

**Regular City Council Meeting
September 6, 2016
Council Chambers
7:01 PM**

COUNCILORS PRESENT

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

OTHERS PRESENT

City Manager Daniel Fitzpatrick
Deputy City Manager Blaine Cox
John Storer, Commissioner of Public
Works

Minutes

1. Call to Order

Mayor McCarley called the meeting to order at 7:01 PM.

2. Pledge of Allegiance

**2.1 Presentation of the Colors and Pledge of
Allegiance: American Legion Unit 7 Junior
Auxiliary**

The young members of the American Legion Unit 7 Junior Auxiliary presented the colors and led the Pledge of Allegiance.

3. Opening Prayer

Hailey Bilodeau, Chaplain of the American Legion Unit 7 Junior Auxiliary, led the Council and attendees in the opening prayer.

4. Roll Call

Marcia Roddy, Deputy City Clerk, called the roll. All Council members were present.

5. Acceptance of Minutes

5.1. August 2, 2016: Regular City Council Meeting

Councilor Torr **MOVED** to **ACCEPT** the Regular City Council meeting minutes of August 2, 2016. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

5.2. August 16, 2016: Special City Council Meeting

Councilor Torr **MOVED** to **ACCEPT** the Special City Council meeting minutes of August 16, 2016. Councilor Lachapelle 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 invited Regina ("Gina") Lytle and Todd Marsh, Director of Welfare, to come forward. City Manager Fitzpatrick said that Gina is the first contact person in the Welfare Department and often greets people who are involved in a stressful life situation. She is always courteous and helpful to the people who come in seeking assistance. Her co-workers nominated her with very positive comments. He congratulated Ms. Lytle for being selected as Employee of the Month for September, 2016.

6.2. City Manager's Report

City Manager Fitzpatrick gave the following report:

Contracts and documents executed since last month:

- Department of Public Works
 - Annex – CMGC Contractor Agreement
 - Household Hazardous Waste Day Contract
 - Paving Change Orders
 - Change Order 1A - Arena parking lot
 - Change Order 1B – New Rt. 125 Pump Station
 - Strafford Square Engineering Amendment #2 - \$88,255.38
 - Walker – drainage easement

- Economic & Community Development
 - CDBG Contract – Hope on Haven Hill
 - CDBG Grant Agreement – HUD
 - CDBG – Release of Funds/Environmental Review – Hope on Haven Hill
 - CDBG – Release of Funds/Environmental Review
 - Community Action Partnership – Weatherization Program
 - Rochester Main Street Façade Program
 - Homeless Center for Strafford County – generator project
 - Community Partners – elevator project
 - Tri-City Co-op – HVAC and handicap ramp project
 - CDBG Contract – Rochester Main Street – generator and public service agency funding
 - CDBG - Certificate of Consistency with Consolidated Plan
- Finance Department
 - ePlus – services outline
 - SPC (Specialized Purchasing Consultants) copier contract
- Legal Department
 - Tax Deed – Summer Street
- Library
 - Midwest Tape Service Agreement
- Planning Department
 - Conservation Easement – Baseline Conditions Report of Copper Lane easement

The following items were received and are included for informational purposes:

- Thank You letter from The Homemakers

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

- Tuition Reimbursement – Rodgerson, S – City Manager's office

The following standard reports have been enclosed:

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

Councilor Torr asked the City Manager why there was an amendment to the engineer's report regarding Strafford Square in the amount of \$88,000. Public Works Commissioner John Storer explained that there were some issues with the "legs" of the roundabout that needed to be re-designed. There were also questions regarding historical artifacts.

Councilor Willis asked if the Historical Society was involved in the preservation of any artifacts. Mr. Storer said that there was an old house that had been demolished, but that there were a few things in the house that the Historical Society was interested in and they had been removed for display at the Historical Society's facility. Other than that there was nothing else discovered. Councilor Willis asked if part of this historical preservation project required the hiring of an historical preservationist as part of the subcontract. Mr. Storer said yes.

7. Communications from the Mayor

Mayor McCarley referred to a Proclamation regarding Gay Pride Month in the City of Rochester. She said that Rochester will be hosting a Gay Pride celebration downtown on Saturday, September 10, 2016, from noon until 5:00 PM. At that time she will read the entire proclamation. She encouraged everyone to attend.

Mayor McCarley also mentioned that trash pickup was delayed a day this week due to the Labor Day holiday.

8. Presentations of Petitions and Council Correspondence

There was no discussion.

9. Nominations, Appointments, Resignations, and Elections

9.1. Appointment/Election: Tyffany Spear, Ward Two Moderator

Mayor McCarley said that the Appointments Committee has recommended Tyffany Spear to fill the vacant position of Moderator of Ward Two. Councilor Keans added that the committee had good reports regarding Ms. Spear's qualifications and experience at prior elections.

Mayor McCarley **MOVED** to elect Tyffany Spear to the Ward Two Moderator position. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous roll call voted. Councilors Torr, Hamann, Gray, Keans, Varney, Gates, Barnett, Bogan, Lauterborn, Abbott, Willis, Lachapelle, and Mayor McCarley all voted yet.

10. Reports of Committees

10.1. Codes and Ordinances Committee

Councilor Lachapelle **MOVED** to approve the Leak Abatement Policy per discussion at the Codes and Ordinances September 1, 2016, meeting. Councilor Bogan seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

Councilor Lachapelle said the Committee discussed the ED Special Reserve fund and the general powers of the School Board (stayed in committee). The committee addressed the Library Children's Programming to ensure the Library is included in the drug free zone; however, that is a moot point since the Library is within 1,000 feet of the Allen School and is covered under that ordinance.

Councilor Lachapelle announced that the next Codes and Ordinances Committee meeting will be held on October 6, 2016, at **6:00 PM**.

10.2. Community Development Committee

Councilor Lauterborn spoke on the items of discussion at the last meeting of the Community Development Committee. She said they discussed carry-over funds and how they are being recommended to the Council for expenditure.

The first item recommended is to provide an additional \$28,000 for Hope on Haven Hill because they had project changes that were mandated by the New Hampshire Division of Historical Resources resulting in an increase to the cost provided previously.

The second item Councilor Lauterborn addressed was that CAP had unexpended funds that the committee is considering other items for and is still under discussion. That is scheduled to increase by \$968.10 under item 12.6 of this meeting's agenda. This was from a refund received from CAP for money that had been allocated for the revitalization program but had also

been covered by a different program resulting in the refund. This has to be officially approved by the Council.

Councilor Lauterborn said there is a CDBG item requiring the City to have a language access plan and it has been unanimously recommended by the committee. This is item 12.8 on the evening's agenda.

Councilor Lauterborn said the committee discussed a request from the manager at the Revolution Tap Room and Grill that the Riverwalk Committee be reactivated. The request is that the mayor authorize the reactivation of the Riverwalk Committee. Mayor McCarley said that councilors from Wards 4 and 6 might be interested in serving on the committee and asked if there were other councilors who would be interested in serving. Councilors Keans and Bogan said they were interested. Councilor Keans said that the manager from the Revolution said she would volunteer to serve as chairperson of the committee.

Councilor Lauterborn said there was one more item listed under New Business from the CDBG program which was to approve the draft Consolidated Annual Performance and Evaluation Report, item 12.9 on the evening's agenda.

10.3. Public Safety Committee

Councilor Hamann said the Committee had a request from the Assistant Superintendent of Schools for a "School Bus Stop Ahead" sign on Estes Road near house #128 which is on a curve near the intersection of Howard Brook Drive. The School Department is willing to pay for the sign. Councilor Hamann **MOVED** that a sign be put in that location at the discretion of the Department of Public Works. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

Councilor Hamann said there was a citizen's request to have a sign placed near the intersection of Charles Street and May Street regarding parking. The Department of Public Works agreed with the suggestion. Councilor Hamann **MOVED** to place a "No Parking Here to Corner" sign on Charles Street at the May Street intersection at the discretion of the Department of Public Works. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

The next item presented by Councilor Hamann was an issue regarding the lack of a crosswalk at the end of Charles Street near the gas station. A

request had been made to install a crosswalk and associated curb ramps on Charles Street at a location approximately 400 feet from the intersection with Columbus Avenue. This is a location suggested by Public Works and could be done in conjunction with the sidewalks currently being installed on Charles Street. Councilor Hamann **MOVED** to install a crosswalk on Charles Street at a location approximately 400 feet from the intersection with Columbus Avenue. Councilor Lachapelle seconded the motion.

Councilor Willis asked if this would be a mid-block crosswalk or would it be at an intersection with one of the side streets. Councilor Hamann said it would be a mid-block crosswalk that would tie in crosswalks on opposite sides of the street. Councilor Willis said that the appropriate signage would need to be erected in addition to the crosswalk. Councilor Hamann **AMENDED** his motion to include signage to be installed in addition to the crosswalk.

The councilors discussed the location further. Councilor Varney suggested putting a "dummy" in the crosswalk initially as people will not be familiar with it.

The **MOTION** to **AMEND** the original motion **CARRIED** by unanimous voice vote.

The **MOTION** as **AMENDED CARRIED** by unanimous voice vote.

Councilor Hamann said the Department of Public Works Department suggested changing signs in the downtown area to be consistent in language. The committee is proposing changing all of the signs in the downtown area to read "Two Hour Parking 8 AM to 5 PM Monday through Friday." Councilor Hamann **MOVED** to make those changes. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

10.4 Public Works Committee

Councilor Torr said that there were no action items. He did say that there has been discussion about putting lights in the Granite State Business Park and that what has been proposed is very expensive. He added that there are other parts of Rochester that could use better lighting and the need for expensive lights at the business park seems to be unnecessary. He asked for opinions from the other councilors.

John Storer, Public Works Commissioner, said that this issue came up at a recent Public Works Committee meeting and it was suggested that an

Agenda Bill be prepared for discussion at a City Council meeting. There will be several options and price ranges available for discussion.

Councilor Willis asked if the wiring for the lights at the business park is underground or overhead. Mr. Storer said it is all overhead. Councilor Willis said that makes a difference in the ultimate cost. Councilor Keans added that consideration should be given to the fact that there is an airport near the business park and adequate lighting is necessary.

Mr. Storer said he will have more information available to review in a couple of weeks regarding style, type, and price of the lighting.

Mayor McCarley asked if the Master Plan had provisions for the lighting and if it has been looked at, in particular, are there grants and/or programs available for funding this type of project.

Councilor Varney said he does not think anyone objects to the plan; it is just the timing.

Councilor Gray said this should go back to the Planning Board for more discussion.

Councilor Keans said there are quite a few projects going on in the City regarding transportation and maybe this lighting project should be looked at as a priority.

Councilor Torr talked about the proposed new Public Works facility and the fact that it has been suggested it be built on Pickering Road. He said it makes more sense to build it at the current location and utilize the new salt shed, state-of-art petroleum facility. He would like to see the Public Works Commissioner have some discretion on the project.

Councilor Varney asked if the loop road at Granite Ridge is now complete. Mr. Storer said there are a few loose ends to wrap up, but it is essentially done. Councilor Varney asked if it is time to deauthorized any remaining funds. Mr. Storer said that could probably happen toward the end of November.

Councilor Torr said that lighting poles near the new Ridge Marketplace are aluminum poles that look very nice and that style could work just as well at the Granite Business Park.

Councilor Gray said that he and Councilor Bogan have both gotten calls

regarding the pavement on sections of Academy Street that are in need of repair. Residents have concerns about pavement, drainage, trash bins, curbing, etc., and would like to have their concerns addressed. Councilor Gray would like to have the Public Works Committee look at these issues.

Councilor Lauterborn asked Councilor Torr if there is an update on a project off Charles Street involving Catherine and Myrtle Streets. Mr. Storer answered the question saying that there is actually an engineer working on the design for those streets, in addition to Academy Street, and that work should be going out for bid sometime around February [2017] with work to begin next summer.

Councilor Lauterborn commented on the trash barrels. She said she believed when the program initially began that people were supposed to bag their trash and then put it in the barrel. When this isn't done, loose trash spills out when the Waste Management truck is emptying it, especially on windy days. Councilor Lachapelle said yes, that is what is supposed to be done.

Councilor Torr said that major reconstruction was done on Academy Street about fifteen years and he hopes that this is not a recurring problem throughout the city. Councilor Gray said that Mr. Storer has done research on Academy Street and found that the reconstruction was done about 20 years ago. The street did not have water, sewer, and drainage improvements done and may possibly up for that upgrading.

Councilor Lachapelle questioned the new bridge on Route 125 as he has noticed some wood handles on it and asked Mr. Storer when that is supposed to be corrected. Mr. Storer said that there needs to be stronger guardrails on the side facing the drop-off and those will be replaced in the near future along with the handles on either end of it.

11. Old Business

There was no old business.

12. New Business

- 12.1. AB 22 Resolution Authorizing Acceptance of Donation from the Mary A. McDuffee Whitehouse Trust Fund (McDuffee Trust) First Reading, Second Reading, and Adoption**

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF DONATION FROM THE
MARY A. MCDUFFEE WHITEHOUSE TRUST FUND (MCDUFFEE TRUST)**

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

WHEREAS, that upon dissolution of the McDuffee Trust, the 7th Circuit Court-Probate Division approved the donation of the remaining McDuffee Trust funds to the City of Rochester to be administered by the Trustees of the Trust Funds;

THEREFORE, the donation of the remaining McDuffee Trust funds is hereby accepted by the City of Rochester;

FURTHER, to the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to work with the Trustees of the Trust Funds to identify, designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution.

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.

Councilor Lauterborn asked what this money is going to be used for. Mayor McCarley said it will go to the Trustees of the Trust Fund. Attorney O'Rourke said it will be for use in fuel assistance.

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

12.2. AB 10 Amendment to Chapter 11 of the General Ordinances of the City of Rochester Regarding Economic Development Special Reserve Fund **First Reading, Second Reading, and Adoption**

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

**AMENDMENT TO CHAPTER 11 OF THE GENERAL ORDINANCES OF THE
CITY OF ROCHESTER REGARDING THE ECONOMIC DEVELOPMENT
SPECIAL RESERVE FUND**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 11 of the General Ordinances of the City of Rochester regarding the Economic Development Special Reserve Fund and currently before the Rochester City Council, be amended as follows:

