

**Rochester City Council Special Meeting
August 20, 2019
Council Chambers
7:01 PM**

COUNCILORS PRESENT

Councilor Abbott
Councilor Bogan
Councilor Hutchinson
Councilor Gates
Councilor Gray
Councilor Hamann
Councilor Keans
Councilor Lachapelle
Councilor Lauterborn
Councilor Torr
Councilor Walker
Deputy Mayor Varney
Mayor McCarley

OTHERS PRESENT

Blaine Cox, City Manager

Minutes

1. Call to Order

Mayor McCarley called the City Council Special Meeting to order at 7:01 PM. Deputy City Clerk Cassie Givara took a silent roll call. All Councilors were present.

**2. Resolution Granting Community Revitalization Tax Relief to the Property Located at 22 South Main Street Under the Provisions of RSA 79-E in Connection with a Proposed Rehabilitation Project
*second reading and consideration for adoption***

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

Resolution Granting Community Revitalization Tax Relief to the Property Located at 22 South Main Street Under the Provisions of RSA 79-E in Connection with a Proposed Rehabilitation Project

Be it Resolved by the Mayor and City Council of the City of Rochester, as follows:

Whereas, in an effort to stimulate local economic development and enhance City downtowns and Town centers, the New Hampshire Legislature has enacted RSA Chapter 79-E, entitled "Community Revitalization Tax Relief Incentive"; and

Whereas, the City of Rochester adopted the provisions of such Community Revitalization Tax Relief Incentive Program pursuant to RSA Chapter 79-E by Resolution of the City Council on October 7, 2008; and

Whereas, the Norman Vetter & Staci Vetter Revocable Trust, owner of the so-called 22 South Main Street in downtown Rochester, is desirous of making use of the benefits of RSA Chapter 79-E and it has, therefore, proposed a substantial rehabilitation project with respect to the structure located upon the so-called 22 South Main Street; and

Whereas, RSA Chapter 79-E requires that the governing body of the City of Rochester make certain findings and determinations with regard to a proposed substantial rehabilitation project in order for the structure to qualify for the RSA Chapter 79-E Community Revitalization Tax Relief Incentive;

Now, Therefore, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby make the following findings and determinations with respect to the proposed substantial rehabilitation proposal for the so-called 22 South Main Street property contemplated by the owner's Community Revitalization Tax Relief Application dated June 28, 2019, to wit:

(1) Any tax relief under the provisions of RSA Chapter 79-E or this resolution that is to be accorded with respect to the so-called 22 South Main Street property project shall be accorded only after the property owner grants to the City a covenant pursuant to the provisions of RSA 79-E:8 ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and in accordance with the requirements of RSA 79-E:8; and

(2) The Mayor and City Council find public benefits under RSA 79-E:7 in the proposed revitalization project proposed with respect to the so-called 22 South Main Street property project; and

(3) The proposed substantial rehabilitation project with respect to the aforesaid 22 South Main Street provides the following public benefits to downtown Rochester:

- I. It enhances the economic vitality of the downtown;
- II. It enhances and improves a structure that is culturally and historically important on a local level, within the context of the City's Historic District and the City center in which the building is located;
- III. It promotes development of downtown Rochester, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B;

(4) The specific public benefit is preserved through a covenant under RSA 79-E:8 if the project is implemented consistent with (a) the aforementioned application; (b) compliance with the recommendation to the City Council approved by the Community Development Committee on July 8, 2019; (c) the terms of this resolution; and (d) any other applicable requirements of Chapter 79-E; and

(5) The Mayor and City Council find that the proposed use is consistent with the City's Master Plan and development regulations.

Furthermore, as a result of making such determinations and findings, and subject to the owner's compliance therewith, and with the provisions of RSA Chapter 79-E, the Mayor and City Council hereby grant the requested tax relief for a period of eleven (11) years beginning with the completion of the substantial rehabilitation of the structure upon the so-called 22 South Main Street property.

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

- 3. Resolution Authorizing Supplemental Appropriation to the FY 2020 Sewer Fund Capital Improvement Plan Project Fund in Connection with Wastewater Treatment Plant (WWTP) Biosolids and Carbon System Storage Facilities Project in the Amount of \$8,750,000.00 and Bonding Authority Pursuant to RSA 33:9 and Authorizing the Application for a State of New Hampshire Department of Environmental Services (NHDES) Clean Water State Revolving Fund (CWSRF) Loan *second reading and***

consideration for adoption

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

Resolution Authorizing Supplemental Appropriation to the FY 2020 Sewer Fund Capital Improvement Plan Project Fund in Connection with Wastewater Treatment Plant (WWTP) Biosolids and Carbon System Storage Facilities Project in the Amount of \$8,750,000.00 and Borrowing Authority pursuant to RSA 33:9 and Authorizing the Application for a State of New Hampshire Department of Environmental Services (NHDES) Clean Water State Revolving Fund (CWSRF) Loan

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

That the amount of Eight Million Seven Hundred Fifty Thousand Dollars (\$8,750,000.00) is hereby appropriated as a supplemental appropriation to the Department of Public Works FY2020 Sewer CIP fund for the purpose of paying costs associated with the WWTP Biosolids and Carbon System Storage Facilities Project.

In accordance with the provisions of RSA 33:9 and in conjunction with this supplemental appropriation, the City Treasurer, with the approval of the City Manager, be, and hereby are authorized to borrow the sum of Eight Million Seven Hundred Fifty Thousand Dollars (\$8,750,000.00) through the issuance of bonds and/or notes, and/or through other legal form(s), such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter to the extent required, necessary and/or appropriate.

Further, 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 Fifteen Million Nine Hundred Fifty Two Thousand Seven Hundred Seventy Three and 50/100 Dollars (\$15,952,773.50) to the

NHDES CWSRF Loan program in order to finance the completion of the WWTP Biosolids and Carbon System Storage Facilities Project.

It is also further resolved that the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept the loan amount of Fifteen Million Nine Hundred Fifty Two Thousand Seven Hundred Seventy Three and 50/100 Dollars (\$15,952,773.50) from the NHDES CWSRF Loan program.

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

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded.

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

4. Supplemental Appropriation to the Department of Public Works CIP in an Amount of \$1,000,000 for the Colonial Pines Subdivision Drainage Project *first reading and refer to a Public Hearing on September 3, 2019*

Councilor Lachapelle **MOVED** to read the resolution for a first time and to refer to a public hearing on September 3, 2019. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for a first time by title only as follows:

Supplemental Appropriation to the Department of Public Works CIP in an amount of \$1,000,000.00 for the Colonial Pines Subdivision Drainage Project

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

That the amount of One Million Dollars (\$1,000,000.00) is hereby appropriated as a supplemental appropriation to the Department of Public Works CIP fund for the purpose of paying costs associated with the Colonial Pines Subdivision Project. The funding for this supplemental appropriation shall be derived in its entirety from the General Fund Unassigned Fund Balance.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

5. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the City Council Special Meeting at 7:03 PM. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk