

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, JANUARY 25, 2016

PORTSMOUTH, NH
TIME: 6:00PM [or thereafter]

At 6:00 p.m. a Work Session was held relative to the Purchase and Sales Agreement for 165 Deer Street regarding New Municipal Parking Garage.

I. CALL TO ORDER

Mayor Blalock called the meeting to order at 7:10 p.m.

II. ROLL CALL

Present: Mayor Blalock, Assistant Mayor Splaine, Councilors Perkins, Dwyer, Lown, Pearson, Spear, Cyr and Denton

III. INVOCATION

Mayor Blalock asked everyone to join in a moment of silent prayer.

IV. PLEDGE OF ALLEGIANCE

Councilor Cyr led in the Pledge of Allegiance to the Flag.

PRESENTATION

1. Update Re: Doble Army Reserve Center

David Moore, Assistant City Manager for Special Projects and Community Development Director; provided an outline of the property description, planned reuse, background on transfer, proposed historic restrictions and Army Reserve next steps. He said the site is 3.49 acres and reviewed the exterior/interior description and the floor plan. He indicated the planned reuse is the creation of a vibrant modern Senior Center for (55+ Activity Center). Assistant City Manager Moore said the Center would promote healthy aging, cultivate welcoming environment, provide diverse and intergenerational programs, foster community involvement and provide comprehensive transportation element. He outlined the timeline and stated in 2016 the Army Reserve is re-focusing the transfer effort and the Section 106 process was addressed. Assistant City Manager Moore reviewed the next steps as follows:

- Continue to work at the level of the Office of Chief of Army Reserve; working with Congressional Delegation
- Communicate to Army Reserve formally the impact of the historic restrictions, encourage their "Recordation" approach
- Follow the other Environmental Review procedures in preparation of Finding of Suitability to Transfer (to the Army Corps)
- Using the final report of the Blue Ribbon Committee on Seniors as a guide, advance preparations for an effective reuse

City Manager Bohenko said he feels it is important to keep the congressional Delegation on this matter to move ahead.

V. ACCEPTANCE OF MINUTES – JANUARY 11, 2016

Councilor Spear moved to adopt the minutes of the January 11, 2016 City Council meeting. Seconded by Councilor Lown.

Councilor Pearson moved to amend page 11 under her name to remove financial disclosure forms and replace with conflict of interest forms and further amend page 12 to read as follows: “Councilor Pearson said she does not think they’re mutually exclusive and parking and micro housing or workforce housing can go together.” Seconded by Councilor Spear.

Main motion passed as amended.

VI. PUBLIC COMMENT SESSION

Laura Pantelakos, State Representative, expressed concern with the need for policies for the delegation. She said she comes to the City because she is concerned with bills and feels that the City Manager and staff need to have the right to go to Concord, NH to speak on bills of interest to the City and various departments.

Lawrence Cataldo said he supports the motion that will be presented by Assistant Mayor Splaine regarding non-meetings.

Jane Zill spoke to the guiding principles and feels that “Advocate maintaining local authority” does not serve the public. She also expressed her opposition to HB 1611 on the right-to-know bill.

Esther Kennedy said the agenda for the Legislative Subcommittee was not on the website today. She addressed the issue of non-meetings and tried to find other communities that use non-meetings like the City of Portsmouth does. She also spoke to the proposed elderly exemption and that there will be no increase to social security this year.

Joe Caldarola said it is important to have open and honest discussions.

Paul McEachern spoke in favor of Assistant Mayor Splaine suggested motion. He said there should be an agenda saying the topic for the non-meeting.

Mark Brighton spoke in support of Assistant Mayor Splaine’s proposed motion and urged the City Council to pass the motion as presented.

Arthur Clough spoke to non-meetings and said he supports Assistant Mayor Splaine’s proposed motion. He said that he feels the Planning Department is over involved in land use matters.

Cathy Baker spoke to the need for openness in non-meetings. She urged the City Council to pass Assistant Mayor Splaine's proposed motion.

Christopher David, Dover, NH spoke against HB 1697 regarding UBER. He said that transportation services matters should be handled on the local level.

Dick Bagley said the Deer Street parking garage seems ideal for a new parking facility. He said that the residents are deserving of thoughtful analysis on the parking garage and that could not be completed by February.

Jerry Zelin spoke in support of Assistant Mayor Splaine's proposed motion regarding non-meetings. He also spoke in support of the parking garage to be located on Deer Street but is concerned relative to the cost of a liner building.

VII. PUBLIC HEARINGS

- A. ORDINANCE AMENDING CHAPTER 10 – ZONING ORDINANCE, ARTICLE 4, SECTION 10.440 TABLE OF USES – RESIDENTIAL, MIXED RESIDENTIAL AND INDUSTRIAL DISTRICTS – USE 170 MANUFACTURED HOUSING PARK, SUPPLEMENTAL REGULATIONS 10.814

AMEND CHAPTER 10 – ZONING ORDINANCE, ARTICLE 5, SECTION 10.521 – TABLE OF DIMENSIONAL STANDARDS – RESIDENTIAL AND MIXED RESIDENTIAL DISTRICTS AS FOLLOWS: MINIMUM YARD DIMENSION, MAXIMUM STRUCTURE DIMENSIONS

AMEND CHAPTER 13 – MOBILE HOME ORDINANCE BY DELETING IT IN ITS ENTIRETY

Mayor Blalock read the legal notice, declared the public hearing open and called for speakers.

Assistant Mayor Splaine said he does not own property but lives in Oriental Gardens and will not be participating in the discussion and left the Chambers.

Jessa Berna, Planning Department, made a presentation regarding both ordinances under public hearing A and B. Ms. Berna said this would apply to all manufactured housing parks. She spoke to the objective to establish dimensional standards for manufactured housing parks and implement wetland protection plan standards and procedures. She reviewed background information on how manufactured housing at Hillcrest Estates had no site plan until it was adopted in November 2015 for the park. She also spoke to the deletion of Chapter 13 Mobile Home Ordinance. Ms. Berna addressed conditional use permits for manufactured units. She stated that new units can be approved administratively after the site review plan is adopted.

Attorney Bernard Pelech spoke on behalf of Hillcrest Estates. He addressed the history of the park. He said the mobile home ordinance was never an issue until a new Building and Assistant Building Inspector came to the City. He spoke to the site improvements that have been made and that there are 230 sites with less than 10 school aged children. He said the ordinance is the result of 35 meetings and said they agree to it and hope the City Council would approve the change.

With no further speakers, Mayor Blalock closed the public hearing.

- B. ORDINANCE AMENDING CHAPTER 10 – ZONING ORDINANCE, ARTICLE 10, SECTION 10.1016 – PERMITTED USES BY ADDITION USES, ACTIVITIES AND ALTERNATIONS ARE PERMITTED IN WETLANDS AND WETLANDS BUFFERS

AMEND ARTICLE 10, SECTION 10.1017 – CONDITIONAL USES BY ADDING THE FOLLOWING – WETLAND PROTECTION PLAN

AMEND ARTICLE 15, SECTION 10.1530 – TERMS OF GENERAL APPLICABILITY, BY INSERTING THE FOLLOWING NEW TERMS AND DEFINITIONS – IMPERVIOUS SURFACE

Mayor Blalock read the legal notice, declared the public hearing open and called for speakers. With no speakers, Mayor Blalock closed the public hearing.

Assistant Mayor Splaine returned to the meeting.

VIII. APPROVAL OF GRANTS/DONATIONS

- A. Approval and Acceptance Re: Bench - \$2,000.00 from Amanda Donovan in memory of her mother Alda Irons

Councilor Spear moved to approve and accept a donation for a bench, as presented. Seconded by Councilor Cyr and voted.

