

TO: JOHN P. BOHENKO, CITY MANAGER
FROM: KELLI L. BARNABY, CITY CLERK
RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON TUESDAY, FEBRUARY 17, 2015, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE
PRESENT: MAYOR LISTER, ASSISTANT MAYOR SPLAINE, COUNCILORS SHAHEEN KENNEDY, LOWN, DWYER (via conference call), MORGAN AND THORSEN

1. At 6:00 p.m. the City Council held a Work Session regarding AIRBNB with the Planning Board.
2. Presentation - Pavement Management Program – Peter Rice, Public Works Director – Director Rice provided a brief review of the program for the Pavement Management Process. He reviewed the pavement deterioration curve and the management history and reported the program began in 1997 and there are 6 areas to the process. Director Rice reported on the Pavement Condition Index used to project averages for all City roads.
3. Presentation - Update Re: 21 Brewster Street – Robert Sullivan, City Attorney – City Attorney Sullivan provided a detailed update regarding 21 Brewster Street. He spoke to the history of the building and the issues relating to the building. He advised the City Council that he has not contact with Mr. Hogan but Mr. Hogan’s lawyer is responsive and trial date has been set for May 28th.
4. Acceptance of Minutes – February 3, 2015 – On a unanimous roll call 8-0, **voted** to approve and accept the minutes of the February 3, 2015 City Council meeting.
5. Public Comment Session – There were 8 speakers: Steve Little, Barbara DeStefano, Margot Doering (VRBO – AIRBNB); Ralph DiBernardo (Pay By Bag Trash & AIRBNB); John Palreiro (UBER); Bernie Pelech (Short Term Rentals); Jeff Cooper (Option to do Nothing on AIRBNB); and Paul Mannle (Capital Improvement Plan).
6. Public Hearing - Adoption of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Elderly Real Estate Tax Exemption:

Proposed increase of Elderly Exemption by 1.7%

Single	\$36,311.00 increase of \$607.00
Married	\$44,793.00 increase of \$749.00
Asset Limit of	\$121,039.00 increase of \$2,023.00

Held a Public Hearing. On a unanimous roll call 8-0, **voted** to adopt the proposed Resolution increasing the Maximum Income Limit for Individuals Qualifying for the Elderly Real Estate Tax Exemption by 1.7%, as presented.

7. Public Hearing - Adoption of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Disabled Real Estate Tax Exemption:

Proposed increase of Disabled Exemption by 1.7%

Single	\$36,311.00 increase of \$607.00
Married	\$44,793.00 increase of \$749.00
Asset Limit of	\$121,039.00 increase of \$2,023.00

Held a Public Hearing. On a unanimous roll call 8-0, **voted** to adopt the proposed Resolution increasing the Maximum Income Limit for Individuals Qualifying for the Disabled Real Estate Tax Exemption by 1.7%, as presented.

8. Consent Agenda – On a unanimous roll call 8-0, **voted** to adopt the Consent Agenda.
 - A. Letter from Kelly Heinze, Alzheimer’s Association, requesting permission to hold the Seacoast Walk To End Alzheimer’s on Sunday, October 4, 2015
(Anticipated action – move to refer to the City Manager with power)
 - B. Acceptance of Donations to the Art-Speak Annual Appeal:
 - Jack and Pamela Blalock - \$50.00
 - Laurence McCullough - \$100.00***(Anticipated action – move to approve and accept the donations to the Art-Speak, as listed)***
 - C. Acceptance of Donation for PACA Membership Dues (Art-Speak)
 - Pinetree Institute - \$75.00***(Anticipated action – move to approve and accept the membership dues for Piscataqua Arts & Cultural Alliance, a program of Art-Speak, as listed)***
 - D. Letter from Ashleigh Tucker, The Music Hall, requesting permission to hold the second annual Music Hall Open House event on Saturday, June 27, 2015
(Anticipated action – move to refer to the City Manager with power)
9. Letter from Jerry Zelin regarding Harborcorp – Restrictive Covenant for Casino – On a unanimous roll call 8-0, **voted** to refer to the City Attorney for report back and to send copies of the letter to the Planning Board, Zoning Board of Adjustment and Historic District Commission for review.
10. Letter from John Rawlings regarding 2 AIRBNB operating in his neighborhood which strongly impacts their quality of life and potentially property value – On a unanimous roll call 8-0, **voted** to accept the letter and place it on file.
11. Letter from Lauren Moore, Sexual Assault Support Services, requesting permission to set up a small table in Market Square in front of the North Church to hold the first annual Clothesline Project for one day in March or April (suggested dates listed in letter) from 11:00 a.m. to 3:00 p.m. – On a unanimous roll call 8-0, **voted** to refer to the City Manager with power.

12. Letter from Ellen & Dexter Legg requesting the City to maintain the integrity and characteristics of the neighborhoods of Portsmouth and protect all property owners by prohibiting short term rentals in residential districts – On a unanimous roll call 8-0, **voted** to accept the letter and place it on file.

13. Adoption of Proposed Capital Improvement Plan (CIP) FY2016 – FY2021 – Moved to adopt the Capital Improvement Plan FY2016 – FY2021.

On a unanimous roll call 8-0, **voted** to amend the Capital Improvement Plan as follows:

- Page 46 – Fire Station 3 Replacement move from FY16 to FY17
- Page 48 – Police Department Land Acquisition move from FY16 to FY17
- Page 49 – police Department Facilities move from FY17 to FY18
- Page 94 – Bike PED replacement of \$50,000.00 from General Fund with \$1 million appropriation in FY15 from bonding
- Page 39 – Fire Engine 4 move from FY17 to FY16

On a unanimous roll call 8-0, **voted** to adopt the Capital Improvement Plan FY2016 – FY2021, as amended.

14. On a unanimous roll call 8-0, **voted** to suspend the rules in order to continue the meeting beyond 10:00 p.m.

15. Request for WSCA Antenna License – On a unanimous roll call 8-0, **voted** to authorize the City Manager to enter into a five year License Agreement with WSCA for the installation and operation of an antenna at WSCA's cost.

16. Request for First Reading of \$23.2 Million Dollar Bond Re: Proposed Second Parking Garage at 165 Deer Street – On a unanimous roll call 8-0, **voted** to authorize the City Manager to bring back for first reading a \$23.2 Million Dollar Bond for a proposed second parking garage at the March 16, 2015 City Council meeting, as presented.

17. On a roll call 6-2, **voted** to table the remainder of the City Council Agenda until the March 2, 2015 City Council meeting. Items remaining are as follows:

- Assistant Mayor Splaine – Letter requesting a Resolution to the U.S. Supreme Court In Support of Marriage Equality
- Councilor Kennedy – Portsmouth Small Business. How is the city supporting small businesses:
- Councilor Morgan – Impact Fees

Assistant Mayor Splaine, Councilors Shaheen, Lown, Dwyer, Thorsen and Mayor Lister voted in favor. Councilors Kennedy and Morgan voted opposed.

18. Snow Removal Cost Summary (Not on Agenda) – City Manager Bohenko reported that we have spent 106% of the total snow budget and he would be coming forward in the future for a special appropriation to pay for the overage.

19. Adjournment – At 11:15 p.m., **voted** to adjourn.

Respectfully submitted by:

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