

FEE COMMITTEE MEETING MINUTES
Municipal Complex
Portsmouth NH

March 7, 2022, 2:00 p.m.

Present:

Fee Committee: Councilors John Tabor and Josh Denton

Staff: City Manager Karen Conard
Deputy Finance Director Andrew Purgiel
City Attorney Robert Sullivan
Assistant City Attorney Jane Ferrini
Public Works Director Peter Rice
Deputy Public Works Director Brian Goetz
Parking Director Ben Fletcher
Planning Director Beverly Mesa Zendt
Chief Building Inspector Shanti Wolph
Recreation Director Todd Henley
Fire Chief Todd Germain
Deputy Fire Chief Pat Howe
Police Captain Mike Maloney
Health Officer Kim McNamara
City Clerk Kelli Barnaby

A motion was made by Councilor Tabor and seconded by Councilor Denton to approve the minutes from the May 25, 2021 meeting. Unanimously approved.

Legal Opening remarks. City Attorney Sullivan gave a brief presentation on the type of recommendations the Fee Committee can present to the City Council. Mr. Sullivan explained that the Fee Committee can enter into contracts with local restaurants using City property. He stated that fees are based on recovery of costs for the City.

He stated that the restaurant can be charged an additional fee on top of what the City Council has already established. This could include an additional amount which would be in the nature of an agreement if the rest does not follow the City's composting ordinance. He stated that the Fee Committee can ask for additional money if the restaurant does not follow the composting ordinance. The restaurant has the right not to pay the additional money but then they lose the right to use the City sidewalk.

Composting: Councilor Denton gave a brief presentation regarding composting, and stated that he would like to enter into a contract with those restaurants who use City Property along with a monthly fee assessed to those who do not compost. Councilor Tabor stated he agreed and would like those restaurants who do not compost charged a reasonable fee, possibly \$200 per season. Councilor Denton recommended that the fee be divided into two \$100 payments over the course of the season. Mr. Sullivan proposed adding a \$200 fee to all restaurants and then waived if they compost. Councilor Tabor and Councilor Denton agreed to bring this to the City Council for a vote: \$1,700 would be charged and \$200 waived if they compost.

Fire: Deputy Chief Howe asked for a Hot Work permit change, from \$100 per week to \$100 for a month, then added a yearly permit for \$500. Summary: \$50 day, \$100 per month, \$500 for a year. Approved unanimously.

Councilor Denton asked Deputy Chief Howe about the Hotel fees and if he thought the fees should be increased. Mr. Howe said that current the fees are appropriate.

Councilor Denton asked Police Captain Maloney if there are statistics for the alarm fees and asked if they were proportionate to the demographics of the area. Captain Maloney stated that they were divided between residential and commercial and Karen Senecal presented statistics of alarms and described most of them as commercial alarms.

Chief Building Inspector Wolph stated that they are requesting to increase for commercial roofing \$100 for every permit. Historically the department does not charge for roofing which goes against the state roofing code. He stated that they have had contractors have taken it upon themselves to disconnect and reconnect utilities. Charging for a permit would give the inspectors a chance to inspect for those kind of issues. Mr. Wolph stated that the permit is required by law but the fee is not. The fee is to cover the cost of inspections. Approved unanimously.

Recreation: Director Henley stated that most fees have not increased in the last few years. They are asking for Spinnaker membership increases. He also stated that the Indoor Pool will be managed by the City and not SIPP. He stated fees will need to cover those costs, and requested an increase in the pool per-hour fee to match local pools. It is requested that the Boat launch will have a slight increase for non-residents. Approved unanimously.

Councilor Denton asked if it was possible to waive fees for the outdoor pool for active duty military and military dependents since there is no pool in Kittery. Mr. Henley said they would research it to see how many people would utilize. Approved unanimously.

Public Works: Director Rice requested that the Memorial Bridge lighting increase from \$50 to \$75, along with a \$500 deposit now for Excavation permits. They would like to get contractors used to following up and then refund the deposit when the restoration is complete. They are proposing Flagging permits increase from \$25 to \$50, and an Excavation permit from \$50 to 75, as both require a significant amount of staff time to process the permits. Also they would like to add a new fee item for crack ceiling repair. This would insure that they have the funds when contractors don't have the ability to do the repairs. Mr. Rice also requested a new \$10 charge for recycling bins. He stated that in the past they have had grant money for the bins. It has become apparent that the bins are used for other reasons other than recycling. Approved unanimously.

Clerk: Councilor Denton asked City Clerk Barnaby what her thoughts are on waiving the fees this year for tables and chairs and what would be the revenue loss. Ms. Barnaby stated that it was \$3,300 for tables and \$1,060 for the chairs for a total of \$4,360. Councilor Tabor noted that he voted last year to waive the fees but is not inclined to do that this year. Councilor Tabor and Councilor Denton agreed that they should remain. Approved unanimously.

Planning: Director Mesa-Zendt stated that the only change they are proposing this year is to the Wetland Conditional Use Permit, to increase the fee from 1000 sf or greater from \$1,000 to \$1,300. Unanimously approved.

Health: Councilor Denton asked a question of Health Officer McNamara about the supermarket fees. Ms. McNamara stated that the fees are based on the staff time to inspect. Councilor Denton asked about leaking CFC's in the flooring in supermarkets. Ms. McNamara stated that CFC's in the floor are out of the jurisdiction of the Health Department but she stated that CFC's were banned in this county around 2010.

Library: Director Friese stated that they are not asking for any increase in fees for this year. Councilor Denton asked if it was possible to waive fees for Library fees for Military and their dependents. Ms. Friese stated she would be happy to bring that to the Library Trustees.

Parking: Director Fletcher recommended one change for this year: a change to the valet parking. The recommendation is to increase Zone A from \$675 to \$1500 and decrease Zone B from \$675 to \$500. Unanimously approved.

Deputy Public Works Director Goetz gave a brief overview of water, sewer and wastewater increases. A summary of increases are: sewer re-inspection fees for the backhoe (\$50 per hour to \$60); dump truck (\$50 per hour to \$65) and Vector truck (\$150 per hour to \$175). They are also requesting an increase in fees for Water & Sewer Capacity Improvement Multiplier (CIM). Unanimously approved.

Assistant City Attorney Ferrini gave a brief description of the licenses for the Prescott Park License Agreements: NH Art Association, the Gundalow and the Prescott Park Arts Festival. She stated that the existing agreements are in their 4th year of a five-year agreement. For FY22, the fees were reduced by 2/3 due to COVID. She stated that they received one request this year for a reduction in fees from the NH Art Association as they ran at a deficit for both FY21 and FY22.

City Manager Conard stated that if the Fee Committee decided to reduce fees, it would still require City Council approval.

Councilor Denton made a motion to reduce the fee for NH Art Association to 2/3 of the proposed amount for year #5 (FY23). Unanimously approved.

Councilor Denton made a motion to reduce the fee for the Gundalow to 2/3 of the proposed amount for year #5 (FY23). Unanimously approved.

Councilor Denton made a motion to reduce the fee for Prescott Park Arts Festival to 2/3 of the proposed amount for year #5 (FY23). Councilor Tabor recused himself from this vote.

Councilor Denton asked Controller Renaud if she could determine what would be the revenue loss for the boat launch if fees were reduced for Active Duty, dependents or Veterans. Mr. Purgiel stated the Recreation Department would report back with those figures.

Comments from the Public:

Petra Huda asked if there will be a cost associated with enforcing the composting component fee vs fine. Attorney Sullivan stated that if the restaurants compost they get a discount of \$200 otherwise they pay the entire fee.

Ms. Huda suggested to Mr. Rice if the taxpayers are to have to pay for new recycling bins, that they be upgraded to a better quality equipment. Ms. Huda reminded Councilor Denton that for every fee that is taken away or dismissed for Active Duty, Dependents and Veterans gets shouldered by the taxpayer.

The meeting was adjourned at 3:45 p.m.