

**Regular City Council Meeting
November 13, 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 Varney
Councilor Walker
Mayor McCarley

OTHERS PRESENT

Blaine Cox, City Manager
City Attorney Terence O'Rourke
Sarah Ward, Recreation and Arena
Department

Agenda

1. Call to Order

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

2. Opening Prayer

2.1 Rochester Veterans Council

In the absence of the Rochester Veterans Council attending the meeting; Mayor McCarley called for a moment of silence.

3. Presentation of the Colors

3.1. Rochester Veterans Council

3.2. Proclamation: Veterans Day

In the absence of the Rochester Veterans Council attending the meeting; Mayor McCarley led the Pledge of Allegiance. *The Veterans Day Proclamation shall be given to the Rochester Veterans Council at their next scheduled*

meeting in November.

4. Roll Call

Kelly Walters, City Clerk, called the roll. All City Council members were present.

5. Acceptance of Minutes

5.1 Regular City Council Meeting: October 2, 2018 ***consideration for approval***

Councilor Lachapelle **MOVED** to **ACCEPT** the Regular City Council meeting minutes of October 2, 2018. Councilor Walker seconded the motion. Councilor Lauterborn **MOVED** to **AMEND** the minutes (Page 8) to reflect that the motion to approve a new Department of Public Works Facility at 209 Chestnut Hill Road passed by a "majority" voice vote and not by a "unanimous" voice vote as indicated in the meeting minutes. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley called for a vote on the motion as amended. The **MOTION CARRIED** by a unanimous voice vote.

5.2 Special City Council Meeting: October 16, 2018 ***consideration for approval***

Councilor Lachapelle **MOVED** to **ACCEPT** the Special City Council meeting minutes of October 16, 2018. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6. Communications from the City Manager

6.1 Employee of the Month Award

Blaine Cox, City Manager, invited Lauren Krans and Sarah Ward, Recreation and Arena Department to come forward. City Manager Cox read the nomination letter of Sarah Ward. He announced that Ms. Ward has been selected as the Employee of the Month for November, 2018.

6.2 City Manager's Report

City Manager Cox reported that the report is as follows:

Contracts and Documents:

- **Building, Zoning & Licensing Services**
 - **Lien Agreement Release – Cain Developers**
- **City Manager**
 - **JAG Grant Funds Application permission - \$26,851**
 - **Leightronix Subscription Renewal for Video on Demand**
- **Department of Public Works**
 - **127 Milton Road – sewer connection – homeowner agreement**
 - **Annual EPA DBE Reporting WTP Low Lift Pump Project**
 - **CWSRF Asset Management Project # CS-330122-13 – Modification #1 – Completion Date Extension 2/2/2019**
 - **Dept. of Interior USGS Joint Funding Agreement Amendment**
 - **DPW Facility Engineering Contract – Weston & Sampson – Preliminary Engineering, Design & Construction Oversight**
 - **Drainage Easement – 9 Yvonne Street**
 - **Franklin Street Area Reconstruction Project – Brown & Caldwell – Amendment #3 - \$31,040**
 - **Household Hazardous Waste Day**
 - **Household Hazardous Waste Grant Agreement**
 - **2017 NH Small Municipal Separate Storm Sewer System (MS4) General Permit – Notice of Intent**
 - **Professional Services – Doucet Engineering - Western Avenue drainage easements**
 - **CWSRF Loan /Grant # CS-330122-13 Disbursement #4 Sewer and Drainage Asset Management Project Disbursement Amount \$600**
- **Economic & Community Development**
 - **CDBG Environmental Review – Tri-City Coop Door Replacement**
 - **CDBG Environmental Review – Cap Weatherization Program – multiple projects**
 - **Expansion of the Cocheco Economic Revitalization Zone**
- **Fire**
 - **Toyne Fire Apparatus Purchase Agreement**
- **Legal Department**
 - **Amendment to Highfields PUD Water Infrastructure Reimbursement & Use Agreement**
- **Planning**
 - **Strafford Regional Planning Commission Services**

Agreement Contract

Other:

- **Computer Leases**
 - **Brinkman, M - PD**
 - **Mundy, M – PD**

Standard Reports:

- **City Council Request & Inquiry Report - none**
- **Monthly Overnight Travel Summary**
- **Permission & Permits Issued**
- **Personnel Action Report Summary**

Councilor Keans asked which land development is being discussed on page 39 of the City Council packet. City Attorney O'Rourke explained that there is a development off Old Dover Road with unpaid water fees. City Manager Cox explained that because of the unpaid water fees, each time the developer is issued a Certificate of Occupancy for these lots, the developer pays a portion of that money which is then applied to the lien agreement.

