

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, APRIL 3, 2017 TIME: 6:30PM

AGENDA

- 6:30PM – ANTICIPATED “NON-MEETING” WITH COUNSEL RE: NUISANCE COMPLAINT – RSA 91-A:2 I (b)

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

PRESENTATIONS

1. Portsmouth High School Boys Basketball State Champions
2. Poet Laureate
3. One Sky Community Services – Chris Muns, CEO
4. Update on New Website and Rollout of Viewpoint Re: Permits
5. Update on Revaluation

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

VI. PUBLIC COMMENT SESSION

VII. PUBLIC HEARINGS

- A. ORDINANCE AMENDING CHAPTER 3, ARTICLE II, SECTION 3.208 – REGULATION OF SINGLE-USE CARRYOUT PLASTIC BAGS
- B. ORDINANCE AMENDING CHAPTER 7, ARTICLE VII, SECTION 7.704 AND 7.705 TO CLARIFY THE PROHIBITION OF TRUCK TRAFFIC ON BANFIELD ROAD
- C. RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF UP TO FIVE MILLION DOLLARS (5,000,000.00) FOR COSTS RELATED TO ELEMENTARY SCHOOL FACILITY IMPROVEMENTS

VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Second reading of Proposed Ordinance amending Chapter 3, Article II, Section 3.208 - Regulation of Single Use Carryout Plastic Bags
- B. Second reading of Proposed Ordinance amending Chapter 7, Article VII, Section 7.704 and 7.705 to clarify the Prohibition of Truck Traffic on Banfield Road
- C. Adoption of Resolution Authorizing a Bond Issue and/or Notes of up to Five Million Dollars (\$5,000,000.00) for Costs related to Elementary School Facility Improvements *(two-thirds vote required for passage by roll call)*

IX. CONSENT AGENDA

(ANTICIPATED ACTION - MOVE TO ADOPT CONSENT AGENDA)

- A. Letter from Caroline Amport Piper, Friends of the South End requesting permission to hold the annual Fairy House Tour event on Saturday, September 23, 2017 and Sunday, September 24, 2017 from 11:00 a.m. to 3:00 p.m. **(Anticipated action – move to refer to the City Manager with power)**
- B. Letter from Allan Scholtz, Portsmouth Professional Firefighters Local 1313 requesting permission to hold two boot drives, the first on Saturday, July 8th, and the second on Saturday, August 19th **(Anticipated action – move to refer to the City Manager with power)**
- C. Approval of Pole License Requests:
- License Agreement #63-0634 – Sagamore Road 1 new pole
 - License Agreement #63-0639 – Broad Street 1 new pole
 - License Agreement #63-0644 – Marsh Lane 1 new pole
 - License Agreement #63-0622 – Borthwick Avenue 1 new pole
 - License Agreement #63-0637 – Robert Avenue 1 new pole
 - License Agreement #63-0641 – Maplewood Avenue 1 new pole
 - License Agreement #63-0645 – Spinney Road 1 new pole
 - License Agreement #63-0624 – Central Avenue 1 new pole
 - License Agreement #63-0631 – McKinley Road 1 new pole
 - License Agreement #63-0633 – Sagamore Road 1 new pole
 - License Agreement #63-0632 – Hampshire Road 1 new pole
- (Anticipated action – move to refer to the City Manager with power)**
- D. Letter from Robert L. Sutherland, Jr., St. John's Lodge requesting permission to hold the annual 5K Race on April 8th at 8:00 a.m. **(Anticipated action – move to refer to the City Manager with power)**
- E. Letter from Sister Mary Agnes, St. Charles Children's Home requesting permission to hold the St. Charles 5K Road Race on September 4, 2017 at 9:00 a.m. **(Anticipated action – move to refer to the City Manager with power)**
- F. Letter from Richard Mason, Seacoast Veterans Count requesting permission to hold the Pack & Boots 5K Road Race on July 4, 2017 at 8:00 a.m. **(Anticipated action – move to refer to the City Manager with power)**
- G. Letter from Jenelle Dolan, March of Dimes New Hampshire requesting permission to hold the 2017 Seacoast March for Babies on June 17, 2017 **(Anticipated action – move to refer to the City Manager with power)**

X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Stephen & Gina Kennedy Re: Food Truck Pilot Program **(Sample motion – move to refer to the Parking & Traffic Safety Committee)**
- B. Letter from Lorena Arnold regarding the Single-Use Plastic Bag Issue

XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

City Manager's Items Which Require Action:

1. New Street Name – “Foundry Place”
2. Request to Transfer Funds Re: 400th Anniversary Trust
3. Request for First Reading of Proposed Ordinance amending Chapter 1, Article IX, Section 1.902 – Election Candidate Financial Disclosures
4. Proposed amendment to the City Ordinances, Chapter 10 – Zoning Ordinance, Article 5A – Character-Based Zoning, Section 10.5A46 – Incentive Overlay Districts, to allow excess community space provided by a development to be credited for use in another development in the same Incentive Overlay District
5. Applications for Sidewalk Cafes providing Alcohol Service
 - State Street Saloon
 - Popovers
 - Ri Ra Irish Pub
 - The District
 - Fezziwig's Food & Fountain
6. Applications for Sidewalk Cafes providing Alcohol Service-private sidewalk
 - British Beer Company
 - The BRGR Bar
 - Row 34
7. Draft Complete Street Demonstration Project Policy (Tactical Urbanism Policy)

Informational items

1. Events Listing
2. Report Back Re: Borthwick Forest
3. Household Hazardous Waste Day
4. Downtown Business District Commercial and Residential Collection
5. Backyard Compost Bin Program

B. MAYOR BLALOCK

1. Appointments to be Considered:
 - Reappointment of Adrienne Harrison to the Conservation Commission
 - Reappointment of Kate Zamarchi to the Conservation Commission
 - Reappointment of Rick Becksted to the Recreation Board
 - Reappointment of Jacqueline Cali-Pitts to the Recreation Board
 - Reappointment of Lisa Louttit to the Recreation Board

2. *Strategic Planning Committee for Vaughan-Worth-Bridge Revitalization

I propose the Council endorse the formation of a five-member Committee to explore the reuse and revitalization opportunities associated with the City's properties noted above.

Proposed Membership:

2 City Councilors

1 Planning Board Member

1 Historic District Commission Member

1 Economic Development Commission Member

1 Ex-officio Member with Appointment by City Manager for Staff Liaison

The Mayor recommends the Committee's charge be to develop options for future use of City-owned property in these area and report back to the City Council with strategic recommendations as to how the City can best use its property in service of the community. Topics to be covered should address land use, urban design, public infrastructure, and timing. The Committee should make semi-annual reports to the Council until it has reached completion of its charge.

C. ASSISTANT MAYOR SPLAINE

1. Welcoming Cities Resolution

D. COUNCILOR SPEAR

1. *Surface Parking (***Sample motion – move to adopt this policy: The city will seek to eliminate the parking lots on Parrott/Pleasant, Bridge Street, Daniel/State, and the Worth lot, with no net loss of downtown parking, each to be replaced with ideas generated through a community dialogue process***)

E. COUNCILOR DENTON

1. Resolution and Energize 360 Seacoast NH Presentation

XII. MISCELLANEOUS/UNFINISHED BUSINESS

XIII. ADJOURNMENT

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

**Indicates Verbal Report*


INFORMATIONAL ITEMS

(There are no items on for this Section of the Agenda)

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: March 30, 2017
To: Honorable Mayor Jack Blalock and City Council Members
From: John P. Bohenko, City Manager 
Re: City Manager's Comments on April 3, 2017 City Council Agenda

6:30 p.m. – Non-meeting in accordance with RSA 91-A:2 I (b) regarding a nuisance complaint.

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

Presentations:

1. **Portsmouth High School Boys Basketball State Champions.** On Monday evening, Mayor Jack Blalock will recognize the Portsmouth High School Boys Basketball State Champions.
2. **Poet Laureate.** Susan Kaufman will make the announcement to present the new Poet Laureate.
3. **One Sky Community Services.** Chris Muns, CEO of One Sky Community Services will make a presentation to City Council on Monday evening regarding the organization's support services to Seacoast communities. [See attached letter.](#)
4. **Update on New City Website and Rollout of Viewpoint Re: Permits.** Public Information Officer Brenna Woodman and Information Technology Manager Alan Brady will make a presentation to the City Council regarding the New City Website.

Deputy City Manager Nancy Colbert Puff will make a presentation to the City Council regarding the City's rollout of Viewpoint a new electronic program for inspection permits.
5. **Update Re: Revaluation.** City Assessor Rosann Maurice-Lentz will make a presentation regarding the difference between a statistical and a regular revaluation.

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 3, Article II, Section 3.208, Regulation of Single-use Carryout Plastic Bags.

As a result of the March 20th City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and second reading the [attached proposed ordinance amending Chapter 3, Article II Section 3.208, Regulation of Single-use Carryout Plastic Bags](#). If the City Council wishes to proceed with the Plastic Bag Ordinance, City Attorney Robert Sullivan has opined the City Council consider amendments to the proposed Ordinance ([see attached memorandum](#)).

The proposed Ordinance which was substantially drafted by the Surfrider Foundation-New Hampshire Chapter. It has been subject to minimal modifications of form by the City Legal Department in order that the Surfrider ordinance would be consistent with existing City ordinances. In addition, the City Legal Department has inserted a severability provision into the ordinance so that if a court should find any section of the ordinance to be unenforceable, the remaining provisions would still have full force and effect.

In addition, I have [attached a memorandum from City Attorney Robert Sullivan and Assistant City Attorney Jane Ferrini](#) regarding House Vote on HB 481, Relative to the Use of Small Capacity, Lightweight Plastic Bags by Retailers. Their memorandum outlines concerns relative to the adoption of this Ordinance at this time. They are recommending that the Ordinance to ban plastic bags be postponed indefinitely awaiting further developments in the Legislature.

If the City Council wishes to move forward with the proposed Ordinance, the following motion is recommended:

Move to accept all the amendments to the Plastic Bag Ordinance as set forth in the Memorandum from the Legal Department to the City Manager dated March 28, 2017, and further, to pass second reading and schedule a third and final reading of the proposed Ordinance at the April 17, 2017 City Council meeting.

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

- 1.2 **Public Hearing/Second Reading of a Proposed Ordinance amending Chapter 7, Article VII, Section 7.704 and 7.705 to clarify the Prohibition of Truck Traffic on Banfield Road.** As a result of the March 20, 2017 City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and second reading the [attached proposed Ordinance](#) amending Chapter 7, Article VII, Section 7.704 and 7.705 to clarify the Prohibition of Truck Traffic on Banfield Road with recommended changes. At the February 2, 2017 Parking and Traffic Safety Committee meeting, there was a vote to amend Chapter 7, Article VII, by deleting the current Section 7.704 Local Delivery Routes and restore the old Section 7.703 Exceptions. [Attached is a memorandum from Eric Eby, Parking and Transportation Engineer](#), regarding this matter.

Eric Eby will give a presentation on Monday evening regarding this matter.

I recommend the City Council move to pass second reading and schedule a third and final reading of the proposed Ordinance at the April 17, 2017 City Council meeting, as presented. Action on this matter should take place under Section VIII of the Agenda.

2. **Public Hearing Re: Bonding Resolution.**

- 2.1 **Public Hearing of Proposed Resolution Authorizing a Bond Issue and/or Notes of up to Five Million (\$5,000,000) Dollars for costs related to Elementary School Facility Improvements.** As a result of the March 20th City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing the [attached](#) proposed Resolution authorizing a Bond Issue and/or Notes of up to Five Million (\$5,000,000) Dollars for costs related to Elementary School Facility Improvements.