11.20 City of Rochester Economic Development Special Reserve Fund.

(a) **City of Rochester Economic Development Special Reserve Fund – Statement of Purpose.** The City of Rochester currently serves as the “Host Community” for the Turnkey Recycling and Environmental Enterprises Waste Disposal Facility (“TREE”) currently operated by Waste Management of New Hampshire, Inc., and located on the Rochester Neck Road. By virtue of its status as Host Community for TREE, the City of Rochester, in addition to incurring significant expenses in connection with such facility, receives significant financial benefits in the form of real property taxes, users fees (in the form of so-called “Host Community Fees”) and various other benefits relative to the cost to the City and its inhabitants of the disposal and/or recycling of various solid waste, including reduced and/or eliminated fees for the disposal and/or recycling of solid waste generated within the City of Rochester. It is currently estimated that the permitted capacity of the TREE Waste Disposal Facility (TLR-III) will be reached in approximately the year 2023. When such facility is filled to its permitted capacity, it is anticipated that the City will experience a loss in revenues, and the City and its inhabitants will experience increased costs associated with the disposal and/or recycling of solid waste, particularly in the form of reduced and/or lost users fees and reduced property tax revenues, as well as increased costs associated with the disposal and/or recycling of solid waste. Therefore, in an effort to offset the expected loss of revenues and increased costs occurring to the City as a result of the anticipated filling of the TREE Waste Disposal Facility to its permitted capacity and to promote the general fiscal strength and well-being of the City, it is necessary that economic development in the City of Rochester be promoted and/or maintained to

insure the existence and/or expansion of a vibrant economic base for the City and its inhabitants.

Therefore, the City Council of the City of Rochester, pursuant to the authority granted by RSA 47:1-b and RSA 47:1-c, hereby establishes a special revenue reserve fund from the specific source identified in subsection (b) of this Section 11.20 for capital expenditures or expenditures for capital projects, transfers to capital projects, transfers to capital reserve, or for any other appropriation of a non-recurring nature in support of economic development as determined by the City Council. The special reserve fund established in subsection (b) of this Section 11.20 shall be known as the "City of Rochester Economic Development Special Reserve Fund." No expenditure from the said City of Rochester Economic Development Special Reserve Fund shall be made without an appropriation of such funds having been adopted by the Rochester City Council, which appropriation shall provide that such appropriation is for economic development purposes and shall contain a statement and/or finding by the City Council indicating the manner in which it is anticipated that such appropriation is related to the economic development of the City of Rochester.

(b) City of Rochester Economic Development Special Reserve Fund.

There is hereby created a non-lapsing budgetary account within the City of Rochester, pursuant to the authority granted to the City by the provisions of RSA 47:1-b, such special reserve fund to be known as the 'City of Rochester Economic Development Special Reserve Fund'. Such fund shall be funded on an annual basis by the appropriation by the City Council to such special reserve fund of an amount not less than \$100,000 from the funds annually payable to the City of Rochester by Waste Management of New Hampshire, Inc. from the so-called "Host Community Fees" payable to the City pursuant to the provisions of the "Host Agreement" between the City and Waste Management of New Hampshire, Inc., or of any successor to such Agreement. In addition to such minimum funding level, the City Manager may, during any fiscal year of the City, upon written notification to, and appropriation by, the City Council, transfer to said 'City of Rochester Economic Development Special Reserve Fund' unappropriated 'Host Community Fees' in an amount not to exceed the difference between the total amount of Host Community Fees received from Waste Management of New Hampshire, Inc. during such fiscal year and the amount of such 'Host Community Fees' previously appropriated by the Rochester City Council during such fiscal year (having in mind the minimum funding/appropriation requirement provided for herein and any other appropriation of such fiscal year's 'Host Community Fees' by the City Council during such fiscal year).

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.

Councilor Keans asked for clarification on the last paragraph of the resolution. Deputy City Manager Cox explained that the amount of "host" fees cannot be exceeded.

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

12.3. AB 16 Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding Manufactured Homes **Second Reading and Adoption**

Councilor Lachapelle **MOVED** to read the amendment by title only for the second time. Councilor Bogan seconded the motion. Mayor McCarley read the amendment by title only for the second time.

**AMENDMENTS TO CHAPTER 42 OF THE GENERAL ORDINANCES OF
THE CITY OF ROCHESTER**

THE CITY OF ROCHESTER ORDAINS:

That subsections 42.2.161 and 42.20 (b) of Chapter 42 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows:

42.2 Definitions.

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161. Manufactured Housing: Any structure, meeting the federal Manufactured Home Construction and Safety Standards Act, commonly known as the HUD Code, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width and 40 body feet or more in length, or when erected on site, ~~is a minimum of 13 feet in overall width~~ and have at least ~~700~~ **320** square feet of habitable space, and which is built on a permanent chassis and designed to be used as a dwelling with

or without a permanent foundation when connected to required utilities, which include plumbing, heating and electrical systems contained therein. Manufactured Housing as defined here does not include pre-site housing as defined in RSA 674:31-a.