7. Communications from the Mayor

7.1. Proclamation: Small Business Saturday

November 24, 2018 has been proclaimed "Small Business Saturday" in the City of Rochester, New Hampshire.

8. Presentation of Petitions and Council Correspondence

8.1. Petition for Street Acceptance: Miller's Farm Road

Mayor McCarley said this petition shall be sent to the Public Works Committee. No action is required by the City Council at this time.

8.2. Petition for Street Acceptance: Smoke Street

Mayor McCarley said this petition shall be sent to the Public Works Committee. No action is required by the City Council at this time.

9. Nominations, Appointments, Resignations, and Elections

No discussion.

10. Reports of Committees

10.1. Appointments Committee

10.1.1 **Appointment:** Bruce Jolin – Library Trustee Ward 6, Term to Expire 1/2/2022

Councilor Keans reviewed the Committee's recommendation to appoint Bruce Jolin as the Ward 6 Library Trustee. Mayor McCarley nominated Bruce Jolin to serve as the Library Trustee for Ward 6, with a term to expire on January 2, 2022. Councilor Lachapelle seconded the nomination. Councilor Walker **MOVED** that nominations cease and the City Clerk cast one ballot for Bruce Jolin. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.2. Codes & Ordinances Committee

10.2.1 **Committee Action:** Amendment to Chapter 42.12 Conservation Overlay District *first reading, and refer to Legal Department and a Public Hearing*

Councilor Lachapelle said there is one action from the November 1, 2018 Codes and Ordinances Committee meeting. He said there is no need to send this Amendment of the General Ordinances to a Public Hearing at this time. He **MOVED** to read the Amendment to Chapter 42.12 by title only and to send this Amendment to the Legal Department as well as the Planning Board. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution by title only for the first time and referred the matter to the Legal Department and to the Planning Board.

Councilor Keans inquired about an informational packet which had been distributed by Representative Beaudoin at the last Codes and Ordinances Committee meeting. Councilor Lachapelle replied that the packet being referred to was a memorandum pursuant to HB 1254; Chapter 294:1, Laws of 2018, final report of the Committee to study Procedures for Adoption of National Codes by the State of New Hampshire. Councilor Lachapelle agreed to ensure this packet is sent out to the entire City Council prior to the next City Council Workshop.

10.3. Community Development Committee

10.3.1 **Information Only:** CDBG Annual Action Plan FY

**2019-2020 *Public Hearing to be held on
December 18, 2018***

Councilor Lauterborn said that the CDBG Annual Action Plan for FY 19-20 shall be sent to a Public Hearing to be held on December 18, 2018 prior to the City Council Workshop.

Councilor Lauterborn said that Ms. Perron, Bridging the Gaps Coordinator, attended the Committee meeting to give an overview of the Substance Abuse and Mental Health Services Administration (SAMHSA) Drug Free Communities Grant. This grant has been in place for the last 10 years in Rochester. Now that the funding for this program is ending, it is important to find other funding if the City Council wishes for the program to continue.

Councilor Lauterborn said that Ms. Perron requested a one-year extension from SAMHSA in order to continue the funding for this Program. That request was denied; however, a six-month extension was granted from to pay for the salary and benefits. Additionally, \$9,000 has been provided to pay for other expenses. Councilor Lauterborn said the City Council must make a decision soon whether or not to keep this program funded. It has been suggested that the City pay for Ms. Perron's salary and benefits and that a Fundraising Account be established in order to raise funds to keep the program running efficiently.

Councilor Lauterborn said currently this program is based out of the Police Department; however, if the City decides to pay for the salaries and benefits for the coordinator, the Recreation and Arena Department may be a better fit for this program. She requested that the City Manager reach out to the Police Department and the Recreation and Arena Department for further discussions. Councilor Lauterborn gave details of the cost involved and added that funding for this program ends on March 31, 2018.

Councilor Varney requested that Ms. Perron attend a City Council meeting in the near future to give an overview of the activities that have been provided and what activities are being planned moving forward. City Manager Cox agreed to contact the Police Chief and to set up a time for the coordinator to attend a Council meeting.

Councilor Gray reminded the City Council that a discussion had taken place about the possibility of the Bridging the Gaps program establishing a partnership with a non-profit organization. He requested that the City Manager check into that possibility.

10.4. CTE Joint Building Committee

Councilor Varney reviewed the Committee report and said the project is still on-time and under budget. It is important for the Council members assigned to the Committee to attend the meeting in order to have a quorum.

10.5. Finance Committee

10.5.1 Committee Recommendation: Resolution for Supplemental Appropriation and Authorizing Borrowing Authority Pursuant to RSA 33:9 to the Department of Public Works (DPW) Capital Improvements Plan (CIP) Fund for Granite Ridge Phase II in an amount not to exceed \$2,430,000.00 *first reading and send to public hearing*

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

Resolution for Supplemental Appropriation and Authorizing Borrowing Authority Pursuant to RSA 33:9 to the Department of Public Works (DPW) Capital Improvements Plan (CIP) Fund for Granite Ridge Phase II in an amount not to exceed \$2,430,000.00

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 hereby appropriate an amount not to exceed Two Million Four Hundred Thirty Thousand Dollars (\$2,430,000.00) for the purpose of building the public infrastructure associated with Granite Ridge Phase II and further;

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 Two Million Four Hundred Thirty Thousand Dollars (\$2,430,000.00) through the issuance of bonds and/or notes, and/or through other legal form(s), 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

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.

This resolution has been referred to a Public Hearing (*December 18, 2018, City Council Workshop*).

10.5.2 Committee Recommendation: Resolution for Supplemental Appropriation and Authorizing Borrowing Authority Pursuant to RSA 33:9 to the Granite State Business Park (GSBP) Tax Increment Financing (TIF) District Capital Improvements Plan (CIP) Fund for the Water Main Extension Project in an amount not to exceed \$1,400,000.00 *first reading and send to public hearing*

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

Resolution for Supplemental Appropriation and Authorizing Borrowing Authority Pursuant to RSA 33:9 to the Granite State Business Park (GSPB) Tax Increment Financing (TIF) District Capital Improvements Plan (CIP) Fund for the Water Main Extension Project in an amount not to exceed \$1,400,000.00

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 hereby appropriate an amount not to exceed One Million Four Hundred Thousand Dollars (\$1,400,000.00) for the purpose of paying the costs associated with the GSBP Water Line Extension Project.

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 Eight Hundred Thousand Dollars (\$800,000.00) through the issuance of bonds and/or notes, and/or through other legal form(s), 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.

Further, that the funds for this appropriation shall be derived as follows: Eight Hundred Thousand Dollars (\$800,000.00) from the GSBP TIF District bond issuance and Six Hundred Thousand Dollars (\$600,000.00) from the General Fund Unassigned Fund Balance.

Still Further, that the General Fund shall be reimbursed from any sales of City owned properties in the GSBP TIF District in an amount up to Six Hundred Thousand Dollars (\$600,000.00).

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.

This resolution has been referred to a Public Hearing (*December 18, 2018, City Council Workshop*).

10.6 Public Safety

10.6.1 Committee Recommendation: Install speed limit signs on Norway Plains Road and in the Miller's Farm Road/Rangeway Drive neighborhood *motion to deny*

Councilor Walker **MOVED** to **DENY** the request to install speed limit signs on Norway Plains Road and in the Miller's Farm Road/Rangeway Drive neighborhood. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.7 Public Works

10.7.1 Resolution Authorizing a Supplemental appropriation in the amount of \$7,800 to fund the work associated with the City Hall Atrium Glass Replacement Project *first reading, consideration for second reading and adoption*

Councilor Walker **MOVED** to read the resolution by title only for a first time. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by

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

**Resolution Authorizing Supplemental Appropriation to the Fiscal
Year 2018-2019 Department of Public Buildings Capital
Improvements Project Fund in the Amount of \$7,800.00 for the City
Hall Atrium Glass Replacement Project**
**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
ROCHESTER:**

That Seven Thousand Eight Hundred Dollars (\$7,800.00) is hereby appropriated as a supplemental appropriation to the Fiscal Year 2018-2019 Department of Public Buildings Capital Improvements Project Fund to pay for costs and expenditures related to the City Hall Atrium Glass Replacement Project. The supplemental appropriation shall be derived in its entirety from 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 multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

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

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

**10.7.2 Committee Recommendation: To advise
Rochester Housing Authority that the City is not
interested in purchasing the property at 59
Columbus Avenue *motion to approve***

Councilor Walker **MOVED** to advise the Rochester Housing Authority that the City is not interested in purchasing the property at 59 Columbus Avenue. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**10.7.3 Resolution Deauthorizing Water CIP Fund 5501
and Sewer CIP Fund 5502 Project Funding for
Various Projects in the amount of \$422,018.56**

and Deauthorization of Bond Authority *first reading, consideration for second reading and adoption*

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

Resolution Deauthorizing Water CIP Fund 5501 and Sewer CIP Fund 5502 Project Funding For Various Projects in the Amount of \$422,018.56 and Deauthorization of Bond Authority

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

That Four Hundred Four Thousand Two Hundred Fifty Eight and 56/100 Dollars (\$404,258.56) of previously appropriated funds is deauthorized from the Water CIP Fund 5501 and Seventeen Thousand Seven Hundred Sixty Dollars (\$17,760.00) is deauthorized from the Sewer CIP Fund for the costs associated with various completed projects consistent with Exhibit A. (See Addendum A)

Further, as part of the overall deauthorization, in accordance with RSA 33:9, the City withdraws bond authority in the amount of Four Hundred Thousand Two Hundred Twenty Eight and 31/100 Dollars (\$400,228.31).

Further, the amount of Four Thousand Thirty and 25/100 Dollars (\$4,030.25) in cash funding shall be returned to the Water Fund unassigned retained earnings and Seventeen Thousand Seven Hundred Sixty Dollars (\$17,760.00) in cash funding shall be returned to the Sewer Fund unassigned retained earnings.

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.

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

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

10.8 Tri-City Mayor's Task Force on Homelessness

Councilor Hutchinson said the Task Force met in mid-October. There are three corrections to the meeting minutes to be made.

Councilor Hutchinson said, with snow in the forecast, there is an urgency to completing the Master Plan for adoption, unfortunately, the Master Plan deadline has been pushed back to the January/February timeframe for adoption. He gave reasons for the delay and stated that the Task Force is scheduled to meet twice in November. Once the Master Plan is solidified a Public Hearing shall be scheduled.

Councilor Hutchinson said the Task Force has been working on two projects simultaneously:

1. Emergency Cold Weather Shelter
2. Long Term Strategies: Master Plan
 1. Seasonal Cold Weather Shelter
 2. Support Access to Public Transportation
 3. Enhance Access to Quality Healthcare, Education & Mental Health
 4. Decreasing Substance Abuse Disorder/Increase Prevention Efforts
 5. Affordable Housing Options
 6. Increasing Homeless Prevention and Developing a Rapid Re-Housing Program
 7. Evaluating Public Health and Safety Ordinances of the Tri-Cities

Councilor Hutchinson said the Salvation Army in Rochester has been identified as being an option for the extreme cold weather station (Tri-City Region). A member from the Salvation Army will be attending the November 15, 2018, TCMTF Meeting. The Salvation Army has indicated its plans to provide staffing, food, clothing, and utilities; however, they are accepting volunteers and donations.

Councilor Hutchinson said the November 15, 2018 TCMTF meeting shall be heavily focused on the strategy for affordable housing options. He said Tory Jennison, liaison to the Strafford County Commissioners, will be presenting some options to review, including what types of funding would be required.

Councilor Bogan referred to an email sent by Commissioner Stanley about utilizing the Salvation Army. Councilor Bogan said the Salvation Army cannot be the only option available. She questioned what Dover and Somersworth would be providing for the Emergency Cold Weather Station. She said the Salvation Army cannot provide for all the needs of the three cities. Councilor Hutchinson clarified that the representative of the Salvation Army reached out to the Task Force. Unfortunately, no other organizations have volunteered to provide such a service. There are no viable options at this time. Councilor Varney suggested that the Strafford County Complex be utilized. Mayor McCarley stated that the Tri-City Mayors met with the County Commissioners about 8 weeks ago to discuss this matter which is why Ms. Jennison is now getting involved. She confirmed that the County is now stepping up and being more involved in the planning with the TCMTF.

Councilor Gray asked Councilor Hutchinson if the Task Force has discussed the financial obligations of the individual cities to ensure that all financial obligations are not all transferred to Rochester as the Emergency Cold Weather Shelter opens. Councilor Hutchinson replied that the Welfare Directors from each of the three cities have been attending the meetings on a regular basis. Councilor Gray asked if there is a written agreement in place to ensure the financial obligations are not transferred to Rochester. Councilor Hutchinson replied no; however, this Task Force is tasked with making recommendation and not to make decisions.

Councilor Keans questioned the notion that Dover and Somersworth have no facilities to offer. She recalled one location is the Malley Farm Fields in Somersworth. Councilor Hutchinson explained that one reason for the difficulties in finding a suitable facility is that the locations chosen must meet the requirements for the "Emergency" option. He said the directors from the local shelters have been a part of working on the Master Plan.

Councilor Hutchinson said the Task Force is working on finding out what will be the "trigger" to opening the Emergency Cold Weather Shelter whether it be the cold temperature or the duration of the cold temperature. He said the State will be providing some data and recommendations about what will trigger the opening of such a Shelter.

