

**Special City Council Meeting
May 15, 2018
Council Chambers
7:00 PM**

COUNCILORS PRESENT

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

OTHERS PRESENT

Daniel Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager

Minutes

1. Call to order

Mayor McCarley called the meeting to order at 7:01 PM. Cassie Givara, Deputy City Clerk, took a roll call. All councilors were present.

2. Resolution Ordering the Elimination of a Hazardous Building at 1 1/2 Chestnut Street in Rochester, New Hampshire *motion to approve*

Mayor McCarley entertained a motion to approve the following resolution:

Resolution Ordering the Elimination of a Hazardous Building at 1 1/2 Chestnut Street in Rochester, New Hampshire

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

WHEREAS, the building located at 1 1/2 Chestnut Street, Map 121, Lot 107 is owned by MJC Seacoast Ventures 24, LLC by way of Quitclaim Deed dated May 27, 2009 and registered with the Strafford County Registry of Deeds at

Book 3750 Page 0782 on June 22, 2009; and

WHEREAS, the building at 1 1/2 Chestnut Street has been damaged extensively by fire and constitutes a hazardous building; and

WHEREAS, the building at 1 1/2 Chestnut Street in the City of Rochester exists in a hazardous condition and is a hazardous building in violation of New Hampshire RSA Chapter 155-B, Hazardous and Dilapidated Buildings; and

WHEREAS, in the interest of public safety and pursuant to RSA 155-B, the City Council may order the owner of the hazardous building to raze and remove the structure;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rochester that:

- A. MJC Ventures 24, LLC, owner of the property located at 1 1/2 Chestnut Street in Rochester, is hereby ordered to:
 - 1) Demolish the building at 1 1/2 Chestnut Street in the City of Rochester, remove and properly dispose of all materials and existing debris on, in or around the building, with the exception of slabs to eliminate the collection of surface water. Substantial demolition must begin within twenty (20) calendar days of receipt of this order and be completed within forty-five (45) calendar days of said receipt.
- B. The City Council hereby Orders the building at 1 1/2 Chestnut Street, be razed and removed pursuant to the authority granted under RSA 155-B.
- C. The Order shall be served upon the owner pursuant to RSA 155-B:4.
- D. The City Council states a Motion for Summary Enforcement of this Order will be made to the 7th Circuit Court-District Division-Rochester unless corrective action is taken or an answer is filed within twenty (20) days of service of this Order upon the owner. Any costs, attorney's fees, or expenses incurred by the municipality may be enforced as a lien against the subject property and any other property owned by the same owner in the State pursuant to RSA 155-B:9, II. If the building contains personal property or fixtures, these items may be removed prior to demolition of this building.
- E. The City Manager is hereby directed to take all other actions provided

for under RSA 155-B.

F. This Resolution takes effect upon its passage.

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

3. Confirmation of Auction Sales *motion to accept*

Councilor Walker MOVED to accept the auction sales. Councilor Lachapelle seconded the motion. **MOTION CARRIED** by a unanimous voice vote.

4. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the special meeting at 7:03 PM. Councilor Varney seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk