

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, APRIL 2, 2018 TIME: 6:15PM

AGENDA

- 6:00PM – NON PUBLIC SESSION IN ACCORDANCE WITH RSA 91-A:2, I (a) REGARDING STRATEGY OR NEGOTIATIONS WITH RESPECT TO COLLECTIVE BARGAINING – CLERICAL EMPLOYEES PORTSMOUTH SCHOOL DISTRICT; PORTSMOUTH POLICE RANKING OFFICERS ASSOCIATION; PORTSMOUTH POLICE CIVILIAN EMPLOYEE ASSOCIATION; AND PORTSMOUTH POLICE PATROLMAN'S UNION LOCAL 11
- 6:15PM – PUBLIC DIALOGUE SESSION

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

PROCLAMATION

1. National Service Day

- V. ACCEPTANCE OF MINUTES – MARCH 19, 2018

- VI. PUBLIC DIALOGUE SUMMARY

- VII. PUBLIC HEARING AND VOTES ON ORDINANCES AND/OR RESOLUTIONS

- A. PUBLIC HEARING ON RESOLUTION AUTHORIZING A BOND ISSUE AND/OR PARTICIPATION IN THE STATE REVOLVING FUND (SRF) LOAN OF UP TO SEVEN MILLION TWO HUNDRED THOUSAND DOLLARS (\$7,200,000.00) FOR COSTS RELATED TO UPGRADES TO THE PEASE WASTEWATER TREATMENT FACILITY

- PRESENTATION
- CITY COUNCIL QUESTIONS
- PUBLIC HEARING SPEAKERS
- ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS

(Sample motion – move to adopt the Resolution, as presented)

VOTES ON ORDINANCE AND/OR RESOLUTIONS

- B. Third and Final Reading of Ordinance Amendment Chapter 1, Article IX, Section 1.9 Conflict of Interest/Election Candidate Financial Disclosure – Charter Amendment #1 *(Tabled from the March 19, 2018 City Council meeting)* ***(Sample motion – (1) move to remove from the table and (2) move to pass third and final reading of Ordinance, as presented)***

VIII. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of NH the Beautiful Grant - \$4,000.00 (**Sample motion – move to accept and approve the grant from the New Hampshire the Beautiful, as presented**)

IX. CONSENT AGENDA

(ANTICIPATED ACTION - MOVE TO ADOPT CONSENT AGENDA)

- A. Letter from Jay Diener, Seacoast Half Marathon, requesting permission to hold the 13th annual Seacoast Half Marathon on Sunday, November 11, 2018 (**Anticipated action – move to refer to the City Manager with power**)
- B. Letter from Donna Hepp, Granite State Wheelmen Bicycle Club, requesting permission to hold the 45th annual Seacoast Century Weekend on Saturday, September 22, 2018 and Sunday, September 23, 2018 (**Anticipated action – move to refer to the City Manager with power**)

X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Email Correspondence (**Sample motion – move to accept and place on file**)
- B. Letter from Thomas Nies regarding the FY 2019 Budget

XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

City Manager's Items Which Require Action:

1. Request for a Public Hearing Re: Proposed Resolution Authorizing Borrowing of up to One Hundred Eighty Thousand Dollars (\$180,000.00) for the Acquisition of a Fire Boat
2. Request to Establish a Public Hearing Re: Proposed Bonding of up to Five Million (\$5,000,000) Dollars for Phase II of the Facility Improvements at Dondero School

City Manager's Informational Items:

1. Events Listing
2. Presentation Re: Update City Hall Façade Improvements
3. Presentation Information Re: Great Bay Coalition Update
4. Lead & Copper Sampling Requirement

B. MAYOR BLALOCK

1. Report from Coakley Working Group Re: Coakley Community Meeting
 - Assistant Mayor Lazenby, Councilor Dwyer and Councilor Perkins
2. To be Considered:
 - Reappointment of Adrienne Harrison to the Conservation Commission
 - Appointment of Thaddeus Jankowski to the Conservation Commission as a Regular Member
 - Reappointment of Carl Diemer to the Recreation Board
 - Reappointment of Kathryn Lynch to the Recreation Board
3. Reappointment of Peter Loughlin to the Pease Development Authority for a 3 year term

C. COUNCILOR DWYER

1. *McIntyre Update

D. COUNCILOR DENTON

1. Municipalities with Renewable Energy Exemptions (***Sample motion – move to bring for consideration the expansion of the November 21, 2011, Solar Energy System Tax Exemption resolution, to include both Wind-powered Energy Systems and Wood heating Energy Systems under RSA 72:61-72 and eliminate both the current five year term and \$25,000.00 cap. Any Public Hearing and vote to adopt the expanded resolution should be held after relevant information is gathered from the April 15, 2018, Solar Energy System Tax Exemption filing deadline***)

XII. MISCELLANEOUS/UNFINISHED BUSINESS

- A. Legislative Subcommittee Report
Mayor Blalock, Assistant Mayor Lazenby, Councilor Dwyer and Councilor Denton
 - Approval of Principles on Science and Technology


XIII. ADJOURNMENT

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

**Indicates Verbal Report*

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: March 29, 2018
To: Honorable Mayor Jack Blalock and City Council Members
From: John P. Bohenko, City Manager 
Re: City Manager's Comments on April 2, 2018 City Council Agenda

6:00 p.m. - Non-Public Session:

Non-Public Session Re: Strategy or Negotiations with Respect to Collective Bargaining – RSA 91-A:2, I (a) – Clerical Employees Portsmouth School District; Portsmouth Police Ranking Officers Association; Portsmouth Police Civilian Employee Association; and Portsmouth Police Patrolman's Union Local 11

6:15 p.m. - Public Dialogue

Acceptance of Grant:

1. **Acceptance of New Hampshire the Beautiful Grant.** The City of Portsmouth received a grant of \$4,000 from New Hampshire the Beautiful to support the expansion of our public space recycling stations. This grant has helped Portsmouth promote more public space recycling through added infrastructure and education.

For more than a decade now, the City of Portsmouth's Solid Waste Program has successfully diverted over 50% of our waste stream from the landfill. Portsmouth's high diversion rate is the direct result of our residents' effort to preserve our resources. Our residents challenge us to explore more effective ways to divert waste from landfills.

Through various data collection studies of our waste stream and public surveys for resident input, public space recycling was identified as a key leverage point where recycling rates can be improved.

The challenge to improve public space recycling is twofold. First, the City simply did not have the infrastructure to collect recycling in public spaces. The majority of our receptacles in the downtown area are modest trash barrels and only a few small recycling receptacles previously existed. The second challenge was reducing contamination of trash in the recycling. The existing recycling receptacles looked very similar to the trash receptacle next to it, and often residents and tourists alike would simply throw their waste in either container. The issue of contamination seems universal to all municipalities who collect recycling in public places.

The City decided to standardize around a single receptacle design for both trash and recycling collection in public spaces. The receptacle was chosen based on it's larger than average capacity to prevent overflowing, a canopy dome to keep out precipitation, and an aesthetic design matching the visual appeal of downtown Portsmouth. Both the trash and recycling receptacles are made of black steel, and to distinguish from the trash we added a blue canopy dome to the recycling receptacle providing a little pop of color.

We also viewed the public space receptacles as an opportunity to educate residents and tourists on how to recycle right. What better chance to impact someone's awareness of recycling than every single time they throw something in the receptacle? We aim to clarify the nuances of single stream recycling through standardized recycling signs at all indoor and outdoor receptacles maintained by the City. The signs were designed to be simple, easily recognizable, and realistic pictures of common items to illustrate which materials are recyclable via single stream. The picture based signs help alleviate confusion of what is recyclable and uniformity across all receptacles present the same message throughout the City.

The new recycling receptacles have been an effective addition to the downtown area. The combination of the blue color and picture signs distinguish the recycling from the trash allowing pedestrians to quickly identify the proper receptacle for their waste while walking our sidewalks. Adding the receptacles has raised public awareness of recycling and its importance to preserve our resources. In the coming years we hope to continue phasing out the old trash barrels for these trash and recycling sets.

I recommend the City Council move to accept and approve the grant from the New Hampshire the Beautiful, as presented. Action on this matter should take place under Section VIII of the Agenda.

Votes on Ordinances and/or Resolutions:

1. Public Hearing:

- 1.1 **Public Hearing Re: Resolution Authorizing a Bond Issue And/Or Participation in the State Revolving Fund (SRF) Loan of Up to Seven Million Two Hundred Thousand Dollars (\$7,200,000) for Costs Related to Upgrades to the Pease Wastewater Treatment Facility.** At the March 19th City Council meeting, the Council scheduled a public hearing for this evening's meeting regarding a Resolution Authorizing a Bond Issue And/Or Participation in the State Revolving Fund (SRF) Loan of up to Seven Million Two Hundred Thousand Dollars (\$7,200,000) for Costs Related to Upgrades to the Pease Wastewater Treatment Facility.

As you are aware, the City of Portsmouth funds the costs for ongoing improvements to the Pease Wastewater Treatment Facility through the Capital Improvement Program. The City is requesting authorization for a Seven Million Two Hundred Thousand Dollars (\$7,200,000) Bond necessary for implementing ongoing improvements at the facility to maintain the level of service. Facility upgrades are based on the Pease Wastewater Facilities Evaluation completed in 2014. This document provided a short-term and long-term list of projects requiring improvements at the treatment facility. The City has been moving forward with implementation of the most critical needs. The next project to be completed is the Headworks replacement and new odor control systems. The City recently received bids for this project and are in need of additional funding for the Headworks and for other near term projects.