Councilor Keans questioned if the data collected on homelessness in Strafford County is based on Emergency situations or if it is based on the homelessness population in Strafford County year round. Councilor Hutchinson said the data is based on year round numbers; however, it is known that the number of homeless people is likely much higher. It is also known that it can be increased by as much as 10% each year. These shelters are not the solution to the problem. The major focus of this task force is not

to open up a shelter but rather to focus on finding a long term solution to the homelessness problem. That is why the Master Plan is so broad based. In the meantime it will be important to establish the Emergency Cold Weather Shelter.

11. Old Business

No discussion.

12. Consent Calendar

No discussion.

13. New Business

13.1 Resolution Authoring the Rochester Police Department (RPD) to accept a \$26,851.00 United States Department of Justice USDOJ Justice Assistant Grant (JAG) *first reading, consideration for second reading and adoption*

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

Resolution Authorizing the Rochester Police Department (RPD) to accept a \$26,851.00 United States Department of Justice (USDOJ) Justice Assistance Grant (JAG)

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

That the RPD is hereby authorized to accept a Twenty Six Thousand Eight Hundred Fifty One Dollar ~~(\$26,029.00)~~ (\$26,0**51**.00) USDOJ JAG Grant which the Council had previously authorized the RPD to apply for. One Thousand Three Hundred Forty Two and 55/100 Dollars (\$1,342.55) of the Grant will be paid to the City of Somersworth to act as fiscal agent with USDOJ to manage the multi-municipality Grant.

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.

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

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

13.2 Resolution Authorizing Acceptance of a United States Department of Justice (USDOJ) Ballistic Vest Grant in the Amount of \$12,214.00 *first reading, consideration for second reading and adoption*

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

Resolution Authorizing Acceptance of a United States Department of Justice (USDOJ) Ballistic Vest Grant in the Amount of \$12,214.00

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

Hereby accepts a so-called United States Department of Justice (USDOJ) Ballistic Vest Grant in the amount of Twelve Thousand Two Hundred Fourteen Dollars (\$12,214.00). The grant monies will be used to replace Thirty One (31) expired vests and vests purchased for new hires over the next Two (2) 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 and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded.

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

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

13.3 Resolution Authorizing the Application for and Acceptance of a State of New Hampshire Department of Environmental Services (NHDES) Clean Water State Revolving Fund (CWSRF) Loan for the Colonial Pines Sewer Extension Project – Phase 2 in the Amount of up to \$3,598,000.00 *first reading, consideration for second reading and adoption*

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

Resolution Authorizing the Application for and Acceptance of a State of New Hampshire Department of Environmental Services (NHDES) Clean Water State Revolving Fund (CWSRF) Loan for the Colonial Pines Sewer Extension Project – Phase 2 in the Amount of up to \$3,598,000.00

BE IT RESOLVED BY THE MAYOR AND THE 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, authorize the Department of Public Works to submit a grant application in the amount of up to Three Million Five Hundred Ninety Eight Thousand Dollars (\$3,598,000.00) to the NHDES CWSRF Loan program in order to finance Phase 2 of the Colonial Pines Sewer Extension Project.

It is further resolved that the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept the loan amount of up to Three Million Five Hundred Ninety Eight Thousand Dollars (\$3,598,000.00) from the NHDES CWSRF Loan program.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the application to the CWSRF.

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.

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion. The **MOTION CARRIED** by a 13 to 0 roll call. Councilors Torr, Abbott, Varney, Hutchinson, Lachapelle, Gray, Walker, Bogan, Hamann, Gates, Keans, Lauterborn, and Mayor McCarley voted in favor of the motion.

13.4 City of Rochester Hazard Mitigation Plan (Update)
consideration for approval

- **Link to the Updated Hazard Mitigation Plan from 2018 -2022** [Click here](#)

Councilor Lachapelle **MOVED** to **ACCEPT** the updated Hazard Mitigation Plan for the City of Rochester, NH. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.5 Resolution Approving Cost Items Associated with Proposed City of Rochester Multi-Year Collective Bargaining Agreement with Rochester Middle Managers Group
first reading, consideration for second reading and acceptance

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

**RESOLUTION APPROVING COST ITEMS ASSOCIATED WITH
PROPOSED
CITY OF ROCHESTER
MULTI-YEAR COLLECTIVE BARGAINING
AGREEMENT WITH
Rochester Middle Managers Group**

BE IT RESOLVED BY THE MAYOR ANDCITY COUNCIL OF THE CITY

OF ROCHESTER, AS FOLLOWS:

That pursuant to, and in accordance with, the provisions of Chapter 273-A of the New Hampshire Revised Statutes Annotated, the cost items associated with the multi-year year collective bargaining agreement between the City of Rochester and the Rochester Middle Managers Bargaining Unit, covering the period July 1, 2018 to June 30, 2023 as set forth in the proposed contract, and as more particularly detailed on the attached "A: Rochester Middle Managers Group," which includes a summary financial analysis of the annual costs of the contract to the City provided by the Rochester Director of Finance, is here by approved. The provision of funds necessary to fund the aforementioned, and here by approved, collective bargaining agreement "cost items" in the first year of the agreement will be contained in the Fiscal Year 2019 operating budget of the City. (Exhibit A – See Addendum B)

Councilor Lachapelle **MOVED** to read the resolution by title only for a second time. 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. The City Council briefly discussed the matter. Councilor Lachapelle **MOVED** to **ADOPT** the resolution. The **MOTION CARRIED** by a unanimous voice vote.

13.6 Resolution Approving Cost Items Associated with Proposed City of Rochester Multi-Year Collective Bargaining Agreement with Rochester Municipal Managers Group *first reading, consideration for second reading and acceptance*

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

**RESOLUTION APPROVING COST ITEMS ASSOCIATED WITH
PROPOSED CITY OF ROCHESTER
MULTI-YEAR COLLECTIVE BARGAINING
AGREEMENT WITH
Rochester Municipal Managers Group**

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

That pursuant to, and in accordance with, the provisions of Chapter 273-A of

the New Hampshire Revised Statutes Annotated, the cost items associated with the multi-year year collective bargaining agreement between the City of Rochester and the Rochester Municipal Managers Bargaining Unit, covering the period July 1, 2018 to June 30, 2023 as set forth in the proposed contract, and as more particularly detailed on the attached "EXHIBIT A: Rochester Municipal Managers Group," which includes a summary financial analysis of the annual costs of the contract to the City provided by the Rochester Director of Finance, is hereby approved. The provision of funds necessary to fund the aforementioned, and hereby approved, collective bargaining agreement "cost items" in the first year of the agreement will be contained in the Fiscal Year 2019 operating budget of the City. (Exhibit A – See Addendum C)

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

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

13.7 An Ordinance to Revise and Consolidate, Amend, Supplement, and Codify the Ordinances of the City of Rochester *first reading*

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

Mayor McCarley said this Amendment shall be sent to the December 4, 2018, Regular City Council meeting.

Councilor Gray **MOVED** to take up "other" prior to entering into the Non-meeting/Non-Public Sessions. Councilor Bogan seconded the motion. The **MOTION FAILED** by a 6 to 7 show-of-hands vote. The motion failed because this type of action requires a two-thirds vote.

14. Non-Meeting/Non-Public Session

14.1 Non-Meeting, Consultation with Legal RSA 91-A:2,I(b)

Councilor Lauterborn **MOVED** to enter into a Non-Meeting, Consultation with Legal RSA 91-A:2I(b) at 7:45 PM. Councilor Lachapelle seconded the

motion. The **MOTION CARRIED** by a unanimous roll call vote of 13 to 0. Councilors Lauterborn, Keans, Walker, Hutchinson, Lachapelle, Gray, Abbott, Torr, Hamann, Bogan, Gates, Varney, and Mayor McCarley voted in favor of the motion.

Councilor Lauterborn **MOVED** to exit the Non-Public Session and return to Public Session at 8:30 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Councilor Lauterborn **MOVED** to seal the minutes because it is determined that divulgence would likely render a proposed action ineffective. Councilor Walker seconded the motion. The **MOTION CARRIED** by a 13 to 0 roll call vote. Councilors Gates, Keans, Lauterborn, Walker, Lachapelle, Gray, Abbott, Torr, Hamann, Bogan, Hutchinson, Varney, and Mayor McCarley voted in favor of the motion.

15 Other

Councilor Gray asked the City Manager what the percentage of the taxes would increase as a result of the over-ride of the Tax Cap for the fiscal year 2019 budget. City Manager Cox replied the amount of the over-ride was \$1,700,000, which equates to an increase of the tax-rate of 74 cents.

Councilor Gray **MOVED** to take \$850,000 from the undesignated Fund Balance for a one-time buy-down of the Tax Rate in order to lessen the impact on the citizens of Rochester. A discussion ensued about voting on "motions" not on the current agenda. It was determined that prior notice had been given at the Workshop and last Finance Committee meeting that such a motion would be presented to the City Council. Councilor Keans seconded the motion.

Councilor Gray said the General Ordinances, *Chapter 11.19 (a)*, refers to the Undesignated Fund Balance as being maintained between 5% and 10%; however, it does not indicate that 10% is a maximum number. He said the City's undesignated Fund Balance has exceeded 17% for the past two years and there is a City policy which indicates that if the Undesignated Fund Balance is over 17% it is considered a "surplus". This motion is in compliance with that policy. He spoke about the increase to the taxes. He said the 74 cent increase could be reduced in half by voting in favor of this motion. Councilor Gray gave reasons why he felt the City ought to take action to reduce the tax-rate.

Councilor Lauterborn stated that if the City Council passes this motion this evening then it is a guarantee that another Tax-Cap over-ride could not be avoided with the next year's budget cycle. A decision was made in June, 2018 to over-ride the Tax-Cap. Therefore it is important that the City take steps not to allow that to happen in 2019. She spoke against the motion.

Councilor Varney stated that the City Council has set aside funds out of the audited annual surplus into the School Building Capital Reserve Fund, which has been utilized to off-set the cost of the debt service for some of the new school construction projects. Last year the amount of surplus transferred to the School Building Capital Reserve Fund was around \$175,000. This year it could be as much as \$790,000.00, which is half the amount of the audited surplus.

Councilor Varney mentioned that the City Council approved the purchase of a new fire truck in the FY 19 budget cycle, which is a \$600,000 purchase. The funding source was approved as "bond" which is not standard practice for this Council. It may be financially beneficial to pay "cash" instead of "bond" out of some of the Undesignated Fund Balance surplus. He added that paying cash would save a lot of money on interest fees.

Councilor Varney cautioned the City Council against trying to reduce the tax rate this year because it will only make it that much more difficult next year and years to come as a result. The School Department has indicated that the next year's budget should be very close to the Tax Cap. That is because of the over-ride with FY 19 budget. There is a good plan in place for next year's budget cycle.

Councilor Varney spoke about the City's bond rating and the fact that many other city/towns have a much higher rate of a surplus of Undesignated Funds.

Councilor Walker said that the City had to give-up some important projects for FY 19 in order to give the School Department more funding to decrease the amount needed for the Tax Cap over-ride. He agreed with Councilor Varney that the City would be better served by paying off some bonded projects, which saves the City thousands of dollars over the lengthy bond cycles.

Councilor Gray rebutted that two Councilors have stated that the City Council would have to over-ride the budget next year if this motion passed this evening. He questioned how the assumption could be made in the absence of the passing of the State's budget, especially since there will be new democratic leadership in both the House and Senate.

Councilor Gray reiterated that the City has a 17% surplus in Undesignated Funds and this is one of the actions that can be taken (one-time buy-down to the tax rate). He noted that other actions have been suggested as well.

Councilor Walker requested a roll call vote. Councilor Lachapelle seconded the request. The **MOTION FAILED** by a 4 to 9 roll call vote. Councilors Bogan, Gates, Torr, and Gray voted in favor of the motion. Councilors Lachapelle, Hutchinson, Varney, Hamann, Keans, Lauterborn, Walker, Abbott, and Mayor McCarley voted against the motion.

15. Adjournment

Councilor Walker **MOVED** to **ADJOURN** the meeting at 8:47 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Kelly Walters, CMC
City Clerk

WATER CIP FUND 5501 & SEWER CIP FUND 5502 PROJECTS READY FOR DE-AUTHORIZATION

Account Number	Project Name	Revised Budget	Expended	Deauthorize			Total De-authorization	To Be	Comment
				Cash	Bond	Grant/ Other		Bonded	
Water									
55016010-771000-16535	Fieldstone Village	300,000.00	113,937.43	-	186,062.57	-	186,062.57	-	Bonded \$113,937.43 August 2018
55016010-771000-16536	Groundwater Development	100,000.00	35,834.26	-	64,165.74	-	64,165.74	35,834.26	To be bonded
55016010-771000-17534	Groundwater Development	150,000.00	-	-	150,000.00	-	150,000.00	-	No expenditures
55016010-776000-06524	Groundwater Development	550,000.00	540,520.75	4,030.25	-	-	4,030.25	-	Transfer cash back to Water Fund
Total Water		1,100,000.00	690,292.44	4,030.25	400,228.31	-	404,258.56		
Sewer									
55026020-77100-18564	Salmon Falls Rd Sewer Repair	136,160.00	118,400.00	17,760.00	-	-	17,760.00	-	Transfer cash back to Sewer Fund
Total Sewer		136,160.00	118,400.00	17,760.00	-	-	17,760.00		

Notes: 55016010-776000-06524

- 1) Journal 2006-08-374 recorded \$150,000 cash on 02/21/2006
- 2) Bonded \$300,000.00 in FY08
- 3) Deauthorized \$5,449.00 Bond Authority on 05/19/2009
- 4) Bonded \$94,551.00 in FY10
- 5) Above action is to de-authorize \$4,030.25 Cash and transfer back to Water Fund

