

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, JUNE 2, 2014 TIME: 7:00 PM

AGENDA

- AT 6:00PM, AN ANTICIPATED “NON-MEETING’ WITH COUNSEL RE: LITIGATION & NEGOTIATIONS – RSA 91-A:2, I (b-c)

- I. CALL TO ORDER [7:00PM or thereafter]
- II. ROLL CALL
- III. INVOCATION
- IV. PLEDGE OF ALLEGIANCE

PROCLAMATION

- 1. Portsmouth Symphony Orchestra – Mitchell Shuldman

- V. ACCEPTANCE OF MINUTES – *(There are no minutes available for acceptance)*

- VI. PUBLIC COMMENT SESSION

- VII. APPROVAL OF GRANTS/DONATIONS

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

- VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

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

- IX. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. Request for Approval of Pole License to install 3 poles on Sagamore Avenue as part of the Sagamore Avenue Complete Street Project ***(Anticipated action – move to approve the aforementioned Pole License Agreement as recommended by the Public Works Department with the approval conditioned upon amendment of the license to allow for the collection of any lawfully assessed real estate taxes)***
- B. Letter from Duncan J. Regonini, Secretary, Portsmouth Professional Firefighters Local 1313, requesting permission to conduct two Fill-the-Boot Drive voluntary “toll booths”, at Market Square to collect donations for the Muscular Dystrophy Association on Saturday, July 12, 2014 and Saturday August 9, 2014 between 8:00 a.m. and 5:00 p.m. ***(Sample motion – move to refer to the City Manager with power)***

- C. Letter from Kevin Walker, Area General Manager, Hilton Garden Inn, requesting a temporary road closure of Portwalk Place on June 14, 2014 in conjunction with Market Square Day from 7:00 a.m. to 7:00 p.m. (**Sample motion – move to refer to the City Manager with power**)
- D. Letter from Ruth Griffin requesting permission to plant 2 trees of her choice in front of property located at 479 Richards Avenue (**Sample motion – move to refer to the Trees and Greenery Committee**)

X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

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

XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

City Manager's Items Which Require Action:

1. Discussion Re: Proposed FY15 Budget
 - Resolution No. 6-2014 – Municipal Fees
 - Resolution No. 7-2014 – General Fund Expenditures
 - Resolution No. 8-2014 – Sewer Fund Expenditures
 - Resolution No. 9-2014 – Water Fund Expenditures
 - Resolution No.10-2014 – Special Revenues, Debt Service Fund and Committed Fund Balances for Necessary Expenditures
 - Resolution No. 11-2014 – Investment Policy

(Sample motions – 1) move to reschedule the June 9th Work Session regarding Financial Disclosure to Tuesday, June 17, 2014 at 6:30 p.m., and; 2) move to establish a Special Meeting of the City Council for Monday, June 9, 2014 at 6:30 p.m. for adoption of the FY15 Budget which includes the six Resolutions identified in the City Manager's comment)

2. Phase II of the Character Based Zoning Project Re: North End

Informational Items

1. Events Listing
2. Report Back Re: Islington Street Sidewalks
3. Update on Design Review
4. Bicycle Pedestrian Master Plan
5. Portsmouth Complete Streets Public Information Session and Discussion
6. Notification of Land Use Board Minutes on City Website
7. Report Back Re: Quiet Zones
8. Meeting with Pan Am

B. MAYOR LISTER

1. Appointments to be Voted:
 - Paul Mannle to the Citywide Neighborhood Steering Committee
 - Dan Rawling to the Historic District Commission as a Regular Member
 - Tristan Law appointment to the Taxi Commission

C. ASSISTANT MAYOR SPLAINE

1. *Sea-3 (Vote to appeal Town of Newington Planning Board decision?)

D. COUNCILOR KENNEDY

1. *The possibility of adding additional Zoning Board of Adjustment members to the Board

E. COUNCILOR LOWN

1. Parking & Traffic Safety Committee Action Sheet and Minutes of the May 8, 2014 meeting (***Sample motion – move to approve and accept the action sheet and minutes of the May 8, 2014 Parking & Traffic Safety Committee meeting***)

F. COUNCILOR DWYER

1. Proposed Rezoning East Side of Route 1 Bypass from Islington Street Bridge to Traffic Circle (***Sample motion – move to refer to the Planning Board***)

XII. MISCELLANEOUS/UNFINISHED BUSINESS

XIII. ADJOURNMENT [AT 10:00PM OR EARLIER]

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

**Indicates Verbal Report*


INFORMATIONAL ITEMS

1. *Notification that the minutes of the November 13, 2013 and December 11, 2013 Conservation Commission meetings are now available on the City's website.
2. *Notification that the minutes of the January 8, 2014, February 12, 2014, March 5, 2014 and March 12, 2014 Historic District Commission meetings are now available on the City's website.
3. *Notification that the minutes of the January 9, 2014, January 16, 2014 and January 23, 2014 Planning Board meetings are now available on the City's website.
4. *Notification that the minutes June 18, 2013, August 20, 2013, October 15, 2013 and October 22, 2013 Zoning Board of Adjustment meetings are now available on the City's website.

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: May 30, 2014
To: Honorable Mayor Robert J. Lister and City Council Members
From: John P. Bohenko, City Manager 
Re: City Manager's Comments on June 2, 2014 City Council Agenda

6:00 p.m. – Non-meeting with counsel.

For details on this matter, please refer to the confidential envelope inserted in the inside pocket of your binder.

City Manager's Items Which Require Action:

1. **Discussion Re: Proposed FY15 Budget.** As a result of the City Council Work Session on May 27th, I have [attached the following six Resolutions](#) for discussion on Monday evening:

Resolution No. 6-2014 adopts Municipal Fees that have been recommended by the Fee Committee. The total revenue generated from these fees is estimated at \$990,750 or 1% of the total FY15 General Fund Revenues.

Resolution No. 7-2014 is pertinent to General Fund expenditures. In this Resolution the proposed appropriations for the General Government, Police, Fire, School, Collective Bargaining, Indoor Pool as well as non-operating appropriations are listed separately.

Resolution No. 8-2014 establishes the annual appropriation, cash requirements and user rates for the Sewer fund. The annual appropriation and cash requirements for FY15 include \$50,000 funded by use of unrestricted net position to implement a new Sewer Assistance Program to provide a discount and or temporary financial relief for seniors, individuals and families in need. Sewer charges are based on water consumption. The adoption of this resolution includes a two step, inclining block rate structure. This means the first 10 units based on water consumption (1 unit equals 100 cubic feet or 748 gallons) per month will be charged at \$11.21 per unit, all consumption over 10 units per month will be charged at \$12.34 per unit. This increase translates to an approximate monthly increase of \$2.65 to the average residential user using 5 units of water per month. Eighty percent (80%) of all residential customers fall in the 10 units or less tier.

Resolution No. 9-2014 establishes the annual appropriation, cash requirements and user rates for the Water fund. The annual appropriation and cash requirements for FY15 include \$50,000 funded by use of unrestricted net position to implement a new Water Assistance Program to provide a discount and or temporary financial relief for seniors, individuals and families in need. Similar to Sewer, the adoption of this resolution will include a two step, inclining block rate structure. The first 10 units (1 unit equals 100 cubic feet or 748 gallons) of water consumed per month will be charged at \$4.15 per unit, all consumption over 10 units per month will be charged at \$5.00 per unit, both rates are unchanged from the previous fiscal year. Eighty percent (80%) of all residential customers fall in the 10 units or less tier.

Resolution No. 10-2014 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 debt service associated with Betterment Assessments, to include principal and interest, from a Debt Service Fund, and expend from committed fund balance.

Resolution No. 11-2014 deals with the adoption of an annual investment policy. State law requires the annual adoption of such a policy by every city and town.

It is my understanding that on Monday evening, the City Council will discuss the various Resolutions specifically any adjustments that may be made for the Special June 9th City Council meeting for the adoption of the FY15 Budget. I would be asking for a straw vote on Monday evening so that we have some direction for the June 9th presentations.

I am requesting that the City Council take the following actions:

- 1) *Reschedule the June 9th Work Session regarding Financial Disclosure to June 17, 2014 at 6:30 p.m.*
- 2) *Establish a Special Meeting of the City Council for Monday, June 9, 2014 at 6:30 p.m. for the adoption of the FY15 Budget which includes the six Resolutions identified in the City Manager's comment.*

2. **Phase II of the Character-Based Zoning Project Re: North End.** As you will recall, at the City Council meeting of May 19th, the Planning Department made a presentation outlining the process involved in the upcoming Character-Based Zoning project for the North End area. Starting in June, this phase of the project will focus on the North End (see [Exhibit 1](#)) and a subsequent phase will focus on the Islington Street Corridor (see [Exhibit 2](#)). After existing conditions are analyzed, we will schedule two separate 3-day public planning and design charrettes. Pending final scheduling with consultants at the Town Planning Urban Design Collaborative (TPUDC), the North End charrette will be scheduled for mid-September followed by the Islington Street Corridor for October.

The Planning Department is continuing to work with Brian Wright at TPUDC to develop a final scope of work and schedule for each phase of the project. During the summer months, representatives at TPUDC will work with City Staff to inventory and document the existing

streets, buildings, and properties and also to develop marketing and outreach material in advance of the charrettes. We will notify neighborhood associations, non-profit organizations, seniors, students, and other interest groups inviting them to participate in this event.

Over 300 residents and business owners directly participated in last summer's charrettes for the Downtown CBZ. The Planning Department used a wide variety of techniques to contact many groups and individuals. The charrette process is designed to facilitate extensive citizen participation in the planning process. The multi-day charrette process is designed to allow participants to attend at least one event if they choose to share their concerns.

The goal of the 3-day charrette is to develop general agreement on a shared Vision Plan for each target area. Residents and business owners will develop a Vision Plan for these two target areas which could include opportunities for new community open space, recreational amenities (i.e. parks, squares, bike lanes, sidewalks, greenways), private and public buildings, streets, alleys and parking areas. By including an assessment of public streets, sidewalks, parks and civic buildings, the Vision Plan could provide an opportunity to capture the city's overall character and distinct sense of place.

As in Phase 1 of the CBZ project covering the downtown central business area ([see Exhibit 3](#)), the proposed zoning amendments will also include new regulations pertaining to building scale (i.e. height, volume, footprints) and building design (i.e. rooflines, style, character, details) as well as parking, landscaping and other open space areas. When complete, the Vision Plan will render an illustrative (graphic) plan to be used for future development, as well as to draft the new CBZ for these two target areas.

Planning staff will be making a presentation at the June 16, 2014 City Council meeting to confirm the study area for the North End Vision plan.

I would recommend the City Council move to approve the study area for the North End Character-Based Zoning Project.

Informational Items:

1. **Events Listing.** For your information, [attached is a copy of the Events Listing](#) updated after the last City Council meeting on May 19, 2014. In addition, this can be found on the City's website.
2. **Report Back Re: Islington Street Sidewalks.** For your information, [attached is a memorandum from Peter Rice, Public Works Director](#), regarding this matter.
3. **Update on Design Review.** City staff is working on finalizing the modifications to the design review site regulations based on input from public hearings and Planning Board discussion on this matter. They will be presented at a future meeting.

4. **Bicycle Pedestrian Master Plan.** The second public meeting for the Bicycle and Pedestrian Master Plan will be held on June 5, 2014 from 6:30 p.m. to 8:30 p.m., in the Levenson Room of the Portsmouth Public Library. The purpose of the meeting is to solicit feedback on draft recommendations. The City's planning consultant for this project is Toole Design Group, a nationally recognized consulting firm specializing in bicycle and pedestrian transportation. The Plan is scheduled to be completed by September 2014.

Juliet Walker, Transportation Planner in the Planning Department, is managing this project in close collaboration with the Public Works Department and with involvement from other City departments. We continue to provide a variety of opportunities for public involvement during the planning process including an online interactive map, a survey, public meetings, and small group discussions. A schedule and the project updates can be found on the project web page at www.planportsmouth.com/bike-pedestrian-masterplan2014.html.

5. **Portsmouth Complete Streets Public Information Session and Discussion.** As you know, the City has been selected as 1 of 18 communities nationwide and the only one in New England to receive free technical assistance from Smart Growth America and the National Complete Streets Coalition. The focus of the technical assistance will be on implementation of our Complete Streets policy and will include both a public presentation and a training workshop for transportation and land use staff and representatives. **I am pleased to invite you to the Portsmouth Complete Streets Public Information Session and Discussion at the Little Theatre at Portsmouth High School on Thursday, June 12, 2014 starting at 7:00 p.m.**

National expert, Paul Zykofksy, will be the keynote speaker. Paul directs the California Local Government Commission's programs related to land use and transportation planning, community design, and health and the built environment. Paul has experience in land-use, air quality, transportation planning and health and the built environment. He is co-author of documents on transit-oriented development, street design, walkability, traffic calming and public participation in planning. Paul is a frequent presenter at local, regional and national conferences. He is nationally certified to facilitate Safe Routes to School workshops and teaches the FHWA's Designing for Pedestrian Safety and Pedestrian Safety Action Plan courses.

6. **Notification of Land Use Board Minutes on City Website.** For your information, [attached is a memorandum from City Clerk Kelli Barnaby](#), regarding notification of Land Use Board minutes on the City's Website.
7. **Report Back Re: Quiet Zones.** As requested by Councilor Shaheen, [attached is a memorandum from Peter Britz, Environmental Planner](#), regarding research that he completed on railroad quiet zones.
8. **Meeting with Pan Am.** I have been in contact with Cynthia Scarano, Executive Vice President of Pan Am Railways, regarding her availability to meet with the City Council. She is available to meet with the City Council on Monday, July 14, 2014.