The City Council has previously authorized \$5.9 Million toward Pease Wastewater Treatment Facility projects through appropriations and authorizations in FY14, FY15, FY17, and FY18.

The City received bids for construction of the Headworks and odor control replacement project on February 27, 2018. The low bidder was Methuen Construction in the amount of \$5,940,969. There were 5 bidders and the bid spread was tight for this size project. Staff believe these were aggressive numbers that are consistent with current construction costs. Approximately \$3.4 Million of the proposed bond will be needed to complete the Headworks and odor control replacement project with construction engineering and contingency.

The remaining funds from this bond will be used toward additional facility improvements. The original Primary Clarifier mechanisms (~1950s) and structural improvements to one primary clarifier are in need or replacement at this time. Additional anticipated near term projects include improvements to the sludge handling operations and the chemical handling systems. The borrowing authorization request in the amount of \$7.2 million for the Pease Wastewater

Treatment Facility will cover costs for planning, design and construction of treatment system upgrades as summarized. [See attached proposed Resolution](#). This is part of ongoing improvements to the aging treatment facility to maintain level of service and permit compliance.

City Engineer Terry Desmarais will be present to make a presentation ([see attached charts](#)).

I recommend the City Council move to adopt the Resolution, as presented. Two-thirds vote is required.

2. **Third and Final Reading of Proposed Ordinances.**

- 2.1 **Third and Final Reading of Ordinance to Implement Charter Amendment.** As you will recall, at the March 19th City Council meeting, the Council voted to table third and final reading of the [attached proposed Ordinance amendment](#) regarding Article IX, Section 1.901 Conflict of Interest/ Election Candidate Financial Disclosure as amended, and further, to bring the Ordinance back for third and final reading at this evening's meeting.

I recommend the City Council move from the table and vote to pass third and final reading regarding the Ordinance, as amended.

City Manager's Items Which Require Action:

1. **Request to Establish a Public Hearing Re: Proposed Resolution Authorizing Borrowing of up to One Hundred Eighty Thousand Dollars (\$180,000) through the issue of bonds, notes or the Execution of a Lease for the Acquisition of One Fire Boat.** [Attached](#) is a request from Fire Chief Steve Achilles for a proposed Resolution Authorizing Borrowing of up to One Hundred Eighty Thousand Dollars (\$180,000) through the issue of bonds, notes or the Execution of a Lease for the Acquisition of One Fire Boat.

I recommend the City Council move to establish a public hearing for a Borrowing Resolution for the April 16, 2018 City Council meeting, as presented.

2. **Request to Establish a Public Hearing Re: Proposed Bonding of up to Five Million (\$5,000,000) Dollars for Phase II of the Facility Improvements at Dondero School.** [Attached is a letter from Superintendent Steve Zdravec](#) requesting that the City Council establish a public hearing for April 16, 2018 regarding the authorization to bond up to Five Million (\$5,000,000) Dollars for the Phase II of the Facility Improvements at Dondero School. This item has been identified in the FY2019 Capital Improvement Plan. Superintendent Zdravec would like to receive authorization on this expenditure by the beginning of May in order to assure that materials can be ordered prior to the closure of school. This would allow for the construction improvements to be done during the summer

months while the students are on break. This is similar to the way Phase I of the Dondero Project took place and has seemed to work out very well.

I recommend the City Council move to establish a public hearing on Monday, April 16, 2018 for bonding of up to Five Million (\$5,000,000) Dollars for Phase II of the Dondero School Improvements.

Informational Items:

1. **Events Listing.** For your information, [attached is a copy of the updated Events Listing](#) from March 19th through 2018. In addition, this can be found on the City's website.
2. **Presentation Re: Update City Hall Façade Improvements.** As you may be aware in October 2016, the City Council approved the selection of the curtain wall and masonry façade for the replacement of the Municipal Complex's 1962 Building facade. On Monday evening, Public Works Director Peter Rice will give an update to the City Council regarding the improvements to City Hall. [See attached presentation.](#)
3. **Presentation Re: Great Bay Coalition Update.** Deputy City Attorney Suzanne Woodland and City Engineer Terry Desmarais will provide a Great Bay Municipal Coalition Update. The update will focus on the scientific efforts of the Coalition and include a summary of the Coalition's recent submission to the Environmental Protection Agency. That report, titled *Updated Comprehensive Analysis of Nutrient Trends and Cultural Eutrophication Indicators for Great Bay and the Piscataqua River*, can be found on the City of Portsmouth's website here:

<http://files.cityofportsmouth.com/files/ww/GreatBayComprehensiveAnalysis3.19.18.pdf>
4. **Lead and Copper Sampling Requirement.** For your information, [attached is a memorandum](#) from Al Pratt, P.E., Water Supply Operations Manager, regarding a requirement by the New Hampshire Department of Environmental Services to take 60 samples throughout the Portsmouth drinking water system for lead and copper.