

**CITY COUNCIL SPECIAL MEETING
October 21, 2014
COUNCIL CHAMBERS
8:10 PM**

COUNCILORS PRESENT

Councilor Bogan
Councilor Collins
Councilor Gates
Councilor Gray
Councilor Hamann
Councilor Keans
Councilor Larochelle
Councilor Lauterborn
Councilor Torr
Councilor Varney
Councilor Walker
Mayor Jean

OTHERS PRESENT

Deputy City Manager Blaine Cox
Chief Michael Allen

MINUTES

1. Call to Order

Mayor Jean called the City Council Special Meeting to order at 8:10 PM. Deputy City Clerk Marcia Roddy took a silent roll call. All members were present, with the exception of Councilor Lachapelle, who had been excused.

2. Consent Calendar

- 2.1 AB 41 Resolution De-Authorizing Portion of FY 2014-2015 Capital Budget Appropriation for the City of Rochester, Department of Public Works for the So-Called Granite Ridge, Phase I, Project**

**RESOLUTION DEAUTHORIZING PORTION OF FY 2014-2015
CAPITAL BUDGET APPROPRIATION FOR THE
CITY OF ROCHESTER, DEPARTMENT OF PUBLIC WORKS
FOR THE SO-CALLED GRANITE RIDGE, PHASE I, PROJECT**

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

WHEREAS, by virtue of a Resolution by the Mayor and City Council in June 2014, a Capital Improvements Budget appropriation in the amount of One Hundred

Thousand Dollars (\$100,000.00) was adopted and approved in the FY 2014-2015 City of Rochester, Department of Public Works, for purpose of capital improvements with regard to the so-called Granite Ridge Development District, Phase I, project (the "Project"), with such appropriation to be funded, in its entirety, from the proceeds of bonding to be undertaken by the City of Rochester; and

WHEREAS, the funds appropriated for the Project are no longer necessary for such Project because the capital improvements included in the Project, and the funding required therefore, have recently been incorporated in a Five Million Dollar (\$5,000,000.00) supplemental appropriation relative to public infrastructure improvements within the Granite Ridge Development District;

NOW, THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby deauthorize One Hundred Thousand Dollars (\$100,000.00) of the aforementioned previously appropriated funds for the so-called Project, and hereby further withdraw and discontinue the previous borrowing authority granted with respect to the above Project appropriation to the extent of One Hundred Thousand Dollars (\$100,000.00), thereby leaving no balance of the aforesaid FY 2014-2015 One Hundred Thousand Dollars (\$100,000.00) appropriation available for the purposes of the Project.

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 FY15 10-07 AB 41

2.2 AB 44 Resolution De-Authorizing Portion of FY 2011-2012 Capital Budget Appropriation for the City of Rochester, Department of Public Works, for the So-Called Salmon Falls Road Reconstruction Project

**RESOLUTION DEAUTHORIZING PORTION OF FY 2011-2012
CAPITAL BUDGET APPROPRIATION FOR THE
CITY OF ROCHESTER, DEPARTMENT OF PUBLIC WORKS
FOR THE SO-CALLED SALMON FALLS ROAD RECONSTRUCTION PROJECT**

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

WHEREAS, by virtue of a Resolution by the Mayor and City Council in June 2011, a Capital Improvements Budget appropriation in the amount of Two Million Two Hundred Thousand Dollars (\$2,200,000.00) was adopted and approved in the FY 2011-2012 City of Rochester, Department of Public Works capital improvements budget for the so-called Salmon Falls Road Reconstruction project (the "Project"), with such appropriation to be funded, in its entirety, from the proceeds of bonding to be undertaken by the City of Rochester; and

WHEREAS, such Project has been completed in a manner leaving the sum of Six Hundred Seventy-Seven Thousand Four Hundred Thirty-Eight Dollars and Eighteen Cents (\$677,438.18) of the aforesaid appropriated fund authorized to be derived from the proceeds of bonding by the City of Rochester, no longer necessary for such Project's purposes as the Project has been completed;

NOW, THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby deauthorize Six Hundred Seventy-Seven Thousand Four Hundred Thirty-Eight Dollars and Eighteen Cents (\$677,438.18) of the aforementioned previously appropriated funds for the so-called Project, and hereby further withdraw and discontinue the previous borrowing authority granted with respect to the above Project appropriation to the extent of Six Hundred Seventy-Seven Thousand Four Hundred Thirty-Eight Dollars and Eighteen Cents (\$677,438.18), thereby leaving a balance of the aforesaid FY 2011-2012 appropriation with bonding authority in the amount of One Million Five Hundred Twenty-Two Thousand Five Hundred Sixty-One Dollars and Eighty-Two Cents (\$1,522,561.82).

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 FY15 10-07 AB 44

2.3 AB 45 Resolution De-Authorizing Portion of FY 2011-2012 Capital Budget Appropriation for the City of Rochester, Department of Public Works, for the So-Called Salmon Falls Road Reconstruction Project

**RESOLUTION DEAUTHORIZING PORTION OF FY 2011-2012
CAPITAL BUDGET APPROPRIATION FOR THE
CITY OF ROCHESTER, DEPARTMENT OF PUBLIC WORKS
FOR THE SO-CALLED SALMON FALLS ROAD RECONSTRUCTION PROJECT**

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

WHEREAS, by virtue of a Resolution by the Mayor and City Council in June 2011, a Capital Improvements Budget appropriation in the amount of Three Hundred Sixty-Six Thousand Dollars (\$366,000.00) was adopted and approved in the FY 2011-2012 City of Rochester, Department of Public Works, Sewer Works capital improvements budget for the so-called Salmon Falls Road Sewer project (the "Project"), with such appropriation to be funded, in its entirety, from the proceeds of State of NH DES CWSRF borrowing to be undertaken by the City of Rochester; and

WHEREAS, the City has been informed that NH DES CWSRF borrowing to fund the aforesaid Project is not available;

NOW, THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby deauthorize Three Hundred Sixty-Six Thousand Dollars (\$366,000.00) of the aforementioned previously appropriated funds for the so-called Project, and hereby further withdraw and discontinue the previous borrowing authority granted with respect to the above Project appropriation to the extent of Three Hundred Sixty-Six Thousand Dollars (\$366,000.00), thereby leaving no balance of the aforesaid FY 2011-2012 appropriation available for the Project.

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 FY15 10-07 AB 45

2.4 AB 47 Resolution De-Authorizing Portion of FY 2011-2012 Capital Budget Appropriation for the City of Rochester, Department of Public Works, Water Works, for the So-Called Little Falls Bridge Road Water Project

**RESOLUTION DEAUTHORIZING PORTION OF FY 2011-2012
CAPITAL BUDGET APPROPRIATION FOR THE
CITY OF ROCHESTER, DEPARTMENT OF PUBLIC WORKS, WATER WORKS
FOR THE SO-CALLED LITTLE FALLS BRIDGE ROAD WATER PROJECT**

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

WHEREAS, by virtue of a Resolution by the Mayor and City Council in June 2011, a Capital Improvements Budget appropriation in the amount of Two Million Dollars (\$2,000,000.00) was adopted and approved in the FY 2011-2012 City of Rochester, Department of Public Works, Water Works capital improvements budget for the so-called Little Falls Bridge Road project (the "Project"), with such appropriation to be funded, in its entirety, from the proceeds of bonding to be undertaken by the City of Rochester; and

WHEREAS, the said Project has been completed in a manner leaving the sum of Four Hundred Thirty-Seven Thousand Nine Hundred Ninety-Five Dollars and Thirty-Four Cents (\$437,995.34) of the aforesaid appropriated funds authorized to be derived from the proceeds of bonding by the City of Rochester no longer necessary for such Project's purposes, as the Project has been completed;

NOW, THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby deauthorize the sum of Four Hundred Thirty-Seven Thousand Nine Hundred Ninety-Five Dollars and Thirty-Four Cents (\$437,995.34) of the aforementioned previously appropriated funds for the so-called Project, and hereby further withdraw and discontinue the previous borrowing authority granted with respect to the above Project appropriation to the extent of Four Hundred Thirty-Seven Thousand Nine Hundred Ninety-Five Dollars and Thirty-Four Cents (\$437,995.34),

thereby leaving a balance of the aforesaid FY 2011-2012 appropriation with bonding authority in the amount of One Million Five Hundred Sixty-Two Thousand Four Dollars and Sixty-Six Cents (\$1,562,004.66).

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 FY15 10-07 AB 47

2.5 AB 55 Resolution De-Authorizing Portion of FY 2006-2007 Capital Budget Appropriation for the City of Rochester, Department of Public Works, Water Works, for the So-Called Brock Street Water Project

**RESOLUTION DEAUTHORIZING PORTION OF FY 2006-2007
CAPITAL BUDGET APPROPRIATION FOR THE
CITY OF ROCHESTER, DEPARTMENT OF PUBLIC WORKS, WATER WORKS,
FOR THE SO-CALLED BROCK STREET WATER PROJECT**

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

WHEREAS, by virtue of a Resolution by the Mayor and City Council in June 2006, a Capital Improvements Budget appropriation in the amount of Forty-Five Thousand Dollars (\$45,000.00) was adopted and approved in the FY 2006-2007 City of Rochester, Department of Public Works, Water Works capital improvements budget for the so-called Brock Street water project (the "Project"), with such appropriation to be funded, in its entirety, from the proceeds of bonding to be undertaken by the City of Rochester; and

WHEREAS, such Project has been completed in a manner leaving the sum of Two Thousand Twenty-Five Dollars and Forty-Two Cents (\$2,025.42) of the aforesaid appropriated fund authorized to be derived from the proceeds of bonding by the City of Rochester, no longer necessary for such Project's purposes;

NOW, THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby deauthorize Two Thousand Twenty-Five Dollars and Forty-Two Cents (\$2,025.42) of the aforementioned previously appropriated funds for the so-called Project, and hereby further withdraw and discontinue the previous borrowing authority granted with respect to the above Project appropriation to the extent of Two Thousand Twenty-Five Dollars and Forty-Two Cents (\$2,025.42), thereby leaving a balance of the aforesaid FY 2006-2007 appropriation with borrowing authority in the amount of Forty-Two Thousand Nine Hundred Seventy-Four Dollars and Fifty-Eight Cents (\$42,974.58).

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 FY15 10-21 AB 55

Councilor Walker **MOVED** to adopt the Consent Calendar. Councilor Torr seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

3. AB 46 Resolution Authorizing Supplemental Appropriation to the 2014-2015 Capital Improvements Budget of the City of Rochester, Department of Public Works, Sewer Works, for the So-Called Salmon Falls Road Sewer Reconstruction Project

Councilor Walker **MOVED** to read the resolution for the first time by title only. Councilor Gates seconded the motion. The **MOTION CARRIED** by unanimous voice vote. Mayor Jean read the resolution by title only as follows:

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION
TO THE 2014-2015 CAPITAL IMPROVEMENTS BUDGET OF THE
CITY OF ROCHESTER, DEPARTMENT OF PUBLIC WORKS, SEWER WORKS,
FOR THE SO-CALLED SALMON FALLS ROAD SEWER RECONSTRUCTION
PROJECT**

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

That the sum of Ninety-Eight Thousand Five Hundred Fifteen Dollars and Thirty-Five Cents (\$98,515.35) be, and hereby is, appropriated as a supplemental appropriation to the 2014-2015 capital improvements budget of the City of Rochester, Department of Public Works, Sewer Works, for the purpose of providing sums necessary to pay costs and/or expenditures with respect to the so-called Salmon Falls Road sewer reconstruction project (the "Project"), and provided further that such appropriation shall be drawn in its entirety from the proceeds of bonding/borrowing to be undertaken by the City of Rochester.

Further, that the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby are authorized to borrow the sum of Ninety-Eight Thousand Five Hundred Fifteen Dollars and Thirty-Five Cents (\$98,515.35), through the issuance of bonds and/or notes, and/or through other legal form(s), for the purposes of funding the expenditures incident to the implementation of the Project outlined, and referred to, in the preceding paragraph, such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter to the extent required, necessary and/or appropriate. The useful life for the aforesaid Project is 20 years.

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 FY15 10-07 AB 46

Mayor Jean said this Resolution will be the subject of a Public Hearing to be held at the next Regular City Council meeting on November 5, 2014.

4. AB 54 Resolution Accepting Funds to the Rochester Police Department for “Operation Safe Commute” Patrol and Making a Supplemental Appropriation in Connection Therewith

Councilor Walker **MOVED** to read the resolution for the first time by title only. Councilor Gates seconded the motion. The **MOTION CARRIED** by unanimous voice vote. Mayor Jean read the resolution by title only as follows:

**RESOLUTION ACCEPTING FUNDS
TO THE ROCHESTER POLICE DEPARTMENT
FOR “OPERATION SAFE COMMUTE” PATROL
AND MAKING A SUPPLEMENTAL APPROPRIATION
IN CONNECTION THEREWITH**

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

WHEREAS, the State of New Hampshire and its local municipalities, such as the City of Rochester, are committed to the promotion of safe highways; and

WHEREAS, the State of New Hampshire, acting through the NH Highway Safety Agency, (hereinafter the “State”), periodically makes available to local municipalities, such as the City of Rochester, funds to be utilized to improve the safety of their respective roads and highways through the so-called “Operation Safe Commute” program (the “Program”), by virtue of a contract between a local Community and the State; and

WHEREAS, the City desires to take advantage of Four Thousand Five Hundred Eighty-Six Dollars and Forty Cents (\$4,586.40) in funds available from the State through the Program, to aid its efforts to improve the safety of its roads and highways;

NOW THEREFORE, the Mayor and City Council hereby authorize the City Manager and/or his designee to enter into a contract with the State relative to the above specified Project and to execute any and all documents associated therewith. Further, that the aforesaid Project funds from the State in the amount of Four Thousand Five Hundred Eighty-Six Dollars and Forty Cents (\$4,586.40) to the City of Rochester, Police Department, for the purpose of the Project are hereby accepted by the City of Rochester, and such funds shall be assigned to a special non-lapsing RSA 34:1-a reserve account, the number of which is to be established by the Finance Director in the

2014-2015 operating budget of the Police Department. Further, that the sum of Four Thousand Five Hundred Eighty-Six Dollars and Forty Cents (\$4,586.40) be, and hereby is, appropriated as a supplemental appropriation to the 2014-2015 operating budget for the City of Rochester, Police Department, such funds to be used for the purpose of conducting the Project. The source of the sums necessary to fund such appropriation shall be drawn, in their entirety, from the aforesaid funds from the State for the Project.

ADDITIONALLY, 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 FY15 10-21 AB 54**

Councilor Walker **MOVED** to suspend the rules and read the resolution for the second time by title only. Councilor Gates seconded the motion. The **MOTION CARRIED** by unanimous voice vote. Mayor Jean read the resolution by title only for the second time.

Councilor Walker **MOVED** to adopt the Resolution. Councilor Varney seconded the motion.

Councilor Keans asked Chief Allen if this Resolution was for DWI patrol. Chief Allen said no, it is targeted toward aggressive driving. Councilor Keans asked if it was meant to coincide with holidays. Chief Allen said no, the timing is coincidental.

Councilor Keans cited the grant makes reference to "special attention to the audit report." She asked Chief Allen if this is different from other grants in the past years. Chief Allen said no, this is a grant that has been done for the last three or four years.

Councilor Walker asked Chief Allen if there is a match for this grant. Chief Allen said no.

The **MOTION** to adopt **CARRIED** by unanimous voice vote.

5. AB 40 Community Revitalization Tax Relief Incentive Application for 2-6 North Main Street

Mayor Jean explained that the Finance Committee met on October 14, 2014, to discuss the 79-E application for the property located at 2-6 North Main Street. The Finance Committee recommended to the full Council that they proceed with granting the application for a period of nine (9) years as time is of the essence. The Resolution has already been read for the first time.

Councilor Torr **MOVED** to read the resolution for the second time. Councilor Walker seconded the motion. The **MOTION CARRIED** by unanimous voice vote. Mayor Jean read the Resolution by title only for the second time as follows:

**RESOLUTION GRANTING COMMUNITY REVITALIZATION
TAX RELIEF TO THE PROPERTY SITUATE AT 2-6 NORTH MAIN STREET
UNDER THE PROVISIONS OF RSA 79-E
IN CONNECTION WITH ITS PROPOSED REHABILITATION PROJECT**

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

WHEREAS, in a effort to stimulate local economic development and enhance City downtowns and Town centers, the New Hampshire Legislature has enacted Chapter 79-E of the New Hampshire Revised Statutes Annotated, entitled "Community Revitalization Tax Relief Incentive"; and

WHEREAS, the City of Rochester on October 7, 2008 availed itself of the opportunities and benefits available through the adoption of Chapter 79-E, by adopting the provisions of such the Community Revitalization Tax Relief Incentive Program pursuant to the Provisions RSA Chapter 79-E on October 7, 2008; and

WHEREAS, the owner(s)of the so-called 2-6 North Main Street property in downtown Rochester is(are) desirous of taking advantage of the potential opportunities and benefits available to property owners as a result of the adoption of Chapter 79-E and they have, therefore, proposed a substantial rehabilitation project with respect to the so-called 2-6 North Main Street property structure; and

WHEREAS, Chapter 79-E requires that the governing body of the City of Rochester make certain findings and or determinations with regard to a proposed substantial rehabilitation project in order for the project to qualify for the Chapter 79-E Community Revitalization Tax Relief Incentive;

NOW, THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby make the following determinations and findings with respect to the proposed substantial rehabilitation proposal for the so-called 2-6 North Main Street property contemplated by the owner's Community Revitalization Tax Relief Application dated July 30, 2014, to wit:

- (1) Any tax relief under the provisions of Chapter 79-E or this resolution that is to be accorded with respect to the so-called 2-6 North Main Street property project shall be accorded only after the property owners grant to the City a covenant pursuant to the provisions of RSA 79-E:8 ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and in accordance with the requirements of RSA 79- E:8; and

- (2) The Mayor and City Council find a public benefit(s) under RSA 79-E:7 in the proposed revitalization project proposed with respect to the so-called 2-6 North Main Street property project; and
- (3) The proposed substantial rehabilitation provides the following public benefits to downtown Rochester:
 - I. It enhances the economic vitality of the downtown;
 - II. It enhances and improves a structure that is culturally or historically important on a local level, within the context of Rochester's Historic District and/or the City center in which the building is located;
 - III. It promotes development of downtown Rochester, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B;
- (4) The specific public benefit is preserved through a covenant under RSA 79-E:8 if the project is implemented consistent with (a) the aforesaid application; (b) compliance with the recommendation to the Council approved by the Finance Committee at its October 14, 2014 meeting; (c) the terms of this resolution; and (d) any other applicable requirements of Chapter 79-E; and
- (5) The Mayor and City Council finds that the proposed use is consistent with the City's master plan and/or development regulations.

Furthermore, as a result of making such determinations and findings, and subject to the owner(s) compliance therewith, and with the provisions of Chapter 79-E, the Mayor and City Council hereby grants the requested tax relief for a period of nine (9) years beginning with the completion of the substantial rehabilitation of the so-called 2-6 North Main Street property structure. CC FY14 10-21 AB40

Councilor Lauterborn **MOVED** to adopt the resolution. Councilor Gates seconded the motion.

Councilor Walker **MOVED** to **AMEND** the resolution by reducing the time of nine (9) years to seven (7). Councilor Gates seconded the motion. The **MOTION TO AMEND** carried by majority voice vote.

Councilor Torr **MOVED** to **AMEND** the amended resolution from seven (7) years to five (5) years. Councilor Walker seconded the motion. The **MOTION** to amend **FAILED** by majority voice vote.

Councilor Varney asked what happens to property tax relief based on inflation. If the assessment goes up, does the property owner's percentage of tax break change or does it stay the same. The answer was that the *percentage* stays the same.

The **MOTION** (as amended to seven [7] years) **CARRIED** by roll call vote. Councilors Hamann, Walker, Larochelle, Gates, Varney, Gray, Keans, Lauterborn, Collins, Bogan, and Mayor Jean voted yes. Councilor Torr voted no.

**RESOLUTION GRANTING COMMUNITY REVITALIZATION
TAX RELIEF TO THE PROPERTY SITUATE AT 2-6 NORTH MAIN STREET
UNDER THE PROVISIONS OF RSA 79-E
IN CONNECTION WITH ITS PROPOSED REHABILITATION PROJECT**

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

WHEREAS, in a effort to stimulate local economic development and enhance City downtowns and Town centers, the New Hampshire Legislature has enacted Chapter 79-E of the New Hampshire Revised Statutes Annotated, entitled "Community Revitalization Tax Relief Incentive"; and

WHEREAS, the City of Rochester on October 7, 2008 availed itself of the opportunities and benefits available through the adoption of Chapter 79-E, by adopting the provisions of such the Community Revitalization Tax Relief Incentive Program pursuant to the Provisions RSA Chapter 79-E on October 7, 2008; and

WHEREAS, the owner(s) of the so-called 2-6 North Main Street property in downtown Rochester is(are) desirous of taking advantage of the potential opportunities and benefits available to property owners as a result of the adoption of Chapter 79-E and they have, therefore, proposed a substantial rehabilitation project with respect to the so-called 2-6 North Main Street property structure; and

WHEREAS, Chapter 79-E requires that the governing body of the City of Rochester make certain findings and or determinations with regard to a proposed substantial rehabilitation project in order for the project to qualify for the Chapter 79-E Community Revitalization Tax Relief Incentive;

NOW, THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby make the following determinations and findings with respect to the proposed substantial rehabilitation proposal for the so-called 2-6 North Main Street property contemplated by the owner's Community Revitalization Tax Relief Application dated July 30, 2014, to wit:

- (1) Any tax relief under the provisions of Chapter 79-E or this resolution that is to be accorded with respect to the so-called 2-6 North Main Street property project shall be accorded only after the property owners grant to

the City a covenant pursuant to the provisions of RSA 79-E:8 ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and in accordance with the requirements of RSA 79- E:8;

and

- (2) The Mayor and City Council find a public benefit(s) under RSA 79-E:7 in the proposed revitalization project proposed with respect to the so-called 2-6 North Main Street property project; and
- (3) The proposed substantial rehabilitation provides the following public benefits to downtown Rochester:
 - I. It enhances the economic vitality of the downtown;
 - II. It enhances and improves a structure that is culturally or historically important on a local level, within the context of Rochester's Historic District and/or the City center in which the building is located;
 - III. It promotes development of downtown Rochester, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B;
- (4) The specific public benefit is preserved through a covenant under RSA 79-E:8 if the project is implemented consistent with (a) the aforesaid application; (b) compliance with the recommendation to the Council approved by the Finance Committee at its October 14, 2014 meeting; (c) the terms of this resolution; and (d) any other applicable requirements of Chapter 79-E; and
- (5) The Mayor and City Council finds that the proposed use is consistent with the City's master plan and/or development regulations.

Furthermore, as a result of making such determinations and findings, and subject to the owner(s) compliance therewith, and with the provisions of Chapter 79-E, the Mayor and City Council hereby grants the requested tax relief for a period of seven (7) years beginning with the completion of the substantial rehabilitation of the so-called 2-6 North Main Street property structure. CC FY14 10-21 AB40

Councilor Keans asked Chief Allen how the Police Department's K-9 officer and the dog will be paid for assisting in tracking a fugitive in Pennsylvania. Chief Allen said he is paid by the Strafford County Sheriff's Department. The officer is employed on a part-time basis by the Sheriff's Department and is paid by that department and is covered by Worker's Compensation while on duty with the department. The Sheriff's Department is reimbursed by the federal government for the K-9 services.

6. Non-Public Session/Non-Meeting**6.1 *AB 42 Non-Meeting for Legal Consultation under RSA 91-A: 2 I (b)
Rochester Hill Water Tank****6.2 Non-Public Session for Personnel, RSA 91-A:3 II (a)****6.3 Non-Public Session for Land, RSA 91-A:3 II (d)**

Councilor Walker **MOVED** to enter the Non-Public session at 8:23 PM under RSA 91-A:2 I(b), RSA 91-A:3 II(a), and RSA 91-A:3 II(d). Councilor Gray seconded the motion. The **MOTION CARRIED** by roll call vote. Councilors Gates, Keans, Lauterborn, Walker, Gray, Larochelle, Torr, Hamann, Bogan, Collins, Varney, and Mayor Jean all voted yes.

Councilor Walker **MOVED** to exit Non-Public Session at 9:38 PM and seal the minutes indefinitely. Councilor Gates seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

7. Other

Mayor Jean explained the need to amend the October 1, 2013 Regular Council meeting minutes by deleting the sentence "*Mayor Jean indicated that this item would be sent to a Public Hearing for the next City Council Regular meeting.*" This sentence was inadvertently "cut and pasted" into the minutes.

Councilor Walker **MOVED** strike the sentence from the minutes of the October 1, 2013, Regular City Council meeting minutes. Councilor Gates seconded the motion. the **MOTION CARRIED** by unanimous voice vote.

8. Adjournment

Councilor Torr **MOVED** to adjourn the Special Meeting at 9:41 PM. Councilor Walker seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

Respectfully submitted,

Marcia H. Roddy

Deputy City Clerk