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42.20 **Standards for Specific Permitted Uses.**

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b. **Conditions for Particular Uses**

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9. **Manufactured Housing Subdivision**

A. **Overall Development**

~~iii. Minimum Size. Every manufactured home shall be at least 23 feet in width and have at least 700 square feet of habitable living space.~~

10. **Manufactured Housing Unit**

~~C. Minimum Size. Every manufactured home shall be at least 23 feet in width and have at least 700 square feet of habitable living space.~~

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

12.4. AB 23 Resolution De-Authorizing Funding from Business Education Development Special Reserve Fund and Authorizing the Transfer to the Economic Development Fund 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. Mayor McCarley read the resolution by title only for the first time as follows:

RESOLUTION DEAUTHORIZING FUNDING FROM BUSINESS EDUCATION DEVELOPMENT SPECIAL RESERVE FUND AND AUTHORIZE A TRANSFERTO THE ECONOMIC DEVELOPMENT FUND

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

ROCHESTER AS FOLLOWS:

WHEREAS, by virtue of certain resolutions adopted by the Mayor and City Council of the City of Rochester, the Mayor and City Council appropriated Six Thousand Six Hundred One and 80/100 Dollars (\$6,601.80) to the Business Education Development Special Reserve Fund, Account 6084; and

WHEREAS, the Business Education Development Special Reserve Fund is not currently used;

NOW THEREFORE, in light of the above, the Mayor and City Council of the City of Rochester hereby withdraw and deauthorize the sum of Six Thousand Six Hundred One and 80/100 Dollars (\$6,601.80) of the previous appropriation of funds from the Business Education Development Special Reserve Fund, Account 6084.

FURTHERMORE, the Mayor and City Council authorize the transfer of Six Thousand Six Hundred One and 80/100 Dollars (\$6,601.80) to the Economic Development Fund unassigned fund balance; and

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 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 unanimous voice vote. Mayor McCarley read the resolution by title only for the second time.

Councilor Lachapelle **MOVED** to **ADOPT**. Councilor Bogan seconded the motion.

Councilor Keans asked when this fund was first established. Economic Development Director Karen Pollard explained that it was a business education program for small businesses. It was a program that was funded a few years ago, but has not been used in quite awhile. She said that it is okay to defund the program at this time.

The **MOTION CARRIED** by majority voice vote.

12.5. AB 25 Resolution Authorizing the Re-Programming

Community Development Block Grant (CDBG) Funds **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. Mayor McCarley read the resolution by title only for the first time as follows:

**RESOLUTION AUTHORIZING THE REPROGRAMMING OF
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS**

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

WHEREAS, that Forty Nine Thousand One Hundred Three and 14/100 Dollars (\$49,103.14) remain unexpended from previously authorized CDBG funds;

WHEREAS, the Mayor and City Council desire to reprogram these funds into other worthwhile activities;

THEREFORE, the sum of Twenty One Thousand One Hundred Three and 14/100 Dollars (\$21,103.14) be expended on the Community Action Partnership of Strafford County weatherization program and that the sum Twenty Eight Thousand Dollars (\$28,000.00) be expended on the Hope on Haven Hill renovation project with all the funds to be derived from the aforementioned unexpended CDBG funds consistent with the attached Exhibit A; 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 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 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 unanimous voice vote.

12.6. AB 24 Resolution Authorizing Acceptance and Appropriation of

Community Action Partnership of Strafford County (CAP)
Community Development Block Grant (CDBG) Refund **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 unanimous voice vote. Mayor McCarley read the resolution by title only for the first time as follows:

**RESOLUTION AUTHORIZING ACCEPTANCE AND APPROPRIATION OF
COMMUNITY ACTION PARTNERSHIP (CAP) OF STRAFFORD COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) REFUND**

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

WHEREAS, a refund in the amount of Nine Hundred Sixty Eight and 10/100 Dollars (\$968.10) was issued by CAP to the City of Rochester reflecting unexpended CDBG funds and is hereby accepted by the City of Rochester;

FURTHER, that the sum of Nine Hundred Sixty Eight and 10/100 Dollars (\$968.10) be, and hereby is, appropriated to the City of Rochester's CDBG fund; 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 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 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 unanimous voice vote.

12.7. AB 26 Resolution Authorizing Acceptance and Appropriation of Moose Plate Grant Award **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 unanimous voice vote. Mayor McCarley read the resolution by title only for the first time as follows:

**RESOLUTION AUTHORIZING ACCEPTANCE AND APPROPRIATION
OF MOOSE PLATE GRANT AWARD**

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

WHEREAS, that a Conservation License Plate Grant ("Moose Plate Grant") grant in the amount of Ten Thousand Dollars (\$10,000.00) awarded to the City of Rochester is hereby accepted by the City of Rochester;

FURTHER, that the sum of Ten Thousand Dollars (\$10,000.00) be, and hereby is, appropriated to a non-lapsing Special Revenue Fund to be created for the purpose of carrying out historic restoration work to the City Hall Annex building;

FURTHER, that the City Manager is authorized to enter into a grant agreement and any other contracts with the New Hampshire Division of Historical Resources to receive and administer the grant funds detailed above;

FURTHER, that the City Clerk is authorized to sign all applicant grant agreement documents required to enter into a grant agreement with the New Hampshire Division of Historical Resources 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 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 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 unanimous voice vote.

