

TO: KAREN CONARD, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MONDAY, FEBRUARY 3, 2020 MEETING, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR BECKSTED, ASSISTANT MAYOR SPLAINE, COUNCILORS McEACHERN, WHELAN, LAZENBY, KENNEDY, HUDA, TABOR AND TRACE

1. At 6:15 p.m., a Public Dialogue Session was held between the residents and City Council.
2. **Voted** to suspend the rules in order to restructure the agenda and move the Public Comment Session before Presentations.
3. **Voted** to have City Attorney Sullivan prepare an amendment to the Rules and Orders of the City Council to move the Public Comment Session prior to Presentations.
4. Public Comment Session – There were 21 speakers: Eben Tormey, John Stebbins, Robert Preulti, Steve Roberts, Josh Lanzetta, FX Bruton, Tim Phoenix, Jen Thomas, Byron Matto, Peter Endres, Brian Wazlaw (Growth Management/Moratorium); Josh Denton (Dogs, Bike Share, Growth Management); Joanie Dickinson (Sewer); Jeremiah Johnson (FY2020 Budget/Growth Management); Valerie Rochon (Small Business); Walter Allen (New Sewer Plan); Gerald Duffy (McIntyre Project); Bill St. Laurent (Zero Budget); Ralph DiBernardo (City Liability); and Arthur Clough (Boards & Commissions).
5. Sagamore Avenue Sewer Extension – A presentation was provided by Terry Desmarais, City Engineer and Suzanne Woodland, Deputy City Attorney regarding the Sagamore Avenue Sewer Extension. **Voted** to establish a work session to be held on March 2, 2020 for purposes of reviewing the Sagamore Creek Sewer Project options.
6. New Recreational Fields – A presentation was given by Peter Rice, Deputy Public Works Director and Phil Corbet, CMA Engineers regarding new Recreational Fields. **Voted** to establish a work session to be held on February 18, 2020 with vote to take place at the March 2, 2020 City Council meeting and further to formally invite Ted Jankowski and Mindi Messmer to the work session.

7. Right-to-Know Law – City Attorney Sullivan outlined a brief segment of the Right-to-Know Law regarding “what is a meeting” and “what rules apply when having a meeting.”
8. **Voted** to suspend the rules in order to take up Item X.1. – Appointment to be Voted.
9. Appointment to be Voted – Joseph ONeill to the Conservation Commission – **Voted** to appoint Joseph ONeill as an Alternate to the Conservation Commission until April 1, 2022.
10. Acceptance of Minutes – January 8, 2020 – **Voted** to approve and accept the minutes of the January 8, 2020 Special City Council meeting by amending the bottom of page 8 by changing the sentence by Councilor Huda.
11. Public Hearing – Resolution Pursuant to RSA 72:39-b the City hereby amends the elderly exemption from property tax, based on assessed value for qualified taxpayers, such that the exemptions shall be available only when the qualifying taxpayer(s) have a net income of not more than \$43, 151.00 for a single taxpayers or \$59,332.00 for married taxpayers, inclusive of social security payments. The elderly exemption shall remain unchanged except as amended hereby – Assistant Mayor Splaine stepped down from the dais and did not participate in this item. Held a public hearing. **Voted** to postpone action to the next City Council meeting to receive information back regarding the following items:
 - *Review median home values with the exemption amounts*
 - *Look at tying exemptions to the growth and statistical revaluations*
 - *Provide a graph of the median home price for the last 10 years plotted against changes in the exemption amounts and further request the Assessor to come back with a recommendation as to whether an adjustment should be made*
 - *Update exemption amounts and how much that will cost in loss tax revenues*
 - *Review the assessed value versus changing the amount for an exemption*
 - *Average out the last 2-3 years to see how it would have affected the average home owner and the seniors, also how it would affect the average taxpayers.*
 - *Review the exemption that went up based on the prior year valuation*
 - *Review what if we had done the increase by tying the exemptions to the growth and statistical revaluations over the last 10 years*
 - *Report on historical averages of exemption to arrive at what the moving target would be*

