

**CITY COUNCIL SPECIAL MEETING
December 15, 2015
COUNCIL CHAMBERS
9:10 PM**

COUNCILORS PRESENT

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

OTHERS PRESENT

City Manager Daniel Fitzpatrick
Deputy City Manager Blaine Cox
Terence O'Rourke, City Attorney

EXCUSED

Councilor Torr

MINUTES

1. Call to Order

Mayor Jean called the Special Meeting of the Rochester City Council to order at 9:10 PM. Deputy City Clerk Marcia Roddy took a silent roll call. All councilors were present, except for Councilor Torr, who had been excused.

2. Nominations, Appointments, Resignations, and Elections

2.1 and 2.2 Mayor Jean explained that the two recommended appointments will be deferred for the incoming mayor to make.

2.3 Resignation: Deborah Shigo as Chair of the Rochester Conservation Commission.

Mayor Jean explained that Deborah Shigo is not resigning from the Conservation Commission, but rather as Chair of the Commission.

Councilor Lachapelle **MOVED** to accept the resignation of Deborah Shigo as Chair of the Conservation Commission. Councilor Walker seconded the motion. The **MOTION CARRIED** by unanimous voice vote. This would create a vacancy for Chair of

the Commission which the mayor-elect can appoint. The Clerk will send a letter of thank-you to Ms. Shigo for her service.

3. Amendment to Chapter 42.6

Councilor Lachapelle **MOVED** to read the resolution by title only for the first time and refer to a public hearing. Councilor Walker seconded the motion. The **MOTION CARRIED** by unanimous voice vote. Mayor Jean read the Amendment to Chapter 42.6 regarding signage by title only for the first time.

**AMENDMENT TO CHAPTER 42 OF THE GENERAL ORDINANCES OF THE CITY
OF ROCHESTER REGARDING SIGNAGE**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 42 of the General Ordinances of the City of Rochester regarding signage in the Highway Commercial District and currently before the Rochester City Council, be amended as follows:

42.6 Commercial Zoning Districts

f. Highway Commercial District

The effective date of these amendments shall be upon passage.

CC FY 16 AB 72

Mayor Jean said the public hearing will be at the re-convened Regular City Council meeting in January.

4. Resolution Pursuant to RSA 34:1 Establishing a School Building Capital Reserve Fund

Mayor Jean read the resolution as amended, specifically:

**Resolution Pursuant to RSA 34:1 Establishing a School Building Capital
Reserve Fund**

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

By adoption of this Resolution, the City Council establishes a Capital Reserve Fund pursuant to RSA 34:1 for the purpose of rehabilitating, enlarging, replacing, and/or constructing new school facilities and/or the purchase of land for the enlargement of existing school facilities and/or siting of new school facilities. The name of such fund shall be the School Building Fund.

The City Council, at its sole discretion, may appropriate monies to said School Building Fund through the annual budgeting process. The City Council may also by favorable vote of $\frac{3}{4}$ of its members, transfer to such fund after a public hearing with notice as provided in RSA 34:2, not more than $\frac{1}{2}$ of its unencumbered surplus funds remaining on hand at the end of the fiscal year, within limits as provided in RSA 34:4. No transfer from the City's unencumbered surplus funds to the School Building Fund shall be considered until after the annual audit presentation by the independent auditor and confirmation of the stated surplus. The City Council may also accept and appropriate gifts, legacies and trusts to the School Building Fund by majority vote.

Expenditure of funds from the School Building Fund is at the sole discretion of the City Council.

Pursuant to RSA 34:6, the Trustees of Trust Funds shall have custody of all capital reserves transferred to the School Building Fund. The Trustees of the Trust Fund will hold the monies appropriated to the School Building Fund in a separate account. Appropriations made to the School Building Fund will be paid over to the Trustees of the Trust Fund after July 1 but prior to June 30 of the fiscal year of the appropriation.

The City Council may dissolve the School Building Fund at its sole discretion. Upon dissolution of any portion of said fund appropriated from the General Fund said funds will lapse to surplus (Unassigned General Fund fund balance) and cannot be repurposed directly to a different capital fund or project. Any funds contained in the School Building Fund accepted and appropriated from gifts, legacies or trusts may be redirected at the discretion of the City Council.

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.

Councilor Varney **MOVED** to **AMEND** the resolution as stated above in the revised resolution above. Councilor Gates seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

Councilor Varney **MOVED** to **ADOPT** the resolution as amended. Councilor Gates seconded the motion. The **MOTION CARRIED** by majority voice vote.

5. Other

Councilor Lachapelle **MOVED** to instruct the City Manager to enter into a Purchase and Sale Agreement for a parcel of land located in the Granite State Business Park, Lot 33, for the amount of \$100,000. Councilor Gates seconded the motion.

Councilor Walker asked if the City was selling the land. Mayor Jean said yes.

City Manager Fitzpatrick pointed out that the City has made more than the original purchase of that property.

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

Councilor Walker wished the citizens of Rochester a Merry Christmas.

Councilor Gates commented that after his second term on the City Council that Mayor Jean has "set the bar very high."

Mayor Jean wished everyone a Merry Christmas and Happy New Year, and Happy Holidays and Season's Greetings. He extended best wishes to Mayor-elect McCarley and the incoming City Council.

7. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the Special Meeting at 9:15 PM. Councilor Gates seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

Respectfully submitted,

Marcia H. Roddy, NHCDCC
Deputy City Clerk