

**Regular City Council Meeting
April 2, 2019
Council Chambers
7:35 PM**

COUNCILORS PRESENT

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

OTHERS PRESENT

Blaine Cox, City Manager
Terence O'Rourke, City Attorney
Jim Quinn, Department of Public Works
Peter Nourse, Director of City Services

COUNCILORS EXCUSED

Councilor Gates
Councilor Hutchinson
Councilor Lachapelle

Minutes

1. Call to Order

Mayor McCarley called the Regular City Council meeting to order at 7:35 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

Kelly Walters, City Clerk, called the roll. All Council members were present except for Councilors Gates, Hutchinson, and Lachapelle, who had been excused.

5. Acceptance of Minutes

5.1 Regular City Council Meeting: March 5, 2019
consideration for approval

Councilor Walker **MOVED** to accept the minutes from the March 5, 2019, Regular City Council Meeting. Councilor Lauterborn seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

5.2 Special City Council Meeting: March 19, 2019
consideration for approval

Councilor Walker **MOVED** to accept the minutes from the March 19, 2019, Special 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 invited Jim Quinn, Department of Public Works, and Peter Nourse, Director of City Services, to come forward. City Manager Cox announced that Mr. Quinn has been selected as the Employee of the Month for April. He read Mr. Quinn's nomination letter for the public.

6.2 City Manager's Report

City Manager Cox stated that the report can be found in the City Council packet. See summary below:

Contracts and documents executed since last month:

- Department of Public Works
 - 213 Chestnut Hill Road – proposal for building demolition
 - Colonial Pines Sewer Extension Project, Phase II – Construction Agreement
 - Colonial Pines – Notice to Proceed
 - Community Center Alarm Panel Project – Change Order
 - Cupola Repair and Replacement – Groen Construction
 - Geosyntec – MS4 Permitting
 - Geosyntec – Nutrient Control Plan
 - Granite Ridge Development District Phase II – HTA Engineering Contract
 - Strafford Square – 2-4 Walnut Street – Historical Artifacts Conveyance to Middle School
- Economic/Community Development
 - CDBG – Victims of Crime Act (VOCA) Grant Award Acceptance

- CDBG – CAP Weatherization – Door Assistance Grant application
 - JOB Loan – environmental review
- Fire Department
 - Apparatus Replacement – Toyne Contract – Change Order #1
- IT Department
 - Systems Engineering – Virtual Environment Additional RAM – server review
 - Twinstare – Phone System Replacement Bid Quote
 - Twinstare – Phone System Replacement – Service Agreement
 - Tyler Technologies – MUNIS Hub
- Recreation Department
 - Fireworks MOU Rochester Main Street

Standard Reports:

- Monthly Overnight Travel Summary
- Permission & Permits Issued
- Personnel Action Report Summary

No discussion.

7. Communications from the Mayor

No discussion.

8. Presentation of Petitions and Council Correspondence

No discussion.

9. Nominations, Appointments, Resignations, and Elections

9.1 Appointment: Joe Boudreau – Strafford Regional Planning Commission

Mayor McCarley said the Planning Board recommended that Joe Boudreau be appointed to the Strafford Regional Planning Commission. Mayor McCarley appointed Mr. Boudreau to the Strafford Regional Planning Commission with a term to expire on June 30, 2022. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

9.2 Appointment: Barbara Holstein – Strafford Regional Planning Commission

Mayor McCarley said the Planning Board recommended that Barbara

Holstein be appointed to the Strafford Regional Planning Commission. Mayor McCarley appointed Ms. Holstein to the Strafford Regional Planning Commission with a term to expire on June 6, 2023. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Keans and Mayor McCarley thanked both Mr. Boudreau and Ms. Holstein for filling these vacant positions.

