

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH  
DATE: MONDAY, MAY 2, 2016 TIME: 7:00PM

- 6:00PM – NON-MEETING WITH COUNSEL RE: LITIGATION AND PERSONNEL IN ACCORDANCE WITH RSA 91-A:2,I (b)
- 6:30PM - NON-MEETING WITH COUNSEL RE: PROPOSED COLLECTIVE BARGAINING IN ACCORDANCE WITH RSA 91-A:2,I (b)

## AGENDA

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

### PROCLAMATIONS

- 1. Police Week in Portsmouth – Peace Officers’ Memorial Day
- 2. Recognition of National Small Business Week

### V. ACCEPTANCE OF MINUTES – APRIL 18, 2016

### VI. PUBLIC COMMENT SESSION

### VII. PUBLIC HEARINGS

- A. Ordinance amending Chapter 10 – Zoning Ordinance Delete the existing Article 5A – Character Districts in its entirety and insert in its place the new Article 5A – Character Districts dated January 11, 2016 *Continued from the March 21, 2016 City Council meeting*

Amend Articles 4, 5, 11, 12 & 15 of the Zoning Ordinance as set forth in the document titled “Conforming Amendments to Zoning Ordinance” January 11, 2016

Amend the Zoning Map as set forth in the following maps dated January 11, 2016;

- (a) Map 10.5A21A – Character Districts and Civic Districts;
- (b) Map 10.5A21B – Building Height Standards;
- (c) Map 10.5A21C – Special Requirements for Façade Types, Front Lot Line Buildout & Uses

- B. RESOLUTION AUTHORIZING THE ISSUANCE OF REFUNDING BONDS OF UP TO THIRTEEN MILLION (\$13,000,000.00) DOLLARS TO REFINANCE CERTAIN OUTSTANDING BONDS OF THE CITY SO AS TO REDUCE INTERESTS COSTS, AND TO PAY ALL COSTS INCIDENTAL AND RELATED THERETO

## VIII. APPROVAL OF GRANTS/DONATIONS

- A. Approval and Acceptance of Donation Re: Memorial Bench
- B. Donations in Support of the Explorer Cadets:
- Kittery Lion Club in appreciation for a speech given to the Club by Cadet Acadia Spear - \$202.00
  - Ms. Vivienne B. Vanluven - \$20.00
  - Ms. Susan J. and Mr. John D. Herney - \$20.00
  - Dr. David Ferland and Ms. Lynda Cadieux - \$82.00
- (Sample motion – move to accept the donations totaling \$324.00 in support of the Police Explorer Cadets)***
- C. Grant from the NH Office of Highway Safety for Portsmouth Bicycle/Pedestrian Patrol - \$6,195.20 ***(Sample motion – move to accept and approve the grant in the amount of \$6,195.20)***

## IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Second reading of Ordinance amending Chapter 10 – Zoning Ordinance Delete the existing Article 5A – Character Districts in its entirety and insert in its place the new Article 5A – Character Districts dated January 11, 2016 *Continued from the March 21, 2016 City Council meeting*
- Amend Articles 4, 5, 11, 12 & 15 of the Zoning Ordinance as set forth in the document titled “Conforming Amendments to Zoning Ordinance” January 11, 2016
- Amend the Zoning Map as set forth in the following maps dated January 11, 2016;
- (a) Map 10.5A21A – Character Districts and Civic Districts;
  - (b) Map 10.5A21B – Building Height Standards;
  - (c) Map 10.5A21C – Special Requirements for Façade Types, Front Lot Line Buildout & Uses
- B. Third and final reading of Ordinance amending Chapter 11, Section II, Section 11.216:B – Sewer User Charges/Records/Hook-up to Allow an Approved Irrigation System and a Water Meter at a Monthly Service Fee in addition to the Consumption Charge, said Fee to be Determined by the City Council during its Annual Budget Process
- C. Adoption of Resolution Authorizing the Issuance of Refunding Bonds of up to Thirteen Million (\$13,000,000.00) Dollars to Refinance certain Outstanding Bonds of the City so as to Reduce Interests Costs, and to Pay all Costs Incidental and related thereto

## X. CONSENT AGENDA

### **A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA**

#### A. Request for License to install Projecting Sign:

- Christi Watson owner of Fringe Hair Studio, LLC, for property located at 3 Market Square, 2<sup>nd</sup> Floor (**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 the 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**

- B. Letter from Josh Pierce, Seacoast Area Bicycle Riders, requesting permission to hold the Bike/Walk to Work Day in the Seacoast on Friday, May 20, 2016 (**Anticipated action – move to refer to the City Manager with power**)

## XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Steve Leonard, Portsmouth Girls Softball Association President, requesting permission to hang a banner on the backstop at the Pease 1 field (**Sample motion – move to refer to the City Manager with power**)
- B. Letter from Jeffrey Keefe, Portsmouth Athenaeum, requesting permission to hold parade on one of the following dates: Saturday, June 24<sup>th</sup>, Saturday, September 16<sup>th</sup>, Saturday, October 7<sup>th</sup> or Saturday, October 14<sup>th</sup>, all in 2017 in the downtown at 11:00 a.m. (**Sample motion – move to refer to the City Manager with power**)
- C. Letter from Michael Dolan requesting to set up a small table in the downtown area for street performing (**If the City Council wishes to authorize the City staff recommends use of the Vaughan Mall only**)

**XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS**

**A. CITY MANAGER**

**City Manager's Items Which Require Action:**

1. Request for First Reading Re: Proposed Zoning Amendment - Transportation Corridor District
2. Report Back Re: Request to Rezone Land at 678 Maplewood Avenue and an adjacent parcel (Assessors Map 220, Lots 89 and 90) from Single Residence B (SRB) to Business (B)
3. Outdoor Sidewalk Café Providing Alcohol Service – Birdseye Lounge, LLC
4. Traffic Signal Easement Re: 361 Islington Street
5. Proposed Deer Street Garage Building Committee
6. Request for Disposal of 1987 Fire Engine
7. Water Line Easement – Nimble Hill Road, Newington

**Informational items**

1. Events Listing
2. Household Hazardous Waste Day
3. Update Re: C-PACE

**B. MAYOR BLALOCK**

1. Resignation – David Witham of the Zoning Board of Appeal

**C. COUNCILOR PERKINS**

1. Housing Committee Overview (*See attached memorandum*)

**XIII. MISCELLANEOUS/UNFINISHED BUSINESS**

**XIV. ADJOURNMENT**

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

*\*Indicates Verbal Report*


## **INFORMATIONAL ITEMS**

1. Notification that the minutes of the March 2, 2016 & March 9, 2016 meetings of the Historic District Commission are now available on the City's website
2. Notification that the minutes of the March 17, 2016 and March 31, 2016 meetings of the Planning Board 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:** April 28, 2016  
**To:** Honorable Mayor Jack Blalock and City Council Members  
**From:** John P. Bohenko, City Manager   
**Re:** City Manager's Comments on May 2, 2016 City Council Agenda

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- 6:00 p.m.** Non-meeting regarding litigation and personnel in accordance with RSA 91-A:2,I (b).  
**6:30 p.m.** Non-meeting with counsel regarding proposed collective bargaining in accordance with RSA 91-A:2,I (b).

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

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***Acceptance of Grants and Donations:***

1. **Approval and Acceptance of Donation Re: Memorial Bench.** The City of Portsmouth has received a donation from Holly and Kim Cedarstrom in the amount of \$2,000 for the purchase and installation of a bench in Haven Park in memory of their daughter Caitlyn Cedarstrom Morris ([see attached letter](#)).

*I recommend the City Council move to approve and accept the donation for a memorial bench, as presented. Action on this matter should take place under Section VIII of the Agenda.*

2. **Acceptance of Police Department Grant and Donations.** [Attached under Section VIII of the Agenda is a memorandum](#), dated April 27, 2016 from Brenna Cavanaugh, Chair of the Portsmouth Police Commissioners, and Police Chief David J. Mara, requesting that the City Council approve the following grant and donations:

- a) Donations in support of the Explorer Cadets as follows:
1. \$202 from the Kittery Lions Club in appreciation for a speech given to the Club by Cadet Acadia Spear
  2. \$20 from Ms. Vivienne B. Vanluven
  3. \$20 from Ms. Susan J. and Mr. John D. Herney
  4. \$82 from Dr. David Ferland and Ms. Lynda Cadieux
- b) A Grant in the amount of \$6,195.20 from the NH Office of Highway Safety for Portsmouth Bicycle/Pedestrian Patrols, Project #314-16A-011.

The Portsmouth Police Commission submits the information to you pursuant to City Policy Memorandum #94-36, for the City Council's consideration and approval at their next meeting.

*I recommend the City Council move to approve and accept the grant and donations to the Portsmouth Police Department. Action on this matter should take place under Section VIII of the Agenda.*

### ***Items Which Require Action Under Other Sections of the Agenda:***

1. **Public Hearing/Second Reading of Proposed Ordinance Amendments:**
- 1.1 **Public Hearing/Second Reading of Proposed Ordinance amending Chapter 10 – Zoning Ordinance – West End Zoning Amendment Ordinance (Continued Public Hearing and postponed Second Reading from March 21, 2016 City Council Meeting).** [Attached under Section VII of the Agenda](#) for reconvening a public hearing and second reading at the May 2, 2016 City Council meeting are the following documents relating to the extension of character-based zoning to the West End, additional revisions to Article 5A affecting other character districts, and related amendments to the Zoning Ordinance and the Zoning Map:
- [A one-page ordinance incorporating all the proposed zoning amendments;](#)
  - [A proposed revision to Article 5A — Character Districts \(39 pages\);](#)
  - [A set of "conforming amendments" to other sections of the Zoning Ordinance \(8 pages\);](#)
  - [A list of additional proposed zoning changes for 52 lots adjacent to the proposed Character districts in the Islington Street corridor and West End \(1 page\); and](#)

- A set of four maps showing proposed amendments to the Zoning Map. The first three maps are revisions to the existing Regulating Plan for the Character districts, extending character-based zoning down Islington Street to the West End, while the fourth map shows the 52 additional lots proposed for rezoning.

The proposed amendment to Article 5A incorporates the following substantive revisions:

1. A new Character District 4-West End (CD4-W) is established. In terms of building and site design, the CD4-W district is modeled on the CD4 district in the downtown; but in its use regulations the new district is similar to the Business (B) district that currently applies in the West End. The development standards for this district are set forth in Figure 10.5A41.108 on pages 5A-11 through 5A-13. In addition, similar to the Downtown Overlay District, Section 10.5A30 prohibits ground floor residential uses in the CD4-W district except for rowhouses.

The primary differences between the CD4-W district in the West End and the CD-4 district in the downtown pertain to the requirements for off-street parking, density, lot coverage and open space. In particular, the lack of public off-street parking facilities in the West End means that the standards for density, lot coverage and open space must reflect the need to provide private off-street parking.

2. The proposed amendment recognizes a new "recessed entry" facade type (see Figure 10.5A43, page 5A-27). This is an existing building façade type found in Portsmouth's older neighborhoods, and it has been added as a permitted facade type along Islington Street, in the West End, and in other areas outside the Downtown Overlay District.
3. The proposed amendment increases the maximum building footprints in the CD4 and CD5 districts to reflect the historic land use patterns and building footprints in these areas of the downtown, as well as the concepts illustrated in the Vision Plans that TPUDC developed based on the Community Design Charrettes for both the North End and the West End. It is proposed to increase the baseline maximum building footprint in the CD4 district from 10,000 sq. ft. to 15,000 sq. ft. and in the CD5 district from 15,000 sq. ft. to 20,000 sq. ft.
4. The proposed amendment allows ground-level building footprints to be increased to 30,000 sq. ft. in the CD4 and CD4-W districts, and to 40,000 sq. ft. in the CD5 district, where necessary to accommodate parking on a ground floor or underground level (see Sections 10.5A43.42 and 10.5A43.43). In such cases, any above-ground parking requires a liner building along each street frontage, and all stories of the building above ground floor or underground parking levels



(including the liner building) shall meet the baseline maximum building footprint required for the Character district.

5. An exemption has been added to allow off-street parking to be located in front of single-and two-family structures (Section 10.5A44.31).
6. Incentives to the development standards have been added for the West End and for large parcels in other character districts in order to encourage property owners to provide workforce housing or community spaces such as pocket parks or plazas (Section 10.5A47).

In addition to these substantive revisions, the proposed zoning amendments implement a number of minor housekeeping amendments intended to clarify existing provisions or correct inconsistencies in the Zoning Ordinance. In keeping with the changes enacted in August 2015, a number of definitions are moved from Article 5A to the general definitions chapter in Article 15.

The Planning Board considered these proposed amendments at its January meeting, and in a public hearing at its February, March and April meetings. Concurrently with the Planning Board review, Portsmouth Listens held a series of Study Circles meetings to review the proposed zoning changes, and presented the findings and recommendations to the Planning Board at its meeting on March 17<sup>th</sup>. The Planning Board closed the public hearing at its meeting on April 21<sup>st</sup> and voted to recommend that the City Council enact the [attached](#) ordinances as revised.

Over the three-month review period, the Planning Department developed a number of proposed revisions to the draft ordinance that had been presented to the Council in January for first reading. These changes were offered in response to recommendations from the Study Circles groups, comments from residents at the public hearing, and consideration by Planning Board members. As a result, the version that the Planning Board voted to recommend has significant differences from version initially accepted by the Council and referred to the Board in January. As a result, in order to minimize any confusion, I suggest that the procedure for moving forward with the proposed ordinance changes be modified as follows:

1. At Monday's meeting (a) vote to recess the public hearing to the May 16, 2016 City Council meeting without a presentation from the Planning Department, and (b) vote to substitute the original ordinance as recommended by the Planning Board for the version of the amended ordinance currently before the Council.
2. The Planning Department will work with the City Clerk to re-notice the public hearing with reference to the new version of the proposed ordinance.

3. The Planning Department will provide a complete presentation of the proposed ordinance amendments at the May 16, 2016 City Council public hearing.

*Therefore, I recommend the City Council move the following motions:*

1. *Move to recess the public hearing to the May 16, 2016 City Council meeting, and,*
2. *Move to substitute the original ordinance as recommended by the Planning Board for the version of the amended ordinance currently before the Council, which is attached.*

*Action on this matter should take place under Section IX of the Agenda.*

2. **Public Hearing and Adoption of Proposed Bonding Resolution:**

- 2.1 **Public Hearing and Adoption of Proposed Resolution Authorizing the Issuance of Refunding Bonds of up to Thirteen Million (\$13,000,000) Dollars to Refinance Certain Outstanding Bonds of the City.** As a result of the April 18<sup>th</sup> City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and adoption the [attached](#) proposed Bonding Resolution of up to Thirteen Million (\$13,000,000) to refinance certain outstanding bonds of the City so as to reduce interest costs, and to pay all costs incidental and related thereto.

In reviewing the City's debt schedule, there are existing bond issues eligible for Advanced Refunding (refinancing) which will result in total future interest savings. The original bond terms included a call provision which allows the issuer the option to pay off bonds prior to the maturity date by issuing another bond at a lower interest rate.

The original bonds issued that are eligible for advanced refunding are:

1. Bond issue on 6/15/2008 for:
  - Fire Station 2 Land Acquisition
  - Fire Station 2 Construction
2. Bond issue on 6/15/2009 for:
  - Fire Station 2 construction phase II
  - Madbury Treatment Plant upgrades

The average coupon rate (interest) for the remaining life of these bonds is 4.2%. Keeping in mind that interest rates are subject to change, the City, by opting to refinance these bonds in the current market, could experience savings in excess of \$970,000 net of all issuance costs, over the remaining life of the bonds.

*I am requesting the City Council move to adopt the Resolution Authorizing the Issuance of Refunding Bonds of up to Thirteen Million (\$13,000,000) Dollars to Refinance Certain Outstanding Bonds of the City so as to reduce interest costs, and to pay all costs incidental and related thereto. The refunding resolution requires a public hearing with two-thirds vote of the City Council. Action on this matter should take place under Section IX of the Agenda.*

3. **Third and Final Reading of Proposed Ordinance Amendment.**

- 3.1 **Third and Final Reading of Proposed Ordinance amending Chapter 11, Article II. Section 11.216 – Sewer User Charges/Records/Hook-up – Addition of All Customers.** As a result of the April 18<sup>th</sup> City Council meeting, under Section IX of the Agenda, I am bringing back for third and final reading the [attached proposed Ordinance](#) amending Chapter 11, Article II, Section 11.216 – Sewer User Charges/Records/Hook-up, which expands the allowance of irrigation meters to all customer classes.

[Attached is a copy of a memorandum from Brian Goetz, Deputy Director of Public Works](#), regarding this matter.

Through research with our Water/Sewer rate consultant, we have determined that the current practice in New England and throughout the rest of the country is to allow for irrigation meters for all customers.

*I recommend the City Council move to pass third and final reading on the proposed Ordinance, as presented. Action on this item should take place under Section IX of the Agenda.*

**Consent Agenda:**

1. **Request for License to Install Projecting Sign.** [Attached under Section X of the Agenda](#) is a request for a projecting sign license (see [attached memorandum from Rick Taintor, Planning Director](#)):
- Christi Watson, owner of Fringe Hair Studio, LLC for property located at 3 Market Square, 2<sup>nd</sup> Floor

*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 this License Agreement for this request. Action on this item should take place under Section X of the Agenda.*

## ***City Manager's Items Which Require Action:***

1. **Request for First Reading Proposed Zoning Ordinance Amendment - Transportation Corridor District.** Attached is a memorandum from Rick Taintor, Planning Director, regarding the attached proposed Zoning Ordinance amendment to establish a new Transportation Corridor District. The Planning Board voted on April 21, 2016 to recommend that the City Council amend the Zoning ordinance, as proposed. I am requesting the City Council authorize me to bring back the proposed Ordinance for first reading at the May 16, 2016 City Council meeting.

The Planning Department has proposed that the railroad rights-of-way within the City (excluding areas for sidings and spurs) be rezoned to a new Transportation Corridor District. The purposes of the proposed district are:

- to preserve these corridors for existing and future transportation uses and utility lines and facilities;
- to allow for the development of multi-use (bicycle/pedestrian) recreational trails along abandoned rail corridors; and
- to restrict any land uses that would conflict with these transportation and recreational uses from being established.

*Therefore, I recommend the City Council move to authorize the City Manager to bring back the proposed Ordinance for first reading at the May 16, 2016 City Council meeting, as recommended by the Planning Board.*

2. **Report Back Re: Request to Rezone Land at 678 Maplewood Avenue and an adjacent parcel (Assessors Map 220, Lots 89 and 90) from Single Residence B (SRB) to Business (B).** As you will recall, at the March 14, 2016 City Council meeting, the Council referred the attached rezoning request from Attorney Joseph R. Russell, on behalf of Maplewood Ridge LLC, to the Planning Board for a report back to the City Council.

Attached is a memorandum from Rick Taintor, Planning Director, outlining the details of this request.

Following extensive public comment at the April 21, 2016 Planning Board public hearing, and based on the considerations in the attached memorandum, the Board voted unanimously to recommend that the City Council not rezone the parcels as requested.

*Therefore, I recommend the City Council move to accept the Planning Board's recommendation to not rezone the parcels as requested.*

3. **Application for Sidewalk Café providing Alcohol Service – Birdseye Lounge, LLC.** I am bringing forward for City Council action the attached Area Service Agreement for Birdseye Lounge, LLC for the 2016 season. City staff has reviewed Birdseye Lounge's

application and are recommending its approval as presented. Please note that the “Area” to be used by Birdseye Lounge, along with a table-chair layout, is included as an [attachment to the Agreement](#). The particulars of this application are as follows:

- 6 tables
- 12 chairs
- Area: 180 square feet
- Area Service Fee: \$1,800

As you are aware, in 2012, the City Council adopted City Council Policy 2012-02 titled “Policy Regarding Use of City Property for Sidewalk Café’s providing Alcohol Service”, [a copy of which is attached](#). That policy allows restaurants to apply for an Annual Service Agreement to occupy a defined portion of City sidewalk space for the purpose of creating a sidewalk café with the ability to serve alcohol. The policy outlines the criteria for both the application and the operations of the sidewalk café’s and calls for a 6 month term, typically running from mid-April through mid-October. The policy limits the number of sidewalk café’s in the City to six (6).

The fee for the use of the public “Area” subject to the Area Service Agreement is \$10.00 per square foot, with a minimum season’s fee of \$2,000 and no proration of the fee. The Agreements may be suspended at the sole discretion of the City on an administrative basis and revoked in their entirety by vote of the City Council. Hours of operation are until 10:30 p.m. Monday through Saturday and until 10:00 p.m. on Sunday, with no smoking allowed in the “Area” at any time. Use of the “Area” may be precluded, modified or made subject to special conditions to accommodate municipal events. The sidewalk café Area will be separated from the public pedestrian space by black decorative metal fence.

At the April 4, 2016 City Council meeting, the Council approved the following area service agreements:

<b>Establishment</b>	<b>Location</b>	<b>Area</b>	<b>Fee</b>
State Street Saloon	268 State Street	340	\$3,400
Popovers	8 Congress St	570	\$5700
Ri Ra Portsmouth	22 Market Square	447	\$4,470
District	103 Congress	467	\$4,670

*I recommend the City Council move to authorize the City Manager to enter into an Area Service Agreement with Birdseye Lounge, LLC for Outdoor Alcohol Service on City land for the 2016 season subject to City Council Policy No. 2012-02 regarding use of City property for sidewalk cafés providing alcohol service.*

4. **Traffic Signal Easement Re: 361 Islington Street.** Lucky Thirteen Properties, LLC owns property at 361 Islington Street, which sits at the corner of Islington Street and Cabot Street. The owner received approval from the Planning Board to make certain improvements to the property, which improvements have been completed. One of the stipulations prior to release of the bond securing the site work is to convey to the City an easement for the installation of a new traffic signal. See [attached map](#) showing the approximate easement area.

The current traffic signals at this intersection are pedestal mounted within the City right-of-way and are sometimes not obvious to drivers. With this easement, the City can upgrade the signal system at the intersection by installing modern signals mounted on mast arms located over the roadway thus improving signal sight.

The easement deed will conform to City Legal Department specifications. The Director of Public Works and the Planning Director support this request.

*I recommend the City Council move to authorize the City Manager to accept a traffic signal easement from Lucky Thirteen Properties LLC over property located at 361 Islington Street.*

5. **Proposed Deer Street Garage Building Committee.** I am recommending that the Mayor and City Council appoint a five member Building Committee for the proposed garage at 165 Deer Street. I would like to suggest that the membership be (2) City Council Members, (1) Economic Development Commission Member, and (2) members from the public.

*May I have your positive action regarding this matter.*

6. **Request for Disposal of 1987 Fire Engine.** The Fire Department is looking to dispose of a 1987 fire engine, vehicle ID #1F9BBAA85H1037941. This fire engine was replaced by a 2015 E-One Rescue-Pumper, which was received by the Department in November 2015. There was no opportunity to trade-in the 1987 fire engine toward the purchase of the 2015 engine because that unit was already discounted as a demonstrator model.

The 1987 fire engine is an E-One Hush II Custom Fire Engine on a Federal Motors Chassis (Serial number 5503). It is equipped with a 1500 GPM Hale pump, a 500 gallon water tank and deck gun. It will be sold without hose or appliances. It is powered by a 6V92 Detroit diesel engine with 95,022.2 miles and 3,925.21 engine hours.

According to City Ordinance Section 1.505, any sale of property valued at or over \$500 must be authorized by the City Council and may be conducted by competitive bidding, public auction or any other means authorized by a two-thirds vote of the City Council. As in the past, we have disposed of surplus equipment through a sealed bid process or through GovDeals an online auction site, in which the equipment is sold to the highest bidder.

*I recommend the City Council move to authorize the City Manager to dispose of the 1987 Fire Engine either through the sealed bid process or through GovDeals an online auctions site, in which the equipment is sold to the highest bidder.*

7. **Waterline Easement - Nimble Hill Road, Newington.** The City of Portsmouth currently provides retail water service to portions of Newington including an area along Nimble Hill Road. The City was requested to extend its water service to supply a new minor subdivision off of Nimble Hill Road; the Town of Newington Planning Board approved the subdivision plan conditioned on the waterline being installed to City specifications to serve the properties. The area of the minor subdivision is shown on the [attached area map](#). The waterline has been installed to City specifications and is located in what will be a future public road once accepted by the Town of Newington.

On April 21, 2016, the Portsmouth Planning Board voted to recommend to the Portsmouth City Council acceptance of a waterline easement within the roadway as shown on a plan entitled “Minor Subdivision Plan Paul J. Beane Estate 233 Nimble Hill Road Newington NH” dated December 30, 2013 recorded in the Rockingham County Registry of Deed. [A copy of the water main as-built plan for Lydia Lane off of Nimble Hill Road in Newington is attached.](#)

*I recommend the City Council move to authorize the City Manager to accept a waterline easement from Dennett Farm LLC to serve the minor subdivision off of Nimble Hill Road.*

### **Informational Items:**

1. **Events Listing.** For your information, [attached is a copy of the Events Listing](#) updated after the last City Council meeting on April 18, 2016. In addition, this can be found on the City’s website.
2. **Household Hazardous Waste Day.** For your information, Household Hazardous Waste Day is scheduled for Saturday, May 14, 2016 from 8:00 a.m. to Noon at the Portsmouth Public Works Department, 680 Peverly Hill Road, for residents of Portsmouth, Greenland and Newington; proof of residency is required. I have [attached a copy of the informational sheet](#) regarding household hazardous waste collection, which can be found on the City Website <http://cityofportsmouth.com/publicworks/solidwaste-recycle-hhw.htm>
3. **Update Re: C-PACE.** Subsequent to Councilor Denton’s April 4, 2016 request to investigate administering C-PACE in Portsmouth, City staff met to discuss C-PACE to briefly review the state law and discuss setting up a meeting up with the Jordan Institute.

City staff met with Scott Maslansky from the Jordan Institute on April 15, 2016 to hear a presentation about C-PACE and to try to begin to understand how it would work in the City. Mr. Maslansky was able to answer some of our questions, needed some time to respond to others and determined that answers to some of the questions would not be born out until program implementation began. There was interest among staff in understanding

how this program would work in other communities and the extent to which communities may be able to work together in developing a better understanding of this program.

It was left that the City would be interested in having a meeting with the group of other communities also investigating this program, Dover, Keene, Concord, and Hanover, and hearing a joint presentation and/or Q&A session with the Jordan institute so these communities would be able to discuss their shared interest and discuss the need for consistency across NH Municipalities.