

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, JUNE 4, 2018 TIME: 6:15PM

AGENDA

• 6:15PM – PUBLIC DIALOGUE SESSION

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

RECOGNITION OF STATE CHAMPIONS FOR PORTSMOUTH HIGH SCHOOL

1. Boys Basketball
2. Boys Track Team
3. Girls Track Team
4. Girls Tennis Team

PROCLAMATION

1. Men's Health Month

PRESENTATION

1. Art-Speak Annual State of the Art Presentation and Request to Extend the Agreement Between the City and Art-Speak (***Sample motion – move to authorize the City Manager to extend the agreement from July 1, 2018 through June 30, 2019***)

V. ACCEPTANCE OF MINUTES – MAY 2, 2018 AND MAY 21, 2018

VI. PUBLIC DIALOGUE SUMMARY

VII. ADOPTION OF PROPOSED BUDGET RESOLUTIONS

Adoption of Budget Resolutions for Fiscal Year July 1, 2018 through June 30, 2019 (FY2019)

- Resolution No. 8-2018 – Municipal Fees
- Resolution No. 9-2018 – General Fund Expenditures
- Resolution No. 10-2018 – Sewer Fund Expenditures
- Resolution No. 11-2018 – Water Fund Expenditures
- Resolution No.12-2018 – Special Revenues, Debt Service Fund and Committed Fund Balances for Necessary Expenditures
- Resolution No. 13-2018 – Investment Policy

VIII. APPROVAL OF GRANTS/DONATIONS

(There are no items under this section of the agenda)

IX. CONSENT AGENDA

(ANTICIPATED ACTION - MOVE TO ADOPT CONSENT AGENDA)

- A. Letter from Floyd Caron, St. John's Lodge requesting permission to hold the St. John's Church March on Sunday, June 24, 2018 **(Anticipated action – move to refer to the City Manager with power)**
- B. Request for License to Install Projecting Sign from James & Kate Horne, owner of birch for property located at 73 State Street, Unit 1 **(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**

- C. Request for License to Install Projecting Sign from Jay McSharry, owner of The Nice for property located at 107 State 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 Abigail Wiggin, Portsmouth Halloween Parade Committee requesting permission to hold the 24th annual parade on Wednesday, October 31, 2018 **(Anticipated action – move to refer to the City Manager with power)**
- E. Letter from Nick Diana requesting permission to host a running road race on Saturday, April 13, 2019 at 9:30 a.m. with donations going to the Cocheco Valley Humane Society **(Anticipated action – move to refer to the City Manager with power)**

- F. Letter from JerriAnne Boggis, Black Heritage Trail of New Hampshire, requesting permission to hold the annual Juneteenth Celebration (***Anticipated action – move to refer to the City Manager with power***)

X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Email Correspondence (***Sample motion – move to accept and place on file***)
- B. Letter from State Representative Pamela Gordon resigning as the Ward 5 State Representative (***Sample motion – move to accept and place on file***)
- C. Letter from Jennifer Leyden, South Church requesting permission to use City property for the placement of a toilet trailer on June 16, June 22, June 23, July 7, July 28, August 11 and August 25, 2018 due to construction
- D. Letter from Alena Shellenbean, Strawberry Banke, requesting permission for the firing of muskets and a small cannon during specific timed demonstrations during the Independence Day celebrations on Sunday, July 1st
- E. Letter from Patrick Healey requesting the City bestow an official name to what is presently referred to as the Marcy Street Bridge and culvert

XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

City Manager's Items Which Require Action:

1. Portsmouth Historical Society – Proposed Extension of Lease for Discover Portsmouth Center (10-30 Middle Street)
2. Request for First Reading Re: Clipper Traders, LLC Petition for Re-Zoning of 105 Bartlett Street

City Manager's Informational Items:

1. Events Listing
2. Portsmouth400 Re: Public Input Session
3. Presentation Finance Department Internal Review Re: Coakley Landfill Expenditures

B. MAYOR BLALOCK

1. Resignation – Leslie Stevens from the Trees and Greenery Committee
2. Appointment to be Considered:
 - Michael Griffin to the Trees & Greenery Committee
3. *Continuation of Council Sub-Committee on McIntyre Project
4. Recognition of Service Ceremony

C. ASSISTANT MAYOR LAZENBY

1. *Coakley Community Meeting – June 7, 2018

D. COUNCILOR DWYER

1. *Proposed Parking in front of Langdon House refer to Parking Traffic & Safety Committee for report back

XII. MISCELLANEOUS/UNFINISHED BUSINESS

XIII. ADJOURNMENT

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

**Indicates Verbal Report*

INFORMATIONAL ITEMS


1. Notification that the Planning Board Minutes of the April 29, 2018 and April 26, 2018 are now available on the City's website

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: May 31, 2018

To: Honorable Mayor Jack Blalock and City Council Members

From: John P. Bohenko, City Manager 

Re: City Manager's Comments on June 4, 2018 City Council Agenda

- **6:15 p.m. – Public Dialogue Session**

Presentation:

1. **Art-Speak Annual State of the Art Presentation and Request to Extend the Agreement Between the City and Art-Speak.** At the June 4, 2018 City Council meeting, Mike Teixeira, President of Art-Speak, will present the annual report on local arts and culture activities during FY 17/18 and request renewal of the Agreement between the City and Art-Speak for the period July 1, 2018 through June 30, 2019.

The presentation will include an update on the tasks required under the current funding agreement between Art-Speak and the City. During FY 17/18, Art-Speak continued advocacy and promotion of the arts through its Americans for the Arts Economic Prosperity Report outreach, through the Tiny Bit Huge branding project and the Street Canvas initiative. Also, Art-Speak's Public Art Committee successfully administered the public art project for the Foundry Place Public Parking Garage in accordance with the Percent for Arts ordinance and the Board established a subcommittee to work on an update of the 2002 Cultural Plan. The funding in the FY19 budget for City Cultural Commission activities remains at \$15,000. The City's support for Art-Speak activities promotes the local creative economy and creates direct and indirect economic benefits to artists and arts organizations. [Attached is a draft copy of the renewal Agreement](#) between the City and Art-Speak for your information.

I recommend that the City Council authorize the City Manager to extend the agreement from July 1, 2018 through June 30, 2019.

Votes on Ordinances and/or Resolutions:

1. Adoption of Proposed Budget Resolutions:

1.1 **Adoption of Budget Resolutions for Fiscal Year July 1, 2018 through June 30, 2019 (FY2019).** On Monday evening, I am requesting that the City Council adopt the proposed FY 2019 Budget (July 1, 2018 thru June 30, 2019). For your review and action, there are six proposed Resolutions relative to the annual budget adoption process [attached under Section VII of the Agenda see below:](#)

- **Resolution No. 8-2018 - Municipal Fees** adopts Municipal Fees that have been recommended by the Fee Committee. The total revenue generated from these fees is estimated at \$1,267,000 or 1% of the total FY19 General Fund Revenues.
- **Resolution No. 9-2018 - General Fund Expenditures.** As you will recall, at the City Council Work Session on May 23, 2018, there were recommendations for the reduction in the General Fund Budget equaling \$1,616,700 from the original budget proposal of \$114,625,793. With this reduction, the FY19 budget will increase by 2% over FY18.

Further, it was proposed to use \$423,000 from Debt Service reserves to be part of the revenues side of the budget; therefore, reducing taxes further. The proposal of May 23rd is included in the Resolution which would be a \$1,616,700 reduction and change the estimated tax rate increase from \$16.26 to \$15.89, a \$.51 increase or 3.3% over last year. Please note that as a guideline approximately \$54,000 reduction or addition to the budget equates to one penny added or subtracted to the tax rate.

[Attached to the Resolution](#) I have provided you with a spreadsheet that outlines the reduction and summarizes the changes.

- **Resolution No. 10-2018 - Sewer Fund Expenditures** establishes the annual appropriation, cash requirements and user rates for the Sewer fund. Sewer charges are based on water consumption. The adoption of this resolution includes a two-step, inclining block rate structure.
- **Resolution No. 11-2018 - Water Fund Expenditures** establishes the annual appropriation, cash requirements and user rates for the Water fund. Similar to Sewer, the adoption of this resolution will include a two-step, inclining block rate structure for water usage. Also included is a three step, inclining block rate structure for metered irrigation water usage. The irrigation water usage is not subject to sewer charges.

- **Resolution No.12-2018 - Special Revenues, Debt Service Fund and committed Fund Balances for Necessary Expenditures** allows for the expenditure of Special Revenues, Debt Service Fund, and Committed Fund Balance. This allows the City to expend from donations, Federal and State Grants as they are accepted and received, pay principal and interest associated with Betterment Assessments, from a Debt Service Fund, and expend from committed fund balance.
- **Resolution No. 13-2018 - Investment Policy** deals with the adoption of an annual investment policy. State law requires the annual adoption of such a policy by every city and town.

I am requesting that the City Council vote on each Resolution separately. The City Council will have adopted the FY19 Budget once the Council has voted on each Resolution separately.

Consent Agenda:

1. **Request for License to Install Projecting Sign.** Attached under Section IX of the Agenda are two requests for projecting sign licenses (see attached memorandums from Juliet Walker, Planning Director):
 - James & Kate Horne, owners of Birch for property located at 73 State Street (Unit 1)
 - Jay McSharry, owner of The Nice for property located at 107 State Street

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

City Manager's Items Which Require Action:

1. **Portsmouth Historical Society – Proposed Extension of Lease for Discover Portsmouth Center (10-30 Middle Street).** As you may be aware, the City of Portsmouth currently leases the former Portsmouth Public Library building at 10-30 Middle Street to the Portsmouth Historical Society (PHS). The PHS operates the Discover Portsmouth Center in the building and sub-leases space to two tenants. The current lease in place was entered into on April 26, 2011 and has a 25-year term, with an option for a 10-year renewal (for a total of 35 years). The current lease expires in 2036 (2046 with the renewal).

I recently met with representatives of PHS who have requested the City consider entering into a new lease with the organization with a 50-year term. The new lease term would run from 2018 to 2068. In requesting the new lease and term, PHS has cited its desire to

continue the building's use as the Discover Portsmouth Center and continue its current programming at this key downtown location. In addition, the PHS plans additional significant improvements to the facility that will result in further historically-sensitive improvements benefiting the program it offers the public, including accessibility and other building upgrades. PHS has indicated the new lease term requested will facilitate planning and fundraising (specifically, work with potential donors interested in gifts for the long-term).

No other substantial adjustments to the Lease are recommended. However in the Lease document in your packet, there are adjustments which update certain whereas clauses, update the renewal terms to reflect the nature of a long term lease, and other minor changes. The changes are "track-changed" in [the attached proposed Lease](#).

I would recommend the City Council move to place the Lease agreement for action at your meeting on June 18, 2018.

2. **Request for First Reading Re: Clipper Traders, LLC Petition for Re-Zoning of 105 Bartlett Street.** As you are aware, at the February 20, 2018 City Council meeting, the Council voted to refer a request from Attorney R. Timothy Phoenix, on behalf of Clipper Traders, regarding a petition for re-zoning of 105 Bartlett Street, to the Planning Board for a recommendation.

[Attached is a memorandum from Planning Director Juliet Walker](#) which outlines the background, the Planning Board's recommendation, and summarizes the proposed zoning amendments for the aforementioned request. The requested vote is to schedule a first reading of the proposed zoning amendments for the June 18, 2018 City Council meeting.

I recommend the City Council move to schedule a first reading for the June 18, 2018 City Council meeting on the following zoning amendments related to the request of Clipper Traders, LLC for rezoning of property located at 105 Bartlett Street:

- *Amendments to Articles 4, 5A, and 15;*
- *Amendment to the Zoning Map to change Tax Map 157 Lots 1 and 2 from Office Research (OR) to Character District 4 West End (CD4-W) and a portion of Tax Map 164 Lot 4 from OR and Transportation Corridor (TC) to CD4-W and Character District 4 Limited 2 (CD4-L2);*
- *Amendment to the Zoning Map to extend the West End Overlay District and add new Building Height Standards for Tax Map 157 Lots 1 and 2 and a portion of Tax Map 164 Lot 4.*

Informational Items:

1. **Events Listing.** For your information, [attached is a copy of the updated Events Listing showing events from this date forward through 2018.](#) In addition, this can be found on the City's website.
2. **Portsmouth400 Re: Public Input Sessions.** [Attached is an informational item from Susan Labrie, Director of Portsmouth400](#) regarding Public Input Sessions on June 12 and June 26, 2018 at the Portsmouth Library in the Levenson Room at 6:30 p.m.
3. **Presentation Finance Department Internal Review Re: Coakley Landfill Expenditures.** On Monday evening, Finance Director Judie Belanger will make a presentation regarding the Coakley Landfill internal review of expenditures. [See attached.](#)