Rochester Middle Managers Group

Assumptions						
City Health Contribution	80/20	80/20	100/0	93/7	87/13	80/20
Health Plan	HMO \$20 copay DED \$250/750 RX 10/20/45	HMO \$20 copay DED \$250/750 RX 10/20/45	ABSOS20/40 1KDED RX10/20/45	ABSOS20/40 1KDED RX10/20/45	ABSOS20/40 1KDED RX10/20/45	ABSOS20/40 1KDED RX10/20/45
Projected Health Increase			2.50%	2.50%	2.50%	2.50%
Projected Wage Increase		0-3% merit	0-4% merit	0-4% merit	0-4% merit	0-4% merit
Wages	FY18 current	FY19	FY20	FY21	FY22	FY23
Base Wages	1,096,948	1,124,372	1,158,103	1,192,846	1,228,631	1,265,490
Longevity	5,650	6,050	6,750	6,975	7,425	7,500
Compression adjustment			12,000			
Total Wages	1,102,598	1,130,422	1,176,853	1,199,821	1,236,056	1,272,990
Dollar Change		27,824	46,431	22,968	36,235	36,934
% Change		2.52%	4.11%	1.95%	3.02%	2.99%
Benefits						
Social Security	59,016	60,491	62,306	64,175	66,100	68,083
Medicare	15,988	16,391	17,064	17,397	17,923	18,458
Health Insurance	246,722	224,518	233,775	222,846	213,680	201,399
Opt Out	4,800	4,800	4,800	4,800	4,800	4,800
Dental	3,450	4,100	4,100	4,100	4,100	4,100
Life	1,711	2,159	2,224	2,290	2,359	2,430
STD	5,924	6,072	6,254	6,441	6,635	6,834
LTD	5,134	5,262	5,420	5,583	5,750	5,922
Total Rollups	342,744	323,792	335,942	327,632	321,347	312,026
Dollar Change		(18,952)	12,150	(8,310)	(6,285)	(9,320)
% Change		-5.53%	3.75%	-2.47%	-1.92%	-2.90%
Totals						
Total Wages Benefits & Rollups	1,445,342	1,454,214	1,512,795	1,527,453	1,557,403	1,585,016
Dollar Change		8,872	58,581	14,658	29,950	27,613
% Change		0.61%	4.03%	0.97%	1.96%	1.77%

17 Total Employees - 100% FT

Rochester Municipal Managers Group

Assumptions						
City Health Contribution	80/20	80/20	100/0	93/7	87/13	80/20
Health Plan	HMO \$20 copay DED \$250/750 RX 10/20/45	HMO \$20 copay DED \$250/750 RX 10/20/45	ABSOS20/40 1KDED RX10/20/45	ABSOS20/40 1KDED RX10/20/45	ABSOS20/40 1KDED RX10/20/45	ABSOS20/40 1KDED RX10/20/45
Projected Health Increase			2.50%	2.50%	2.50%	2.50%
Projected Wage Increase		0-3% merit	0-4% merit	0-4% merit	0-4% merit	0-4% merit
Wages	FY18 current	FY19	FY20	FY21	FY22	FY23
Base Wages	973,859	1,000,641	1,030,660	1,061,580	1,093,427	1,126,230
Longevity	3,450	3,925	4,225	4,425	4,575	4,775
Total Wages	977,309	1,004,566	1,034,885	1,066,005	1,098,002	1,131,005
Dollar Change		27,256	30,319	31,120	31,997	33,003
% Change		2.79%	3.02%	3.01%	3.00%	3.01%
Benefits						
Social Security	49,988	51,362	52,903	54,490	56,125	57,809
Medicare	14,171	14,566	15,006	15,457	15,921	16,400
Health Insurance	227,045	206,611	215,129	205,072	196,638	185,337
Opt Out	0	0	0	0	0	0
Dental	3,000	3,600	3,600	3,600	3,600	3,600
Life	1,519	1,561	1,608	1,656	1,706	1,757
STD	5,259	5,403	5,566	5,733	5,905	6,082
LTD	4,558	4,683	4,823	4,968	5,117	5,271
Total Rollups	305,540	287,787	298,635	290,976	285,011	276,254
Dollar Change		(17,752)	10,848	(7,659)	(5,965)	(8,757)
% Change		-5.81%	3.77%	-2.56%	-2.05%	-3.07%
Totals						
Total Wages Benefits & R	1,282,849	1,292,353	1,333,520	1,356,981	1,383,013	1,407,259
Dollar Change		9,504	41,167	23,461	26,032	24,246
% Change		0.74%	3.19%	1.76%	1.92%	1.75%

12 Total Employees - 100% FT