

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH  
DATE: MONDAY, MAY 1, 2017

TIME: 7:00PM

## **AGENDA**

- I. CALL TO ORDER
- II. ROLL CALL
- III. INVOCATION
- IV. PLEDGE OF ALLEGIANCE

### **PROCLAMATIONS**

- 1. Police Week in Portsmouth – Peace Officers’ Memorial Day
- 2. Small Business Week

### **PRESENTATION**

- 1. One Sky Community Services – Chris Muns, CEO

### **V. ACCEPTANCE OF MINUTES – APRIL 17, 2017**

### **VI. PUBLIC COMMENT SESSION**

### **VII. PUBLIC HEARINGS**

- A. RESOLUTION APPROPRIATING THE SUM OF FOUR HUNDRED FOUR THOUSAND SEVEN HUNDRED NINETY DOLLARS AND FORTY CENTS (\$404,790.40) FOR THE FOUNDRY PLACE SEWER LINE PROJECT
- B. RESOLUTION APPROPRIATING THE SUM OF FOUR HUNDRED EIGHTY SEVEN THOUSAND NINE HUNDRED FIFTY FOUR DOLLARS AND TWENTY CENTS (\$487,954.20) FOR THE FOUNDRY PLACE WATER LINE PROJECT

### **VIII. APPROVAL OF GRANTS AND DONATIONS**

- A. A grant in the amount of \$500,000.00 from the New Hampshire Department of Justice for the New Hampshire ICAC Task Force, “Project Forensic Shield”, contingent upon state approval of the funds

### **IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES**

- A. Adoption of Resolution Appropriating the sum of Four Hundred Four Thousand Seven Hundred Ninety Dollars and Forty Cents (\$404,790.40) for the Foundry Place Sewer Line Project
- B. Adoption of Resolution Appropriating the sum of Four Hundred Eighty Seven Thousand Nine Hundred Fifty Four Dollars and Twenty Cents (\$487,954.20) for the Foundry Place Water Line Project

## X. CONSENT AGENDA

### ***(ANTICIPATED ACTION - MOVE TO ADOPT CONSENT AGENDA)***

- A. Letter from Crystal Paradis, Seacoast Outright requesting permission to hold the 3<sup>rd</sup> Annual Portsmouth PRIDE event on Saturday, June 24, 2017 ***(Anticipated action – move to refer to the City Manager with power)***
- B. Letter from Mike Young, Portsmouth Babe Ruth Baseball requesting to install seasonal signage at Leary Field from May 14, 2017 through August 20, 2017 ***(Anticipated action – mover to refer to the City Manager with power)***
- C. Request for License to Install Projecting Sign:  
Don Oakes owner of Sea Bags for property located at 129 Market Street ***(Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreement for this request)***

#### **Planning Director's Stipulations:**

- ***The license shall be approved by the Legal Department as to content and form;***
  - ***Any removal or relocation of projecting sign, for any reason, shall be done at no cost to the City; and***
  - ***Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works***
- D. Letter from Josh Pierce, Seacoast Area Bicycle Riders, requesting permission to host a commuter breakfast from 7:00 a.m. – 10:00 a.m. on Friday, May 19, 2017 at Popovers on Market Square. SABR also respectfully requests that the Portsmouth City Council officially recognize May 19<sup>th</sup> as Bike/Walk to Work Day in Portsmouth ***(Anticipated action – move to refer to the City Manager with power)***
- E. Police Department Donations:  
a. Donation in the amount of \$400.00 from Mr. & Mrs. David Brown  
b. Donation in the amount of \$200.00 from Mr. Jason Page  
***(Anticipated action – move to accept the donations to the Police Explorer Cadet Academy Scholarships)***

## XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter Catherine McCauley requesting the City to transfer title to half of the “paper street” known as Oak Street that abuts 43 Mangrove Street (***Sample motion – move to refer to the Planning Board for report back***)
- B. Letter from Attorney Derek Durbin regarding request to authorize the issuance of building permits on private drive off of Swett Avenue, Moffat Street and Woodworth Avenue pursuant to RSA 674:41, I(d) and request to continue Richer request (85 Woodworth Avenue) to release the City’s interests in portions of Moffat Street and Woodworth Avenue

## XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

### A. CITY MANAGER

#### **City Manager’s Items Which Require Action:**

- 1. Request for Approval of Proposed Employment Agreement between the City of Portsmouth Fire Commission and Fire Chief Steven E. Achilles
- 2. Request for Approval of Proposed Employment Agreement between the City of Portsmouth Fire Commission and Deputy Fire Chief James B. Heinz
- 3. Request for Approval of Proposed Employment Agreement between the City of Portsmouth Fire Commission and Deputy Fire Chief Carl F. Roediger
- 4. Adoption of Complete Street Demonstration Project Policy (Tactical Urbanism Policy)
- 5. Request to Establish First Reading of Proposed Ordinance amending Chapter 10 – Zoning Ordinance, Character Based Zoning Excess Community Space
- 6. Request to Establish First Reading of Proposed Ordinance amending Chapter 10 – Zoning Ordinance, Signs related to Public Parking in Private Parking Lots
- 7. Report Back from Planning Board Re: Release of City Interest in a Portion of Woodworth Avenue
- 8. Report Back from Planning Board Re: Happy Sewer Easement for Relocated Brick Box Sewer
- 9. Agreements for Prescott Park: NH Art Association Agreement and the Gundalow Company
- 10. Annual Renewal of Boarding House Permits
  - a) 278 Cabot Street
  - b) 350-352 Hanover Street

11. License Request for Completion of Work at 233 Vaughan Street

### **City Manager's Informational Items**

1. Events Listing
2. Work Session Agenda for Budget Presentations
3. Reminder of FY 18 Budget Public Hearing
4. Report Back Re: Codes on Health, Inspections and Fire Safety
5. Hodgson Brook Site Walk

### **B. MAYOR BLALOCK**

1. \*Appointments to be Voted:
  - Reappointment of Barbara McMillan to the Conservation Commission
  - Reappointment of Steve Miller to the Conservation Commission
  - Reappointment of Allison Tanner to the Conservation Commission
2. \*Sister Cities Blue Ribbon Committee

### **C. ASSISTANT MAYOR SPLAINE**

1. Options and process by the City Council and by citizen-initiative for adding provisions regarding (1), campaign financial disclosure of donations and spending; (2), conflict of interest restriction; and (3), ethical standards for elected and appointed city officials and administrators into the City Charter for the November 7, 2017 City Election (See *attached memorandum*)

### **D. COUNCILOR DWYER**

1. City Council Rules Re: Public Comment and Public Hearings (See *attached memorandum*)

### **E. COUNCILOR LOWN**

1. Parking and Traffic Safety Committee Action Sheet and Minutes of April 6, 2017 meeting (***Sample motion – move to accept and approve the action sheet and minutes of the April 6, 2017 Parking and Traffic Safety Committee meeting***)

### **F. COUNCILOR SPEAR**

1. Charter Amendment Timeline (See *attached memorandum*)

### **G. COUNCILOR DENTON**

1. \*Conservation Commission

## **XIII. MISCELLANEOUS/UNFINISHED BUSINESS**

## **XIV. ADJOURNMENT**

**KELLI L. BARNABY, MMC, CMC, CNHMC  
CITY CLERK**

*\*Indicates Verbal Report*

**INFORMATIONAL ITEMS**

*(There are no items on for this Section of the Agenda)*


**NOTICE TO THE PUBLIC WHO ARE HEARING IMPAIRED: Please contact Dianna Fogarty at 603-610-7270 one-week prior to the meeting for assistance.**

**CITY OF PORTSMOUTH  
PORTSMOUTH, NH 03801**

***Office of the City Manager***

**Date:** April 27, 2017

**To:** Honorable Mayor Jack Blalock and City Council Members

**From:** John P. Bohenko, City Manager 

**Re:** City Manager's Comments on May 1, 2017 City Council Agenda

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***Presentation:***

1. **One Sky Community Services.** Chris Muns, CEO of One Sky Community Services will make a presentation to City Council on Monday evening regarding the organization's support services to Seacoast communities. [See attached letter.](#)

***Acceptance of Grants/Donations:***

1. **Acceptance of Police Department Grant.** [Attached under Section VIII of the Agenda is a memorandum](#), dated March 28, 2017, from Kathleen M. Levesque, Executive Assistant, Office of the Police Chief, regarding the acceptance of a grant. At the March 28, 2017 monthly Police Commission meeting, the Board of Police Commissioners approved and accepted the following grant and donation:
  - a. A grant in the amount of \$500,000 from the New Hampshire Department of Justice for the New Hampshire ICAC Task Force, "Project Forensic Shield," Contingent upon state approval of funds.

The Police Commission submits the information to the City Council pursuant to City Policy Memorandum #94-36, for the City Council's consideration and approval at their next meeting.

*I recommend the City Council move to accept and approve the grant to the Portsmouth Police Department, as presented. Action on this matter should take place under Section VIII of the Agenda.*

## ***Items Which Require Action Under Other Sections of the Agenda:***

### **1. Public Hearing Re: Bond Premium.**

1.1 **Public Hearing Re: Appropriation of Water and Sewer Bond Premiums.** As a result of the April 17<sup>th</sup> City Council meeting, under Section VII of the Agenda, I am bringing back for a public hearing the following [attached proposed Resolutions](#) for the appropriation of Water and Sewer Bond Premiums:

- A. Resolution appropriating the sum of four hundred four thousand seven hundred ninety dollars and forty cents (\$404,790.40) for the Foundry Place Sewer Line Project.
- B. Resolution appropriating the sum of four hundred eighty seven thousand nine hundred fifty four dollars and twenty cents (\$487,954.20) for the Foundry Place Water Line Project.

The City of Portsmouth currently holds the highest bond rating available from Standard and Poor's rating agency (AAA).

The City was able to take advantage of its excellent bond rating when on June 23, 2015 and June 16, 2016 the City of Portsmouth issued \$10,025,000 and \$21,748,000 in bonds respectively. The proceeds of the bond will finance \$11,623,000 of General Fund capital projects, \$6,250,000 for School projects, \$8,900,000 for Water projects, and \$5,000,000 for Sewer Projects for a total of \$31,773,000 in projects.

In addition to the \$31.773 million principal, the City received a premium of \$2,792,004.18 from the winning underwriter at closing. A premium is the amount by which the purchase price of a bond is greater than its par value. Under certain market conditions, in order to enhance the marketability of the bonds, bond underwriters will structure their bids with bond premiums. In this case, the City of Portsmouth received a True Interest Cost (TIC) rates of 2.72% (2015) and 1.87% (2016) and total bond premiums of \$2,792,004.18. Under Federal Tax Law and State Statutes, the City is restricted on how to appropriate and use these funds.

RSA 33:3-states that any premium received shall not be used to increase the amount to be spent for the purpose for which the loan was originally incurred. Therefore, the City cannot use this money to increase the costs of the projects set forth for the \$31.773 Million bond issuance. However, the RSA states "*a city by a vote of two-thirds of the City Council may authorize the expenditure for the premiums received for any purpose or purposes for which bonds or serial notes may be issued for an equal or longer period of time.*"

The bond premium of \$2,792,004.18 has been allocated respectively as follows:

- General Fund in the amount of \$1,899,259.58 (\$1,850,000 supplemental appropriation passed 08/15/16 to purchase Foundation Seacoast land);
- Water Fund \$487,954.20; and
- Sewer Fund \$404,790.40.

In accordance with State Statute, I recommend that the City Council authorize appropriations of \$892,744.60 from bond premiums for capital projects as follows:

Sewer Fund Project:

- Foundry Place Sewer Line project - \$404,790.40

Water Fund Project:

- Foundry Place Water Line project - \$487,954.20

If approved as recommended, this will leave a bond premium balance in the General Fund of \$49,259.58 to be used at a later date.

As these projects have a useful life that exceeds the original bond issue from which the premiums were received, and would be eligible for bonding under the Municipal Finance Act, it is in the best interest of the City to utilize the premium of \$892,744.60 to fund costs associated with Water Fund and Sewer Fund projects.

*I recommend the City Council adopt the following Resolutions:*

- A. Resolution appropriating the sum of four hundred four thousand seven hundred ninety dollars and forty cents (\$404,790.40) for the Foundry Place Sewer Line Project.*
- B. Resolution appropriating the sum of four hundred eighty seven thousand nine hundred fifty four dollars and twenty cents (\$487,954.20) for the Foundry Place Water Line Project.*

*Action on this matter should take place under Section IX of the Agenda.*



## ***Consent Agenda:***

1. **Request for License to Install Projecting Sign.** Attached under Section VIII of the Agenda is a request for projecting sign licenses (see attached memorandums from Rick Taintor, Planning Director):

➤ Don Oakes, owner of Sea Bags for property located at 129 Market Street.

*I recommend the City Council move to approve the aforementioned Projecting Sign License as recommended by the Planning Director and, further, authorize the City Manager to execute the License Agreement for this request. Action on this item should take place under Section VIII of the Agenda.*

2. **Acceptance of Police Department Donations.** Attached under Section VIII of the Agenda is a memorandum, dated April 26, 2017, from Brenna Cavanaugh, Chair, Portsmouth Police Commission regarding the acceptance of donations. At the April 25, 2017 monthly Police Commission meeting, the Board of Police Commissioners approved and accepted the following donations:

- a. Two donations in support of Police Explorer Cadet Academy:
  - Mr. and Mrs. David Brown in the amount of \$400.00
  - Mr. Jason Page in the amount of \$200.00

The Police Commission submits the information to the City Council pursuant to City Policy Memorandum #94-36, for the City Council's consideration and approval at this evening's meeting.

*I recommend the City Council move to accept and approve the donations to the Portsmouth Police Department, as presented. Action on this matter should take place under Section VIII of the Agenda.*

## ***City Manager's Items Which Require Action:***

1. **Request for Approval of Proposed Employment Agreement between the City of Portsmouth Fire Commission and Fire Chief Steven E. Achilles.** The Portsmouth Fire Commission has approved the attached [Employment Agreement](#) with Fire Chief Steven E. Achilles.

For your information and to facilitate discussion regarding this matter and two other Deputy Fire Chief contracts, [attached is a letter from Thomas Closson, City Negotiator](#), outlining the highlights of this Employment Agreement.

*Move to accept the proposed Employment Agreement between the Portsmouth Fire Commission and Fire Chief Steven E. Achilles, to expire on June 30, 2020.*

2. **Request for Approval of Proposed Employment Agreement between the City of Portsmouth Fire Commission and Deputy Fire Chief James B. Heinz.** The Portsmouth Fire Commission has approved the [attached Employment Agreement](#) with Deputy Fire Chief James B. Heinz.

*Move to accept the proposed Employment Agreement between the Portsmouth Fire Commission and Deputy Fire Chief James B. Heinz, to expire on June 30, 2020.*

3. **Request for Approval of Proposed Employment Agreement between the City of Portsmouth Fire Commission and Deputy Fire Chief Carl F. Roediger.** The Portsmouth Fire Commission has approved [the attached Employment Agreement](#) with Deputy Fire Chief Carl F. Roediger.

*Move to accept the proposed Employment Agreement between the Portsmouth Fire Commission and Deputy Fire Chief Carl F. Roediger, to expire on June 30, 2020.*

4. **Adoption of Complete Street Demonstration Project Policy (Tactical Urbanism Policy).** For your information, [attached is a copy of the amended Complete Street Demonstration Project Policy \(Tactical Urbanism Policy\)](#) reflecting the amendment on Page 3, Item #8 as follows:

- (8) All Project Sponsors shall collect data and monitor use of the demonstration project using methods approved by DPW **in advance of the project's implementation.** A report, including a summary of the data collected, **the raw data collected,** and an evaluation of the effectiveness of the project, shall be provided to the DPW at the conclusion of the project.

*I recommend the City Council move to adopt the aforementioned Policy, as amended.*

5. **Request to Establish First Reading of Proposed Ordinance amending Chapter 10 – Zoning Ordinance, Character Based Zoning Excess Community Space.** As you will recall, at the April 3, 2017 City Council meeting, the Council voted to refer the draft zoning amendment to the Planning Board for report back. This proposed Zoning Ordinance amendment would allow excess community space provided by a development in an Incentive Overlay District to be credited for use in another development in the same Incentive Overlay District. [Attached for your information is a memorandum from Planning Director Rick Taintor](#) explaining the background of the proposed Vaughan Street Hotel and Waterfront Park as well as the provisions of the proposed amendment.

The Planning Board held a public hearing on this draft amendment to the Zoning Ordinance at its meeting on April 20, 2017. The Board voted to recommend that the amendment be enacted with the following four changes:

1. When a developer proposed to contribute unimproved land in lieu of a confirming community space, require the application to include a complete site plan and design for the future community space.

2. In 10.5A46.23(2)(a) of the draft amendment [to be redesignated as (b)], insert the word “excess” before the words “unimproved land” to clarify the intent.
3. Reduce the maximum term of a Prospective Development Incentive Agreement from 15 years to 10 years.
4. Insert a new provision requiring the grant of a conditional use permit by the Planning Board in order for a developer to be able to use the excess community space to support a future project, regardless of whether the future project would need a conditional use permit otherwise.

The attached revised amendment incorporates the Planning Board’s recommended changes (additions underlined, deletions ~~struck through~~).

*Therefore, I recommend the City Council move to accept the Planning Board’s recommendation, and further, establish a first reading of the proposed Ordinance at the May 15, 2017 City Council meeting.*

6. **Request to Establish First Reading of Proposed Ordinance amending Chapter 10 – Zoning Ordinance, Signs related to Public Parking in Private Parking Lots.** At its March 6, 2017 meeting the City Council passed third reading on an ordinance relating to signs for public parking in a private parking lot. This ordinance was enacted as an amendment to the City Ordinances, Chapter 7, Article I – Parking Meters, and requires that any sign located at the entrance to a private parking lot receive a permit from the Department of Public Works.

Attached is a memorandum from Planning Director Rick Taintor which outlines the reasons for an amendment to the Zoning Ordinance to exempt signs and other elements related to public parking in private parking lots from specific zoning standards when authorized under a permit from the Department of Public Works.

The Planning Department drafted the attached amendment to the Zoning Ordinance to implement these exemptions, and the City Council voted at its March 20<sup>th</sup> meeting to refer this proposed amendment to the Planning Board for report back.

At its meeting on April 20, 2017, the Planning Board voted unanimously to recommend that the Zoning Ordinance be amended as proposed.

*Therefore, I recommend the City Council move to accept the Planning Board’s recommendation, and further, establish a first reading of the proposed Ordinance at the May 15, 2017 City Council meeting.*

7. **Report Back from Planning Board re: Potential Release of City Interest in a Portion of Woodworth Ave.** As you will recall at the March 20, 2017 City Council meeting, the Council referred the request from Raymond and Maryrose Richer for a potential release of City interest in the portions of two paper streets (Moffat Street and Woodworth Avenue) adjoining their property at 85 Woodworth Avenue to the Planning Board for a public hearing and report back to the City Council. [Attached is a memorandum from Planning Director Rick Taintor outlining the background regarding this request.](#)

The Planning Board held a public hearing at its meeting on April 20, 2017, and voted (8-1) as follows:

*Voted to recommend that the City release any interest it may have in the paper streets abutting 85 Woodworth Avenue, as shown on the exhibit titled "Woodworth Ave/ Moffat St /Swett Ave," prepared by the Planning Department for this meeting, with the following exception:*

1. *The area between the end of the accepted portion of Woodworth Avenue and the intersection with Moffat Street shall be reserved for snow storage.*

[Attached is a map](#) showing the portions of Woodworth Avenue and Moffat Street that are recommended to be released at this time, along with two other segments of the same streets that were released by vote of the City Council on March 6, 2017, and a proposed two-lot subdivision abutting the paper street portion of Moffat Street.

*I recommend the City Council move to accept the Planning Board's recommendation as outlined above, and further, authorize the City Manager to proceed with the execution of the appropriate documents regarding this matter.*

8. **Report Back from Planning Board Re: Happny Sewer Easement for Relocated Brick Box Sewer.** At the March 6, 2017 City Council meeting, the Council voted to refer to the Planning Board a proposal to acquire from Peter Happny a sewer easement off Rock Street in connection with the construction of the new municipal parking garage; and to convey to Mr. Happny a narrow strip of City-owned land adjoining Rock Street Park.

[Attached is a memorandum from Planning Director Rick Taintor](#) explaining the location and original design of the 48" brick box sewer around the parking garage as well as the alternative design which requires an easement across the Happny property.

In exchange for the sewer easement, Mr. Happny has requested that the City convey to him 2,275 +/- square feet of land that runs along the front of his building. The [attached sketch plan](#) shows the proposed easement and conveyance.

At its meeting on April 20, 2017, the Planning Board voted unanimously to recommend that City Council vote to accept the sewer easement and grant the land conveyance as proposed.

*I recommend the City Council move to accept the Planning Board's recommendation, and further, authorize the City Manager to proceed with the execution of the appropriate documents regarding this matter.*

9. **Agreements for Prescott Park: NH Art Association and The Gundalow Company.**

As you know, following the City Council's adoption of the Prescott Park Master Plan in February, I have been working with City staff to prepare for the 2017 season. This is the first season during which the park operations and oversight of agreements with non-profit users in the park fall under the management control of the City Manager. As a result, I have been working with the The Gundalow Company, the NH Arts Association, and the Prescott Park Arts Festival in planning for their 2017 operations in the Park. To assist in

this transition, the Mayor appointed the Blue Ribbon Prescott Park Policy Advisory Committee whose charge is to assist the City staff in performing this new role. The Committee has met a total of four times and have been very helpful as a sounding board in preparing for this season. In addition to advising me on Park operations for the 2017 season, the Committee will also assist me in developing license agreements, which, according to the Master Plan, are to be negotiated in preparation for the 2018 season.

Once again, the staff and the Committee have focused its work on creating agreements for 2017. The City's separate agreements with the The Gundalow Company and the NH Arts Association expired in 2016. As a result, new agreements for 2017 have been prepared for the City Council's consideration on Monday night. In the case of the Prescott Park Arts Festival, the organization has a current Operating Agreement (not expired). However, I have been working closely with the Advisory Committee, City staff and the Prescott Park Arts Festival to create a Letter Agreement to establish an agreed upon set of terms for use of the Park in 2017.

At this time, I am seeking the City Council's authorization to enter into agreements with The Gundalow Company and the NH Arts Association ([see attached](#)). Summaries of both agreements are below.

**A brief summary of the proposed agreement with The Gundalow Company follows:**

Agreement with:	The Gundalow Company
Organizational Mission:	The Company exists to protect the maritime heritage and environment of the Piscataqua River region through education and action.
Park Area Utilized:	Use of Sheafe Dock along Prescott Park Waterfront; Use of Sheafe Warehouse for certain periods at the beginning and end of the season.

Activities Authorized: Docking of *The Piscataqua* vessel; public sails and related programming aboard the vessel; ticket sales for public sails; mission-related programming within the Sheafe Warehouse

Term: Expires November 1, 2017

Annual License Fee: \$5,500

Signage: A signage plan is to be submitted and approved.

**A brief summary of the proposed agreement with the NH Arts Association follows:**

Agreement with: NH Art Association

Organizational Mission: The Association exists to connect visual artists with the public through ongoing exhibits and educational activities to encourage appreciation for contemporary culture, foster creativity, and enhance community spirit

Park Area Utilized: Use of the first floor of the Sheafe Warehouse; use of limited areas in the vicinity around the Sheafe Warehouse as approved by the City Manager.