10. Reports of Committees

10.1. Appointments Committee

10.1.1 Re-appointment: Robert Gates – Zoning Board of Adjustments, Term to Expire 1/02/2022

Councilor Keans reviewed the Committees recommendation of Robert Gates. Mayor McCarley nominated Robert Gates to be reappointed to the Zoning Board of Adjustment, with a term to expire on 1/02/2022. Councilor Walker seconded the nomination. Councilor Walker **MOVED** that nomination cease and the City Clerk cast one ballot for Mr. Gates. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Gates has been reappointed to the Zoning Board of Adjustment with a term to expire on 1/02/2022 by a unanimous voice vote.

10.1.2 Re-Appointment: Leo Brodeur – Zoning Board of Adjustments, Term to Expire 1/02/2022

Mayor McCarley nominated Leo Brodeur to be reappointed to the Zoning Board of Adjustment, with a term to expire on 1/02/2022. Councilor Walker seconded the nomination. Councilor Walker **MOVED** that nomination cease and the City Clerk cast one ballot for Mr. Brodeur. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Brodeur has been reappointed to the Zoning Board of Adjustment with a term to expire on 1/02/2022 by a unanimous voice vote.

10.1.3 Re-Appointment: Lori-Jean Chick – Library Trustees, Term to Expire on 1/02/2021

Mayor McCarley nominated Lori-Jean Chick to be reappointed to the Library Trustees (Ward 4), with a term to expire on 1/02/2021. Councilor Walker seconded the nomination. Councilor Walker **MOVED** that nomination cease and the City Clerk cast one ballot for Ms. Chick. Councilor Bogan

seconded the motion. Councilor Keans said that Ms. Chick had been enthusiastic about serving on the Library Trustees. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Ms. Chick has been reappointed to the library Trustees (Ward 4) with a term to expire on 1/02/2021 by a unanimous voice vote.

10.1.4 Re-Appointment: Richard Clough – Recreation and Arena Commission, Term to Expire on 1/02/2022

Mayor McCarley nominated Richard Clough to be reappointed to the Recreation and Arena Commission, with a term to expire on 1/02/2022. Councilor Walker seconded the nomination. Councilor Walker **MOVED** that nomination cease and the City Clerk cast one ballot for Mr. Clough. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Clough has been reappointed to the Recreation and Arena Commission with a term to expire on 1/02/2022 by a unanimous voice vote.

10.1.5 Re-Appointment: Sheila Colson – Recreation and Arena Commission, Term to Expire 1/2/2022

Mayor McCarley nominated Ms. Colson to be reappointed to the Recreation and Arena Commission, with a term to expire on 1/02/2022. Councilor Walker seconded the nomination. Councilor Walker **MOVED** that nomination cease and the City Clerk cast one ballot for Ms. Colson. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Ms. Colson has been reappointed to the Recreation and Arena Commission with a term to expire on 1/02/2022 by a unanimous voice vote.

10.1.6 Re-Appointment: Joe Boudreau – Utility Advisory Board, Term to Expire 1/2/2022

Mayor McCarley nominated Mr. Boudreau to be reappointed to the Utility Advisory Board with a term to expire on 1/02/2022. Councilor Walker seconded the nomination. Councilor Walker **MOVED** that nomination cease and the City Clerk cast one ballot for Mr. Boudreau. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Boudreau has been reappointed to the Utility Advisory Board with a term to expire on 1/02/2022 by a unanimous voice vote.

**10.1.7 Appointment: Daniel Rines – Planning Board
Alternate, Term to Expire 1/2/2022**

Mayor McCarley nominated Daniel Rines to be appointed to the Planning Board, as an Alternate Member, with a term to expire on 1/02/2022. Councilor Walker seconded the nomination. Councilor Walker **MOVED** that nomination cease and the City Clerk cast one ballot for Mr. Rines. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Rines has been appointed to the Planning Board with a term to expire on 1/02/2022 by a unanimous voice vote.

**10.1.8 Re-Appointment: Dave Colson – Recreation and
Arena Commission, Term to Expire 1/2/2022**

Councilor Keans reviewed the Committees recommendation of Dave Colson. Mayor McCarley nominated Dave Colson to be reappointed to the Recreation and Arena Commission, with a term to expire on 1/02/2022. Councilor Bogan seconded the nomination. Councilor Walker **MOVED** that nomination cease and the City Clerk cast one ballot for Mr. Colson. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Colson has been reappointed to the Recreation and Arena Commission with a term to expire on 1/02/2022 by a unanimous voice vote.

10.2. Codes & Ordinances Committee

**10.2.1 Committee Recommendation: Amendment to
Chapter 75 of the General Ordinances of the City
of Rochester Regarding Knox-Box® Installation
*first reading, second reading and consideration
for adoption***

Councilor Lauterborn stated that there is one action item, which is an Amendment to Chapter 75. She said this would add the language “pursuant to the State Fire Code.” This would limit the authority of the Fire Chief as it relates to paragraph B as follows: *The Fire Chief shall have authority to require any other type of building, not listed above, **pursuant to the State Fire Code**, to install a Knox-Box® to meet rapid entry requirements, if in his discretion public safety considerations require such installation.*

Mayor McCarley asked if there is a requirement for a public hearing. City Attorney O’Rourke replied that the requirement is that it be read two times

and adopted; however, there is no requirement for this type of ordinance amendment to have a public hearing. Councilor Walker **MOVED** to read the Amendment for a first time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the Amendment for a first time by title only as follows:

Amendment to Chapter 75 of the General Ordinances of the City of Rochester Regarding Knox-Box Installation

THE CITY OF ROCHESTER ORDAINS:

That Chapter 75 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows (changes in red):

- A. For purposes of rapid entry in cases of emergencies or required access to buildings after hours, any new construction on the following type occupancies occurring after the date of the adoption of this article will require a Knox-Box® to be installed on such premises:
 - (1) Assembly.
 - (2) Educational.
 - (3) Mercantile.
 - (4) Business.
 - (5) Industrial.
 - (6) Apartment complex.
- B. The Fire Chief shall have authority to require any other type of building, not listed above, **pursuant to the State Fire Code**, to install a Knox-Box® to meet rapid entry requirements, if in his discretion public safety considerations require such installation.

The effective date of this Ordinance change shall be upon passage.

Councilor Walker **MOVED** to suspend the rules and to read the Amendment for a second time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Walker **MOVED** to **ADOPT** the Amendment. Councilor Lauterborn seconded the motion.

Councilor Keans gave reasons why this amendment should be delayed by one month in order to gather more information about how the City defines a "Complex Apartment". She stated that residents of Rochester should not have to look up the State Fire Code to find this information. Councilor Torr complained about the Knox-Box® idea all together. Councilor Lauterborn clarified that the Fire Chief currently has full authority to require that a Knox-Box® be installed on other buildings without specific guidelines; however, this Amendment would limit the Fire Chief's authority by ensuring the State Fire Code is used in that determination.

Councilor Torr questioned how many people would have access to the Knox-Box® once installed on a building. Tim Wilder, Deputy Fire Chief, replied that only the fire department personnel has access [approximately 46 employees]; and for tracking purposes each employee has an individual code in order to access the Knox-Box®. Mr. Wilder stated that there have been no suspicious incidents reported since the program was implemented over 40 years ago.

Councilor Abbott reiterated the fact that the Knox-Box® has a tracking device and it's typically installed on commercial buildings. It would not make sense to define exactly what type of building could require a Knox-Box®. It is best to leave that description in the State Fire Code to avoid unintended consequences. Councilor Gray stated that it is best to utilize a Knox-Box® rather than an "axe" for rapid entry to a building in an urgent matter.

Councilor Keans expressed concerns about the definition of an apartment complex. She questioned if a duplex could be considered an apartment complex. Councilor Abbott replied that in this case a duplex would be treated as a single dwelling unit and there is no precedent for installing a Knox-Box® on single dwelling units; unless specifically requested by the homeowner.

Councilor Keans continued to request a definition of an apartment complex and inquired where the definition could be obtained. Councilor Abbott replied that the State Fire Code is kept in the Fire Department and the Building, Zoning, and Licensing Services Department.

Mayor McCarley called for a vote on the motion. Councilor Keans requested a show-of-hands vote. The **MOTION CARRIED** by an 8 to 2 show-of-hands vote.

Councilor Lauterborn encouraged any Council member who is opposed to Chapter 75 as written or any other ordinance to attend the next Codes and Ordinances Committee meeting to make suggested changes.

10.3. Community Development Committee

10.3.1 Resolution Adopting a 2019-2020 Rochester CDBG "Action Plan for the City of Rochester, NH" and approving and appropriating the 2019-2020 Community Development Budget for the city of Rochester *first reading and refer to a public hearing*

Councilor Lauterborn said this is the start of the adoption of the CDBG plan for 2019-2020. Councilor Walker **MOVED** to read the resolution for a first time by title only. Councilor Lauterborn 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 ADOPTING A 2019-2020 ROCHESTER CDBG "ACTION PLAN FOR THE CITY OF ROCHESTER, N.H." AND APPROVING AND APPROPRIATING THE 2019-2020 COMMUNITY DEVELOPMENT BUDGET FOR THE CITY OF ROCHESTER

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

I. That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby adopt the one-year 2019-2020 "Action Plan for the Community Development Division for the City of Rochester, N.H.," as prepared and presented to the Mayor and City Council by the City of Rochester Office of Economic and Community Development, in connection with the City's Community Development Block Grant (CDBG) program, including the goals, objectives, and concepts set forth therein;

II. **Further**, that a twelve (12) month Community Development Block Grant estimated budget for the Office of Economic and Community Development for the City of Rochester in the total amount of Two Hundred Forty Seven **Thousand Dollars Forty One Dollars** and Forty Five Cents (\$247,041.45) be, and hereby is, approved and appropriated for fiscal year 2019-2020. Included in said approval and appropriation are expenditures set forth in the one-year action plan of the Office of Economic & Community Development for the City of Rochester for the Community Development Block Grant program, in the following categories and amounts:

Administration and Planning	\$49,408.29
Public Service Agencies	\$37,056.22
Housing/Public Facilities/Infrastructure	\$160,576.94
Total	\$247,041.45

III. **Further**, that Eighty Seven Thousand Two Hundred Ninety Eight Dollars and Seven Cents (\$87,298.07) in prior year unexpended CDBG funds be repurposed for use in the FY 2019-2020 Action Plan year.

IV. **Further**, that Seventy Three Thousand Eight Hundred **Fifty** Eight Dollars and Seventy Nine Cents (\$73,858.79) in the Job Opportunity Benefit revolving loan fund loan fund, plus the principal and interest received monthly from existing loans' repayments, be appropriated for continued use in the FY 2019-2020 Action Plan year in granting loans to qualified small businesses that commit to the creation and/or retention of jobs made available to low to moderate-income Rochester residents.

This budget and the one-year action plan for 2019-2020 may be reconsidered if federal funding is changed or if it is inconsistent with the total 2019-2020 budget adopted for the Office of Economic & Community Development.

The sums necessary to fund the above appropriation in the amount of Two Hundred Forty Seven **Thousand** Dollars **Forty One Dollars** and Forty Five Cents (\$247,041.45) shall be drawn in their entirety from the above-mentioned 2019-2020 fiscal year Community Development Block Grant from the federal government to the City of Rochester. The Finance Director is hereby authorized to create such line item accounts as shall be necessary to implement this Resolution.

Furthermore, in the event that federal funding for the above Community Development Block Grant budget is less than the total appropriation amount provided for in this Resolution, then, and in such event, the City Manager, or his designee in the Office of Economic and Community Development, is authorized to adjust the amounts for the budgetary categories stated above, as well as for any planned grants and/or other expenditures made from within such budgetary categories, in accordance with the guidelines established by the Community Development Committee.

Councilor Walker **MOVED** to refer the matter to a public hearing. Councilor Lauterborn seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lauterborn said the Community Development Committee has spent a lot of time meeting with the different non-profit agencies to present a well thought-out recommendation; however, further modification will be necessary. She cautioned the City Council that there have been request made both in the social services line item and the facilities line item which were three times the amount of available funds for those particular categories, which has made the process difficult. These categories will be reviewed at the next Community Development Committee meeting on Monday, April 8, 2019. She added that the location has been changed to the Rochester Community Center's conference room in order to meet with the Recreation Department.

Mayor McCarley stated the CDBG Grant Public Hearing is scheduled for April 16, 2019.

10.4 CTE Joint Building Committee *minutes forthcoming*

Councilor Varney referred to the CTE Joint Building Committee meeting minutes and the budget spreadsheet, which was distributed this evening. There is still a contingency of approximately \$389,000; however, it will likely be allocated in its entirety by the end of the project. He added that an expenditure for large equipment had been left out of the original budget; however, it does not make sense to finish the project without the appropriate equipment needed to operate. He said the amount needed is about \$400,000 and more details would be available once the request is made to the full City Council.

Councilor Gray encouraged the City Council to attend the walk-through scheduled for April 29, 2019, at the CTE Building. The CTE meeting is scheduled to follow at 7:00 PM.

10.5 Finance Committee

10.5.1 Committee Recommendation: To Approve the City Manager signing a Factory Court Lease with Revolution *consideration for approval*

Mayor McCarley **MOVED** to **APPROVE** the Committee recommendation as outlined above. Councilor Varney seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Mayor McCarley said the Finance Committee discussed the Fund Balance Policy verses Chapter 11 of the City Ordinances. It was determined that more information is needed prior to making a recommendation to the full City Council. This will be discussed at the next Finance Committee meeting.

Mayor McCarley stated that the Finance Committee briefly discussed the possibility of looking at calculating the tax cap differently; however, the Finance Department has not seen a significant benefit to making any changes at this time. Unless the City Council wishes to further investigate this matter it will not be pursued at this time.

Mayor McCarley stated that the City Manager would be presenting the City's proposed budget at the April 16, 2019, Workshop.

10.6 Public Safety

10.6.1 Committee Recommendation: To paint crosshatch markings for no parking within 20 feet of the crosswalk on Fairway Avenue and within 20 feet of the crosswalk on Washington Street by Goodfellas *consideration for approval*

Councilor Walker reviewed the Committee recommendations. He **MOVED** to **APPROVE** the first recommendation, which is to put painted crosshatch markings on Washington Street approximately 20 feet from the crosswalk and to put a "no parking" (here to corner) sign on Fairway Avenue by Goodfellas Pizzeria. Committee recommendation relative to "crosshatch" markings as presented above. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.6.2 Committee Recommendation: To install blinking stop signs at the Cumberland Street/Franklin Street intersection *motion to deny*

Councilor Walker **MOVED** to **DENY** the request relative to the installation of "blinking" stop signs as presented above. Councilor Hamman seconded the motion. The **MOTION CARRIED** by a majority voice vote.

10.6.3 Committee Recommendation: To replace one "Slow School Zone" sign, which is currently out of compliance, with signs in each direction for school speed limit 20 MPH with the times and end school speed limit signs on Chamberlain Street at the discretion of DPW *consideration for approval*

Councilor Walker **MOVED** to **APPROVE** the Committee recommendation

relative to “slow school zone” signs as presented above for Chamberlain Street School. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Keans wished to clarify if the distance for posting a “no parking (here to corner)” sign is regulated by the State or not. Councilor Walker replied yes.

10.7 Public Works *minutes forthcoming*

10.7.1 Committee Recommendation: To Approve the installation of the high resolution PTZ camera on the Dewey Street Bridge *consideration for approval*

Councilor Torr spoke in favor of the Committee’s recommendation about installing a camera on the Dewey Street Bridge. He **MOVED to APPROVE** the Committee recommendation as presented above. Councilor Bogan seconded the motion. Councilor Hamman gave reasons he opposes the motion. Councilors Walker and Torr spoke in favor of the motion. Councilor Torr gave details of the advance in technology for cameras. Councilor Keans questioned if this would be the \$14,000 package previously discussed at the Committee meeting. Councilor Walker replied yes. The **MOTION CARRIED** by a majority voice vote.

10.8 Tri-City Mayors’ Task Force on Homelessness

Mayor McCarley stated that Councilor Hutchinson is not available this evening to give the Committee report; however, City Manager Cox has confirmed that this item is on the April 16 Workshop Agenda.

11. Old Business

11.1. 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) second reading and consideration for adoption, 2/3 majority vote required*

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

**Amendment to Chapter 42 of the General Ordinances of the City
of Rochester Regarding the Location and Boundaries of Zoning
Districts**

THE CITY OF ROCHESTER ORDAINS:

WHEREAS, Chapter 42.1, Section J establishes that the location and boundaries of zoning districts within the City of Rochester are established as shown on a map titled, "City of Rochester Zoning Map."

WHEREAS, Chapter 42.1, Section J further declares that the City of Rochester Zoning Map is incorporated by reference as party of Chapter 42 of the General Ordinances of Rochester regarding zoning.

WHEREAS, the Mayor and City Council of Rochester desire to amend the City of Rochester Zoning Map to change the zoning for the property located at 287 Rochester Hill Road from Agricultural to Office/Commercial.

THEREFORE, the Mayor and City Council of Rochester ordain that the zoning of the property located at 287 Rochester Hill Road in the City of Rochester shall be changed in accordance with the Attached Exhibit. (Exhibit A).

FURTHER, the City of Rochester Zoning Map shall be amended and updated to reflect that the above shown property are included in the Office/Commercial Zone and are removed from the Agricultural Zone. ***See Addendum A: Exhibit A***

The effective date of these amendments shall be upon passage.

Mayor McCarley confirmed that this is the Amendment relative to the area of Rochester Hill Road. Councilor Varney questioned if the Planning Board is still intending to review this area soon. Councilor Walker replied yes.

Councilor Walker **MOVED** to **ADOPT** the Amendment. Councilor Bogan seconded the motion. Councilor Walker stated he is not in favor of this Amendment because the Planning Board has been reviewing the area, which currently does not have City sewer lines.

Mayor McCarley called for a vote on the motion and said a two-thirds vote is required in order to pass. The **MOTION FAILED** by a unanimous voice vote.

11.2. Resolution Authorizing Transfer from the General Fund Unassigned Fund Balance to the School Building Capital Reserve Fund in the amount of \$824,762.00 *second reading and consideration for adoption*

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

Resolution Authorizing Transfer from the General Fund Unassigned Fund Balance to the School Building Capital Reserve Fund in the amount of \$824,762.00

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

Pursuant to New Hampshire RSA Chapter 34, that Eight Hundred Twenty Four Thousand Seven Hundred Sixty Two Dollars (\$824,762.00) be, and hereby is, transferred from the General Fund Unassigned Fund Balance to the School Building Capital Reserve Fund, which was created by the City Council by way of Resolution on December 15, 2015.

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 Walker **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a majority voice vote. Councilor Hamman voted against the motion.

12. Consent Calendar

13. New Business

13.1 Resolution Deauthorizing \$123,587.62 from the School Department Capital Improvements Plan (CIP) Fund *first reading, consideration for second*

reading and adoption

Councilor Walker **MOVED** to read the resolution for a first time by title only. Councilor Bogan 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 Deauthorizing \$123,587.62 from the School Department Capital Improvements Plan (CIP) Fund

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

That One Hundred Twenty Three Thousand Five Hundred Eighty Seven and 62/100 Dollars (\$123,587.62) of funds previously appropriated to the School Department CIP for the Gonic School Roof Trusses Project is hereby deauthorized. All of the funds deauthorized herein shall be returned to 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 accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

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

13.2 Updated Equal Employment Opportunity Plan for the City of Rochester *consideration for adoption*

Mayor McCarley referred to the updated Equal Employment Opportunity Plan, which can be found in the City Council packet. She **MOVED** to **ACCEPT** the plan. Councilor Bogan seconded the motion. Councilor Keans questioned where this request originated from. Julian Long, Grant Coordinator, addressed the City Council. He said that because the City of Rochester is the recipient of federal grants, the City of Rochester is required to have such a policy adopted

by the City and kept on file; however, during a recent "grant monitoring" the City could not locate such documentation. Councilor Walker stated that there is a stipulation in the document that requires an Equal Opportunity Employer Advisory Committee. Mr. Long replied that it would be up to the discretion of the City Manager. Councilor Keans asked if this would require the City of Rochester to hire another employee to serve as the Equal Employment Opportunity Officer. Mr. Long clarified that the proposed plan does not require that a person be hired to fulfill that role. City Manager Cox confirmed that there is currently not a plan in place as to which department or employee will fulfill those duties. Councilor Keans requested advanced notice of how that would be accomplished. The **MOTION CARRIED** by a unanimous voice vote.

13.3 Resolution Authorizing Acceptance of an Emergency Management Performance Grant and Supplemental Appropriation To the 2018-2019 Fire Department Capital Improvement Plan Fund in the Amount of \$50,806 *first reading, consideration for second reading and adoption*

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF AN EMERGENCY
MANGEMENT PERFORMANCE GRANT AND SUPPLEMENTAL
APPROPRIATION TO THE 2018-2019 FIRE DEPARTMENT CAPITAL
IMPROVEMENT PLAN FUND IN THE AMOUNT OF \$50,806**

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

WHEREAS, that a New Hampshire Emergency Management Performance Grant in the amount of Fifty Thousand Eight Hundred Six Dollars (\$50,806.00), for the purchase of Emergency Operations Center equipment, awarded to the City of Rochester's Fire Department, is hereby accepted by the City of Rochester;

WHEREAS, the City Council acknowledges that the total cost of this project will be One Hundred One Thousand Six Hundred Twelve Dollars (\$101,612.00), in which the city will be responsible for a 50% match of Fifty

Thousand Eight Hundred Six Dollars (\$50,806.00), which will be fulfilled through the use of previously allocated and expended city funds as fulfilling this match requirement;

FURTHER, that the sum of Fifty Thousand Eight Hundred Six Dollars (\$50,806.00) be, and hereby is, appropriated to the 2018-2019 Fire Department Capital Improvement Plan Fund for the purpose of carrying out the purposes of the Emergency Management Performance Grant to purchase Emergency Operations Center equipment;

FURTHER, that the City Manager, Blaine Cox, is authorized to enter into a grant agreement and to sign any other documents that are necessary to receive and administer the grant funds detailed above; and

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

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

14. Non-Meeting/Non-Public Session

There are no Non-Public meetings scheduled; however, a short Non-Meeting shall take place directly after the Regular City Council Meeting.

15. Other

Councilor Keans stated that the "Strong Towns" meeting was spectacular and there were good ideas presented about how to deal with the empty store fronts in the downtown area. She stated that she would have liked to see more folks attend such meetings. Mayor McCarley agreed that there were interesting ideas for the City Council to consider for the downtown area. The event will be re-broadcast through the City's website as well as the Rochester Government Channel.

Councilor Varney questioned if Comcast would carry the Government Channel and the City Manager replied that this would be brought up during the negotiations.

Councilor Varney questioned if there is a new schedule for Phase II of the Waterstone Project. City Manager Cox replied that this has been discussed; however, there is not a revised plan in place yet. City Attorney O'Rourke confirmed that the City is working with the developer to propose a realistic time schedule.

16. Adjournment

Councilor Walker **MOVED to ADJOURN** the Regular City Council meeting at 8:01 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Kelly Walters, CMC
City Clerk