

**Regular City Council Meeting
July 12, 2016
Council Chambers
7:00 PM**

COUNCILORS PRESENT

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

OTHERS PRESENT

Daniel Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager
Terence O'Rourke, City Attorney

COUNCILORS EXCUSED

Councilor Gates

MINUTES

1. Call to Order

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

2. Pledge of Allegiance

**2.1. Presentation of the Colors and Pledge of Allegiance:
Rochester Knights of Columbus**

The Rochester Knights of Columbus presented the colors to the City Council and led the Pledge of Allegiance.

3. Opening Prayer

**3.1. Opening Prayer: Representative of the Rochester Knights
of Columbus**

The Rochester Knights of Columbus led the opening prayer.

4. Roll Call

Marcia Roddy, Deputy City Clerk, took the roll call. All Councilors were present, with the exception of Councilor Gates.

5. Acceptance of Minutes

5.1 June 7, 2016: Regular City Council Meeting

Councilor Lachapelle **MOVED** to **ACCEPT** the June 7, 2016, Regular City Council meeting minutes. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

5.2 June 21, 2016: Special City Council Meeting

Councilor Lachapelle **MOVED** to **ACCEPT** the June 21, 2016, Special City Council meeting minutes. Councilor Bogan 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 Fitzpatrick announced that Steve Wheeler, City Hall Custodian, has been selected as the Employee of the Month for July.

6.2 City Manager's Report

City Manager Fitzpatrick gave the following report:

For your information, please see the enclosed Management Team Meeting minutes:

- May 23, 2016
- June 6, 2016
- June 13, 2016
- June 20, 2016

Contracts and documents executed since last month:

- Department of Public Works
 - Brownfield's Assessment – 828 Portland Street
 - EDA Sewer extension project – MB \$50k contribution
 - EDA Sewer extension project – Wright Pierce engineering contract
 - Franklin/Western pump station – notice of award – NorthEast Earth Mechanics
 - Keay Field agreement – irrigation water-snow dumping
 - City Hall Annex Project - letter of intent CMGC
 - Temporary construction easements
- Economic & Community Development
 - CDBG - CAP Weatherization, Sign & Façade environmental reviews, contracts
 - CDBG - Community Partners, Tri-City Co-op, contracts
 - CDBG – CASA contract
 - CDBG – Community Partners – environmental review
 - CDBG – Dover Adult Learning – contract
 - CDBG – FY16-17 environmental reviews
 - CDBG – Homemakers contract
 - CDBG – LCHIP grant approval to submit
 - CDBG – My Friends Place – contract
 - CDBG – My Turn – contract
 - CDBG – Programmatic Agreement – NH Division of Historical Resources
 - CDBG – VOCA Grant acceptance letter
 - CDBG – Tri-City Co-op environmental review
- Finance Department
 - E-Plus Statement of Work Agreement – MIS assessment
 - IDIS online access approval for Ann Arsenault
 - NHDES State Revolving Loan Fund – supplemental agreement Rt. 125 pump station.
- Legal Department
 - P&S – St. James Terrace
 - Tax Deed – Salmon Falls Road property

- Police Department
 - Renewal of Rochester Housing Authority contract for supplemental police officer
 - Justice Assistance Grant – MOU with County and Rochester & Somersworth

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

- Loignon, S – PD

The following additional information has been included:

- FAA Drone Registration List – State of NH

The following standard reports have been enclosed:

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

Mr. Fitzpatrick informed the City Council that the Monday Management Meeting minutes will be electronically forwarded to the councilors on a weekly basis. He said that once the minutes are approved at the following Monday meeting they will be e-mailed to them. The minutes will no longer be included in the City Manager's Report in the Regular City Council meeting packets.

7. Communications from the Mayor

Mayor McCarley announced that the 7th Annual Softball Game between Wards 1, 5, and 6 vs. Wards 2, 3, and 4 will be on August 13 at 10:00 AM, with a rain date of August 14, at the Riverside Park on Old Dover Road (behind the DPW facility). It is co-ed for ages 12 to 99 and everyone plays. Councilor Lachapelle encouraged anyone who wished to play on a team or to cheer on their Ward to attend.

8. Presentations of Petitions and Council Correspondence

No discussion.

9. Nominations, Appointments, Resignations, and Elections

9.1 Kevin Quigley, Ward 6 Moderator

Mayor McCarley nominated Kevin Quigley to serve as Ward 6 Moderator, with a term to expire January 2, 2018. Councilor Gray seconded the nomination. Councilor Gray said that since this is an elected position that the voting would need to be by roll call vote. Councilors Barnett, Keans, Lauterborn, Willis, Lachapelle, Gray, Abbott, Torr, Hamann, Bogan, Varney, and Mayor McCarley all voted yes.

Mayor McCarley nominated Joanne Sylvain to serve on the Personnel Advisory Board. It is a reappointment with a term to expire on January 2, 2019. Councilor Lachapelle seconded the nomination. Councilor Lachapelle **MOVED** that the nominations cease. Joanne Sylvain was unanimously reappointed to serve on the Personnel Advisory Board by paper ballot.

Mayor McCarley nominated Robert Pallas to serve as a Trustee of the Trust Fund with a term to expire January 2, 2019. Councilor Lachapelle seconded the nomination. Councilor Lachapelle **MOVED** that the nominations cease. Robert Pallas was unanimously reappointed to serve as a Trustee of the Trust Fund by paper ballot.

10. Reports of Committees

10.1 Appointments Committee

Councilor Keans said that the appointments had been covered this evening.

10.2 Community Development Committee

Councilor Lauterborn said the minutes are in the packet and there were no action items. She said that the next committee meeting would be August 8, 2016.

10.3 Government Channel Committee

The committee did not have a quorum at the last scheduled meeting.

10.4 Public Safety Committee

Councilor Hamann said there were three items to be voted on:

Councilor Hamann **MOVED** to remove the "No Thru Trucks Over 26,000 G.V.W.R." signs on Flagg Road and Hansonville Road. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

Councilor Hamann **MOVED** to post "no parking" signs on both sides of Gerrish Court. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

Councilor Hamann **MOVED** to change the NO PARKING signs near City Hall to 2 hour parking Monday - Friday 9:00 AM-5:00 PM. The motion was seconded by Councilor Lachapelle. The **MOTION CARRIED** by unanimous voice vote.

Councilor Lachapelle asked if corrections to committee meeting minutes are made at the City Council level or at the committee meeting. City Attorney O'Rourke said the corrections are made at the committee meeting.

10.5 Public Works Committee

Councilor Varney said the Committee is recommending a bus shelter to be located at 123 South Main Street, and he so **MOVED**. Councilor Hamann seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

11. Old Business

No discussion.

12. New Business

12.1 **AB 02** RESOLUTION AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF A STATE OF NH DEPARTMENT OF ENVIRONMENTAL SERVICES (NHDES) CLEAN WATER STATE REVOLVING FUND (CWSRF) LOAN AND SUPPLEMENTAL APPROPRIATION CONNECTED THEREWITH

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 AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF A STATE OF NH DEPARTMENT OF ENVIRONMENTAL

SERVICES (NHDES) CLEAN WATER STATE REVOLVING FUND
(CWSRF) LOAN AND SUPPLEMENTAL APPROPRIATION CONNECTED
THEREWITH

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 loan application in the amount of Sixty Thousand Dollars (\$60,000.00) to the NHDES CWSRF Loan program in order to fund the GIS and Asset Management Program.

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 Sixty Thousand Dollars (\$60,000.00) from the NHDES CWSRF Loan program which is eligible for 100% principal forgiveness.

It is still further resolved that the amount of Thirty Thousand Dollars (\$30,000.00) is approved as a supplemental appropriation to the FY 2017 General Fund CIP and Thirty Thousand Dollars (\$30,000.00) to the FY 2017 Sewer CIP budget with the funds coming in their totality from the aforementioned NHDES CWSRF Loan program.

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 read the resolution by title only for the second time. 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 Councilors discussed the resolution and its purpose. Commissioner Storer explained the grant application and the need for a

Council vote supporting it when submitted. Councilor Keans questioned the procedure for voting on a grant that may or may not be approved. Deputy City Manager explained the possible need for supplemental appropriation. Councilor Willis offered additional explanation of the process and said this is a relatively new program.

The **MOTION CARRIED** by a unanimous voice vote.

12.2 AB 03 RESOLUTION AUTHORIZING THE ACCEPTANCE OF AN EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) FOR A GENERATOR ON BEHALF OF THE ROCHESTER FIRE DEPARTMENT

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 AUTHORIZING THE ACCEPTANCE OF AN EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) FOR A GENERATOR ON BEHALF OF THE ROCHESTER FIRE DEPARTMENT

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, accept the grant in the amount of Fifty-One Thousand One Hundred Seventy-Eight Dollars (\$51,178.00) from the Emergency Management Performance Grant program in order to fund the purchase of one (1) generator for Fire Station 1.

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 read the resolution by title only for the second time. 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. The **MOTION CARRIED** by a unanimous voice vote.

12.3 AB 05 Government Channel Policy Approval

Councilor Lachapelle **MOVED** to approve the Government Channel Policy. Councilor Bogan seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

12.4 AB 06 New Staff Positions - Classifications

Mayor McCarley explained that this concerns staff changes that would need approval within a 60-day time frame. Councilor Lachapelle **MOVED** to approve the new staff positions. Councilor Bogan seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

13. Other

Councilor Gray said that at the previous evening's Planning Board meeting former councilor Charles Grassie, Jr. resigned his position on the Board. Councilor Gray pointed out that there will now be a vacancy on the Board for anyone who would be interested in serving in that position.

Councilor Keans said she had heard on NPR that Rochester Police Chief Michael Allen has participated in training that only Manchester and Nashua have done that has a cultural component to it and was pleased to have heard that being mentioned.

14. Non-Public Session

14.1 Non-Public Session - Personnel, RSA 91-A: 3, II (a)

14.2 Non-Public Session - Land, RSA 91-A: 3, II (d)

Councilor Lachapelle **MOVED** to enter Non-Public Session under RSA 91-A: 3, II (a) [Personnel] and RSA 91-A: 3, II (d) [Land] at 7:31 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by roll call vote. Councilors Bogan, Abbott, Varney, Willis, Lachapelle, Gray, Barnett, Torr, Hamann, Keans, Lauterborn, and Mayor McCarley all voted yes.

Councilor Lauterborn **MOVED** to exit Non-Public Session at 8:08 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by

unanimous voice vote.

Councilor Lauterborn **MOVED** to seal the minutes of the Non-Public Session because it was determined that divulgence of the information would render a proposed action ineffective. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by unanimous roll call vote. Councilors Bogan, Gray, Torr, Willis, Abbott, Lachapelle, Hamann, Lauterborn, Keans, Barnett, Varney, and Mayor McCarley all voted yes.

15. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the meeting at 8:10 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Marcia H. Roddy, CNHDCC
Deputy City Clerk