Activities Authorized: Annual juried Art show, related talks and demonstrations; sale of paintings in the Sheafe Warehouse; pop-art classes; one-day outdoor public art exhibition

Term: August 29, 2017

Annual License Fee: \$1,500

Signage: A signage plan is to be submitted and approved.

*I recommend the City Council move to authorize the City Manager to enter into agreements with The Gundalow Company and the NH Arts Association for the 2017 season in Prescott Park.*

10. **Annual Renewal of Boarding House Permits.** As you are aware, annually, the City Council considers and takes action on the renewal of Boarding House Permits. The City currently has two active Boarding Houses, one at 278 Cabot Street and another at 350-352 Hanover Street.

- a) **278 Cabot Street.** Pursuant to Article VIII: Boarding Houses, Section 9.804: Permit Renewal, I have [attached a draft Permit](#) for the boarding house located at 278 Cabot Street. This facility was inspected on April 14, 2017 by the Code Enforcement Officer and Health Officer and recommended for the reissue of the permit.

*I recommend that the City Council move to approve the Boarding House permit for 278 Cabot Street for a one year permit to expire May 2, 2018.*

- b) **350-352 Hanover Street.** Pursuant to Article VIII: Boarding Houses, Section 9.804: Permit Renewal, I have [attached a draft Permit](#) for the boarding house located at 350-352 Hanover Street. This facility was inspected on April 13, 2017 by the Code Enforcement Officer and Health Officer and recommended for reissue of the permit.

*I recommend that the City Council move to approve the Boarding House permit for 350-352 Hanover Street for a one year permit to expire May 2, 2018.*

11. **License Request for Completion of Work at 233 Vaughan Street.** Chinburg Builders is currently conducting work at 233 Vaughan Street. Chinburg Builders applied for and received from the City an encumbrance permit to utilize a portion of Green Street intermittently to facilitate its construction activities for the final residential unit at 233 Vaughan Street. The encumbered area is used primarily for the delivery and removal of materials. No parking spaces are impacted and the use is coordinated with Sanel Auto Parts, a property owner with a loading area accessed by Green Street. [See attached sketch of area encumbered.](#)

Chinburg Builders anticipates that it will need to utilize the area intermittently for deliveries until October 20, 2017 and thus requests a license. City staff has no objection to the grant of a license provided that it includes terms and conditions similar to those already contained in the encumbrance permit which includes flaggers as appropriate, signage and no storage of materials. City staff has had no complaints or concerns to date during the encumbrance permit period.

*I recommend the City Council move to authorize the City Manager to negotiate and enter into a license with Chinburg Builders to facilitate completion of construction activities at 233 Vaughan Street.*

## ***Informational Items:***

1. **Events Listing.** For your information, [attached is a copy of the Events Listing](#) updated after the last City Council meeting on April 17, 2017. In addition, this can be found on the City's website.
2. **Work Session Agenda for Budget Presentations.** [Attached for your information is the City Council Work Session Agenda](#) for the Saturday, May 6, 2017 FY18 Budget Presentations. The Work Session will be held in the Levenson Room at the Library from 8:00 a.m. to 2:30 p.m.
3. **Reminder of FY18 Budget Public Hearing.** This is a reminder that the City Council FY18 Budget Public Hearing will be held on Wednesday, May 10, 2017 at 6:30 p.m., in the Eileen Dondero Foley Council Chambers.
4. **Report Back Re: Codes on Health, Inspections and Fire Safety.** As requested by the City Council, at the City Council Retreat on June 3<sup>rd</sup>, Deputy City Manager Nancy Colbert Puff will give the City Council an update on various City ordinances that address building, health, and life safety codes.
5. **Hodgson Brook Site Walk.** For your information, a site walk at Hodgson Brook is scheduled for Tuesday, May 23, 2017 at 3:30 p.m. Councilor Josh Denton, Sustainability Committee Member Lawrence Lariviere, Deputy City Manager Nancy Colbert Puff and Environmental Sustainability Coordinator Peter Britz will be attending the site walk.