[Attached is a letter from Superintendent Steve Zadravec](#) requesting that the City Council approve the authorization to bond up to Five Million (\$5,000,000) Dollars for the Phase I improvements to Dondero School. This item has been identified in the FY2018 Capital Improvement Plan. Superintendent Zadravec would like to receive authorization on this expenditure in order to begin construction this summer while the students are on break. This is similar to the way Phase II Little Harbour School Improvements project took place and has seemed to work out very well.

I recommend the City Council move to adopt the Resolution authorizing a Bond Issue and/or Notes of to Five Million (\$5,000,000) Dollars for costs related to Elementary School Facility Improvements. (Two-thirds vote is required as well as a roll call vote.) Action on this matter should take place under Section VIII of the Agenda.

City Manager's Items Which Require Action:

1. **New Street Name – “Foundry Place”.** The City Ordinances, Chapter 11, Article V, Section 11.501, provide that “the naming of all public streets and rights of way which are to receive or have received legal status by acceptance shall be subject to approval by the Planning Board.” As part of the municipal parking garage project, the City plans to construct a new public street between Bridge Street and Rock Street, and the City Council voted on February 6, 2017, to dedicate and accept the new street upon completion of construction. On March 16, 2017, the Planning Board considered several names suggested by the Parking Garage Building Committee, and voted to name the new street “Foundry Place.”

I recommend the City Council move to accept the recommendation of the Planning Board, as presented.

2. **Request to Transfer Funds Re: 400th Anniversary Trust.** There remains a residual balance of \$4,050.29 from donations received in preparation for the City’s 375th celebration in 1998. This balance has remained on the City’s books with the intent to be used for the next celebration.

I recommend that the City Council move to transfer the remaining balance from the City’s 375th Celebration account to the Portsmouth 400th Anniversary Trust.

3. **Request for First Reading of Proposed Ordinance amending Chapter 1, Article IX Conflict of Interest/Mandatory Financial Disclosure, Section 1.902: - Election Candidate Financial Disclosures.** As recommended by the City Council and Councilor Josh Denton at the March 20th City Council meeting, I am bringing back a request to schedule a first reading of the proposed Financial Disclosure Ordinance at the April 17th City Council meeting. Councilor Denton and City Attorney Robert Sullivan have been working on the [attached](#) proposed Ordinance.

I recommend the City Council move to authorize the City Manager to bring back for first reading the proposed Ordinance at the April 17, 2017 City Council meeting.

4. **Proposed amendment to the City Ordinances, Chapter 10 – Zoning Ordinance, Article 5A – Character-Based Zoning, Section 10.5A46 – Incentive Overlay Districts to allow excess community space provided by a development to be credited for use in another development in the same Incentive Overlay District.** [Attached](#) is a memorandum from Planning Director Rick Taintor along with a proposed zoning amendment to allow “banking” of community space in incentive overlay districts. As described in the memorandum, the proposed amendment is developed specifically to address the planned Vaughan Street hotel project and waterfront park, but could also be used for other projects in the North End and West End Incentive Overlay Districts. The recommendation is to refer this matter to the Planning Board. If the Planning Board

completes its review at its April 20, 2017 meeting, the amendment could then be placed on the City Council’s May 1, 2017 agenda for first reading.

I recommend the City Council move to refer this matter to the Planning Board for report back to the City Council.

5. **Applications for Sidewalk Cafés providing Alcohol Service.** 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” amended February 21, 2017. For your information, a copy of this policy is provided under the City Council Policies’ section located in the back of your binder. This 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 cafés and calls for a 6 month term, typically running from mid-April through mid-October.

Last year, four Area Service Agreements were issued for public sidewalk occupancy. To date, we have received five applications for State Street Saloon, Popovers, Ri-Ra Irish Pub, Fezziwig’s Food & Fountain (new this year) and The District. Staff representatives from Police, Fire, Public Works, Inspections, Health, and Code Enforcement have reviewed these applications, found the applications complete, and recommend issuance of the Area Service Agreements in accordance with City Council Policy 2012-02.

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 10:30 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. Each sidewalk café area will be separated from the public pedestrian space by a black decorative metal fence.