- B. Donations in support of the Explorer Cadets as follows:
- \$34.77 from Dr. David Ferland
 - \$129.00 from Dr. David Ferland
 - \$850.00 from the Friends of the South End

Councilor Lown moved to approve and accept the donations to the Police Explorer Cadets, as presented. Seconded by Councilor Dwyer and voted.

- C. Donation from Newburyport Five Cents Savings Bank - \$500.00

Councilor Lown moved to approve and accept the donation from Newburyport Five Cents Savings Bank, as presented. Seconded by Councilor Spear and voted.

- D. Acceptance of Grant from New Hampshire Highway Safety for DWI patrols - \$13,798.00

Councilor Lown moved to approve and accept the grant for DWI patrols, as presented. Seconded by Councilor Spear and voted.

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Proposed Resolution Amending Elderly Exemption

OPTION A

Proposed increase of Elderly Exemption

Single	\$40,000.00 increase of \$3,689.00
Married	\$55,000.00 increase of \$10,207.00
Asset Limit of	\$175,000.00 increase of \$53,961.00

OPTION B

Proposed increase of Elderly Exemption

Single	\$40,000.00 increase of \$3,689.00
Married	\$55,000.00 increase of \$10,207.00
Asset Limit of	\$175,000.00 increase of \$53,961.00

If the City Council wishes to adjust the exemption amounts for elderly taxpayers in comparison to neighboring communities, this would decrease the limit as follows:

Ages 65-74	\$120,000.00 decrease of \$5,000.00
Ages 75-79	\$160,000.00 decrease of \$15,000.00
Ages 80+	\$200,000.00 decrease of \$20,000.00

City Manager Bohenko said that at the last City Council meeting the Council was looking for an Option B which is before you today. He explained both operations and stated Option A does not deal with assessed values and Option B deals with assessed values and that these are in line with North Hampton. He stated he would like to have one option voted on for a public hearing on February 16, 2016.

Councilor Dwyer moved to authorize the City Manager to proceed with the proposed increases to income, asset and exemption limits only for the elderly exemption, and further, pass first reading and hold public hearing and adoption at the February 16, 2016 City Council meeting, as presented. Seconded by Councilor Spear.

Councilor Dwyer said it is important to increase the income and asset limit and allow more people into the pool otherwise we are distributing the burden to younger families.

Assistant Mayor Splaine asked if we could have a public hearing on both options. City Attorney Sullivan said it would be permissible to have a public hearing on both but the City Council would need to be careful in its adoption of a Resolution.

Councilor Dwyer agreed to Assistant Mayor Splaine's change and the motion shall read:

Moved to authorize the City Manager to proceed with the proposed increases to income, asset and exemption limits only for the elderly exemption, and further, pass first reading and hold a public hearing and adoption at the February 16, 2016 City Council meeting, as presented and further to include Option A in the public hearing at the February 16, 2016 City Council meeting.

Motion passed.

B. First reading of Proposed Resolution Amending Disabled Exemption

Single	\$40,000.00 increase of \$3,689.00
Married	\$55,000.00 increase of \$10,207.00
Asset Limit of	\$175,000.00 increase of \$53,961.00

If qualified for disabled taxpayers the current exemption off the assessed value of the property would remain the same at \$100,000.00

Councilor Spear moved to authorize the City Manager to proceed with the proposed increases to income and asset limits only for the disabled exemption, and further, pass first reading and hold a public hearing and adoption at the February 16, 2016 City Council meeting, as presented. Seconded by Councilor Lown and voted.

C. Second reading of Ordinance amending Chapter 10 – Zoning Ordinance, Article 4, Section 10.440 Table of Uses – Residential, Mixed Residential and Industrial Districts – Use 170 Manufactured housing park, Supplemental Regulations 10.814

Amend Chapter 10 – Zoning Ordinance, Article 5, Section 10.521 – Table of Dimensional Standards – Residential and Mixed Residential Districts as follows: Minimum Yard Dimension, Maximum Structure Dimensions,

Amend Chapter 10 – Zoning Ordinance, Article 8 – Section 10.810 – Residential and Institutional Residence or Care Uses by adding the following – 10.814 – Manufactured Housing Park Dimensional Standards

Amend Chapter 13 – Mobile Home Ordinance by deleting it in its entirety

Assistant Mayor Splaine said he would be recusing himself from voting on this matter.

Councilor Lown moved to pass second reading and hold third and final reading of the proposed Ordinance at the February 1, 2016 City Council meeting, as presented. Seconded by Councilor Spear.

Discussion was held regarding modular and tiny homes.

Motion passed. Assistant Mayor Splaine recused himself from the vote.

Councilor Spear moved to suspend the rules in order to take up third and final reading. Seconded by Councilor Lown and voted. Assistant Mayor Splaine recused himself from the vote.

Councilor Spear moved to pass third and final reading, as presented. Seconded by Councilor Lown and voted. Assistant Mayor Splaine recused himself from the vote.

- D. Second reading of Ordinance amending Chapter 10 – Zoning Ordinance, Article 10, Section 10.1016 – Permitted Uses by addition Uses, activities and alterations are permitted in wetlands and wetlands buffers

Amend Article 10, Section 10.1017 – Conditional Uses by adding the following – Wetland Protection Plan

Amend Article 15, Section 10.1530 – Terms of General Applicability, by inserting the following new terms and definitions – Impervious Surface

Councilor Spear moved to pass second reading and hold third and final reading of the proposed Ordinance at the February 1, 2016 City Council meeting, as presented. Seconded by Councilor Lown and voted. Assistant Mayor Splaine recused himself from the vote.

Councilor Spear moved to suspend the rules in order to take up third and final reading. Seconded by Councilor Lown and voted. Assistant Mayor Splaine recused himself from the vote.

Councilor Spear moved to pass third and final reading, as presented. Seconded by Councilor Lown and voted. Assistant Mayor Splaine recused himself from the vote.

X. CONSENT AGENDA

- A. Letter from Thomas Bringle, Arthritis Foundation, requesting permission to hold the annual Jingle Bell Run/Walk for Arthritis on Sunday, December 11, 2016 at 10:00 a.m. (***Anticipated action – move to refer to the City Manager with power***)
- B. Letter from Jeanine Sylvester, Runner's Alley, requesting permission to hold the 19th Annual Runner's Alley/Redhook Brewery Memorial 5k on Sunday, May 29, 2016 at 11:00 a.m. (***Anticipated action – move to refer to the City Manager with power***)

- C. Letter from Chris Vlangas, Cystic Fibrosis Foundation, requesting permission to hold the CF Cycle for Life on Saturday, July 16, 2016 (***Anticipated action – move to refer to the City Manager with power***)
- D. Letter from Kathie Lynch, Portsmouth Little League, Inc., requesting permission for temporary signage to be located at the Plains and Hislop Park baseball fields during the 2016 baseball season (***Anticipated action – move to refer to the City Manager with power***)
- E. Letter from Robert L. Sutherland, Jr, St. John’s Lodge requesting permission to hold the annual St. John’s Lodge 5k on Saturday, April 9, 2016 at 8:00 a.m. (***Anticipated action – move to refer to the City Manager with power***)
- F. *Acceptance of Donations to the Coalition Legal Fund
- Town of Center Harbor - \$500.00
 - Town of Carroll - \$1,000.00
- (***Anticipated action – move to approve and accept the donation, as listed to be placed in the Coalition Legal Fund***)
- G. Letter from Amanda Beaulieu, Greater Portsmouth Chamber of Commerce, requesting permission to hold the 3rd Annual Fire & Ice Festival on February 10-15, 2016 (***Anticipated action – move to refer to the City Manager with power***)
- H. Letter from David Hallowell, Portsmouth Maritime Folk Festival, requesting permission to hold the 17th Annual Portsmouth Maritime Folk Festival on Saturday, September 24, 2016 and Sunday, September 25, 2016 (***Anticipated action – move to refer to the City Manager with power***)

Councilor Lown moved to adopt the consent agenda. Seconded by Councilor Spear and voted.

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

(There are no items on under this section of the Agenda)

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

1. FY 2017 Budget Guidelines

City Manager Bohenko said budget guidelines have been provided for no more than 3%.

Councilor Lown moved to accept the budget guidelines for FY 2017 as recommended by the Joint Budget Committee to set a goal for the Operating Budget of no more than a 3%

increase inclusive of budgeting for collective bargaining contingency. Seconded by Councilor Spear.

Councilor Lown said people need to remember that this is a goal.

Mayor Blalock passed the gavel to Assistant Mayor Splaine.

Mayor Blalock said this is just a guideline we are not raising the budget to 3 but we need to fund what is necessary to keep status quo.

Assistant Mayor Splaine returned the gavel to Mayor Blalock.

On an 8-1, roll call, motion passed. Councilors Perkins, Dwyer, Lown, Pearson, Spear, Cyr, Denton and Mayor Blalock voted in favor. Assistant Mayor Splaine voted opposed.

B. MAYOR BLALOCK

1. Approve City Council Rules and Order

Councilor Spear moved to adopt the current City Council Rules and order. Seconded by Councilor Lown.

Mayor Blalock stated at 10:00 p.m. any items remaining on the City Council agenda under the City Manager's name would become Consent Agenda items and may be pulled by one member of the Council if they choose not to include a particular item as part of the Consent Agenda.

Assistant Mayor Splaine asked what would happen if we do not complete the agenda. Mayor Blalock said we would move business to the next agenda.

City Manager Bohenko said we may want to start at 6:30 p.m. for those items that do not require action at the discretion of the Mayor for that next agenda.

Assistant Mayor Splaine said he would vote against the next rule change. He said we are all elected and represent people and we are all equal under the Charter. He said that the City Council should not have a quota of items under their names they should be able to place as many items as they want under their names.

Councilor Denton said he agrees with Assistant Mayor Splaine that Councilors should not be limited to a number of items under their names.

Councilor Spear moved to amend Rule 37 so that at 10:00 p.m. any items remaining under the City Manager's name on an Agenda become Consent Agenda items. Seconded by Councilor Lown and voted. Meetings will still conclude at 10:30 p.m.

Councilor Spear moved to amend Rules 7 that Council members are limited, to one item of business per City Council agenda unless further items are approved in advance by the Mayor. And further amend Rule 4 that each Councilor "may" place a single item of

business on the agenda, unless further items are approved in advance by the Mayor. Seconded by Councilor Lown. On a roll call 7-2, motion passed. Councilors Perkins, Dwyer, Lown, Pearson, Spear, Cyr and Mayor Blalock voted in favor. Assistant Mayor Splaine and Councilor Denton voted opposed.

2. Appointments to be Considered:
 - Appointment of Nicholas Kirsch to the Cable Television Communication Commission as an regular member
 - Appointment of Clayton Emery to the Cable Television Communication Commission as an Alternate members
 - Appointment of Stefany Shaheen to the Economic Development Commission
 - Appointment of Lawrence Cataldo to the Citywide Neighborhood Steering Committee
 - Reappointment of Francesca Marconi Fernald to the Peirce Island Committee
 - Reappointment of Lisa Louttit to the Peirce Island Committee
 - Reappointment of Steven Marison to the Peirce Island Committee
 - Reappointment of John McVay to the Peirce Island Committee
 - Reappointment of Sylvia Olson to the Peirce Island Committee
 - Reappointment of Stephen Philp to the Pierce Island Committee
 - Reappointment of John Simon to the Peirce Island Committee
 - Reappointment of Richard Smith to the Peirce Island Committee
 - Reappointment of Marc Stettner to the Peirce Island Committee
 - Reappointment of William Townsend to the Peirce Island Committee
 - Reappointment of Harold Whitehouse to the Peirce Island Committee
 - Appointment of Jody Record to the Planning Board as an Alternate member
 - Reappointment of Elizabeth Moreau to the Planning Board
 - Appointment of Thomas Ferrini to the Portsmouth Housing Authority
 - Reappointment of Peter Bresciano to the Transportation Services Commission
 - Appointment of Daniel Umbro to the Trees and Public Greenery Committee
 - Appointment of Joan Walker to the Trees and Public Greenery Committee
 - Reappointment of Thomas Watson to the Board of Trustees of the Trust Funds
 - Appointment of Peter McDonell to the Zoning Board of Adjustment as an Alternate member

The City Council considered the appointments outlined which will be voted on at the February 1, 2016 City Council meeting.

3. City Council Ward Liaisons (*See attached*)
 - Ward One – Assistant Mayor James Splaine
 - Ward Two – Councilor Rebecca Perkins
 - Ward Three – Councilor Josh Denton
 - Ward Four – Councilor Eric Spear
 - Ward Five – Councilor Nancy Pearson

Mayor Blalock announced that this is to appoint Ward Liaisons to be used as a contact name for the public.

Councilor Pearson asked where the information will be posted for the public. City Manager Bohenko said it would be on the front page of the website.

Mayor Blalock said that this is not exclusive; this is the contact for people that do not know who to contact.

Assistant Mayor Splaine feels that this will work and he has heard concerns surrounding 140 Thornton Street and will bring that matter forward at the next meeting and look at the demolition ordinance.

C. City Council Policy for "Non-Meetings"

Assistant Mayor Splaine moved that it is the policy of the Portsmouth City Council that 'non-meeting' will be held only when necessary in order to discuss 'strategy or negotiations with respect to collective bargaining,' or 'consultation with legal counsel,' as allowed under the New Hampshire Right-To-Know Law, and that when they are held (1) the purpose of the 'non-meeting' will be publicly disclosed in a motion; (2) a public roll-call vote will be taken prior to going into the 'non-meeting; (3) discussion in the 'non-meeting' will be limited to that topic and no other topic; (4) a record will be kept of when the 'non-meeting' begins, ends, and who is in attendance and that shall be a permanent public record. Seconded by Councilor Spear.

Councilor Lown said we are not meeting too frequently and we meet for the reasons as outlined in the law. He feels that this is a solution in search of a problem.

Councilor Spear thanked the people for coming out to speak on this matter. He said this was a policy under Mayor Lister and putting this forward puts us in the firm position to support the New Hampshire Right-To-Know Law.

Assistant Mayor Splaine said most City Council and Boards do not have non-meetings they have non public sessions which you are allowed to vote in. He said we should do more non public session meetings.

Mayor Blalock passed the gavel to Assistant Mayor Splaine.

Mayor Blalock said in the spirit of transparency we would follow the motion as proposed by Assistant Mayor Splaine.

Assistant Mayor Splaine returned the gavel to Mayor Blalock.

On a unanimous roll call 9-0, motion passed.

D. COUNCILOR DWYER

1. Planning for Residential Parking Program

Councilor Dwyer said we need to think of residential parking. She said this will take a long time but we need to get ahead of it and have some ideas.

Councilor Spear said this is a good idea to get ahead of and said Parking Traffic & Safety Committee could look at this and provide a report back.

City Manager Bohenko said he would work with Parking Traffic & Safety Committee on this matter and feels it is timely.

Councilor Spear said we could use the same approach as we did with a Committee formation such as was done with Sagamore Creek. City Manager Bohenko said he would look at this and speak with staff on this matter.

