Regular City Council Meeting September 4, 2018 Council Chambers 7:00 PM

COUNCILORS PRESENT

Councilor Abbott

Councilor Gates

Councilor Gray

Councilor Keans

Councilor Hamann

Councilor Hutchinson

Councilor Lachapelle

Councilor Lauterborn

Councilor Torr

Councilor Walker

Mayor McCarley

OTHERS PRESENT

Blaine Cox, City Manager Peter Nourse, Department of Public Works Chief Toussaint, Rochester PD

COUNCILORS EXCUSED

Councilor Bogan Councilor Varney

MINUTES

1. Call to Order

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

2. Opening Prayer

Mayor McCarley asked all those gathered to bow their heads for a moment of silence.

3. Presentation of the Colors

Mayor McCarley led the Pledge of Allegiance.

4. Roll Call

Deputy City Clerk Cassie Givara took the roll call. All Councilors were present except for Councilor Bogan and Councilor Varney, who were both excused.

5. Acceptance of Minutes

5.1 Special City Council Meeting Minutes: June 19, 2018 (Revised) consideration for approval

Councilor Lachapelle **MOVED** to **ACCEPT** the June 19, 2018, Special City Council revised meeting minutes. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

5.2 Regular City Council Meeting, Meeting Minutes: August 7, 2018 consideration for approval

Councilor Lachapelle **MOVED** to **ACCEPT** the August 7, 2018, Regular City Council meeting minutes. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

5.3 Special City Council Meeting, Meeting Minutes: August 21, 2018 consideration for approval

Councilor Lachapelle **MOVED** to **ACCEPT** the August 21, 2018, Special City Council meeting minutes. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6. Communications from the City Manager

6.1 Employee of the Month Award

City Manager Cox announced that Dawn Maskell of the Department of Public Works was the Employee of the Month for September 2018.

6.2 City Manager's Report

6.3 Non-Union Employment Policy Handbook Recommended Amendments

City Manager Cox gave an overview of several of his recommended amendments to the Non-Union Employment Policy.

Item #1: A recommendation to move the completion date of the employee performance evaluations from March to May 15 to allow supervisors more time to complete the evaluations.

Item #2: A recommendation to add a fourth tier for employees with

25 or more years which would allow for a fifth week of vacation.

Item #3: Currently the City has a 30-day "use it or lose it" policy. There are many employees who save time right up until the end of the year for unforeseen absences. The new wording proposes allowing an additional two months for employees to use saved time beyond the end of the year. This change will not affect an employees pay if they were to leave employment with the City.

Mayor McCarley inquired if it was up to the direct Supervisor's discretion whether or not to allow this additional two months to use saved time. City Manager Cox said it would be a general policy and not up to supervisor's discretion.

Councilor Walker asked what the difference was between vacation and paid leave. City Manager Cox responded that for employees on PTO, there is no difference.

Councilor Gray asked if these changes would affect both unionized and non-unionized employees. It was clarified that these changes were for nonunion employees.

City Manager Cox reported that the City Council has 60-days to review these amendments and make a decision. No decisions is being made at this meeting.

Item #4: A provision for shortening the window from one year to six months for non-union employees to accumulate a personal day.

Councilor Keans inquired about "earned time" and if it was something the City of Rochester offered. City Manager Cox clarified that the City of Rochester does not have "earned time" but rather paid time off, which is essentially the same thing. It lumps all paid time off into one category.

Item #6: This amendment would remove the stipulation that the bereavement days need to be consecutive.

City Manager Cox briefly outlined some other minor changes in wording as well as the change from Matthew Thornton insurance to Anthem.

Councilor Keans asked for clarification on the schedule for raises given to City staff, and which employees receive step increases. City Manager Cox stated that all employee evaluations would be due on July 1, 2018, not on the employees' anniversary hire date and all increases are merit increases. Mr. Cox also stated that there are no departments receiving step increases.

It was verified that the only department which does increases on the employee anniversary date is the Police Department for Union employees. The non-union Police Department employees receive increases in July.

7. Communications from the Mayor

7.1. Proclamation: "National Recovery Month" September, 2018

Mayor McCarley announced that September 2018 would be recognized as National Recovery Month in the City of Rochester. Elizabeth Atwood of SOS Recovery came forward to receive the proclamation.

7.2. Proclamation: "National Thank a Police Officer Day" September 15, 2018

Mayor McCarley announced that Saturday September 15, 2018, would be National Thank a Police Officer Day in the City of Rochester. She encouraged citizens to show their support to Rochester Police officers by featuring blue on their properties and thanking our law enforcement officers. Chief Toussaint came forward to accept the Proclamation on behalf of the Rochester Police Department.

Mayor McCarley reminded everyone that the Rochester Fair was opening on Thursday September 6, 2018, for four days and reopening again on Thursday September 13. She encouraged everyone to go out and support the fair.

8. Presentation of Petitions and Council Correspondence

No Discussion.

9. Nominations, Appointments, Resignations, and Elections

9.1. Appointment: Councilor Elaine Lauterborn, Voting Delegate to the NHMA Legislative Policy Conference

Mayor McCarley **MOVED** to **ACCEPT** the appointment of Elaine Lauterborn as the voting delegate to the NHMA Legislative Policy Conference. Councilor Lachapelle seconded the motion. Councilor Lachapelle **MOVED** that nominations cease. Councilor Gates seconded the motion. Councilor Lachapelle **MOVED** that the Clerk cast one ballot for Councilor Lauterborn. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

9.2. Resignation: Kyle Starkweather, Planning Board

Councilor Walker **MOVED** to **ACCEPT** with regret the resignation of Kyle Starkweather, Planning Board. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

9.3. Resignation: Missi D'Arcy, Ward 5 Ward Clerk

Councilor Walker **MOVED** to **ACCEPT** with regret the resignation of Missi D'Arcy, Ward Clerk of Ward 5. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

9.4. Appointment: Jim Grant, Supervisor of the Checklist, Ward 6

Mayor McCarley **MOVED** to **ACCEPT** the appointment of Jim Grant as Supervisor of the Checklist for Ward 6. Councilor Lachapelle seconded the motion. Councilor Lachapelle **MOVED** that nominations cease. Councilor Walker seconded the motion. Councilor Lachapelle **MOVED** that the Clerk cast one ballot for Mr. Grant. Councilor Walker seconded the motion. The **MOTION CARRIED** by a majority voice vote.

9.5. **Nomination:** Therese Hickman, NHDES Local River Management Advisory Committee

Mayor McCarley **MOVED** to **ACCEPT** the nomination of Therese Hickman to the NHDES Local River Management Advisory Committee. Councilor Keans seconded the motion. Councilor Walker **MOVED** that nominations cease. Councilor Lachapelle seconded the motion. Councilor Lachapelle **MOVED** that the Clerk cast one ballot for Ms. Hickman. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10. Reports of Committees

10.1. Codes & Ordinances Committee

Councilor Lachapelle reported that the Codes & Ordinances Committee met in August and there are no action items. The Codes meeting for Thursday September 6, 2018, has been canceled and they will next meet on Thursday October 4, 2018.

10.2. Community Development Committee

Elaine Lauterborn stated that there were no action items resultant from the Community Development Committee.

There had been a presentation by COAST in regards to a new initiative which they're starting for a comprehensive operations analysis. There will be public meetings scheduled for input over the next year and a half.

The next Community Development Committee meeting for Monday September 10, 2018, has been canceled and they will meet again sometime after the housing charrette which takes place September 26^{th} – 28^{th} 2018.

There was a brief discussion held by Council to clarify wording about parking signage and where the signs would be placed in the City.

Councilor Keans referenced a section of the minutes which stated that the Wayfinding task force would approve the sign locations. Councilor Keans suggested that the final decision on sign placement come back to full Council for a vote as opposed to be being decided by a separate commission.

10.3. CTE Joint Building Committee

The Joint Building Committee met in August and had a chance to review the status of work on the building. There is some ongoing testing on flooring and the final decision has been delayed slightly. Mayor McCarley reported that overall, things are progressing quite well.

10.4. Finance Committee

10.4.1. Resolution Authorizing Supplemental Appropriation to the 2018-2019 Capital Improvements Plan (CIP) of the City of Rochester, Department of Public works CIP Fund, Water CIP Fund, and Sewer CIP Fund in the

Amount of \$180,000.00 for the Asset Management Software Project *first reading, consideration for second reading and adoption*

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. 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:

Resolution Authorizing Supplemental Appropriation to the 2018-2019 Capital Improvements Plan (CIP) of the City of Rochester, Department of Public Works CIP Fund, Water CIP Fund, and Sewer CIP Fund in the Amount of \$180,000.00 for the Asset Management Software Project

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

That the sum of One Hundred Eighty Thousand Dollars (\$180,000.00) is hereby appropriated as a supplemental appropriation to the 2018-2019 capital improvements budgets of the City of Rochester, Department of Public Works as follows: Sixty Thousand Dollars (\$60,000.00) to the Department of Public Works CIP Fund: Sixty Thousand Dollars (\$60,000.00) to the Department of Public Works Water CIP Fund; Sixty Thousand Dollars (\$60,000.00) to the Department of Public Works Sewer CIP Fund. The purpose of this supplemental appropriation is to pay for costs and expenditures related to the Asset Management Software Project. This Project had previously been funded by bond authority which will be deauthorized by subsequent Council action.

Further, the One Hundred Eighty Thousand Dollars (\$180,000.00) supplemental appropriation shall be derived as follows: Sixty Thousand Dollars (\$60,000.00) from the General Fund Unassigned Fund Balance, Sixty Thousand Dollars (\$60,000.00) from the Water Fund Retained Earnings Balance, and Sixty Thousand Dollars (\$60,000.00) from the Sewer Fund Retained Earnings Balance.

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

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

motion. The **MOTION CARRIED** by a majority voice vote. Mayor McCarley read the resolution for a second time by title only.

