

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, COUNCIL CHAMBERS
DATE: MONDAY, SEPTEMBER 8, 2003

PORTSMOUTH, NH
TIME 7:00 PM

6:00PM – ANTICIPATED NON-MEETING WITH COUNSEL RE: NEGOTIATIONS – RSA 91-A:2, I(b-c)

AGENDA

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

MAYOR'S AWARD

- 1. Little League 9-10 year olds – 2003 State Championship
- 2. PHS Environmental Members for participation in the Cleanathon

PROCLAMATION

- 1. Constitution Week 2003

V. ACCEPTANCE OF MINUTES – AUGUST 18, 2003

VI. PUBLIC COMMENT SESSION

VII. PUBLIC HEARINGS

- A.1. ORDINANCE AMENDING CHAPTER 10, ARTICLE II, SECTION 10.202 – LOCATION BY REZONING SUBDIVIDED LOT FROM THE SINGLE RESIDENCE B DISTRICT TO THE MUNICIPAL DISTRICT
- A.2. ORDINANCE AMENDING CHAPTER 10, ARTICLE II, SECTION 10.203 – INTERPRETATION OF DISTRICT BOUNDS BY THE ADDITION OF THE FOLLOWING LANGUAGE – ANY PROPERTY OWNED BY THE CITY OF PORTSMOUTH AND NOT SHOWN ON THE ZONING MAP AS AMENDED IS DEEMED TO BE IN THE MUNICIPAL DISTRICT
- A.3. ORDINANCE AMENDING CHAPTER 10, ARTICLE II, SECTION 10.202 – LOCATION BY THE ADDITION OF THE FOLLOWING LANGUAGE – PURSUANT TO ARTICLE II, SECTION 10.203(7) OF THE 1995 ZONING ORDINANCE, AS AMENDED ALL CITY OWNED LAND NOT SHOWN IN THE MUNICIPAL OR NATURAL RESOURCE PROTECTION DISTRICTS SHALL BE DEEMED TO BE IN THE MUNICIPAL DISTRICT AND WHEN SO IDENTIFIED SHALL BE PLACED IN THAT DISTRICT

VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Partridge Street: both sides, entire length of street
- B. First reading of Ordinance amending Chapter 7, Article IX, Section 7.901 - Penalties
- C. *Second Reading of Amendments to City Zoning Ordinances and Maps:*
 - C.1. Second reading of Ordinance amending Chapter 10, Article II, Section 10.202 – Location by rezoning subdivided lot from the Single Residence B District to the Municipal District
 - C.2. Second reading of Ordinance amending Chapter 10, Article II, Section 10.203 – Interpretation of District Bounds by the addition of the following language – Any property owned by the City of Portsmouth and not shown on the Zoning Map as amended is deemed to be in the Municipal District
 - C.3. Second reading of Ordinance amending Chapter 10, Article II, Section 10.202 – Location by the addition of the following language – Pursuant to Article II, Section 10.203(7) of the 1995 Zoning Ordinance, as amended all City owned land not shown in the Municipal or Natural Resource Protection Districts shall be deemed to be in the Municipal District and when so identified shall be placed in that district

IX. PRESENTATION AND CONSIDERATION OF WRITTEN COMMUNICATIONS AND PETITIONS

- A. Letter from Barbara Massar, Pro Portsmouth, Inc., requesting permission to close Pleasant Street from Porter Street to Market Square for the Maritime Folk Festival on Sunday, September 28th from 12:00 p.m. through 6:00 p.m.
- B. Letter from Barbara Massar, Pro Portsmouth, Inc., requesting permission to hold the Snowflake Festival throughout the month of December and New Year's Portsmouth 2004 on December 31, 2003
- C. Letter from Pawn Nitichan, City Year, requesting permission to hold the 2003-2004 City Year New Hampshire Opening Day on Thursday, October 9, 2003 from 12:00 p.m. to 1:30 p.m.
- D. Request for Sidewalk Obstruction License – Attrezzi – 1 A-frame sign
- E. Letter from Nathaniel Holloway, Seacoast Martin Luther King, Jr., Coalition, requesting that a city street be named after Dr. King

- F. Letter from Peter Loughlin, Chair of Blue Ribbon Committee on Trees and Greenery, requesting to provide the City Council with their report back at the December 1, 2003 City Council meeting

X. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

Items which require Action under other sections of the Agenda

- 1. Consideration of First Reading of Proposed Ordinance Amendments:
 - 1.1 First reading of Amendment to Chapter 7, Article III, Section 7.330 – No Parking (**Action on this matter should take place under Section VIII of the Agenda**)
 - 1.2 First reading of Amendment to Chapter 7, Article IX, Section 7.901 – Penalties (**Action on this matter should take place under Section VIII of the Agenda**)
- 2. Consideration of Public Hearing/Second Reading of Amendments to City Zoning Ordinances and Maps:
 - 2.1 First Reading of Amendment to Chapter 10, Article II, Section 10.202 – Location by rezoning subdivided lot from the Single Residence B District to the Municipal District (**Action on this matter should take place under Section VIII of the Agenda**)
 - 2.2 First Reading of Amendment to Chapter 10, Article II, Section 10.203 – Interpretation of District Bounds (**Action on this matter should take place under Section VIII of the Agenda**)
 - 2.3 First Reading of Amendment to Chapter 10, Article II, Section 10.202 – Location (**Action on this matter should take place under Section VIII of the Agenda**)

City Manager's Items Which Require Action

- 1. Request from the Portsmouth School Board for Approval of Agreement between the Portsmouth School Board and the Portsmouth School Administrators
- 2. Request from the Fire Commission for Approval of Employment Agreement for Assistant and Deputy Fire Chiefs
- 3. Report Back from Planning Board Re: Request for Re-Conveyance of City Owned Property Located in Proximity to the Bellamy Reservoir

4. Report Back from Planning Board Re: Request to Purchase City Owned Property Off Barberry Lane
5. Polling Hours for November 4, 2003 Municipal Election
6. Request for Approval of Pole License Agreement

Informational Items

1. Press Release Re: Portsmouth Accessibility Grant Program
2. Press Release Re: Peirce Island East End Trails Project
3. Rockingham County Board of Commissioners Request for Supplemental Appropriation
4. New Hampshire Department of Wetlands Permit Re: Nackey Scagliotti Revocable Trust, 46 Livermore Street

B. MAYOR SIRRELL

1. Appointments
2. *Reports
 - Youth Committee
 - Loss of Conservation Commissioner Carlton McNeil
 - Thank you from Seacoast Shipyard Association

C. ASSISTANT MAYOR HANSON

1. Traffic & Safety Committee Action Sheet and Minutes of the August 21, 2003 meeting
2. Parking Committee Action Sheet and Minutes of the August 21, 2003 meeting

XI. MISCELLANEOUS/UNFINISHED BUSINESS

XII. ADJOURNMENT

**KELLI L. BARNABY
CITY CLERK**

(*Indicates verbal report)

INFORMATIONAL ITEMS

1. Planning Board minutes of the July 17, 2003 meeting
2. Board of Adjustment minutes of June 17, 2003 & June 24, 2003 meeting
3. Petition requesting a ban on hunting in Portsmouth

NOTICE TO MEMBERS OF THE PUBLIC WHO ARE HEARING IMPAIRED: Please contact Human Resources Director Dianna Fogarty at 603-431-2000 one week prior to the meeting for assistance.