E. COUNCILOR LOWN

1. Parking & Traffic Safety Action Sheet and Minutes of the January 7, 2016 meeting

Councilor Lown moved to approve and accept the action sheet and minutes of the January 7, 2016 Parking & Traffic Safety Committee meeting. Seconded by Councilor Spear and voted.

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

Legislative Subcommittee Report

Members: Mayor Blalock, Assistant Mayor Splaine, Councilors Dwyer and Spear

1. Approval of Proposed Principles for Legislative Positions
 - 1) Advocate to maintain local authority
 - 2) Authorize local options
 - 3) Support revenue streams to aid municipalities, specifically those that name Portsmouth or will directly support Portsmouth
 - 4) Advocate for municipal representation on state committees
 - 5) Support incentives for regional cooperation
 - 6) Support plans to fund/support infrastructure
 - 7) Support incentives for sustainability
 - 8) Support directing revenues to the purposes for which they are raised
 - 9) Support measures that increase the efficiency of local government operations
 - 10) Maintain and improve life and safety issues

City Manager Bohenko said the Subcommittee on Legislation asked to have this matter come before the City Council.

Councilor Dwyer said in this session there are so many bills that are being schedule overnight and there are half dozen bills that are important to the City of Portsmouth. She discussed the proposed principles for legislative positions.

Assistant Mayor Splaine said he likes the 10 principles and that the City Manager, Staff and Mayor Balock would be able to speak on and could testify as long as it is in the 10 principles.

Assistant Mayor Splaine moved to accept the recommendation from the Legislative Sub-committee regarding the 10 guiding principles for legislative positions on behalf of the City Council. Seconded by Councilor Dwyer.

Councilor Dwyer said we are not asking the legislator to agree with us but these will help the Legislative Delegation to know how the City feels on certain bills and or matters.

Motion passed.

2. Authority of Legislative Sub-committee

Councilor Spear moved to authorize the City Council Legislative Sub-committee to take positions on legislation they believe to be in the best interest of the City of Portsmouth using the legislative principles on behalf of the City Council. The Legislative Sub-committee will meet on Monday's one-half hour before regular City Council meetings and at 8:30 a.m. when the City Council is not meeting. Seconded by Assistant Mayor Splaine and voted.

3. Mayor is authorized to act on behalf of City if time does not permit full discussion and vote by Legislative Sub-committee or Council

Assistant Mayor Splaine said he would like to see these meetings either televised or recorded. City Manager Bohenko said he would have the City Clerk's Office record these meetings.

Councilor Spear moved to authorize the Mayor to act on behalf of City Council to provide testimony regarding State legislation when time does not permit a full discussion and vote by the Legislative Sub-committee or whole Council. Seconded by Councilor Pearson and voted. Assistant Mayor Splaine voted opposed.

4. City staff members may submit testimony on behalf of State Association or Professional Boards

Councilor Spear moved to authorize City staff members who are members of State Associations to testify on behalf of their Association or Professional Board. This testimony will specifically state that the testimony is not on behalf of the City but is submitted on behalf of the Association or Professional Board. All such testimony will be reviewed by City Manager before submission. Seconded by Assistant Mayor Splaine.

Councilor Perkins moved to amend the motion that City staff members are also empowered to submit testimony as delegates of the authority of the Legislative Subcommittee so if subcommittee members are unavailable to testify City staff could do so on their behalf. Seconded by Councilor Spear.

Main motion passed as amended.

5. Specific Legislation
 - A. Hotel Occupancy Surcharge
 - B. State Aid Grant Funding

Assistant Mayor Splaine move to authorize the City Council to support the above mentioned legislation. Seconded by Councilor Spear and voted.

XIV. ADJOURNMENT

At 10:00 P.M., Councilor Lown moved to adjourn. Seconded by Councilor Spear and voted.



Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk