

CITY COUNCIL MEETING

- 6:15PM – WORK SESSION – 2018 PROPERTY VALUATION RESULTS – CITY ASSESSOR ROSANN LENTZ

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

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

PRESENTATIONS

1. Letter of Recognition from Mayor Blalock to Portsmouth Underbelly Tour
2. Cooperative Alliance for Seacoast Transportation (COAST)

V. ACCEPTANCE OF MINUTES – AUGUST 6, 2018

VI. PUBLIC COMMENT SESSION

VII. PUBLIC HEARINGS & VOTES ON ORDINANCES AND/OR RESOLUTIONS

A. Public Hearing – Boarding or Rooming Houses

ORDINANCE AMENDING CHAPTER 9, ARTICLE VIII – BOARDING OR ROOMING HOUSES, SECTIONS 9.801 – 9.805

- PRESENTATION
- CITY COUNCIL QUESTIONS
- PUBLIC HEARING SPEAKERS
- ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS

(Sample motion – move to pass second reading and schedule a third and final reading of the proposed amendment to the Boarding House Ordinance at the September 17, 2018 City Council meeting, as presented)

B. Public Hearing – Exemption for Solar Energy Systems

RESOLUTION RE: EXEMPTION FOR SOLAR ENERGY SYSTEMS

- PRESENTATION
- CITY COUNCIL QUESTIONS
- PUBLIC HEARING SPEAKERS
- ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS

(Sample motion – move to adopt the proposed Resolution, as presented)

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 Matt Junkin, Seacoast Rotary, requesting to hold the 10th Annual Seacoast Rotary Turkey Trot 5k on Thanksgiving, November 22, 2018 at 8:30 a.m. ***(Anticipated action – move to refer to the City Manager with power)***
- B. Request for License to Install Projecting Sign for Laurie Smith, owner of Yogasmith LLC for property located at 16 Market Square ***(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. *Acceptance of Donation to the Coalition Legal Fund
- Town of Rye - \$5,000.00
- (Anticipated action – move to approve and accept the donation, as listed, to be placed in the Coalition Legal Fund)***
- D. Letter from Barbara Massar, Pro Portsmouth, Inc., requesting permission to hold the following events:
- First Night Portsmouth 2019, Monday, December 31, 2018; 4pm - Midnight
 - Children's Day, Sunday, May 5, 2019; Noon – 4pm
 - 42nd Annual Market Square Day Festival & 10K Road Race, Saturday, June 8, 2019; 9am – 4pm
 - 17th Annual Summer in the Street, Saturday evenings 5pm – 9:30pm; June 29th, July 6th, July 13th, July 20th and July 27th
- (Anticipated action – move to refer to the City Manager with power)***
- E. Letter from Liz Good, Moderator, North Church of Portsmouth, UCC, requesting permission to hold it's annual Rally Sunday in Market Square sanctuary on Sunday, September 16, 2018 ***(Anticipated action – move to refer to the City Manager with power)***

X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Email Correspondence (*Proposed motion – move to accept and place on file*)

XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

City Manager's Items Which Require Action:

1. Approval of Extension of Employment Agreement for Stephen Zadravec, Superintendent of Schools
2. Approval Re: Step Increases for Police Chief Robert Merner
3. Request for First Reading Re: Chapter 7, Section 7.102 – Parking Meter Zones, Subsection A, Downtown High Occupancy Zone
4. McIntyre Project – Extension of Negotiating Principles
5. Establish a Non-Public Session Re: Collective Bargaining Guidelines
6. Request to Schedule First Reading Re: Proposed Ordinance for the creation of a Highway Noise Overlay Zoning District

City Manager's Informational Items:

1. Events Listing
2. Presentation: Citizen Request for Transitional Zoning Option for Bartlett Street Area
3. Bicycle / Pedestrian Plan Program Update
4. Report Back Re: Path to Silver Bicycle Friendly Community Status
5. Update on Doble Property Transfer and Preparation for Reuse
6. Appointment of Administrative Official as Ex Officio Member to Planning Board
7. Portsmouth Water Division Receives Public Communications Award from the New England Water Works Association
8. Portsmouth Public Works' Intern Program Continues to Improve Data Planning

B. MAYOR BLALOCK

1. Appointment to be Considered:
 - Thomas Watson reappointment to the Economic Development Commission
 - Jolanda Fannin reappointment to the Board of Library Trustees
 - Marsha Filion appointment to the Board of Library Trustees
2. Appointment to be Voted:
 - Shari Donnermeyer reappointment to the Parking & Traffic Safety Committee
3. Mayor's Appointment of Historical Society Representative to the Demolition Committee– Barbara Ward

C. COUNCILORS ROBERTS

1. *"Accessory Dwelling Unit Ordinance – Request for Report Back"?

D. COUNCILOR DENTON

1. Flier 1 – Burned; Flier 2 – Portsmouth Peoples Climate Movement; Flier 3 – Portsmouth Electric Vehicle Show

E. COUNCILOR PERKINS

1. *"Food Trucks – referral to the Planning Board for zoning change consideration"?

XII. MISCELLANEOUS/UNFINISHED BUSINESS

A. Legislative Subcommittee Report

- Summary of Legislative Subcommittee's recommendations to the City Council regarding four floor Policies to be considered NHMA policy recommendations for the Legislative Police Conference

(Proposed Motion – move to accept and support Floor Policies #2, #3, and #4 as written)

(Proposed Motion – move to support Floor Policy #4 if the abatement interest rate is amended to 2.5%)

(Proposed Motion –move to appoint Councilor Dwyer as the City's voting delegate at the upcoming NHMA Policy Conference)


XIII. ADJOURNMENT

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

* Indicates verbal report

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: August 30, 2018
To: Honorable Mayor Jack Blalock and City Council Members
From: John P. Bohenko, City Manager 
Re: City Manager's Comments on September 4, 2018 City Council Agenda

Work Session:

6:15 p.m.

1. **2018 Property Valuation Results - City Assessor Rosann Lentz.** On Tuesday evening, Mike Tarello of Vision Government Solutions, will be reviewing the final analysis of the 2018 Valuation Update. The presentation will update the City Council on the results of both the commercial and residential properties throughout the City indicating what areas and types of properties were impacted more than others. Mike will answer questions as to valuation procedures for both the commercial and residential properties.

Presentations:

1. **Letter of Recognition from Mayor Blalock to Portsmouth Underbelly Tour.** Mayor Blalock will present a Letter of Recognition to Portsmouth Underbelly Tour guides.
2. **Cooperative Alliance for Seacoast Transportation (COAST).** Rad Nichols, Executive Director of COAST, will be presenting an overview of COAST's Comprehensive Operations Analysis, which will be a multi-year, system-wide, assessment and potential reorganization of COAST's regional transportation services.

Public Hearings & Votes on Ordinances and/or Resolutions:

1. **Public Hearing/Second Reading of Boarding House Ordinance.** At the August 20, 2018 City Council meeting the Council voted to pass first reading and schedule second reading and a public hearing regarding the [attached proposed Ordinance](#) amending Chapter 9, Article VIII: Boarding or Rooming Houses. The amendment adds the terminology “and Rooming House” and adds the following Term and Condition:

- D. The permit shall not allow any more rooms to be rented, leased or made available, persons to occupy the Rooming or Boarding House than are authorized by the Portsmouth Zoning Ordinance.

I recommend the City Council move to pass second reading and schedule a third and final reading of the proposed amendment to the Boarding House Ordinance at the September 17, 2018 City Council meeting, as presented.

2. **Public Hearing Re: Resolution for Exemption of Solar Energy Systems.** At the August 20, 2018 City Council meeting, the Council voted to schedule a public hearing regarding the proposed Resolution for a Solar Energy Systems Tax Exemption.

As you are aware, Councilor Denton requested a report back regarding an exemption for Solar Energy Systems. [Attached is the report back from City Assessor Rosann Lentz](#) which was provided to the City Council on April 30, 2018 and in the August 6, 2018 City Council packet. Councilor Denton has requested the [attached Resolution for Solar Energy Systems](#) be reviewed by the City Council and be brought forward for action at the September 4, 2018 City Council meeting.

In order to include solar energy systems that were put in place prior to 2011 and to grant the exemption for more than 5 years, the staff has recommend the modification of the current solar exemption as follows:

If qualified, for persons owning real property equipped with a solar energy system as defined in [RSA 72:61](#), the City shall exempt from taxes an amount equal to the assessed value of the solar energy system.

City Assessor Rosann Lentz has advised this tax exemption will be made available for the April 1, 2018 tax year if adopted.

I am requesting that the City Council adopt the proposed Resolution, as presented.

Consent Agenda:

1. **Request for License to Install Projecting Sign.** Attached is a request for a projecting sign license (see attached memorandum from Juliet Walker, Planning Director):

➤ Laurie Smith, owner of Yogasmith LLC for property located at 16 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.

2. **Acceptance of Donation to the Coalition Legal Fund.** The City of Portsmouth has received a donation from the Town of Rye in the amount of \$5,000.00 to the Coalition Legal Fund, which will be utilized to continue our fight to eliminate the statewide property tax.

I recommend the City Council move to approve and accept the donation, as listed, to be placed in the Coalition Legal Fund.

City Manager's Items Which Require Action:

1. **Approval of Extension of Employment Agreement for Stephen Zdravec, Superintendent of Schools.** I am requesting that the City Council act on the extension of the employment agreement between the Portsmouth School Board and Stephen Zdravec, Superintendent of Schools. See attached memorandum from City Negotiator Thomas Closson and Superintendent Zdravec's Employment Agreement.

Therefore, I recommend that the City Council approve the extension of the employment agreement to expire on June 30, 2021 with Stephen Zdravec, Superintendent of Schools.

2. **Approval Re: Step Increases for Police Chief Robert Merner.** The Police Commission has requested that the City Council act on approving step increases for Police Chief Robert Merner from Step E to Step F on the Professional Management Association (PMA) salary schedule for Year Two (6/20/18 to 6/19/19) of his 5-year contract. See attached letter from the Police Commission dated August 29, 2018 and Chief Merner's Employment Agreement.

Therefore, I recommend that the City Council approve the Police Commission's recommendation for step increases as indicated in the Police Commission's letter dated August 29, 2018.

3. **Request for First Reading Re: Chapter 7, Section 7.102 Parking Meter Zones, Subsection A, Downtown High Occupancy Zone.** Attached are the current and proposed maps of the City's High Occupancy Parking Zones. The average occupancy on the streets recommended for inclusion under the definition of High Occupancy presently sit at well over 100% collectively, where 80-85% is the industry standard recognized as 'optimal'. Additionally, expanding the High Occupancy coincides with the 2012 Parking Principles objective to 'Price and manage more desirable on-street parking spaces to favor users who are highly motivated to use them...' City staff have revised Chapter 7, Section 7.102 PARKING METER ZONES, Subsection A, DOWNTOWN HIGH OCCUPANCY ZONE to include the proposed streets – see attached proposed Ordinance. I am requesting the City Council authorize the City Manager to bring back for first reading the proposed Ordinance at the September 17, 2018 City Council meeting.

Therefore, I recommend the City Council move to schedule a first reading of the proposed Ordinance at the September 17, 2018 City Council meeting, as presented.

4. **McIntyre Project – Extension of Negotiating Principles.** On May 7, City Council authorized the City Manager to execute Negotiating Principles (attached) to guide the development of legal agreements that will be essential to the completion of the City's application to the Historic Monument Program and implementation of a successful McIntyre Public-Private partnership with the Redgate/Kane development team. At that time, it was anticipated that an application would be submitted in July. Since that timeframe has passed, I would like the Council to consider an extension of time period to negotiate exclusively with Redgate/Kane to November 30, 2018. Deputy City Manager Nancy Colbert Puff will make a brief presentation of a revised project schedule and design.

I recommend the City Council move to allow the City Manager to continue to negotiate exclusively with Redgate/Kane on the McIntyre Project until November 30, 2018.

5. **Establish a Non-Public Session Re: Collective Bargaining Guidelines.** I am requesting that the City Council hold a non-public session on October 9, 2018 commencing at 6:30 p.m. to review the collective bargaining guidelines. This entire meeting will be a non-public session.

Therefore, I recommend the City Council move to establish a non-public session on October 9, 2018 at 6:30 p.m. to have a review of the collective bargaining guidelines.

6. **Request to Schedule First Reading Re: Proposed Ordinance for the creation of a Highway Noise Overlay Zoning District.** Attached is a memorandum from Planning Director Juliet Walker requesting that the City Council schedule a first reading regarding a proposed Ordinance for the creation of a Highway Noise Overlay Zoning District. The memorandum details the background regarding the City's efforts to seek a mechanism for mitigating highway noise impacts for residential neighborhoods that abut the major highways in the City. Also, attached is a draft Ordinance and a response letter to NHDOT regarding the Type II Noise Abatement Program.

The Planning Board conducted a public hearing on this proposed zoning amendment at its August 16, 2018 meeting and voted to recommend approval to the City Council.

I am requesting that the City Council schedule first reading of the proposed Ordinance at the September 17, 2018 City Council meeting.

Recommended Action

Move to schedule a first reading for the September 17, 2018 City Council meeting on the following zoning amendments related to the creation of a Highway Noise Overlay District:

- *Amendment to Zoning Map to add Highway Noise Overlay District as shown on the map titled “Proposed Highway Noise Overlay District”, dated July 17, 2018;*
- *Insert new Section 10.613.60 identifying the Highway Noise Overlay District on the Zoning Map;*
- *Insert new Section 10.670 Highway Noise Overlay District;*
- *Amend Article 15 – Definitions, Section 10.1530 – Terms of General Applicability.*

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. **Presentation: Citizen Request for Transitional Zoning Option for Bartlett Street Area.** As requested by Councilor Dwyer at the August 20, 2018 City Council meeting, Planning Director Juliet Walker will make a presentation regarding a citizen request for transitional zoning option in the Bartlett Street area. [Attached is a memorandum from the Planning Director regarding this matter.](#)
3. **Bicycle / Pedestrian Plan Progress Update.** [Attached is a memorandum from Planning Director Juliet Walker](#) giving an update regarding the bicycle / pedestrian plan progress.
4. **Report Back Re: Path to Silver Bicycle Friendly Community Status.** As requested by Councilor Raynolds, [attached is a memorandum from Planning Director Juliet Walker](#) regarding a path to silvery bicycle friendly community status.
5. **Update on Doble Property Transfer and Preparations for Reuse.** The U.S. Army Reserve and the U.S. Army Corps of Engineers are in the final stage of transferring the Paul A. Doble Army Reserve Center at 125 Cottage Street to the City. During the week of August 27th, the Army Reserve was emptying building contents in preparation for the handover. Simultaneously, the Corps is preparing a deed, which will be sent to the City Council for acceptance at an upcoming meeting. The process is expected to be complete this fall.

As the transfer has been nearing finalization, the City's preparations for the new facility have also ramped-up. In addition to planning for construction, preparations for transferring existing programming and the development of new vibrant and multi-generational programming is also advancing with many exciting opportunities to come with the new space.

A final construction schedule is yet to be determined, but is anticipated to begin soon after the City controls the property and is anticipated to last approximately 10 months. The cost for the construction is estimated to be \$3.4 million; \$300,000 in design costs have already been funded through the Community Development Block Grant (CDBG) program. Construction will be funded through a combination of additional CDBG funding as well as proceeds from the Daniel Street Trust and other sources.

Below is a list of the next steps in the process *“to create opportunities for healthy aging through social engagement, physical well-being, civic involvement, creativity and lifelong learning”* – the mission for the new Center.

- **Senior Subcommittee:** On September 12th, the Senior Subcommittee of the Recreation Board will meet to receive an update on the project status, including preparations for programming at the site.
- **Advisory Group:** The Recreation Department Senior Services division and a growing group of volunteers are working to form a Friends Group to assist the City in communicating about and planning for the Center.
- **Project Communications:** A project website has been created that provides information about the project history, status, design plans, and existing programming. City staff will use <https://www.cityofportsmouth.com/recreation/senior> to post updates and other developments.
- **Design Plans:** The Senior Services Division as well as the Community Development and Public Works Departments have been working with the Senior Subcommittee of the Recreation Board and users of the exiting Senior Center and architects and engineers on an Age-Friendly design for the Center. The plans for adaptive reuse of the existing building have been in development for the past two years. In September and October, the plans will proceed through the Site Plan Review process.

We all look forward to the wonderful addition the new Center will be to our community. I will keep you up to date as the work progresses.

6. **Appointment of Administrative Official as Ex Officio Member to Planning Board.** As you are aware, I am appointing an administrative official of the City who shall be an ex officio member to the Planning Board in accordance with City Ordinance Chapter 1, Article III, Section I.303: Planning Board and new City Council Policy No. 4-2018 adopted by the City Council at the August 20, 2018 meeting, which requires “All members of the Planning

Board of the City of Portsmouth, whether characterized as Ex Officio, Alternate, Designated, Appointed or otherwise, shall be residents of the City of Portsmouth”.

My appointment is Raymond Pezzullo, Assistant City Engineer in the Water & Sewer Division of the Department of Public Works. Mr. Pezzullo is a resident of Portsmouth and he is a professional engineer who has worked in civil engineering for over thirty-four years. Presently, he works very closely with the Planning Department on the review of site plans. Mr. Pezzullo will bring this engineering and plan review expertise as an administrative ex officio member of the Planning Board.

7. **Portsmouth Water Division Receives Public Communications Award from the New England Water Works Association.** Attached is a news release announcing the Portsmouth Water Division receives the Public Communications Award from the New England Water Works Association. This award recognizes excellence in communications through comprehensive public outreach materials and programs. In addition, this award follows NEWWA’s prior recognition of Deputy Public Works Director Brian Goetz when he was a recipient of the 2017 Award of Merit.
8. **Portsmouth Public Works’ Intern Program Continues to Improve Data Planning.** Attached is a news release announcing the Department of Public Works have again employed the services of two University of New Hampshire graduates who interned in their Geographic Information System (GIS) department this year. Working under the guidance of the City’s GIS Coordinator, Jamie McCarty, Evan Silwa and Thomas Nethercott used global positioning equipment, cameras and own observations to inspect the City’s water infrastructure and compile data for other City initiatives.