12.8. AB 29 Approve the Draft Language Access Plan for the City of Rochester's CDBG Program **Motion to Approve**

Councilor Lachapelle **MOVED** to **APPROVE** the Draft Language Access Plan. Councilor Bogan seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

**Language Access Plan (LAP) for the City of Rochester's
Community Development Program**

Introduction and Purpose

The City of Rochester is committed to complying with all civil rights laws, including Title VI of the Civil Rights Act of 1964 (Title VI), which requires governmental entities to ensure that individuals with limited English proficiency (LEP) have meaningful access to federally-funded programs and services. The term LEP doesn't refer to people who are bilingual but rather to individuals who have a limited ability to read, write, or understand English well or at all.

The purpose of this plan is to ensure that the City of Rochester provides LEP individuals with meaningful access to the City's Community Development programs and services. In preparation for writing this plan and in order to identify the specific needs for LEP residents of the City of Rochester, the City's Community Development Coordinator conducted a needs assessment using the four-factor analysis provided in the U.S. Department of Housing and Urban Development (HUD)'s *Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*.

In accordance with this four-factor analysis, the City of Rochester has balanced the following:

- 1) The number or proportion of LEP residents served or encountered in the eligible service population. (As instructed in the guidance for the purpose of determining those LEP persons "served or encountered", the City of Rochester's Community Development program includes those persons who would be served or encountered if the persons received adequate outreach and were provided sufficient language services.)

- 2) The frequency with which LEP persons come into contact with the City of Rochester's Community Development program.
- 3) The nature and importance of the program, activity or service provided by the City of Rochester's Community Development program.
- 4) The resources available and costs to the City of Rochester's Community Development program.

LEP Populations to be Served or Encountered and the Frequency of Encounters

The City of Rochester's Community Development program manages the city's Community Development Block Grant (CDBG), which provides federal funding through HUD for improving the low- and moderate-income neighborhoods and providing important services to low- and moderate-income residents. The City of Rochester is a city of 30,038, according to 2015 estimates from the U.S. Census Bureau, and these same estimates state that 13.5% of the city's population is living in poverty (approximately 4,055 residents).

The most accurate estimate of the service size of the CDBG program and Community Development program is obtained through analysis of census tracts by income. A census tract is considered low- to moderate-income, and therefore eligible for CDBG services based on geographic area, if 51% or more of the residents within the census tract are low- to moderate income by HUD standards ($\leq 80\%$ of area median income). According to HUD data, a bit less than 50% of the city's population is low- to moderate-income or approximately 14,700 persons.

Determination of potential and actual LEP populations has been accomplished through a combination of local consultations, such as with the Rochester School Department's and the Dover Adult Learning Center's English as a Second Language (ESL) faculty, and reference to HUD-supplied data on national origin and limited English proficiency.

The predominant LEP population identified in the geographic area based on these analysis tools is comprised of residents who speak French (about 75 residents or approximately 0.2% of the overall population and 0.5% of the low-moderate income population). National origin data from HUD indicate about 75 residents are originally from Canada, 75 residents are originally from the Philippines, and 75 residents are originally from India. While this

does not mean that all of these residents are LEP, it does indicate a likelihood of some need for language accessibility for languages indigenous to these nations. Consultations with ESL instructors have indicated that there is not one predominant non-English language within the City of Rochester but a variety of languages, including but not limited to French, Arabic, Tagalong, Hindi, and Chinese.

At present, a very small percentage of Rochester's population is LEP, well below HUD's 5% "Safe Harbor Rule" threshold that triggers more robust language access requirements. However, consultations indicate that the LEP population within the city is increasing and is likely to continue to do so, and therefore the City of Rochester is addressing language access needs in a proactive manner.

Language Assistance Measures

The type of language assistance necessary to provide meaningful access will vary depending on the type of communication City staff is having with the LEP person (e.g., phone, in person, or written communication) and in some circumstances more than one method will work. Regardless of how the language assistance is provided, the City of Rochester recognizes the importance of providing such services in a timely manner and in an appropriate place. Failure to do so may effectively delay or deny LEP residents access to community development programs and services. City staff understands that the extent of the city's obligation to provide both oral and written translation is dependent on the HUD four-factor analysis. The City of Rochester has chosen to follow the Safe Harbor rule, contained in HUD's final guidance, to assist in determining when to provide translation of vital documents.

The Safe Harbor rule for written translation of vital documents is based on the number and percentages of the market area-eligible population or current beneficiaries and applicants that are LEP. According to the Safe Harbor Rule:

HUD would expect translation of vital documents to be provided when the eligible LEP population in the market area or current beneficiaries exceeds 1,000 persons or if it exceeds 5% of the eligible population or beneficiaries along with more than 50 people. In cases where more than 5% of the eligible population speaks a specific language, but fewer than 50 persons are affected, there should be a translated written notice of the person's right to an oral interpretation.

As such, because the City of Rochester's LEP residents is well below the 5% of the eligible population as well as far fewer than 1,000 persons, vital documents will not be translated at this time but, rather, a translated written notice of the person's right to an oral interpretation will be provided.

Oral Interpretation Services

HUD's safe harbor rule does not apply to oral communication. An obligation to provide oral language assistance exists regardless of the number or percentage of persons who comprise a specific language group. The City of Rochester's Community Development staff will collaborate with Rochester School Department ESL staff to provide competent interpretation services whenever such are necessary for assisting LEP residents. This will include distribution and use of Language Line Solutions' Language Identification Card by city staff likelihood to frequently interact with residents.

Interpreters providing services to the City of Rochester must:

- Be proficient in and able to communicate information accurately in both English and the other applicable language;
- Understand relevant community development terminology;
- Understand and ensure confidentiality; and
- Maintain impartiality and act solely in the role as an interpreter.

Regardless of who is used as an interpreter, city staff will adhere to the following guidelines when using an interpreter:

- Explain to the interpreter the purpose of the communication and provide a description of the information to be conveyed;
- Provide brief explanations of technical terms of art that may come up during the communication, such as eligibility, income limits, etc.;
- Avoid using acronyms, such as HUD, DHCD, MHFA, etc.;
- Speak in short sentences;
- Express one idea at a time and allow the information to be interpreted prior to continuing;
- Check in with the interpreter to make sure he/she is understanding what staff is attempting to communicate;
- Enunciate words;
- Avoid contractions; and
- Address the LEP resident and not the interpreter during the

conversation.

Residents who have limited English proficiency may choose to bring an informal interpreter with them to assist in communication, including but not limited to the LEP resident's family members, friends, legal guardians, or social services case manager. In such instances, city staff will:

- Inform LEP persons who bring an informal interpreter with them that free language interpretation is available;
- Choose a formal interpreter instead of an informal interpreter, if the circumstances and subject matter of the interaction indicate that formal interpretation is needed to protect the resident's rights and interests; and
- Avoid relying on minors as informal interpreters unless there is an extreme need and no competent interpreters are available.

Written Translation Services

In keeping with HUD's Safe Harbor Rule, the City of Rochester will provide a translated written notice of residents' rights to an oral interpretation of vital Community Development documents. At this time, however, vital documents will not be translated. This written notice will be provided in French, which is the currently-identified language spoken by a significant number of LEP residents.

Vital Community Development documents include the following:

- Public comments notices;
- Public hearing notices;
- Notices of Intent to Request the Release of Funds;
- Findings of No Significant Impact;
- Drafts and finalized versions of CDBG action plans and annual reports; and
- CDBG grant applications.

The City of Rochester's Community Development staff will collaborate with Rochester School Department ESL staff to provide accurate translation services whenever such are necessary for assisting LEP residents.

The City of Rochester will make every effort to use competent and accurate translators. Many of the considerations discussed regarding interpreters apply to translators.

HUD has translated a number of documents that, where appropriate, the City of Rochester will utilize. The City of Rochester recognizes that the translated document isn't a legal document and that HUD intends to put a disclaimer on it stating that it is

"providing the translation to you merely as a convenience to assist in your understanding of your rights and obligations. The English language version of this document is the official, legal, controlling document. This translated document is not an official document."

The City of Rochester intends to use a similar disclaimer on its legal documents that are translated. City staff will also be ready to provide oral interpretation of written documents for LEP residents who may not be able to read their native language.

Staff Training Regarding LEP Policies and Procedures

All current and future City of Rochester Community Development staff will be trained on their obligation to provide meaningful access to information and services for LEP residents. Training will seek to make staff aware of the following:

- The City of Rochester's obligation to provide meaningful access to LEP residents;
- LEP policies and procedures; and
- Protocol in responding to LEP residents contacting the city via telephone, written communications, and in-person contact.

Community Development staff will also include LEP and other language access training as a component of regular, ongoing training and development to keep informed of the City of Rochester's current and evolving obligations as a CDBG grant recipient. Information and materials received during such training will be distributed to other relevant city staff as appropriate.

Providing Notice of Free Language Services to LEP Residents

The City of Rochester recognizes that it is important to put residents on notice that free language assistance will be provided when needed. The City of Rochester's Community Development staff will notify residents of

these services through translated statements (e.g., “Free language assistance is available for accessing all Community Development programs.”) to be published in French and any other languages identified in the future as being spoken by a significant number of LEP residents. These translated notices will be included on the following documents:

- Public comments notices;
- Public hearing notices;
- Notices of Intent to Request the Release of Funds;
- Findings of No Significant Impact;
- Drafts and finalized versions of CDBG action plans and annual reports; and
- CDBG grant applications.

Continuous Oversight of the LAP – Monitoring and Updates

The City of Rochester’s Community Development program will monitor and update this language access plan on an ongoing basis. If new demographic data is released by the federal or state government, the City of Rochester will review the data and update the language access plan accordingly. In addition, special attention will be made to incorporate this plan into the City of Rochester’s Assessment of Fair Housing.

12.9. AB 28 FY15-16 Consolidated Annual Performance and Evaluation Report (CAPER) **Information Only – No Action Required**

There was no discussion.

12.10. AB 27 Amendment to Chapter 5 of the General Ordinances of the City of Rochester First Reading, Second Reading, and Adoption

Mayor McCarley said this item will be put on hold for the time being and no action will be taken by the City Council at this time.

