

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, COUNCIL CHAMBERS
DATE: MONDAY, OCTOBER 4, 2004

PORTSMOUTH, NH
TIME 7:00 PM

6:15PM – 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

PROCLAMATIONS

- 1. David "Lou" Fernald – Portsmouth Police Department
- 2. Corey MacDonald – Portsmouth Police Department
- 3. City Year New Hampshire

PRESENTATION

- 1. Mike Morrison, Municipal Pest Control – Discussion Re: Mosquito Control
- 2. Russ Grazier – Portsmouth Music & Arts Center

V. ACCEPTANCE OF MINUTES – SEPTEMBER 20, 2004

VI. PUBLIC COMMENT SESSION

VII. PUBLIC HEARINGS

- A. ORDINANCE AMENDING CHAPTER 10, ARTICLE I, SECTION 10-102 – DEFINITIONS, ARTICLE II, SECTION 10-201 (A), ARTICLE II, SECTION 10-208, ARTICLE II, SECTION 10-213 AND ZONING MAP – DOWNTOWN OVERLAY DISTRICT
- B. ORDINANCE AMENDING CHAPTER 7, ARTICLE I – PARKING METERS, VARIOUS SECTIONS, ARTICLE IV – OFF-STREET PARKING AREAS; ARTICLE III – TRAFFIC ORDINANCE, VARIOUS SECTIONS; ARTICLE IX – PENALTIES, FORFEITURES AND SEPARABILITY; AND ARTICLE X – TOWING, VARIOUS SECTIONS

VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Lincoln Avenue – southerly side from Richards Avenue a distance 40 feet westerly and from Miller Avenue a distance 80 feet easterly

- B. Second reading of Ordinance amending Chapter 10, Article I, Section 10-102 – Definitions, Article II, Section 10-201 (A), Article II, Section 10-208, Article II, Section 10-213 and Zoning Map – Downtown Overlay District
- C. Second reading of Ordinance amending Chapter 7, Article I – Parking Meters, various sections, Article IV – Off-Street Parking Areas; Article III – Traffic Ordinance, various sections; Article IX – Penalties, Forfeitures and Separability; and Article X – Towing , various sections
- D. Third and final reading of Ordinance and Zoning Map amendment to Chapter 10, Article II, Section 10-202 – Location to rezone the property located at Assessors Map R-38, Lot 020 – Portsmouth Circle Business Center from Office Research (OR) to General Business (GB)
- E. Third and final reading of Ordinance amending Chapter 12, Part II, International Residential Code, 2003, Section R317 Dwelling Unit Separation

IX. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Attorney Bernard Pelech requesting that Moffat Street be accepted as a city street
- B. Letter from Austin Bishop, Saucony, requesting permission to conduct an outdoor still photoshoot on Friday, October 22nd through Tuesday, October 26th
- C. Letter from Jennifer Slade, Attrezzi, requesting permission to hold the Fall Community Tag Sale on October 10th and close the small 16-car parking lot on the corner of Market and Hanover Street from noon to 6:00 p.m. (*Rain date of October 17th*)
- D. Letter from Kathie Lynch, President of Portsmouth Little League, Inc., requesting permission to place a sign on the back of the scoreboard at the Plains Field advertising a local radio station
- E. Letter from Thomas Shaheen, Great Bay Services, regarding Payment in Lieu of Taxes (PILOT)

X. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

Items which require Action under other sections of the Agenda

- 1. First Reading of Proposed Ordinance Amendments:
 - 1.1 First Reading Amendment to Chapter 7, Article III, Section 7.330 – No Parking (***Action on this matter should take place under Section VIII of the Agenda***)

2. Public Hearing/Second Reading of Proposed Resolution and Ordinance Amendments:
 - 2.1 Public Hearing/Second Reading of Ordinance amending Chapter 10, Article I, Section 10-102 – Definitions, Article II, Section 10-201 (A), Article II, Section 10-208, Article II, Section 10-213 and Zoning Map – Downtown Overlay District **(Action on this matter should take place under Section VIII of the Agenda)**
 - 2.2 Public Hearing/Second Reading of Ordinance amending Chapter 7, Article I – Parking Meters, various sections, Article IV – Off-Street Parking Areas; Article III – Traffic Ordinance, various sections; Article IX – Penalties, Forfeitures and Separability; and Article X – Towing , various sections **(Action on this matter should take place under Section VIII of the Agenda)**
3. Consideration of Third and Final Reading of Proposed Ordinance Amendments:
 - 3.1 Third Reading of Ordinance and Zoning Map amendment to Chapter 10, Article II, Section 10-202 – Location to rezone the property located at Assessors Map R-38, Lot 020 – Portsmouth Circle Business Center from Office Research (OR) to General Business (GB) **(Action on this matter should take place under Section VIII of the Agenda)**
 - 3.2 Third Reading of Ordinance Amending Chapter 12, Part II, International Residential Code, 2003, Section R317 Dwelling Unit Separation **(Action on this matter should take place under Section VIII of the Agenda)**
4. Moffat Street Request for Approval **(Action on this matter should take place under Section IX of the Agenda)**
5. Request for Payment in Lieu of Taxes (PILOT) from Great Bay Services **(Action on this matter should take place under Section IX of the Agenda)**
6. Holiday Parade **(Action on this matter should take place under Section X B.2.)**

City Manager's Items Which Require Action

1. Request for Approval of the Collective Bargaining Agreement between the Portsmouth Police Ranking Officers Association and the Portsmouth Police Commission
2. Report Back Re: Proposed Installation of NH Public Radio Repeater
3. Proposed Work Session Re: Budget Format/Process Follow up
4. Request to Add to November 15th Work Session

Informational Items

1. Information Sheet Re: Household Hazardous Waste Collection Day
2. Draft of 2005 City Council Schedule

B. MAYOR SIRRELL

1. Donation to the Coalition Legal Fund
2. *Holiday Parade
3. Appointments
4. *Reports

C. ASSISTANT MAYOR HANSON

1. Traffic & Safety Committee Action Sheet and Minutes of the September 16, 2004 meeting

D. COUNCILOR PANTELAKOS

1. *Dog Park Ordinance Re: Children

XI. MISCELLANEOUS/UNFINISHED BUSINESS

XII. ADJOURNMENT

**KELLI L. BARNABY
CITY CLERK**

(*Indicates verbal report)

INFORMATIONAL ITEMS

1. Board of Adjustment minutes of the April 20, 2004 meeting
2. Executive Council minutes of the September 22, 2004 meeting

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