12. Public Hearing – Resolution Pursuant to RSA 72-37-b the City hereby amends the disabled exemption from property tax, based on assessed value for qualified taxpayers, such that the exemptions shall be available only when the qualifying taxpayer(s) have a new income of not more than \$43,151.00 for a single taxpayers or \$59,332.00f for married taxpayers, inclusive of social security. The disabled exemption shall remain unchanged except as amended hereby - Voted to postpone action to the next City Council meeting to receive information back regarding the following items:
- *Review median home values with the exemption amounts*
 - *Look at tying exemptions to the growth and statistical revaluations*
 - *Provide a graph of the median home price for the last 10 years plotted against changes in the exemption amounts and further request the Assessor to come back with a recommendation as to whether an adjustment should be made*
 - *Update exemption amounts and how much that will cost in loss tax revenues*
 - *Review the assessed value versus changing the amount for an exemption*
 - *Average out the last 2-3 years to see how it would have affected the average home owner and the seniors, also how it would affect the average taxpayers.*
 - *Review the exemption that went up based on the prior year valuation*
 - *Review what if we had done the increase by tying the exemptions to the growth and statistical revaluations over the last 10 years*
 - *Report on historical averages of exemption to arrive at what the moving target would be*
13. Report Re: Testimony on House Bill 1060, “Allowing Municipalities to Collect an Occupancy Fee from Operators of Local Room Rentals,” and Senate Bill 616, “Establishing a Committee to Study the Meals and Rooms Tax Distribution Formula” – No action required. Assistant Mayor Splaine urged the Mayor to contact former City Councilor Chris Dwyer to serve on the Legislative Committee. He also requested that City Manager Conard lead the effort to put together a City Manager’s Association to focus on common issues and needs.
14. Report Re: “Neighborhood Walk,” and “2050 Vision: North Mill Pond” – No action required.
15. Identifying Costs Associated with Tourism and the Impact on Infrastructure Spending – **Voted** to ask City staff to provide estimates on the impact of tourism spending during their work on budget proposals.
16. Options to Better Align Hoteliers with Interests and Needs of the City – **Voted** to ask City staff whether the hotel industry supports the wages necessary for hotel workers to work and live in Portsmouth.

17. Formalizing a Coalition, Similar to the State Wide Property Tax Coalition, to Address Distribution of Room and Meals Tax in Concord – **Voted** to have the Honorable Mayor with the assistance of City Manager Conard reach out to the NH Municipal Association directly to the Mayor's in the 12 cities in NH to suggest forming a coalition to address how local communities can better benefit from tourism.

Assistant Mayor Splaine suggested we include City Manager's, Town Manager's Assistants to Mayor's as part of this Coalition.

Councilor Huda asked that on Identifying Costs Associated with Tourism and the Impact on Infrastructure Spending and Options to Better Align Hoteliers with Interests and Needs of City that we share the information with the Chamber of Commerce if the report comes back in a sharable form.

18. Two Policies that were presented at the Budget Work Session: - **Moved** any contract with a value of \$10,000.00 or more will come in front of the Portsmouth City Council for a vote. City Attorney said that this item has City Charter and Ordinance implications.

Voted to send this matter to City Manager Conard for report back on the Charter and Ordinance implications. Councilor Lazenby voted opposed.

19. Any position that opens up because of retirement or the person is leaving the city employment and will be filled with a new employee must come to the Portsmouth City Council review – **Voted** to request a report back from City Manager on any position that opens up because of retirement or person is leaving the city employment and will be filled with a new employee must come to the Portsmouth City Council for review. Councilor Lazenby voted opposed.

20. Growth Management Ordinances – RSA 674:22 – **Voted** to request a report back from staff on where we are in the built pipeline in terms of building permits, what zoning changes will be needed, what are height requirements downtown, and next steps to schedule a work session on this matter. Also, allowing public comment at the beginning of the work session and then again at the end of the work session.

City Manager Conard announced the earliest we could schedule a work session would be at the March 2, 2020 City Council meeting.

Councilor McEachern requested to have a presentation preceding the work session.

21. **Voted** to continue the meeting beyond 10:30 p.m.

22. Mold Remediation in the Police Areas – **Voted** to request the City Manager to provide a status update on the Mold Remediation in the Police Areas (i.e. Current Timeline and Expected Completion Dates) along with asking the appropriate staff to prepare a dollars estimate for the Critical Upgrades needed in the City Hall Facility (i.e. Electrical & Plumbing Upgrades, and Mold Remediation, including a Timeline for Completion). The Goal is to have this Estimate available for Discussion for the February 18, 2020 Public Hearing on the Capital Improvement Plan (CIP).
23. Request the Publishing of the “Proposal Annual Budget FY2020 Excel Spreadsheets – **Voted** to request that City Manager Conard Facilitate the Publishing of the “Proposal Annual Budget FY2020 Excel Spreadsheets” including the FY2019 Actual Amounts as soon as possible. This is in an effort to promote increased financial transparency and assist the Council with decision making related to the upcoming FY2021 Budget Review Sessions.
24. City Manager’s Informational Items – Report Back Re: 24-Hour Warming Centers – City Manager Conard and Fire Chief Germain provided a detailed report back regarding 24-Hour Warming Centers. City Manager Conard said a policy in final draft form will be prepared and provided to the City Council at the February 18, 2020 meeting.
25. City Manager Conard Consent Agenda – Councilor Lazenby requested to pull out Item 2 – Middle Street Bicycle Lanes – Public Meeting and Request for Work Session.
26. Middle Street Bicycle Lanes – Public Meeting and Request for Work Session – **Voted** to establish a Public Informational Meeting on March 12, 2020 and a City Council Work Session on March 23, 2020 for purposes of reviewing the Middle Street / Lafayette Road bike lanes.
27. City Manager Conard Consent Agenda Items:
 - Expenditure of Funds from African Burying Ground Trust – **(Anticipated action – move to authorize the release of up to \$10,450.00 from the African Burying Ground Trust for Genome sequencing and forensic genealogy)**
 - Construction License – 135 Congress Street – **(Anticipated action – moved to authorize the City Manager to execute and accept the temporary construction license regarding 135 Congress Street as submitted)**

Consent Agenda:

- A. Letter from Richard Mason, Seacoast Veterans Count, requesting permission to hold the 8th annual “Salute our Soldiers” Gala event on Saturday, May 2, 2020 at 4:00 p.m. ***(Anticipated action – move to refer to the City Manager with authority to act)***
- B. Letter from Thomas Haslam, St. John’s Lodge, requesting permission to hold the annual 5K Road Race on Saturday, April 11, 2020 at 8:00 a.m. ***(Anticipated action – move to refer to the City Manager with authority to act)***
- C. Request for a Water Service Access Easement ***(Anticipated action – move to grant authority for the City Manager to accept the Easement Deed in a form similar to those provided in the City Manager memorandum dated January 29, 2020)***

Voted to adopt the Consent Agendas.

28. Presentation & Consideration of Written Communications & Petitions:

- A. Email Correspondence
- B. Letter from Karen Johnson regarding altering the off-leash dog park statutes
- C. Letter from Karen Johnson regarding loose dog at Strawberry Banke

Voted to accept and place on file.

29. Miscellaneous Business Including Business Remaining Unfinished at Previous Meeting – **Voted** to hold an anticipated Non-Public Session with City Attorney Sullivan and City Manager Conard on Monday, February 10, 2020 at 6:00 p.m. regarding the McIntyre Project.

30. Adjournment – At 11:30 p.m., **voted** to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, MMC, CNHMC
City Clerk