The table below summarizes applications received to date and associated fees:

Establishment	Location	Area	Fee
State Street Saloon	268 State Street	340	\$3,400
Popovers	8 Congress St	723	\$7,230
Ri Ra Irish Pub	22 Market Square	508	\$5,080
The District	103 Congress	467	\$4,670
Fezziwig’s Food & Fountain	112 State Street	120	\$2,000

- a) **Application for Sidewalk Café providing Alcohol Service from State Street Saloon.** I am bringing forward for City Council action the [attached Area Service Agreement](#) for State Street Saloon for the 2017 season. Staff has reviewed State Street Saloon’s application and recommends its approval as presented. Please note that the “Area” to be used by State Street Saloon, along with a table-chair layout, is included as an [attachment to the Agreement](#). This application involves:

5 4-top tables
1 2-top table
22 chairs
Area: 340 square feet
Area Service Fee: \$3,400

I would recommend the City Council authorize the City Manager to enter into an Area Service Agreement with State Street Saloon for outdoor alcohol service on City land for the 2017 season subject to City Council Policy No. 2012-02.

- b) **Application for Sidewalk Café providing Alcohol Service from Popovers on the Square.** I am bringing forward for City Council action the [attached Area Service Agreement](#) for Popovers on the Square for the 2017 season. Staff has reviewed Popovers’ application and recommends its approval as presented. Please note that the “Area” to be used by Popovers on the Square, along with a table-chair layout, is included as an [attachment to the Agreement](#). This application involves:

10 4-top tables
1 2-top table
1 outside container full enclosed for garbage and recycling
38 chairs
Area: 723 square feet
Area Service Fee: \$7,230

I would recommend the City Council authorize the City Manager to enter into an Area Service Agreement with Popovers on the Square for outdoor alcohol service on City land for the 2017 season subject to City Council Policy No. 2012-02.

- c) **Application for Sidewalk Café providing Alcohol Service from Ri Ra Irish Pub.** I am bringing forward for City Council action the [attached Area Service Agreement](#) for RiRa Irish Pub for the 2017 season. Staff has reviewed RiRa Irish Pub’s application and recommends its approval as presented. Please note that the “Area” to be used by RiRa Irish Pub, along with a table-chair layout, is included as an [attachment to the Agreement](#). This application involves:

7 4-top tables
48 chairs
Area: 508 square feet
Area Service Fee: \$5,080

I would recommend the City Council authorize the City Manager to enter into an Area Service Agreement with RiRa Irish Pub for outdoor alcohol service on City land for the 2017 season subject to City Council Policy No. 2012-02.

- d) **Application for Sidewalk Café providing Alcohol Service from The District.** I am bringing forward for City Council action the [attached Area Service Agreement](#) for The District located at 103 Daniel Street for the 2017 season. Staff has reviewed The District’s application and recommends its approval as presented. Please note that the “Area” to be used by The District, along with a table-chair layout, is included as an [attachment to the Agreement](#). This application involves:

17 top tables
35 chairs
Area: 467 square feet
Area Service Fee: \$4,670

I would recommend the City Council authorize the City Manager to enter into an Area Service Agreement with The District for outdoor alcohol service on City land for the 2017 season subject to City Council Policy No. 2012-02.

- e) **Application for Sidewalk Café providing Alcohol Service from Fezziwig’s Food and Fountain.** I am bringing forward for City Council action the [attached Area Service Agreement](#) for Fezziwig’s Food & Fountain located at 112 State Street for the 2017 season. Staff has reviewed Fezziwig’s Food & Fountain’s application and recommends its approval as presented. Please note that the “Area” to be used by Fezziwig’s Food and Fountain, along with a table-chair layout, is included as an attachment to the Agreement. This application involves:

3top tables
8chairs
Area: 120 square feet
Area Service Fee: \$2,000 (minimum)

I would recommend the City Council Authorize the City Manager to enter into an Area Service Agreement with Fezziwig’s Food & Fountain for outdoor Alcohol service on City land for the 2017 season subject to City Council Policy No. 2012-02.

6. **Applications for Sidewalk Cafes providing Alcohol Service-private sidewalk.** The City has received 3 applications for sidewalk cafes that are proposed for the private sidewalk that runs along Portwalk Way. While these proposed locations are completely contained on private property, they are adjacent to the sidewalk area that the City has an easement over. The operation of these areas requires review for health and life-safety compliance and it was therefore determined that the City should review and issue a license for the operation. Because the operation occurs on private property and not on City property, as the other Sidewalk Café licenses, there is no associated fee with this action.

a) **Application for Sidewalk Café providing Alcohol Service from British Beer Company.** I am bringing forward for City Council action the [attached Area Service Agreement](#) for British Beer Company located at 2 Portwalk Place for the 2017 season. Staff has reviewed the British Beer Company's application and recommends its approval as presented. Please note that the "Area" to be used by British Beer Company, along with a table-chair layout, is included as an [attachment to the Agreement](#). This application includes:

3 4-top tables
6 2-top tables
24 chairs
Area: 882 square feet

I would recommend the City Council authorize the City Manager to enter into an Area Service Agreement with British Beer Company for outdoor alcohol service for the 2017 season subject to City operating conditions contained in Council Policy No. 2012-02.

b) **Application for Sidewalk Café providing Alcohol Service from The BRGR Bar.** I am bringing forward for City Council action the [attached Area Service Agreement](#) for The BRGR Bar located at 34 Portwalk Place for the 2017 season. Staff has reviewed The BRGR Bar's application and recommends its approval as presented. Please note that the "Area" to be used by The BRGR Bar, along with a table-chair layout, is included as an [attachment to the Agreement](#). This application includes:

4 top tables
4 2 top tables
40 chairs
Area: 440 square feet

I would recommend the City Council authorize the City Manager to enter into an Area Service Agreement with The BRGR Bar Company for outdoor alcohol service for the 2017 season subject to City operating conditions contained in Council Policy No. 2012-02.

- c) **Application for Sidewalk Café providing Alcohol Service from Row 34.** I am bringing forward for City Council action the [attached Area Service Agreement](#) for Row 34 located at 5 Portwalk Place for the 2017 season. Staff has reviewed Row 34's application and recommends its approval as presented. Please note that the "Area" to be used by Row 34, along with a table-chair layout, is included as an [attachment to the Agreement](#). This application includes:

4 4 top tables
4 2 top tables
20 chairs
Area: 290 square feet

I would recommend the City Council authorize the City Manager to enter into an Area Service Agreement with The Row 34 for outdoor alcohol service for the 2017 season subject to City operating conditions contained in Council Policy No. 2012-02.

7. **Draft Complete Street Demonstration Project Policy (Tactical Urbanism Policy).** Last spring and summer, the City partnered with PS21 on the Islington Street Lab project, which temporarily transformed a section of the Islington Street corridor where residents and business owners had expressed concern about traffic speeds and pedestrian comfort and safety. Under the guidance of the consultant Mike Lydon with the firm Street Plans, the demonstration project's temporary streetscape changes included creating crosswalk markings, on-street parking and café seating, and decorative elements (banners, signs and landscaping). PS21 hired Mike Lydon with the firm Street Plans to guide the planning and implementation of the project. Subsequent to this project, PS21 requested that the City consider adopting a policy and process that would provide for community-led temporary demonstration projects within public rights of way. The [attached draft policy](#) is based on a similar policy adopted in Burlington, VT. This policy would be used in conjunction with the City's Neighborhood Traffic Calming Program and would enable neighborhood groups to initiate a temporary demonstration project in support of the City's Complete Street and Walk/Bike Friendly Community Policies.

I recommend the City Council move to authorize the City Manager to bring back the proposed Policy for action at the April 17, 2017 City Council meeting.

Informational Items:

1. **Events Listing.** For your information, [attached is a copy of the Events Listing](#) updated after the last City Council meeting on March 20, 2017. In addition, this can be found on the City's website.

2. **Report Back Re: Borthwick Forest.** Attached is a brief report with exhibits describing the context and history of development proposals for the area variously referred to as “Islington Woods,” “Borthwick Village” and “Borthwick Forest.”

3. **Household Hazardous Waste Day.** This year will mark the 21st year in which Portsmouth has conducted household hazardous waste collection event. We continue to provide this biannual collection service with the aid of grant money from the NH Department of Environmental Services Household Hazardous Waste Program. Our spring event will take place from 8 am to noon on April 29, 2017 and a fall event will be scheduled in October 2017. Nearby communities of Greenland and Newington will also participate in our spring collection event at no cost to the City. The collection location is at the Public Work’s Vehicle Maintenance Facility on 680 Peverly Hill Road.

According to the NH Department of Environmental Services the average household throws 15.5 lbs. of hazardous material into the trash each year. Household hazardous materials are disposed of in other ways too. Certain products, such as used oil, are frequently poured down storm drains and many products end up going down the sink drain to septic systems or sewers. The City sees the household hazardous waste collection events as an outreach/education opportunity to help protect our environment.

The City has contracted with Clean Ventures LLC to collect the hazardous waste material. Clean Ventures will be responsible for supplying appropriate hazardous waste containers, collecting the waste from participating community residents, supplying qualified personnel, personal protective equipment, setting up and sorting hazardous materials within an area that is adequately controlled with spill contaminant provisions, and to provide documented transportation and disposal of hazardous waste. More information can be found at:

<http://cityofportsmouth.com/publicworks/solidwaste-recycle-hhw.htm>.

4. **Downtown Business District Commercial and Residential Collection.** On October 17, 2016, the City Council approved an update to the City’s Solid Waste Ordinance Section 3.201 to better accommodate the Downtown Business District curbside collection times and update the ordinance language to reflect current practice and industry standards. This ordinance update will change the downtown residential pick up time from Monday evening to Tuesday morning. Commercial collection in the Downtown Business District will remain Monday evenings.

Previously, with pickup for both groups occurring on Monday evenings, problems occurred with refuse being put out on the streets in the morning before work when pickup did not occur until the evening. During a windy or hot day, this led to messes and odors within the downtown district. Due to complaints of trash remaining on sidewalks all day prior to its collection in the downtown business district, adjustment of collection times were made. These changes were based on public input via surveys and public meetings.

City Council approved the amendments to the ordinance, allowing Public Works to set new trash collection times and enforce the ordinance requirements more rigorously.

Beginning on May 1, 2017, Public Works will start to collect residents' trash and recycling within the Downtown Business District on Tuesday mornings. Public Works crews will continue to collect trash and recycling from commercial establishments within the defined Downtown Business District Monday evenings at 4pm. There is no change to the current collection time for businesses and commercial properties are asked to keep sidewalks clear of trash and recycling until 2pm. By collecting downtown residents' trash on Tuesday morning, trash collection will be more organized and streets will be left cleaner throughout the day. All properties utilizing the City's collection service are limited to 300 U.S. gallons of solid waste per week.

5. **Backyard Compost Bin Program.** In our continued effort to preserve our resources and reduce pollution, the Department of Public Works (DPW) is exploring initiatives within the regular operating budget to offer residents more opportunities to sustainably manage food waste material. At the beginning of FY17, a food waste drop off location was added at the DPW Recycling Center for residents to bring their food waste to be collected for composting. The food waste drop off program helps provide an outlet to Portsmouth residents in more urban areas who wish to compost their food waste and do not have adequate outdoor space to do so themselves.

In addition to the food waste drop off program, DPW will be purchasing backyard compost bins to sell to residents at a 50% discount. Providing discounted compost bins to residents will encourage homeowners to start or continue their own backyard composting efforts and further reduce food waste going to the landfill.

The Earth Machine compost bin will be made available to residents for \$50 while supplies last, normally a \$100 retail value. Earth Machines are made of at least 50% post-consumer recycled polyethylene, come with a ten year warranty and provide a large 80 gallon capacity. Residents will be able to purchase the compost bins at Public Works and we anticipate the bins will be made available sometime in the middle of May.