12.11. AB 30 Resolution Authorizing the Rochester Department of Public Works (DPW) to Apply for a Loan From the Drinking Water State Revolving Fund (DWSRF) **First Reading and Adoption**

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

**RESOLUTION AUTHORIZING THE ROCHESTER DEPARTMENT OF
PUBLIC WORKS (DPW) TO APPLY FOR A LOAN FROM THE DRINKING
WATER STATE REVOLVING FUND (DWSRF)**

**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, approve the submission of a loan application in an amount up to Five Hundred Forty Thousand Dollars (\$540,000.00) to the Drinking Water State Revolving Fund (DWSRF) in order to fund the Water Treatment Plant Low Lift Station Upgrade Project.

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

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 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 Willis said he wished to abstain from voting on this resolution due to a potential conflict of interest. The **MOTION CARRIED** by majority voice vote.

**Note: Items 12.12.1 and 12.12.2 will be reversed in order due to the fact that the authorization would need to be voted on prior to the de-authorizing. This was the subject of the Public Hearing held earlier in the evening.*

12.12. AB 17 Emergency Repairs to the Wastewater Treatment Plant

12.12.2 AB 17 – B Resolution Authorizing Supplemental Appropriation to the FY 2017 Department of Public Works Sewer Fund Capital Improvements Fund for Emergency

Repairs to the Wastewater Treatment Plant and Authorizing
Bonding and/or Borrowing in Connection Therewith **Second
Reading and Adoption**

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

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION
TO THE FY2017 DEPARTMENT OF PUBLIC WORKS SEWER FUND
CAPITAL IMPROVEMENTS FUND FOR EMERGENCY REPAIRS TO THE
WASTEWATER TREATMENT PLANT
AND AUTHORIZING BONDING AND/OR BORROWING
IN CONNECTION THEREWITH**

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

That the sum of Two Hundred Twenty Thousand Dollars (\$220,000.00) be, and hereby is, appropriated as a supplemental appropriation to the 2017 fiscal year Department of Public Works Sewer Fund Capital Improvements Fund such funds to be used for the purpose of providing funds necessary to pay costs and/or expenditures associated with repairing the aeration system at the Wastewater Treatment Plant.

Further, that the Mayor and City Council of the City of Rochester hereby resolve that, 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 up to Two Hundred Twenty Thousand Dollars (\$220,000.00) through the issuance of bonds and/or notes, and/or through other legal form(s), for the purposes of funding the expenditures incident to the implementation of the Project outlined, and referred to, in the preceding paragraph, 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. The useful life for the aforesaid Project is 10 years.

Further, to the extent not otherwise provided for in this Resolution the City Manager and/or his designee(s) is authorized to sign all documents necessary to implement the purposes of this resolution, including the signing

of any engineering and/or services, materials, construction and or similar or related type contract(s) necessary to carry out the purposes of this resolution.

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.

The City reasonably expects to issue tax exempt bonds in the future to finance certain expenses related to this Project, the proceeds of which may be used, in part, to reimburse the City for Project expenses paid prior to the issuance of such bonds, including those authorized above. To that end, without in any way committing the City to issue such bonds, and/or notes, and/or other legal forms of borrowing, this Resolution shall be deemed to constitute the City's "official intent" with respect to such plans within the meaning of IRS Reg. 1.150-2.

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

12.12.1. AB 17 – A Resolution De-Authorizing Funding from the Department of Public Works Sewer Fund Capital Improvements Fund First Reading, Second Reading, and Adoption

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

RESOLUTION DEAUTHORIZING FUNDING FROM THE DEPARMENT OF PUBLIC WORKS SEWER FUND CAPITAL IMPROVEMENTS FUND

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 Two Hundred Twenty Thousand Dollars (\$220,000.00) to the Department of Public Works Sewer Fund Capital Improvements Fund for emergency repairs to the Wastewater Treatment Plant aeration system; and

WHEREAS, the City desires to change the source of funding for this project to borrowing;

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 Twenty Thousand Dollars (\$220,000.00) of the previous appropriation of funds from the Department of Public Works Sewer Fund Capital Improvements Fund and return said funds to the Sewer Fund unassigned retained earnings.

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

13. Other

There was no discussion.

14. Non-Meeting/Non-Public Session

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

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

Councilor Lauterborn **MOVED** to enter into the Non-Public Session, Land, under RSA 91-A:3,II(d) and a Non-Meeting, Consultation with Legal Counsel, under RSA 91-A:2,I (b) at 7:44 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a 13 to 0 roll call vote. Councilors Barnett, Keans, Lauterborn, Willis, 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 at 8:53 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a

unanimous voice vote.

Councilor Lauterborn **MOVED** to seal the Non-Public Session minutes because it was determined that disclosure would render a proposed action ineffective. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a 13 to 0 roll call. Councilors Abbott, Barnett, Bogan, Gates, Hamann, Keans, Lachapelle, Lauterborn, Torr, Varney, Willis, and Mayor McCarley all voted yes.

15. Adjournment

Councilor Torr **MOVED** to **ADJOURN** the Regular City Council Meeting at 8:54 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Marcia H. Roddy, CNHDCC
Deputy City Clerk