

**Regular City Council Meeting
February 5, 2019
Council Chambers
*Immediately Following Public Hearing***

COUNCILORS PRESENT

Councilor Abbott
Councilor Bogan
Councilor Gates
Councilor Gray
Councilor Hamann
Councilor Hutchinson
Councilor Keans
Councilor Lachapelle
Councilor Lauterborn
Councilor Torr
Councilor Varney
Councilor Walker

OTHERS PRESENT

Blaine Cox, City Manager
City Attorney Terence O'Rourke

Minutes

1. Call to Order

Mayor McCarley called the Regular City Council meeting to order at 7:05 PM.

2. Opening Prayer

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

3. Pledge of Allegiance

Mayor McCarley led Council in the Pledge of Allegiance.

4. Roll Call

Deputy City Clerk Cassie Givara called the roll. All Councilors were present.

5. Acceptance of Minutes

5.1 Regular City Council Meeting: January 8, 2019

consideration for approval

Councilor Lachapelle **MOVED** to accept the minutes from the January 8, 2019 Regular City Council Meeting. Councilor Lauterborn 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 Cox announced that Nick Alexander of the Rochester Police Department was the Employee of the Month for February 2019.

6.2 City Manager's Report

City Manager Cox reminded Council that there was a second tax-deeded properties auction on Saturday February 9 at 10:00 a.m. in Council Chambers.

Mr. Cox also announced that the RFP process for the Scenic Theater property is closed, but the City only received one RFP. There will be a meeting of the RFP Committee on Friday February 8 to discuss this issue.

7. Communications from the Mayor

Mayor McCarley spoke to Council about scheduling a Saturday workshop meeting in February or March to discuss their goals and vision for Rochester in the upcoming Fiscal Year. A date was set for February 23, 2019 from 8:30 to 12:30.

Mayor McCarley announced that former City Attorney Dan Wensley had passed away the previous night. Council will be kept up to date on any arrangements which are made.

8. Presentation of Petitions and Council Correspondence

No Discussion.

9. Nominations, Appointments, Resignations, and Elections

No Discussion

10. Reports of Committees

10.1 Community Development

Councilor Lauterborn said there were no action items generated from the Community Development Committee meeting.

Councilor Lauterborn reported that Jenn Marsh of the Economic Development Department has been working on a plan with Main Street to continue the farmers market this year using available funds leftover from the past three years. They have found someone to be a Market manager and they hope to sign a contract with this person within the next week.

10.2 CTE Joint Building Committee

10.2.1 Construction Progress

Councilor Varney presented a slideshow outlining the progress being made on the Creteau Technology Center.

Councilor Varney reported that the project has used half of the \$600,000 contingency and they are approximately half way to completion. There was a large change order which came in for \$170,000. There were two issues which were not anticipated by the design team; the need for emergency lighting in some area of the building, and the need to reconfigure the entrance to the gym when the construction documents did not represent what was actually in the building.

Councilor Varney also showed the plans for an enclosed storage area out back facing the athletic fields. Previously, there was an open, semi-enclosed area. This storage area was constructed for \$50,000, but there are other line items in the budget which are being reduced so the cost should be offset.

It was noted that there were originally plans for windows leading into a storage area. These windows had been omitted because they were not needed.

Mayor McCarley addressed Councilor Keans regarding an email she had sent expressing concern about the Capital Budget Committee in regards to Rochester not receiving the anticipated \$4 million in funding from the State for the vocational center. Mayor McCarley asked if it would be beneficial to speak to the other state representatives about this because a four-million dollar adjustment at this stage in the project would be very significant. It would be beneficial to have all the representatives present for the public hearing on this matter.

Councilor Keans said she felt it would be wise to reach out to the state representatives to discuss the issue. She said that the sentiment in Concord seemed to have changed and they were focusing on newer projects as opposed to fulfilling past promises, so it is important to keep on top of the issue.

10.3 Public Safety

10.3.1 Committee Recommendation: To Deny "Slow Children" sign at Monarch School *consideration for approval*

Councilor Walker **MOVED** to deny the slow children sign at the Monarch School. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Walker stated that the Committee had received a **request from School Street School to put "speed limit during school hours" signs on Portland Street**. The Committee had decided to put in the same signage package which they recently placed on Brock Street; speed limit signs 300 feet into the school zone, pentagon "school" signs as well as signs pointing to the cross walk and signs showing the end of the school zone.

Councilor Walker **MOVED** to install the school sign package on Portland Street. Councilor Gates seconded the motion. The **MOTION CARRIED** by a majority voice vote.

10.3.2 Committee Recommendation: To eliminate one parking spot on South Main Street due to line of sight concerns *consideration for approval*

Councilor Walker said that the committee had discussed the parking spot at the corner of Wakefield Street and North Main Street. Councilor Walker stated that the Committee had been unable to come up with a solution which worked.

Councilor Walker **MOVED** to eliminate the parking space at the corner of Wakefield and North Main to increase the line of sight. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a majority voice vote.

Councilor Keans expressed concern over the crosswalk on North Main Street which had been moved 30 feet, not only away from the light, but closer to the curve of the road after the bridge. Councilor Keans stated that the

crosswalk is not visible until cars come around the curve and there will likely be more accidents due to the location and lack of lighting. Councilor Walker said that the Committee was looking into solar lights to have installed along the crosswalk.

Councilor Keans inquired about the emergency trailers which were noted in the Public Safety Committee minutes.

Chief Klose of the Rochester Fire Department stated that Rochester hosts a trailer which has emergency management supplies, such as beds, cots, blankets, etc. During the cold weather emergency when the Strafford County Commissioners opened the shelter at the County Complex, this trailer was transported to the County Complex to house any overflow from the shelter. Chief Klose clarified that the trailer is the property of the County. Rochester maintains the trailer and houses it at the Department of Public Works, delivering it when needed during emergencies.

Chief Klose reported that during the recent extreme cold weather, the handle on the jack broke. Rochester ordered the parts and repaired the jack to make it operational. There is no MOU between the County and Rochester stating who is to handle care and maintenance of the trailers. Rochester is working with the County on who will take responsibility.

Mayor McCarley reported that there is a meeting on Thursday with the County Commissioners, the Mayors of the Tri-Cities and the City Managers of the three cities to discuss the temporary cold weather shelter which the County has been operating.

10.4 Public Works

10.4.1 Committee Recommendation: Approve a camera to be installed on the Dewey Street side of the pedestrian bridge as recommended by the Department of Public Works *consideration for approval*

Councilor Torr stated that the action item regarding the Dewey Street bridge camera has been kept in Committee until they can gather more information about the cameras.

City Manager Cox said that CIO Sonja Gonzales is working with camera vendors discussing cost and doing testing on quality. This information will be brought back to the Public Works Committee.

Councilor Keans asked if there was going to be a public hearing for the Strafford Square Project.

Councilor Walker said there hasn't been a public hearing yet, but there will be one scheduled in the future.

Councilor Torr spoke about the City's proposed plan to put a water tower on Hussey Hill. Councilor Torr stated that the design of the water tower doesn't fit in with the neighborhood. He feels that this should be discussed with abutters and anyone potentially buying a home in the area.

10.5 Tri-City Mayors' Task Force on Homelessness

Councilor Hutchinson pointed out that the minutes in the packet were from the January 17 meeting, but the Committee did meet again on January 31. The objective at the most recent meeting was to complete the strategies to eliminate homelessness within the Master Plan. The Master Plan is approximately 90% completed, and the Task Force will be meeting again on February 8 to further complete the strategies.

The next step in the process would be to submit the draft Master Plan for a legal sufficiency review to the attorneys in each of the three cities. The Task Force hopes to present the Master Plan to each of the three Councils in March.

11. Old Business

11.1 An Ordinance of the City of Rochester City Council Adopting Amendments to Chapter 42 of the General Ordinances of the City of Rochester Regarding Zoning and Development Standards for the Development of Lands within the Downtown Commercial Zone District. *Discussion Only*

Councilor Varney asked for clarification on Table 19-A in Chapter 42. It is difficult to discern whether certain uses are permitted or not permitted based on the notations in the table columns. Some categories appear to have both a P for "permitted" and a dash for "not permitted."

Seth Creighton, Chief, Planner, clarified that the notations are a product of the "track changes" feature within the word processing software used to show edits made in the document. When a change has been made, it is underlined. There is "P" marked in several columns which are underlined to signify that a change had occurred. These underlines could be misinterpreted

as a dash.

- 11.2 Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding the Historic Overlay District *Discussion Only***
- 11.3 Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding Conservation Overlay District *Discussion Only***
- 11.4 Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding the Location and Boundaries of Zoning Districts (*petition submitted by landowners of two parcels*) *Discussion Only***
- 11.5 Codification Project – *Refer to Public Hearing February 19 and Planning Board February 25***

Councilor Lachapelle **MOVED** to send the codification project to a Public Hearing on February 19 and to the Planning Board on February 25. Councilor Bogan seconded the motion.

Councilor Lachapelle reported that the Codes & Ordinances Committee is having a meeting on Thursday February 7 at 6:00 PM to discuss codification. Anyone wishing to have questions answered is welcome to attend.

It was questioned why the codification of the ordinances was being sent to the Planning Board. City Attorney O'Rourke clarified that, due to the updates to chapter 42 regarding zoning, the Planning Board will need to vote on the proposed changes.

12. Consent Calendar

No Discussion

13. New Business

- 13.1 Resolution Granting Discretionary Preservation Easement to the Property Located at 60 Leonard Street under the Provisions of RSA 79-D in Connection with its Proposed Preservation Project *first reading, consideration for second reading and adoption***

Councilor Lachapelle **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. Mayor McCarley read the resolution for the first time as follows:

Resolution Granting
Discretionary Preservation Easement to the Property Located at 60
Leonard Street Under the Provisions of RSA 79-D
In Connection With Its Proposed Preservation Project

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

WHEREAS, the owner(s) of the so-called 60 Leonard Street property in 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-D and they have, therefore, proposed a preservation of historic agricultural structure with respect to the so-called 60 Leonard Street Historic Barn preservation; and

WHEREAS, Chapter 79-D requires that the governing body of the City of Rochester make certain findings and or determinations with regard to a proposed substantial preservation project in order for the structure subject to such preservation project to qualify for the Chapter 79-D Discretionary Preservation Easement 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 preservation for the so-called 60 Leonard Street property contemplated by the owner's Discretionary Preservation Easement application, to wit:

- (1) Any tax relief under the provisions of Chapter 79-D or this resolution that is to be accorded with respect to the so-called 60 Leonard Street property project shall be accorded only after the property owners grant to the City a discretionary preservation easement pursuant to the provisions of RSA 79-D:4 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-D:1; and

(2) The Mayor and City Council find a public interest under RSA 79-D:1 in the proposed preservation project proposed with respect to the so-called 60 Leonard Street property project; and

(3) The proposed historic agricultural structure preservation provides the following public benefits to Rochester:

I. It prevents the loss of historic agricultural structures due to property taxation at values incompatible with their preservation; and

II. It maintains the historic rural character of the City's landscape, sustaining agricultural traditions, and providing an attractive scenic environment for work and recreation of the City's citizens and visitors

(4) The specific public benefit is preserved through a discretionary preservation easement pursuant to the provisions of RSA 79-D:4 if the project is implemented consistent with (a) the aforesaid application; (b) compliance with the recommendation to the Council approved by the Historic District Commission at its December 12, 2018 meeting; (c) the terms of this resolution; and (d) any other applicable requirements of Chapter 79-D; 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-D, the Mayor and City Council hereby grants the requested tax relief for a period of ten (10) years beginning with the granting of the discretionary preservation easement of the so-called 60 Leonard Street Historic Barn to the City of Rochester.

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion.

Councilor Keans indicated that Council needed to designate a percentage for the discretionary allowance Council will approve; 25%, 50% or

75%. Councilor Keans said that before Council passes the resolution, it needs to include the percentage granted.

Jonathan Rice, Chief Assessor, concurred that in the past Council has made a recommendation as to what percentage they would approve. The information on percentages was included in the letter he submitted to Council with the documentation for the properties under consideration. Prior assessors had suggested the specific percentage. Mr. Rice stated he had given all three amounts and what the cost would be to taxpayers for each option.

For the purpose of furthering the discussion, Councilor Keans suggested setting the amount to be approved by Council at 50%.

Mayor McCarley inquired if Council would feel more comfortable if the decision on the three discretionary easements was delayed to the next regular meeting to allow time for the documentation and financial figures to be reviewed further.

Councilor Lauterborn stated that the Council already had the relevant figures supplied by the Chief Assessor in the packet. There would not be any more information gained by delaying the vote.

Mayor McCarley stated that Council would need an amended motion to approve the discretionary easement at 50%. Councilor Lachapelle **MOVED** to amend his motion to approve the resolution at 50%. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Keans stated that she thought preserving these older barns was better than letting them go to ruin, but Council needed to keep in mind that whenever an exemption is given, someone else picks up the cost.

Councilor Lauterborn asked if the Historic District Commission had weighed in on the requests for preservation easements on these barns. Councilor Keans confirmed that the Historic District Commission had analyzed each of the applications.

13.2 Resolution Granting Discretionary Preservation Easement to the Property Located at 15 Evans Road under the Provisions of RSA 79-D in Connection with its Proposed Preservation Project *first reading, consideration for second reading and 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 voice vote. Mayor McCarley read the resolution for a first time by title only as follows:

Resolution Granting
Discretionary Preservation Easement to the Property Located at 15
Evans Road Under the Provisions of RSA 79-D
In Connection With Its Proposed Preservation Project

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

WHEREAS, the owner(s) of the so-called 15 Evans Road property in 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-D and they have, therefore, proposed a preservation of historic agricultural structure with respect to the so-called 15 Evans Road Historic Barn preservation; and

WHEREAS, Chapter 79-D requires that the governing body of the City of Rochester make certain findings and or determinations with regard to a proposed substantial preservation project in order for the structure subject to such preservation project to qualify for the Chapter 79-D Discretionary Preservation Easement 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 preservation for the so-called 15 Evans Road property contemplated by the owner's Discretionary Preservation Easement application, to wit:

- (1) Any tax relief under the provisions of Chapter 79-D or this resolution that is to be accorded with respect to the so-called 15 Evans Road property project shall be accorded only after the property owners grant to the City a discretionary preservation easement pursuant to the provisions of RSA 79-D:4 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-D:1; and

(2) The Mayor and City Council find a public interest under RSA 79-D:1 in the proposed preservation project proposed with respect to the so-called 15 Evans Road property project; and

(3) The proposed historic agricultural structure preservation provides the following public benefits to Rochester:

I. It prevents the loss of historic agricultural structures due to property taxation at values incompatible with their preservation; and

II. It maintains the historic rural character of the City's landscape, sustaining agricultural traditions, and providing an attractive scenic environment for work and recreation of the City's citizens and visitors

(4) The specific public benefit is preserved through a discretionary preservation easement pursuant to the provisions of RSA 79-D:4 if the project is implemented consistent with (a) the aforesaid application; (b) compliance with the recommendation to the Council approved by the Historic District Commission at its December 12, 2018 meeting; (c) the terms of this resolution; and (d) any other applicable requirements of Chapter 79-D; 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-D, the Mayor and City Council hereby grants the requested tax relief for a period of ten (10) years beginning with the granting of the discretionary preservation easement of the so-called 15 Evans Road Historic Barn to the City of Rochester.

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution with a discretionary easement of 50% with the impact to tax payers coming in at \$283. Councilor Lauterborn seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.3 Resolution Granting Discretionary Preservation Easement to the Property Located at 83 Meaderboro Road under the Provisions of RSA 79-D in Connection with its Proposed Preservation Project *first reading, consideration for second reading and 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 voice vote. Mayor McCarley read the resolution for a first time by title only as follows:

Resolution Granting
Discretionary Preservation Easement to the Property Located at 83
Meaderboro Road Under the Provisions of RSA 79-D
In Connection With Its Proposed Preservation Project

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

WHEREAS, the owner(s) of the so-called 83 Meaderboro Road property in 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-D and they have, therefore, proposed a preservation of historic agricultural structure with respect to the so-called 83 Meaderboro Road Historic Barn preservation; and

WHEREAS, Chapter 79-D requires that the governing body of the City of Rochester make certain findings and or determinations with regard to a proposed substantial preservation project in order for the structure subject to such preservation project to qualify for the Chapter 79-D Discretionary Preservation Easement 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 preservation for the so-called 83 Meaderboro Road property contemplated by the owner's Discretionary Preservation Easement application, to wit:

- (1) Any tax relief under the provisions of Chapter 79-D or this resolution that is to be accorded with respect to the so-called 83 Meaderboro Road

property project shall be accorded only after the property owners grant to the City a discretionary preservation easement pursuant to the provisions of RSA 79-D:4 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-D:1; and

(2) The Mayor and City Council find a public interest under RSA 79-D:1 in the proposed preservation project proposed with respect to the so-called 83 Meaderboro Road property project; and

(3) The proposed historic agricultural structure preservation provides the following public benefits to Rochester:

I. It prevents the loss of historic agricultural structures due to property taxation at values incompatible with their preservation; and

II. It maintains the historic rural character of the City's landscape, sustaining agricultural traditions, and providing an attractive scenic environment for work and recreation of the City's citizens and visitors

(4) The specific public benefit is preserved through a discretionary preservation easement pursuant to the provisions of RSA 79-D:4 if the project is implemented consistent with (a) the aforesaid application; (b) compliance with the recommendation to the Council approved by the Historic District Commission at its December 12, 2018 meeting; (c) the terms of this resolution; and (d) any other applicable requirements of Chapter 79-D; 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-D, the Mayor and City Council hereby grants the requested tax relief for a period of ten (10) years beginning with the granting of the discretionary preservation easement of the so-called 83 Meaderboro Road Historic Barn to the City of Rochester.

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

motion. The **MOTION CARRIED** by a majority voice vote. Mayor McCarley read the resolution for a second time by title only.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution for discretionary preservation easement at 50%, a cost to taxpayers of \$322. Councilor Walker seconded the motion. The **MOTION CARRIED** by a majority voice vote.

13.4 Memorandum of Understanding (MOU) - Police Compression Pay Adjustments

Councilor Lachapelle **MOVED** to approve the Memorandum of Understanding. Councilor Walker seconded the motion.

Councilor Keans questioned whether or not there were legal implications to this decision and questioned if it should be discussed in a non-public session.

Councilor Lachapelle stated that this had already been discussed in a non-public session.

Councilor Keans expressed concern that this may cause issues down the road from other City unions. She stated that labor contracts are signed by both the legislative body and the union with lawyers representing both sides. If mistakes are made on agreements within the contract, it is now in writing until the term of the contract ends.

Councilor Varney stated that this MOU is a one shot deal, it is not something that continues throughout the life of the contract or into following years. This MOU was agreed to by the City and the Union. If the City wants to retain police officers, they will need to take action.

Councilor Keans said that she didn't feel there would be implications with the police department, but rather that this could cause issues in the future with other City unions. Councilor Keans stated that there are vacancies throughout the state for police officers, not only in Rochester. She felt that Rochester might not be making the correct decision in trying to fill police vacancies by doing something that is not in the best interest of all the other unions in the City.

Mayor McCarley summarized that this was a one-time deal, not a change to the contract. It is done through an MOU which was carefully reviewed by the City Legal department who determined it was the appropriate way to proceed. The Mayor stated that it is very important for the City to have in place in order to hire and maintain police officers.

Councilor Gates requested that City Manager Cox explain the MOU. City Manager Cox said that the MOU was drafted in conjunction with work from the City's labor attorney, so from a legal perspective the City is covered. As far as implications with other bargaining groups, part of the analysis reviewed in non-public session dealt with that issue specifically and the City does not feel that this MOU would be an issue. There was one other collective bargaining group that this may effect, but the City is dealing with this issue through direct negotiations and do not anticipate any issues.

Councilor Lauterborn requested a roll call vote. Councilor Lachapelle seconded the motion. Mayor McCarley called for a vote on the motion. The **MOTION CARRIED** by a roll call vote of 12 to 1. Councilors Torr, Abbott, Varney, Hutchinson, Lachapelle, Gray, Walker, Bogan, Hamann, Gates, Lauterborn, and Mayor McCarley all voted in favor of the motion. Councilor Keans voted against the motion.

14. Non-Meeting/Non-Public Session

No non-public session held this evening.

15. Non-Public Minutes from the Regular City Council Meeting: November 13, 2018 *consideration to unseal*

Councilor Lachapelle **MOVED** to unseal the non-public meeting minutes of November 13, 2018. Councilor Torr seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Keans indicated there were many minutes from non-public sessions waiting to be unsealed. She inquired why this particular meeting was being singled out to be unsealed.

Mayor McCarley stated that the subject matter of the minutes, the purchase of the land for the new Department of Public Works building, had received a lot of attention and there had been quite a bit of public discussion.

City Manager Cox reported that they were unsealing the minutes at this time because the purchase of the property was now complete. The purchase price was \$184,000.

Councilor Lauterborn spoke in regards to the large amount of non-public minutes waiting to be unsealed. She agreed that it would be a big task to get through the entire amount. She felt that it was easier to unseal the more recent non-public minutes, such as the minutes being voted on this evening, so they would not be added to the already large backlog.

There was a discussion in Council regarding the backlog of sealed non-public minutes and whether or not to put a time limit on when they needed to be reviewed and unsealed.

16. Other

Councilor Keans spoke about the merger between Frisbee Hospital and HCA and how this is a very significant occurrence in the City of Rochester. She stated that normally when two non-profits merge, it is not a big deal. HCA, on the other hand, is a stock holder company. She stated that the City needed to ensure that the hospital is continuing to provide the community benefits which they have always offered throughout the hospital's history. The City needs to ensure that the Foundation, what HCA pays to the community, is a significant enough amount to provide for the next 50 years; to provide free care and exams. The City needs to be careful and thorough in seeing how the foundation is set up and finding out how much money is in the foundation.

Mayor McCarley agreed that this merger is a significant occurrence for the community, but it could also be an excellent opportunity for the City of Rochester.

Councilor Lauterborn reported that the Arts & Culture Commission is down a couple of members and they are looking for people to step up, specifically citizens with interest or background in performing arts or cultural organizations in the City. The Commission is also looking for someone in a teaching role within performance or fine arts. Councilor Lauterborn requested that anyone with interest fill out a statement of interest from the City Clerk's office or website.

Councilor Keans said that there had been a gentleman on the Arts & Culture Commission less than a year ago who had needed to resign prior to attending any meetings due to conflicts. Councilor Keans asked if it would be appropriate to just re-appoint this person where he had already been approved by Council.

Councilor Lauterborn said that this person, Glenn Watt, had expressed

that the situation which caused him to resign was temporary and he is willing to rejoin the Arts & Culture Commission.

Mayor McCarley **MOVED** to nominate Glenn Watt as a member of the Arts & Culture Commission. Councilor Lachapelle seconded the motion.

Councilor Gray inquired if Council could make the appointment contingent on Mr. Watt filling out a new application.

Councilor Lauterborn stated that Mr. Watt's original application was still on file and he had already met with the Appointments Committee within the year and was approved by Council.

Councilor Walker **MOVED** that nominations cease and the clerk cast one ballot for Glenn Watt. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Torr spoke about the rest stop which is being proposed to be built on the Spaulding Turnpike. Dover wanted it to be built off of exit 6, but they only have 12-acres to offer and the state is looking for 30 – 40 acres. The State is considering the area off Exit 15 in Rochester where there is a 40-50 acre lot. Councilor Torr recommended that City Staff follow up with this potential because it would be an excellent opportunity for the City of Rochester and would bring in tourists.

Councilor Gray stated that the Planning Board is down to one alternate and they are looking for candidates to fill the open positions.

Councilor Abbott inquired about the City email addresses where constituents can reach Councilors and the large amount of spam emails which they receive. City Manager Cox said he would pass the information along to the MIS department.

17. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the meeting at 8:06 PM. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully Submitted,

City of Rochester
Draft

Regular City Council Meeting
February 5, 2019

Cassie Givara
Deputy City Clerk