners of the unmerged lots was taken to bring about their currently merged single lot status;

NOW, THEREFORE, in accordance with the provisions of RSA 674:39-aa, the Mayor and City Council of the City of Rochester, in its capacity as the governing body of the City of Rochester, hereby acknowledges both the request by the owners to have the lot status of 77 Autumn Street be restored to its three-lot pre-merger status and the accuracy of the facts set forth above herein, and therefore determine that the request to have the property known as 77 Autumn Street (Rochester Tax Map 128, Lot ~~98-19~~) be restored to its pre-involuntary merger status is granted. **CC FY 18 2017, 10-03 AB 37**

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. The City Council briefly discussed the matter. The **MOTION CARRIED** by a unanimous voice vote.

13.2. AB 30 Resolution Accepting Opioid Abuse Reduction Initiative (OARI) Grant and Authorizing Supplemental Appropriation to the Police Department in the Amount of \$20,000.00 *first reading*

Councilor Lachapelle **MOVED** to read the resolution by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

Resolution Accepting Opioid Abuse Reduction Initiative (OARI)

Grant and Authorizing Supplemental Appropriation to the Police Department in the Amount of \$20,000.00

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

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept a OARI Grant from the New Hampshire Department of Public Safety in the amount of Twenty Thousand Dollars (\$20,000.00).

Further, that the sum of Twenty Thousand Dollars (\$20,000.00) be, and hereby is, appropriated as a supplemental appropriation to the Police Department operating budget. The entire amount of the supplemental appropriation shall be derived from the aforementioned OARI Grant.

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 account(s) as necessary to which said sums shall be recorded. **CC FY18 10-03 AB 30**

Councilor Lachapelle **MOVED** to suspend the rules and read the resolution for the second time by title only. Councilor Bogan seconded the motion. Mayor McCarley read the resolution for the second time by title only.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. Councilor Varney asked if there were any matching funds. Mayor McCarley replied that no City match of funds is required. Councilor Gates asked for clarification on this resolution. Chief Toussaint explained that there is a program known as "Operation Granite Hammer" gives funding at the County level. The Rochester Police Department participates in the "County Task Force" and the \$20,000 represents what amount of funding is anticipated for Rochester to be using in this effort. The **MOTION CARRIED** by a majority voice vote.

13.3. AB 29 Resolution Deauthorizing funding related to the Police Department Capital Improvement Plan Fund Comlog Recording Equipment System Project in the amount of \$2,095.00

Councilor Lachapelle **MOVED** to read the resolution by title

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only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

Resolution Deauthorizing funding related to the Police Department Capital Improvement Plan Fund Comlog Recording Equipment System Project in the amount of \$2,095.00

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

That Two Thousand Ninety Five Dollars (\$2,095.00) of previously appropriated funds is deauthorized for the costs associated with the Police Department Capital Improvement Plan Fund Comlog Recording Equipment System Project which was completed on October 7, 2017.

Further, the amount of Two Thousand Ninety Five Dollars (\$2,095.00) shall be returned to 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 accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution. **CC FY18 10-03 AB 29**

Councilor Lachapelle **MOVED** to suspend the rules and read the resolution for the second time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the second time by title only.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.4. AB 36 Resolution Deauthorizing \$1,463,067.66 related to various projects funded from the Department of Public Works Water Capital Improvements Plan Fund *first reading*

Councilor Lachapelle **MOVED** to read the resolution by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

Resolution Deauthorizing \$1,463,067.66 related to various projects funded from the Department of Public Works Water Capital Improvements Plan Fund

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

That One Million Four Hundred Sixty Three Thousand Sixty Seven and 66/100 Dollars (\$1,463,067.66) of previously appropriated funds is deauthorized from various completed, cancelled, or postponed Water Capital Improvements Plan Fund projects in accordance with Exhibit A.

Further, in accordance with RSA 33:9, One Million Four Hundred Forty Six Thousand Six Hundred Thirty Eight and 13/100 Dollars (\$1,446,638.13) in previously authorized bonding authority is hereby revoked as shown in Exhibit A.

Still further, the amount of Sixteen Thousand Four Hundred Twenty Nine and 53/100 Dollars (\$16,429.53) shall be returned to the Water Fund unassigned retained earnings balance as identified in Exhibit A .

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution. **CC FY18 10-03 AB 36**

Councilor Lachapelle **MOVED** to suspend the rules and read the resolution for the second time by title only. Councilor Bogan seconded the motion. Mayor McCarley read the resolution for the second time by title only.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.5. AB 32 Resolution Authorizing Supplemental Appropriation for the Department of Public Buildings Capital Improvements Plan Fund Community Center Security Camera Project in the amount of \$20,646.00

Councilor Lachapelle **MOVED** to read the resolution by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

Resolution Authorizing Supplemental Appropriation for the Department of Public Buildings Capital Improvements Plan Fund Community Center Security Camera Project in the amount

of \$20,646.00

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

That the sum of Twenty Thousand Six Hundred Forty Six Dollars (\$20,646.00) be, and hereby is, appropriated as a supplemental appropriation for the purpose of providing funds necessary to pay costs and/or expenditures with respect to the Department of Public Buildings Capital Improvements Plan Fund Community Center Security Camera Project. The entire supplemental appropriation shall be derived from the General Fund unassigned fund balance.

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. **CC FY18 10-03 AB 32**

Councilor Lachapelle **MOVED** to suspend the rules and read the resolution for the second time by title only. Councilor Bogan seconded the motion. Mayor McCarley read the resolution for the second time by title only.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. Councilor Gates asked what had happened to initiate cameras at this location. Deputy City Manager Cox recalled that the cameras have already been in place for quite some time and these cameras would be the replacement of the existing cameras. The **MOTION CARRIED** by a unanimous voice vote.

**13.6. AB 39 Amendment to Zoning Ordinances Chapter 42
of the General Ordinances of the City of Rochester
Regarding Variances**

Councilor Lachapelle **MOVED** to read the Amendment for the first time and refer the matter to a Public Hearing. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

See Attached Amendment

**13.7. AB 31 Resolution Establishing Polling Places and
Times for the November 7, 2017 Municipal Election
*first reading***

Councilor Lachapelle **MOVED** to read the resolution by title only. Councilor Bogan seconded the motion. The **MOTION**

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CARRIED by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

**Resolution Establishing Polling Places and Times for the
November 7, 2017 Municipal Election**

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

That the following polling places are hereby established for the City of Rochester for the upcoming 2017 Elections.

WARD 1: East Rochester Elementary School
773 Portland Street, East Rochester

WARD 2: St. Mary's Parish Center
71 Lowell Street, Rochester

WARD 3: Gonic Elementary School
11 Railroad Avenue, Rochester

[NEW] WARD 4: McClelland Elementary School
59 Brock Street, Rochester

WARD 5: Rochester Community Center
150 Wakefield Street/Community Way, Rochester
Located on the Chestnut Hill Road Side of Building

WARD 6: Elks Lodge #1393
295 Columbus Avenue, Rochester

Further, that in accordance with RSA 659:4, and Section 47 of the City Charter – All polling places shall be open from 8:00 A.M. to 7:00 P.M., on said Election Day. **CC FY 18 2017, 10-03 AB 31**

Councilor Lachapelle **MOVED** to suspend the rules and read the resolution for the second time by title only. Councilor Bogan seconded the motion. Mayor McCarley read the resolution for the second time by title only.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

14. Other

Councilor Keans said that the three-lot sub-division resolution states that Autumn Street is in Rochester. She requested that the record show reflect that it is actually in East Rochester.

Councilor Barnett requested that the Elderly Exemption be added to the next Finance Committee for discussion.

Councilor Willis said the Planning Board approved a 52-lot subdivision. The Planning Board did not approve the sidewalk as it is currently designed. Councilor Willis requested that the sidewalk design be placed on the next Public Works Committee agenda.

15. Non-Meeting/Non-Public Session

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

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

Mayor McCarley said that the Non-Public Sessions would not be needed.

16. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the Regular City Council meeting at 8:02 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Kelly Walters, CMC
City Clerk