

**Regular City Council Meeting
February 2, 2016
COUNCIL CHAMBERS
7:00 PM**

COUNCILORS PRESENT

Councilor Abbott
Councilor Bartlett
Councilor Bogan
Councilor Gates
Councilor Gray
Councilor Hamann
Councilor Keans
Councilor Lachapelle
Councilor Lauterborn
Councilor Torr
Councilor Varney
Councilor Willis
Mayor McCarley

OTHERS PRESENT

City Manager Daniel Fitzpatrick
Deputy City Manager Blaine Cox
City Attorney Terence O'Rourke
David Green, Chief Operator
Brandon Turcotte, Public Works

MINUTES

1. Call to Order

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

Mayor McCarley led the Pledge of Allegiance.

2. Opening Prayer

Mayor McCarley called for a moment of silence in honor of our military fighting for our freedom.

Kelly Walters, City Clerk, stated that Pledge of Allegiance, had been inadvertently missed on the Agenda. Mayor McCarley led the Pledge of Allegiance.

3. Roll Call

Kelly Walters, City Clerk, took a roll call. All Council members were present.

4. Acceptance of Minutes

4.1. January 5, 2016, Inauguration

Councilor Lachapelle **MOVED** to **ACCEPT** the minutes of January 5, 2016. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

4.2. January 12, 2016, Reconvened Regular City Council Meeting

Councilor Lachapelle **MOVED** to **ACCEPT** the minutes of January 12, 2016. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

5. Communications from the City Manager

5.1. Employee of the Month Award

City Manager Fitzpatrick invited Brandon Turcotte, Public Works Department, and David Green, Chief Operator to come forward. He announced that Mr. Turcotte has been chosen as the Employee of the Month for February.

5.2. City Manager's Report

City Manager Fitzpatrick gave the following report:

Management Team Meeting minutes:

- January 4, 2016
- January 11, 2016

Contracts and documents executed since last month:

- Department of Public Works
 - Annual DMR (Discharge Monthly Report) Authorization letter
 - Catherine/Sheridan/Knight Street Improvement – Certificate of A substantial Completion
 - EDA Project – Financial Assistance Award Amendment
 - Homeland Security Grant – WTP Security Fencing

- Site Certificate for Salmon Falls Road/Milton Road project
State of NH and Health and Human Services – Lease
Extension
- Water Filtration Plant Upgrades – Change Order #2
- Economic & Community Development
 - Arts & Economic Prosperity Grant Application approval
 - Bridging the Gaps/Human Services Research Institute
Contract
 - Bridging the Gaps Continuing Grant Application
 - Waterstone Expedited Review Request
- Fire Department
 - Strafford County Public Health Regional MOU

The following Computer Lease/Purchase and Tuition Reimbursement requests have been approved:

- Mears, M - Planning

The following additional information has been received:

- DOT response – Highland Street/Route 202 No Parking Sign Request
- DPW – Council Inquiry Report - items memo

The following standard reports have been enclosed:

- City Council Request & Inquiry Report
- Permission & Permits Issued
- Personnel Action Report Summary

Councilor Varney requested that the Police Department's Parking Enforcement be given a copy of the letter submitted by the New Hampshire Department of Transportation regarding "no parking" on Highland Street.

Councilor Willis requested more information about the Water Filtration Plant Upgrades – Change Order Number two. Commissioner Storer gave a brief overview of the work being done, which has already been pre-approved in the fall of 2015. He agreed to provide the City Council with more information.

Councilor Willis questioned if this request would result in the project being over the original amount requested. Commissioner Storer replied that the original estimate of the project was \$1,800,000, and is now closer to \$2,200,000.

6. Communications from the Mayor

Mayor McCarley stated that Senator Shaheen visited the City of Rochester last week to discuss any infrastructure concerns. The Commissioner of Public Works had been invited, too, in order to discuss the Environmental Protection Agency and permitting/regulation concerns for the future. It was a productive meeting. Mayor McCarley stated that she received a phone call from the Regional Director of the EPA in Boston, Massachusetts, offering to be available to meet or answer any questions as to what the next steps in this process would be.

Mayor McCarley said the Director of the Extended Opportunities/R.W. Creteau Regional Technology Center contacted her regarding allowing a high school student to intern in the Mayor's office. This is the first time this has been done in New Hampshire. She requested that the City Council and City's Administration welcome Abby Turgeon, Spaulding High School, as the Intern for the Mayor's office.

Mayor McCarley spoke with the Superintendent regarding the possibility of perhaps utilizing the Rochester Middle School for the Ward Three polling location. This matter is to be discussed at the next School Board Building Committee meeting. Councilor Gray stated that the Ward One polling location has been an issue, as well. Councilor Varney agreed that the parking is an issue. The City Council briefly discussed the matter. Mayor McCarley referred the Ward Three polling location to the Codes and Ordinances Committee for review.

Mayor McCarley stated that the City Council should be paying close attention to some of the proposed legislation. She said three proposals pertain to governmental liability and one is in reference to the City Chief Elections Officer.

Mayor McCarley suggested inviting the Legislative Delegates that represent Rochester to the February 16, 2016, City Council Workshop to discuss pending legislation.

Councilor Lauterborn informed the new City Councilors that they should be receiving the NHMA legislative bulletin, which is sent out each week during the legislative cycle. She offered to assist new City Councilors in the process of signing up to receive such literature.

Mayor McCarley announced that the Ward One Meeting is to be held on February 10, 2016, at Tara Estates. These meetings will be held the second Wednesday of each month.

7. Presentations of Petitions and Council Correspondence

8. Nominations, Appointments, Resignations, and Elections

8.1. Resignation: Bill Mello, Granite State TIF Advisory Board

Mayor McCarley **MOVED** to **ACCEPT** the resignation of Bill Mello, Granite State TIF Advisory Board. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

8.2. Mayoral Appointment: Conservation Chair

Mayor McCarley appointed Michael Dionne as the Chair of the Conservation Committee.

8.3. Mayoral Appointment: Recreation and Arena Chair

Mayor McCarley appointed David Anctil and Sheila Colson as the Co-Chairpersons to the Recreation and Arena Commission for a one-year term.

8.4. Mayoral Appointment: Government Channel Committee Member

Mayor McCarley appointed Councilor Willis to serve as the Council Representative to the Government Channel Committee.

8.5. Mayoral Appointment: Granite State TIF Advisory Board

Mayor McCarley appointed Mark Hourihane to the Granite State TIF Advisory Board with a term to expire in January 2017.

8.6. Appointment: Recreation and Arena City Council Representative

Mayor McCarley appointed Councilor Lachapelle to serve as the Council Representative to the Recreation and Arena Commission.

9. Reports of Committees

9.1. Community Development

Councilor Lauterborn stated that the new meeting time for the Community Development Committee will be second Monday of the month.

Councilor Lauterborn gave a brief overview of the following recommendation:

- To DISCONTINUE the lease of Factory Court to Rochester Main Street.
- To assume the maintenance and care of Factory Court by the City of Rochester.
- To enter into a lease with Revolution Taproom for the 2016 outdoor dining season.
- To allow the relocation of the stage in Factory Court to Central Square, for the purpose of relocating the Brown Bag Concert Series.
- To authorize a SUPPLEMENTAL APPROPRIATION of up to \$9,000 in capital improvements to Central Square to make it handicapped accessible for the 2016 summer season.

Councilor Lauterborn **MOVED** to **APPROVE** the recommendations as stated above. Councilor Bogan seconded the motion.

Councilor Keans asked if this location would be utilized by all interested restaurants. Councilor Lauterborn clarified that the Dining Ordinance is open to all restaurants; however, this particular location would be used exclusively by the Revolution Restaurant. Councilor Keans asked if the metal frame upkeep would remain the City's responsibility. Councilor Lauterborn replied yes. She added that Main Street would continue to maintain the bulletin board located in that area. Deputy City Manager Cox asked if the funding source of the supplemental appropriation was identified. Councilor Varney requested that funds be sought out of CDBG, if available; otherwise, it would have to come from the General Fund Balance. Mayor McCarley called for a vote on the motion. The **MOTION CARRIED** by a unanimous voice vote. City Manager Fitzpatrick said Attorney O'Rourke would draft the proposed lease agreement for the City Council Workshop. He said a more formal vote could be taken at the Regular meeting in March.

9.2. Public Safety Committee

Councilor Hamann gave a brief overview of the Allen School situation. He thanked the Superintendent and the Chair of the School Board for assisting to resolve this issue. He **MOVED** to place "no parking" signs at the discretion of the Department of Public Works to allow buses the ability to utilize the Woodman Street/Daveyanne Locke Lane route. Councilor Gray

seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Councilor Hamann thanked Councilor Gray for his assistance, as well.

Councilor Hamann said all other matters stayed in Committee. Councilor Torr asked about the Betts/Cross Road Intersection concerns. Councilor Hamann replied that Michael Bezanson, City Engineer, is working to resolve this issue.

9.3. Public Works Committee

Councilor Torr briefed the City Council about the discussion regarding the City's Electronic Message Boards.

Councilor Varney **MOVED** to **APPROVE** the location of the sign behind City Hall [the island between the parking lot and Columbus Avenue]. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Torr briefed the City Council about the discussion regarding snow removal and parking bans. He hoped the Police Department should continue to impose a fine on anyone who leaves their vehicle on the road.

Councilor Torr stated that Councilor Varney recommended that the City Hall parking lot not be paved until the City Hall Annex construction is completed.

Councilor Varney stated that part of the review of the William Allen School traffic concerns revealed that Woodman Avenue is in total disrepair. He requested to have the Commissioner of Public Works get an estimate for the next Public Works Committee meeting for a "regrind and pave" of Woodman Avenue. He noted that it did not seem wise to wait until after the rebuild of the street.

Councilor Varney said drainage issues on the small subdivision off from Portland Street is a real concern. He noted that it has been used for snow dumping recently; however, it could increase the drainage issues in this area. He asked the Commissioner of Public Works to look into this situation.

10. Old Business

No discussion.

11. Consent Calendar

Councilor Lachapelle requested that item 12.6 be removed from the Consent Calendar. Councilor Lachapelle **MOVED** that the items listed on the Consent Calendar be **APPROVED** as written, with the exception of item 12.6. Councilor Bogan seconded the motion.

Councilor Willis asked for clarification. If money is de-authorized from a grant, does the money go back to the City's General Fund or back to the grant agency. The City Manager said it depends on the stipulation of the grant. Councilor Willis questioned why the Police Department is sending back funds for grants. Chief Allen clarified that this type of grant is set up for reimbursements.

Councilor Keans asked what happens if there is a "match" to the grant and the grant money is de-authorized. Deputy City Manager Cox replied that if the City receives a reimbursement, it would be deposited back to the City in the Unanticipated Revenue Fund. Mayor McCarley called for a motion on the floor. The **MOTION CARRIED** to **ADOPT** all Consent Calendar Items, with the exception of 12.6, by a unanimous voice vote.

11.1. AB 96 Resolution De-Authorizing Funding from the Teen Nights Grant First Reading, Second Reading, and Adoption

**RESOLUTION DEAUTHORIZING FUNDING
FROM THE TEEN NIGHTS GRANT**

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

WHEREAS, by virtue of a certain resolutions adopted by the Mayor and City Council of the City of Rochester, the Mayor and City Council appropriated funds to the Rochester Police Department Operating Budget derived from the Teen Nights Grant, and

WHEREAS, Three Hundred Eighty-Two and 93/100 Dollars (\$382.93) of the original appropriation remains unexpended;

NOW THEREFORE, in light of the above, the Mayor and City Council of the City of Rochester hereby withdraw and deauthorize the sum of Three Hundred Eighty-Two and 93/100 Dollars (\$382.93) of the previous appropriation of funds. This will decrease the total amount the Police Department will seek in reimbursement from the Teen Nights Grant fund.

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. **CC FY 16 02-02 AB 96**

11.2. AB 94 Resolution De-Authorizing Funding from the Highway Safety DWI Grant First Reading, Second Reading, and Adoption

**RESOLUTION DEAUTHORIZING FUNDING
FROM THE HIGHWAY SAFETY DWI GRANT**

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

WHEREAS, by virtue of a certain resolutions adopted by the Mayor and City Council of the City of Rochester, the Mayor and City Council appropriated the amount of Seven Thousand Six Hundred Sixty Four and 28/100 Dollars (\$7,664.28) to the Rochester Police Department Operating Budget derived from the Highway Safety DWI Grant, and

WHEREAS, Three Thousand Eighty-Seven and 21/100 Dollars (\$3,087.21) of the original appropriation remains unexpended;

NOW THEREFORE, in light of the above, the Mayor and City Council of the City of Rochester hereby withdraw and deauthorize the sum of Three Thousand Eighty-Seven and 21/100 Dollars (\$3,087.21) of the previous appropriation of funds. This will decrease the total amount the Police Department will seek in reimbursement from the Highway Safety DWI Grant fund.

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. **CC FY 16 02-02 AB 94**

11.3. AB 97 Resolution De-Authorizing Funding from the Highway Safety Enforcement Patrols Grant First Reading, Second Reading, and Adoption

**RESOLUTION DEAUTHORIZING FUNDING FROM
THE HIGHWAY SAFETY ENFORCEMENT PATROLS GRANT**

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

WHEREAS, by virtue of a certain resolutions adopted by the Mayor and City Council of the City of Rochester, the Mayor and City Council appropriated funds to the Rochester Police Department Operating Budget derived from the Highway Safety Enforcement Patrols Grant, and

WHEREAS, Nine Hundred Seventy and 03/100 Dollars (\$970.03) of the original appropriation remains unexpended;

NOW THEREFORE, in light of the above, the Mayor and City Council of the City of Rochester hereby withdraw and deauthorize the sum of Nine Hundred Seventy and 03/100 Dollars (\$970.03) of the previous appropriation of funds. This will decrease the total amount the Police Department will seek in reimbursement from the Highway Safety Enforcement Patrols Grant fund.

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. **CC FY 16 02-02 AB 97**

11.4. AB 91 Resolution De-Authorizing City of Rochester Department of Public Works Improvement Project (CIP Funding for the Upper City Dam Project First Reading, Second Reading, and Adoption

RESOLUTION DEAUTHORIZING CITY OF ROCHESTER DEPARTMENT OF PUBLIC WORKS CAPITAL IMPROVEMENT PLAN (CIP) FUNDING FOR THE UPPER CITY DAM PROJECT

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

In accordance with the provisions RSA 33:9, Twenty-Two Thousand Nine Hundred Eleven and 04/100 Dollars (\$22,911.04) of previous bond authority is deauthorized from the FY 2016 Department of Public Works CIP Fund for the Upper City Dam Project.

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. **CC FY16 02-02 AB 91**

**11.5. AB 90 Resolution De-Authorizing City of Rochester
Department of Public Works Capital Improvement Project
(CIP) Funding for the Stillwater Circle Bridge Project
First Reading, Second Reading, and Adoption**

**RESOLUTION DEAUTHORIZING CITY OF ROCHESTER DEPARTMENT
OF PUBLIC WORKS CAPITAL IMPROVEMENT PLAN (CIP) FUNDING
FOR THE STILLWATER CIRCLE BRIDGE PROJECT**

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

In accordance with the provisions RSA 33:9, One Thousand One Hundred Twenty Seven and 03/100 Dollars (\$1,127.03) of previous bond authority is deauthorized from the FY 2016 Department of Public Works CIP Fund for the Stillwater Circle Bridge Project.

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. **CC FY16 02-02 AB 90**

The following item has been removed from the Consent Calendar and has not yet been adopted:

~~**11.6. AB 98 Resolution De-Authorizing Funding from the Green
Infrastructure Grant First Reading, Second Reading, and
Adoption**~~

**11.7. AB 100 Resolution De-Authorizing Funding for the Brock
Street Reconstruction Project First Reading, Second
Reading, and Adoption**

**RESOLUTION DEAUTHORIZING FUNDING FOR THE BROCK STREET
RECONSTRUCTION PROJECT**

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

In accordance with the provisions RSA 33:9, One Million Forty-Four Thousand One Hundred Sixty-Nine and 10/100 Dollars (\$1,044,169.10) of previous bond authority is deauthorized from the FY 2016 Department of Public Works Sewer CIP Fund, Water CIP Fund, and General Fund for the Brock Street Reconstruction Project as follows: Sewer CIP Account

#55026020-771000-13515=\$813,517.82, Water CIP Account #55016010-771000-13515=\$13,292.03, and General Fund Account #15013010-771000-13515 = \$217,359.25.

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. **CC FY16 02-02 AB 100**

11.8. AB 101 Resolution De-Authorizing Funding for the Re-Plaster East Rochester Pool Project First Reading, Second Reading, and Adoption

RESOLUTION DEAUTHORIZING FUNDING FOR THE RE-PLASTER EAST ROCHESTER POOL PROJECT

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

WHEREAS, by virtue of a certain resolutions adopted by the Mayor and City Council of the City of Rochester, the Mayor and City Council appropriated funds from the General Fund fund balance to the Rochester Department of Public Works CIP account for the Re-plaster East Rochester Pool Project; and

WHEREAS, the Project has been completed and Seven Thousand Five Hundred Eighty-Nine and 15/100 Dollars (\$7,589.15) of the original appropriation remains unexpended;

NOW THEREFORE, in light of the above, the Mayor and City Council of the City of Rochester hereby withdraw and deauthorize the sum of Seven Thousand Five Hundred Eighty-Nine and 15/100 Dollars (\$7,589.15) of the previous appropriation of funds and return the funds to the General Fund fund balance. 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. **CC FY 16 02-02 AB 101**

ITEM REMOVED FROM CONSENT CALENDAR:

- **[11.6 AB 98] Resolution De-Authorizing Funding from the Green Infrastructure Grant First Reading, Second Reading, and Adoption**

Councilor Lauterborn said the following de-authorization had required matching funds. She questioned how the City would handle this de-authorization properly. City Manager Fitzpatrick agreed to have this resolution reviewed and resubmitted.

**RESOLUTION DEAUTHORIZING FUNDING FROM
THE GREEN INFRASTRUCTURE GRANT**

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

WHEREAS, by virtue of a certain resolutions adopted by the Mayor and City Council of the City of Rochester, the Mayor and City Council appropriated funds to the City of Rochester Capital Project General Fund account, of which, Sixteen Thousand Dollars (\$16,000) was to be derived from the Green Infrastructure Grant and Four Thousand Dollars (\$4,000) was derived from the General Fund unassigned fund balance, and

WHEREAS, Three Thousand Eight Hundred Ninety-Four and 02/100 Dollars (\$3,894.02) of the original appropriation remains unexpended;

NOW THEREFORE, in light of the above, the Mayor and City Council of the City of Rochester hereby withdraw and deauthorize the sum of Three Thousand Eight Hundred Ninety-Four and 02/100 Dollars (\$3,894.02) of the previous appropriation of funds.

FURTHER, that the Mayor and City Council authorize the transfer of Three Thousand Eight Hundred Ninety-Four and 02/100 Dollars (\$3,894.02) back to the General Fund unassigned fund balance.

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. **CC FY 16 02-02 AB 98**

12. New Business

12.1. Resolutions Regarding the Wildlife Habitat Incentive Program Grant Funds:

**12.1.1. AB 92 Resolution De-Authorizing Funding from the Wildlife Habitat Incentive Program (WHIP) Grant
First Reading, Second Reading, and Adoption**

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

**RESOLUTION DEAUTHORIZING FUNDING FROM THE WILDLIFE
HABITAT INCENTIVE PROGRAM (WHIP) GRANT**

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

WHEREAS, by virtue of a certain resolutions adopted by the Mayor and City Council of the City of Rochester, the Mayor and City Council appropriated (\$293,000.00) to the Rochester Department of Public Works CIP account, funding to be derived from the WHIP Grant, and

WHEREAS, Fifty-Four Thousand Eight Hundred Twenty-Nine and 18/100 Dollars (\$54,829.18) of eligible expenditures were reimbursed from the WHIP Grant;

NOW THEREFORE, in light of the above, the Mayor and City Council of the City of Rochester hereby withdraw and deauthorize the sum of Two Hundred Thirty-Eight Thousand One Hundred Seventy and 82/100 Dollars (\$238,170.82) of the previous appropriation of funds. This decreases the total amount the Department of Public Works will seek in reimbursement from the WHIP Grant fund.

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. **CC FY 16 02-02 AB 92**

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

Councilor Keans requested clarification as to what this resolution is about. Commissioner Storer recalled this grant dates back to 2005. He gave a brief overview of how the grant had been used in the past and agreed to get back to the City Council with more details. The grant is no longer active and this is more of housekeeping matter. Councilor Keans asked about the

next resolution, which is seeking a supplemental appropriation. Deputy City Manager Cox explained that some of the work, which had been done in the past, turned out not to be eligible for reimbursement through the grant. At this point, a supplemental appropriation from the General Fund is needed in order to make up the difference.

Councilor Willis, former City Engineer for the City of Rochester, recalled that the grant was intended to be used to clear vegetation and to gain access to the Cocheco River, starting at Wyandotte Falls and leading down to Route 125, which was during the timeframe of the Riverwalk. The Grant was not written clearly and it was not easy to determine what would or would not be covered by the grant. Mayor McCarley questioned if the City Council felt the matter should be tabled. No member of the City Council requested to table the motion. Mayor McCarley called for a vote on the motion. The **MOTION CARRIED** by a unanimous voice vote.

12.1.2. AB 93 Resolution Authorizing Supplemental Appropriation to the Department of Public Works Capital Improvements Fund for Cocheco River Wildlife Habitat Incentive Program (WHIP) Project First Reading, Second Reading, and Adoption

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

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION
TO THE DEPARTMENT OF PUBLIC WORKS CAPITAL IMPROVEMENTS
FUND FOR COCHECO RIVER WILDLIFE HABITAT INCENTIVE
PROGRAM (WHIP) PROJECT**

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

That a sum not to exceed Two Thousand Eight Hundred Seventy-Nine and 02/100 Dollars (\$2,879.02) be, and hereby is, appropriated as a supplemental appropriation to the City of Rochester Department of Public Works Capital Improvements Fund, for the purpose of providing funds necessary to pay unreimbursed costs and/or expenditures associated with Cocheco River WHIP Project and provided further that funds for such supplemental appropriation shall be derived in their 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 designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution. **CC FY16 02-02 AB 93**

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

12.2. AB 95 Resolution Accepting Safety DWI Patrol Grant and Supplemental Appropriation Thereof First Reading and Adoption

Councilor Lachapelle **MOVED** to read the resolution 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 ACCEPTING HIGHWAY SAFETY DWI PATROL GRANT AND SUPPLEMENTAL APPROPRIATION THEREOF

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

WHEREAS, that a Highway Safety DWI Patrols Grant in the amount of Five Thousand Nine Hundred Sixty and 98/100 Dollars (\$5,960.98) to the City of Rochester Police Department is hereby accepted by the City of Rochester.

FURTHER, that the sum of Five Thousand Nine Hundred Sixty and 98/100 Dollars (\$5,960.98) be, and hereby is, appropriated as a supplemental appropriation to the City of Rochester Police Department Operating Budget, with such sums to be placed in a special non-lapsing reserve account to be established/designated by the Finance Director, such funds to be used exclusively for grant purposes. Further, that the source of the sums necessary to fund such appropriation shall be drawn, in their entirety, from the aforesaid grant.

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. **CC FY16 02-02 AB 95**

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

12.3. AB 99 Resolution Accepting New Hampshire Department of Environmental Services (DES) Watershed Assistance Grant and Supplemental Appropriation thereof First Reading, Second Reading, and adoption

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

RESOLUTION ACCEPTING NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES (DES) WATERSHED ASSISTANCE GRANT AND SUPPLEMENTAL APPROPRIATION THEREOF

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

WHEREAS, that a NHDES Watershed Assistance Grant in the amount of One Hundred Twenty Thousand Dollars (\$120,000.00) to the City of Rochester Department of Public Works (DPW) is hereby accepted by the City of Rochester.

FURTHER, that the sum of One Hundred Twenty Thousand Dollars (\$120,000.00) be, and hereby is, appropriated as a supplemental appropriation to the DPW Capital Improvements Plan account. Further, that the source of the sums necessary to fund such appropriation shall be drawn, in their entirety, from the aforesaid grant.

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. **CC FY16 02-02 AB 99**

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

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

13. Other

Councilor Gates asked for an update on the City Hall Annex. City Manager Fitzpatrick believed the project would go out to bid this coming spring. Commissioner Storer said the project is being tracked through the Public Works Committee and there will be a review of this progress at the February Public Works Committee meeting.

14. Non-Meeting

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

The City Council entered the Non-Meeting, Consultation with Legal Counsel, RSA 91-A: 2, I (b), immediately following the Regular City Council meeting.

15. Adjournment

Councilor Varney **MOVED** to **ADJOURN** the Regular City Council meeting at 7:50 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Kelly Walters
City Clerk