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

10.4.2. Resolution in Accordance with RSA 33:9
Deauthorizing \$180,000.00 in Bond Authority
Related to the 2018-2019 Capital Improvements
Plan (CIP) of the City of Rochester, Department
of Public works CIP Fund, Water CIP Fund, and
Sewer CIP Fund for the Asset Management
Software Project first reading, consideration for
second reading and adoption

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. 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:

Resolution in Accordance with RSA 33:9 Deauthorizing \$180,000.00 in Bond Authority Related to the 2018-2019 Capital Improvements

Plan (CIP) of the City of Rochester, Department of Public Works CIP

Fund, Water CIP Fund, and Sewer CIP Fund for the Asset

Management Software Project

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

Pursuant to RSA 33:9, Sixty Thousand Dollars (\$60,000) of previous bond authority is deauthorized from the 2018-2019 Department of Public Works CIP Fund, Sixty Thousand Dollars (\$60,000) of previous bond authority is deauthorized from the 2018-2019 Department of Public Works Water CIP Fund, and Sixty Thousand Dollars (\$60,000) of previous bond authority is deauthorized from the 2018-2019 Department of Public Works Sewer CIP Fund for costs associated with the so-called Asset Management Software 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.

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

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

10.4.3. Committee Recommendation: To not move forward with switching the Assessing software from Patriot to Avitar consideration for approval

Mayor McCarley stated she would be voting against this recommendation. Mayor McCarley felt that it had been presented well to the finance committee and that any unanswered questions had been covered.

Councilor Walker stated he felt there were certain costs which hadn't been calculated into the switch from Patriot software to Avitar, such as costs for overtime for cleaning up the software and making it integrate with Munis.

Mayor McCarley **MOVED** to continue the use of Patriot Properties. Councilor Walker seconded the motion. The **MOTION CARRIED** by a majority voice vote.

10.5. Public Safety

10.5.1. Committee Recommendation: To Add a Crosswalk on Wakefield Street at the Walkway to the Spaulding High School Cafeteria Entrance consideration for approval

Councilor Walker **MOVED** to add a crosswalk on Wakefield Street at the Walkway to the Spaulding High School Cafeteria entrance. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.5.2. Committee Recommendation: To Deny the Request for a Streetlight on Yvonne Street consideration for approval

Councilor Walker **MOVED** to deny the request for a streetlight on Yvonne Street. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous/majority voice vote.

10.5.3. Committee Recommendation: To deny the Installation of a "Blind Driveway" sign on Four Rod Road consideration for Approval

Councilor Walker **MOVED** to deny the installation of a Blind Driveway sign on Four Rod Road. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.5.4. Committee Recommendation: To Install a "Stop" Sign on City Property facing Dustin Homestead at the discretion of DPW consideration for Approval

Councilor Walker **MOVED** install a Stop sign on City Property facing Dustin Homestead at the discretion of DPW. Councilor Hutchinson seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.5.5. Committee Recommendation: To send a letter to the State for action with the intersection of Tebbetts Road and Old Dover Road consideration for Approval

Councilor Walker **MOVED** to approve the sending of a letter to the State for action with the intersection of Tebbetts Road and Old Dover Road. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.6. Public Works & Buildings Committee

Councilor Torr reported that there were no action items from the Public Works & Buildings Committee.

Councilor Torr discussed the repeated vandalism of the planks on the Dewey Street Bridge and spoke about a similar bridge which is in the plans for the Riverwalk. Councilor Torr suggested installing cameras at this location to deter vandalism.

Councilor Gray requested an action item from Public Works for the installation of cameras so Council can determine whether it is feasible and what the cost would be.

City Manager Cox reported that Sonja Gonzalez, CIO, had been researching this item and would report back to Council.

10.7. Tri-City Mayors' Task Force on Homelessness

Councilor Hutchinson reported that the Tri-City Mayors' Task Force on Homelessness met on August 9, 2018. At this meeting, the Mayors elected Terra Stewart, a member of the homeless community, to serve as a voting member of the committee.

Councilor Hutchinson reminded Council that the Task Force will not be contracting with Strafford Regional Planning Commission for the development and writing of the Master Plan. Instead, the Task Force is meeting with the County Commissioners and will be looking in-house for assistance with drafting the Master Plan. Councilor Hutchinson reported that this new plan may necessitate pushing back the November 1, 2018, deadline.

Councilor Keans inquired about the chart of resources which was included in the Task Force minutes and how it had been developed. Councilor Hutchinson stated that the chart was neither comprehensive nor indefinite. It was resultant from a request from Dover's Mayor Weston for a basic spreadsheet showing which resources offered which services and to whom.

11. Old Business

11.1. Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding Development and Construction Signs second reading and consideration for adoption

Councilor Lachapelle **MOVED** to read the amendment for the second 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:

Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding Development and Construction Signs

THE CITY OF ROCHESTER ORDAINS:

That Chapter 42 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows (changes in italics):

42.29 Signs

m. Specific Sign Requirements.

- 6.1. **Development and Construction Signs**. Signs temporarily erected during construction to inform the public of the developer, contractors, architects, engineers, the nature of the project or anticipated completion dates, shall be permitted in all zoning districts, subject to the following limitations:
- A. Such signs on a single residential lot, residential subdivision, or multiple residential lots, and nonresidential uses shall be limited to one sign, no greater than 10 feet, in height and 32 square feet in area.
- B. Such signs for commercial or industrial projects shall be limited to one sign per street front.
- c. Development and construction signs may not be displayed until after the issuance of construction permits by the building official and must be removed no later than 24 hours following issuance of an occupancy permit for an or all portions of the project.
- 6.2. Planned Unit Development Signs. These signs shall be used to identify a project and/or inform the public of the name of a development.
- A. Such signs shall only be used for Planned Unit Developments.
- B. Such signs shall be no greater than 16 square feet.
- C. Such signs may not be lit.
- D. Such signs are allowed in Open Space.
- E. Such signs shall require approval from the Planning Board. The Board may require specific materials, landscaping, or other features.
- F. This section shall also apply to previously approved Planned Unit Developments.

The effective date of these amendments shall be upon passage.

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

11.2. Amendment to Chapter 42 of the General Ordinances

of the City of Rochester Regarding the Location and Boundaries of Zoning Districts and to Table 18-B, Permitted Uses second reading and consideration for adoption

Councilor Lachapelle **MOVED** to read the amendment for the second 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:

Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding the Location and Boundaries of Zoning Districts and to Table 18-B, Permitted Uses

THE CITY OF ROCHESTER ORDAINS:

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

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

WHEREAS, the Mayor and City Council of Rochester desire to amend the City of Rochester Zoning Map to convert the Neighborhood Mixed Use Zone between North Main Street Bridge and Holy Rosary Church to Downtown Commercial Zone.

WHEREAS, the Mayor and the City Council of Rochester desire to amend the City of Rochester Zoning Map to expand the boundaries of the Special Downtown Overlay district to encompass the entire Downtown Commercial Zone.

WHEREAS, the Mayor and the City of Rochester desire to amend the City of Rochester Zoning Ordinance Table 18-B, Sales-Service-Office-Institutional Uses to eliminate "Gas Station" and "Vehicle Service" as permitted uses in the Downtown Commercial Zone.

THEREFORE, the Mayor and City Council of Rochester ordain that the Neighborhood Mixed Use Zone in the City of Rochester between North Main Street Bridge and Holy Rosary Church shall be converted to Downtown Commercial Zone in accordance with the Attached Exhibit. (Exhibit A).

FURTHER, the Mayor and City Council of Rochester ordain that Special Downtown Overlay District shall be expanded to cover the entirety of the Downtown Commercial Zone in accordance with the Attached Exhibit. (Exhibit B).

STILL FURTHER, the City of Rochester Zoning Map shall be amended and updated to reflect that the above shown changes ordained by the Mayor and the City Council.

FINALLY, the Mayor and the City Council of Rochester ordain that "Gas Station" and "Vehicle Service" shall be eliminated as permitted uses in the Downtown Commercial Zone and that Table 18-B shall be reflect said change as shown in the Attached Exhibit. (Exhibit C). (Exhibits A, B, & C, see Addendum A)

The effective date of these amendments shall be upon passage.

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

12. Consent Calendar

No Discussion.

13. New Business

13.1. Resolution Authorizing the City Manager to Enter into a Lease Agreement with Fresh Vibes Café, LLC *first reading and consideration for adoption*

• Exhibit A 13.1

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. 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:

Resolution Authorizing the City Manager to Enter Into a Lease Agreement with Fresh Vibes Café, LLC

BE IT RESOLVED BY THE MAYOR AND 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 City Manager to enter into a One (1) year lease agreement with Fresh Vibes Café, LLC from September 5, 2018 to September 5, 2019 for a 575 square foot portion of Union Street Parking consistent with the terms of Exhibit A.

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

Councilor Keans asked what the boundaries would be for this outdoor dining area. She stated that based on the design, it looked as though it extended in to the parking lot which could be a problem with the already-limited parking downtown.

13.2. Resolution Authorizing the Creation of a Riverwalk Account in order to Receive Donations up to \$5,000.00 and Supplemental Appropriation in Connection Therewith first reading, consideration for second reading and adoption

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. 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:

Resolution Authorizing the Creation of a Riverwalk Account in order to Receive Donations up to \$5,000.00 and Supplemental Appropriation in Connection Therewith

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

That the City Manager and the Finance Director are hereby authorized to create a Riverwalk Account to allow the Riverwalk Committee to accept donations toward the Riverwalk Project.

Further, the City Council hereby authorizes a supplemental appropriation in the amount of Five Thousand Dollars (\$5,000.00) to the newly created Riverwalk Account. The appropriation will be derived in its entirety from donations received by the Riverwalk Committee.

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 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 for a second time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a majority voice vote. Mayor McCarley read the resolution for a second time by title only.

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

13.3. E911 Committee Recommendations

13.3.1. Resolution Authorizing the Renumbering of Addresses on Eastern Avenue in Compliance with E911 Standards first reading and refer to a public hearing

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only and refer to public hearing. 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:

Resolution Authorizing the Renumbering of Addresses on Eastern Avenue in Compliance with E911 Standards

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

That pursuant to RSA 231:133, RSA 231:133-a, and consistent with the State of New Hampshire's E911 standards, the City Council hereby authorizes the renumbering of street addresses on Eastern Avenue as shown in Exhibit A. (See Addendum B)

13.3.2. Resolution Authorizing the Renumbering of 31 Main Street to 33 Main Street in Compliance with E911 Standards first reading and refer to a public hearing

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only and refer to public hearing. 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:

Resolution Authorizing the Renumbering of 31 North Main Street to 33 North Main Street in Compliance with E911 Standards

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

That pursuant to RSA 231:133, RSA 231:133-a, and consistent with the State of New Hampshire's E911 standards, the City Council hereby authorizes the renumbering of 31 North Main Street to 33 North Main Street.

13.4. Resolution Deauthorizing \$1,038 in Funding Related to the 2017-2018 Victims of Crime Act Grant first reading, consideration for second reading and adoption

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

Resolution Deauthorizing \$1,038.00 in funding related to the 2017-2018 Victims of Crimes Act Grant

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

That the amount of One Thousand Thirty Eight Dollars (\$1,038.00) appropriated as part of the 2017-2018 Victim of Crimes Act (VOCA) Grant is hereby deauthorized. Eight Hundred Thirty and 41/100 Dollars (\$830.41) of the deauthorization is grant reimbursement which will not be sought from the New Hampshire Department of Justice. Two Hundred Seven and 59/100 Dollars (\$207.59) of the deauthorization is derived from the City's required local match and shall be returned to the General Fund Unassigned Fund Balance.

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

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

motion. The **MOTION CARRIED** by a majority voice vote. Mayor McCarley read the resolution for a second time by title only.

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

13.5. Resolution Authorizing Supplemental Appropriation to the 2018-2019 Rochester Police Department Operating Budget and Acceptance of a United States Department of Justice (USDOJ) Justice Assistance Grant (JAG) in the amount of \$26,029.00 first reading, consideration for a second reading and adoption

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. 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:

Resolution Authorizing Supplemental Appropriation to the 2018-2019 Rochester Police Department Operating Budget and Acceptance of a United States Department of Justice (USDOJ) Justice Assistance Grant (JAG) in the amount of \$26,029.00

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

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept a grant in the amount of Twenty Six Thousand Twenty Nine Dollars (\$26,029.00) from the United States Department of Justice Justice Assistance Grant program in order to fund crime scene forensic training and the purchase of related equipment.

Further, the Mayor and City Council authorize the Rochester Police Department to enter into an inter-local agreement with the City of Somersworth to act as fiscal agent for this grant in exchange for 5% or One Thousand Three Hundred One Dollars (\$1,301.00) of the City of Rochester's grant award.

Still further, that the sum of Twenty Six Thousand Twenty Nine Dollars (\$26,029.00) be, and hereby is, appropriated as a supplemental appropriation to the 2018-2019 operating budget for the City of Rochester Police

Department. The source of the sums necessary to fund such appropriation shall be drawn, in their entirety, from the grant.

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 and to establish special revenue, non-lapsing, multi-year fund accounts(s) as necessary to which said sums shall be recorded.

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

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

13.6. Resolution Authorizing the Department of Public Works to Submit a New Hampshire Department of Transportation (NHDOT) Transportation Alternatives (TAP) Grant Application in an amount not to exceed \$500,000.00 first reading and consideration for adoption

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. 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:

Resolution Authorizing the Department of Public Works to Submit a
New Hampshire Department of Transportation (NHDOT)
Transportation Alternatives (TAP) Grant Application in an amount
not to exceed \$500,000.00

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

That the Department of Public Works is thereby authorized to submit a NHDOT TAP Grant Application in an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) to pay for the costs associated with the Portland Street Sidewalk Project. If the grant is awarded, the City will be required to provide

a Twenty Percent (20%) match not to exceed One Hundred Thousand Dollars (\$100,000.00).

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

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

13.7. Land SELT – Water Supply Land Purchase & Conservation Easements

13.7.1. Resolution Authorizing the City Manager to place 95 acres of City property into a Conservation Easement with the Southeast Land Trust first reading, consideration for second reading and adoption

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

Resolution Authorizing the City Manager to place 95 acres of City property into a Conservation Easement with the Southeast Land Trust

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

The City Manager is hereby authorized to transfer Ninety Five (95) acres of City property located in Farmington, New Hampshire (Farmington Tax Map R-9, Lot 8; R-10, Lot 19; and R-26, Lot 3) as part of the City's water reservoir into a Conservation Easement with SELT. The City Manager is further authorized to execute all documents necessary to complete the above transaction on behalf of the City.

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

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

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

Councilor Keans asked for some more information on the process, the ownership and the responsibilities once this conservation easement goes into place.

Peter Nourse, Department of Public Works, stated that the Southeast Land trust will perform the monitoring that is required and the City of Rochester will maintain the property and grant the easement to SELT to monitor. The City of Rochester retains all authority to manage the property as they would manage the watershed. The City is also responsible for maintenance and operation of any structures on the property, such as dams.

Councilor Keans inquired what the advantage would be to putting the land into the conservation trust with SELT.

Mr. Nourse stated that the major advantage is that the City gets a better tax assessment.

13.7.2. Supplemental Appropriation to the 2018-2019 Department of Public Works, Water Capital Improvement Plan Fund in an amount not to exceed \$122,000.00 for Water Reservoir Land Protection first reading, consideration for second reading and adoption

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. 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 2018-2019 Department of Public Works, Water Capital Improvement Plan Fund in an amount not to exceed \$122,000.00 for Water Reservoir Land Protection

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

That an amount not to exceed One Hundred Twenty Two Thousand Dollars (\$122,000.00) is hereby appropriated as a supplemental appropriation to the 2018-2019 Department of Public Works, Water Capital Improvement Plan Fund for the purpose of paying costs associated with Southeast Land Trust's (SELT) acquisition of a conservation easement on the so-called Bullwinkle Property in Farmington, a fee interest in the so-called Stuart Property in Farmington, as well as costs associated with the City's donation of Ninety Five (95) acres of land in Farmington to be put in conservation easement by SELT. All land transfers are for the protection of the City's water reservoir.

The funds for this supplemental appropriation shall be derived in their entirety from the Water Fund retained earnings balance.

Further, the City Manager is hereby authorized to execute all documents necessary to complete the above transactions on behalf of the City.

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

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

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

13.8 2019-2020 Final Legislative Policy Recommendations

Councilor Keans stated that the recommendations make a lot of sense as written and does not recommend any changes.

13.9 Resolution for Supplemental Appropriation to the Conservation Fund for Fiscal Year 2017-2018 Pursuant to the Provisions of Section 11.21(c) of the General Ordinances of the City of Rochester first reading, consideration for second reading and adoption

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

Resolution for Supplemental Appropriation to the Conservation Fund for Fiscal Year 2017-2018

Pursuant to the Provisions of Section 11.21(c) of the General Ordinances of the City of Rochester

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

As a supplemental appropriation to the 2017-2018 fiscal year operating budget of the City of Rochester, the sum of Sixty Seven Thousand Two Hundred Ninety Dollars (\$67,290.00); from annual excess Land Use Change Tax funds for fiscal year 2017-2018 to the City of Rochester Conservation Fund, the sums necessary to fund such supplemental appropriation to be drawn in their entirety from the aforesaid annual excess Land Use Change Tax revenues received during fiscal year 2017-2018.

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 effective date of this Resolution shall be June 30, 2018.

Councilor Hamann inquired why the Council needed to vote on this item. City Manager Cox stated that each year as part of the budget process, the City appropriates a certain amount of land use change taxes to the conservation fund, typically around \$10,000.00. Usually, the City collects more than the \$10,000.00 in land use change taxes, so the option is then brought back to Council to put the excess into the conservation fund. Otherwise, the excess will go into the Fund Balance.

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion. The **MOTION CARRIED** by majority roll call vote with Councilors Lachapelle, Hutchinson, Gates, Hamann, Keans, Lauterborn, Gray, Walker, Abbott and Mayor McCarley voting in favor and Councilor Torr voting against.

14 Non-Meeting/Non-Public Session

There is no non-meeting/Non-public session this evening.

15 Other

Mayor McCarley announced that Anita Greene had passed away and the service for her will be held Wednesday September 5 at 10:00 AM.

Councilor Keans stated that she'd received communications from some constituents regarding the proposed public works facility on Chestnut Hill Road. The constituents had expressed concerns that there would be dumping of road salt on the grounds of the new facility and if it would affect their wells.

Councilor Gates spoke about the Fire Department wanting to require all new single family homes to have either sprinkler systems or a cistern if they are outside the City water supply. Councilor Gates reported that he had done some research and received price quotes from several companies ranging from \$7,000.00 to \$10,000.00 for a 2,000 sqf home outside the Rochester water supply to have a sprinkler system installed. For a cistern with all associated materials and services, the cost was upwards of \$26,000.00. Councilor Gates stated that this additional cost could make home ownership unattainable for some potential buyers in Rochester.

Councilor Lauterborn asked if these fire safety measures were State requirements. It was determined that the fire safety measures were State required and had been since 2008, but they had not been enforced perhaps in part due to the additional costs which are prohibitive.

Councilor Gates questioned how many fires occurred in the City each year which fall outside the City's water supply.

Councilor Lauterborn suggested a report be presented at a future meeting outlining the specifics of this issue such as what the state requirement entails, why these requirements have not been enforced and what are other Cities doing.

16 Adjournment

Councilor Walker **MOVED** to **ADJOURN** the meeting at 8:13 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully Submitted,

Cassie Givara Deputy City Clerk

EXHIBIT A

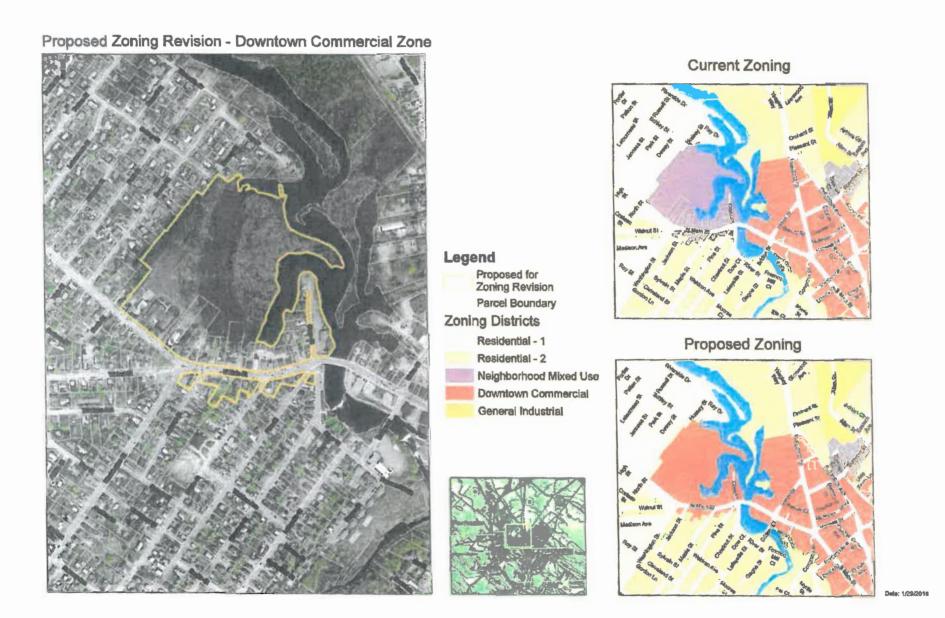


EXHIBIT B

Proposed Zoning Revision - Special Downtown Overlay **Current Zoning** Legend Proposed for Zoning Revision Parcel Boundary Special Downtown Overlay **Zoning Districts** Residential - 1 Residential - 2 **Proposed Zoning** Neighborhood Mixed Use Downtown Commercial Office Commercial General Industrial

Deta: 1/29/2011

EXHIBIT C

TABLE 18-B SALES-SERVICE-OFFICE-INSTITUTIONAL USES

SALES-SERVICE-OFFICE-INSTITUTIONAL USES	Residential Districts		Commercial Districts				Industrial Districts		Special		Criteria/Conditions	
	R1	R2	NMU	AG	DC	OC_	НС	GI	RI	HS	AS	Section Reference
dult Day Care Center		-	E	E	Р	Р	Р	Е		Р	-	Section 42.22
dult Day Care Home	-	Е	E	E	P	Р	Р	-		Р		Section 42.22
Adult Oriented Establishment		-	100	(-)			-		С	-	1.7	Section 42.22
gricultural Building, Reuse of Existing	C	С	-	С	-	Р	-	1-	1-	-	-1	Section 42.22
Antique Shop	-	С	Р	-	Р	Р	Р	-	-	-	-	Section 42.21
Artist Studio		С	Р	77.	Р	Р	Р			1 -	1-2	Section 42.21
Bank	-		С	-	Р	Р	Р	-	-	-		Section 42.21
Convenience Store	-	С	Р	-	Р	Е	Р		-	-		Section 42.21
Day Care - 1 (Day Care Residence)	P	Р	Р	Р	Р	Р	Р		-	Р	100	
Day Care - 2 (Day Care - Family)	-	E	Р	E	Р	Р	Р	-	-	Р	-	Sections 42.20 & 42.21
Day Care - 3 (Day Care Center)	-	-	E	E	P	P	Р	E	-	E	-	Section 42.22
lorist			Р		Р		Р					
uneral Home		-	С		Р	Р	Р	- 1		P	140	
Sas Station	-	-	·	-	异	-	Р	-	-		-	Sections 42.20 & 42.21
Grocery Store	-	-	-	-	Р	-	Р	-	-	-	-	
lospital	-	-	Billio-III	1	Р	Р	Р		11-	Р	-	
louse of Worship		С	С	C	Р	С	Р	-	-	Р	-	Section 42.21
lousing Unit Sales	1		-	-	-	-	Р	P	-	+ -	<u> </u>	
aundry Establishment - 1		С	Р	1 10	P		P	1,4	2		(2)	Section 42.21
aundry Establishment - 2	-	-	P	-	Р	-	P	-	-	·	-	
ibrary	-	С	Р	С	P	Р	Р	<u> </u>	-	 	1.	Section 42.21
Marina			1-	-	· ·	-	Р	 -	_	+-	-	
Museum	-	С	Р	С	Р	Р	Р	-	-		-	Section 42.21
Office	-	-	Р	-	Р	Р	Р	P	Р	·	-	
Office, Medical		-	С		Р	Р	Р	С		Р	P	Section 42.21
Office, Professional		1	Р	1 -	Р	Р	Р	Р	-	III IZV	(-)	
Personal Service Establishment	-		Р	-	Р	Р	Р		-		-	
Retail Sales (under 5,000 square feet)	-	-	Р	·	T P	E	Р	-	-	-	 -	
Retail Sales (5,000 - 30,000 square feet)	-	 -	† -	<u> </u>	P	-	P	<u> </u>	-	-	-	
Retail Sales (over 30,000 square feet)	-		-	1	-		Р		-	-	-	
Retail Service	-	-	С	_	P	P	Р	-	T -	-		Section 42.21
School, K-12	С	С	С	С	C	P	С	-	-	-	-	Section 42.21
School, Other	-	С	C	С	P	Р	Р	С	-		-	Section 42.21
Second Hand Shop	-	С	P	-	P	Р	Р	-	-	1 -	-	Section 42.21
Service Establishment	-	-	С	-	C	-	С	P	-	+ -	+ -	Section 42.21
Shelter			1	1 1-7	E	Е	P	E	E	E	21	
Small Wind Energy Systens	P	P	P	P	P	P	P	P	P	P	P	Section 42.20
/ehicle Sales, New		+ -	C	 -	1	<u> </u>	P	+ :-	-	+ :	 :	Sections 42.20 & 42.21
/ehicles Sales, Used		-	C		-		P			-	-	Section 42.20 & 42.21
/ehicle Service	-	-	-		,p		P	P		+ -	-	000001142.20
Yard Sale, Commercial	_		+	+-	-		C	-		-	-	Sections 42.20 & 42.22

^{*}LEGEND. P = Permitted Use, C = Conditional Use, E = Use Allowed by Special Exception

APPROVED APRIL 2014

C:\Users\kelly.waiters\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\BV5HAHDZ\TABLE XVIII-B SALES-SERVICE-OFFICE-INSTITUTIONAL USES - Approved April 2014

EXHIBIT A

Existing Number		Proposed Number
5 Eastern Ave	to	6 Eastern Ave
7 Eastern Ave	to	10 Eastern Ave
8 Eastern Ave	to	18 Eastern Ave
9 Eastern Ave	to	22 Eastern Ave
10 Eastern Ave	to	25 Eastern Ave
11 Eastern Ave	to	26 Eastern Ave
13 Eastern Ave	to	30 Eastern Ave
15 Eastern Ave	to	34 Eastern Ave
17 Eastern Ave	to	40 Eastern Ave
19 Eastern Ave	to	52 Eastern Ave
14 Eastern Ave	to	45 Eastern Ave
18 Eastern Ave	to	51 Eastern Ave
21 Eastern Ave	to	58 Eastern Ave
24 Eastern Ave	to	63 Eastern Ave
34 Eastern Ave	to	75 Eastern Ave
46 Eastern Ave	to	74 Eastern Ave
48 Eastern Ave	to	78 Eastern Ave
50 Eastern Ave	to	82 Eastern Ave
51 Eastern Ave	to	83 Eastern Ave
52 Eastern Ave	to	86 Eastern Ave
54 Eastern Ave	to	90 Eastern Ave
55 Eastern Ave	to	95 Eastern Ave
56 Eastern Ave	to	94 Eastern Ave
58 Eastern Ave	to	98 Eastern Ave
60 Eastern Ave	to	106 Eastern Ave
61 Eastern Ave	to	105 Eastern Ave
83 Eastern Ave	to	167 Eastern Ave
84 Eastern Ave	to	168 Eastern Ave
85 Eastern Ave	to	171 Eastern Ave
86 Eastern Ave	to	172 Eastern Ave
87 Eastern Ave	to	175 Eastern Ave
90 Eastern Ave	to	176 Eastern Ave
91 Eastern Ave	to	181 Eastern Ave
92 Eastern Ave	to	182 Eastern Ave
94 Eastern Ave	to	188 Eastern Ave
95 Eastern Ave	to	191 Eastern Ave
99 Eastern Ave	to	203 Eastern Ave
100 Eastern Ave	to	198 Eastern Ave
102 Eastern Ave	to	206 Eastern Ave

105 Eastern Ave	to	209 Eastern Ave
108 Eastern Ave	to	214 Eastern Ave
107 Eastern Ave	to	219 Eastern Ave
112 Eastern Ave	to	222 Eastern Ave
113 Eastern Ave	to	227 Eastern Ave
114 Eastern Ave	to	226 Eastern Ave
116 Eastern Ave	to	230 Eastern Ave
117 Eastern Ave	to	237 Eastern Ave
119 Eastern Ave	to	241 Eastern Ave
120 Eastern Ave	to	238 Eastern Ave
123 Eastern Ave	to	255 Eastern Ave
128 Eastern Ave	to	250 Eastern Ave
129 Eastern Ave	to	261 Eastern Ave
130 Eastern Ave	to	256 Eastern Ave
132 Eastern Ave	to	262 Eastern Ave
139 Eastern Ave	to	265 Eastern Ave
133 Eastern Ave	to	271 Eastern Ave
136 Eastern Ave	to	276/278 Eastern Ave
135 Eastern Ave	to	273 Eastern Ave
137 Eastern Ave	to	279 Eastern Ave
138/140 Eastern Ave	to	284 A& B Eastern Ave
141 Eastern Ave	to	285 Eastern Ave
145 Eastern Ave	to	291 Eastern Ave
151 Eastern Ave	to	295 Eastern Ave
153 Eastern Ave	to	38 Vernon Ave