

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MAY 16, 2005 COUNCIL CHAMBER, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR SIRRELL, ASSISTANT MAYOR GRASSO, COUNCILORS FERRINI, MARCHAND, PANTELAKOS, HYNES, RAYNOLDS, WHITEHOUSE, AND ST. LAURENT

1. Mayor's Awards – NH State Champions in Destination ImagiNation - Mayor Sirrell and Assistant Mayor Grasso presented the Destination ImagiNation Team from the Portsmouth Middle School with Mayor's Awards and t-shirts in honor of them winning the NH State Championship.
2. Mayor's Awards – Representatives from Portsmouth High School Band and Choir – Eric Gagnon, Band Director; Gwen Baker, Choir Director; and band members - Mayor Sirrell presented Mr. Gagnon, Ms. Baker and band members with t-shirts in recognition of their performances in the band and choir competition held in Florida.
3. Mayor's Awards – Representatives from Portsmouth High School Environmental Club - Mayor Sirrell presented Mayor's Awards and t-shirts to the Portsmouth High School Environmental Club in recognition of their hard work in the community.
4. Proclamation – Bike to Work Week – Councilor Raynolds read the Proclamation declaring May 20th as Bike and Walk to Work Day. Mayor Sirrell presented the Proclamation to Councilor Raynolds who accepted it on behalf of Seacoast Area Bicycle Routes with thanks and appreciation.
5. Presentation – Participants of Japan Trip – School Superintendent Lister, Ambassador Foley, Cindy Lister of New Franklin School, and students discussed their recent trip to Japan. Superintendent Lister and Ambassador Foley presented Mayor Sirrell the gift of a porcelain doll enclosed in a glass case from Japan.
6. Acceptance of Minutes- May 2, 2005 & May 3, 2005 – Voted to accept and approve the minutes of the May 2, 2005 and May 3, 2005 City Council meetings.
7. Public Comment Session – There were six speakers: Esther Kennedy (Dog Ordinance); Marge Hubbard, Ginny Griffith, Dana Levenson (Chamber/City Partnership); Pat Dawaliby and Joseph Freda (Save our Shipyard Task Force).
8. Public Hearing – Ordinance amending Chapter 10, Article II, Section 10.202 – Location – to rezone the properties located off Mirona Road at Assessors Map 252, Lot 3 and Map 253, Lot 4 from Industrial (I) to General Business (GB) – Held a public hearing. On a roll call 6-3, voted to pass second reading of the amended ordinances, as submitted, and hold third and final reading at the June 6, 2005 City Council meeting. Assistant Mayor Grasso, Councilors Ferrini, Marchand, Hynes, Raynolds and Mayor Sirrell voted in favor. Councilors Pantelakos, Whitehouse and St. Laurent voted opposed.

9. Acceptance of Greater Piscataqua Community Foundation (GPCF) Grant for Cemetery signs - \$5,000.00 – Voted to accept the GPCF grant award and authorize the City Manager to oversee its administration.
10. Acceptance of Greater Piscataqua Community Foundation (GPCF) Grant for Art-Speak Coordinator - \$21,733.00 – Voted to accept the GPCF grant award and authorize the City Manager to oversee its administration.
11. Acceptance of Donations to the New Library Building Fund – Youth Basketball Clinic Sponsorship - \$55.00 – Voted to approve and accept the donation to the New Library Building Fund as listed.
12. Third and final reading of Ordinance amending Chapter 6, Article VII, - Dog Ordinance be deleted in its entirety and replaced with new Sections 6.701 – 6.715; Chapter 8, Article II, Section 8.202(D) – Dogs in Parks; Chapter 9, Article IV – Removal of Dog Excrement deleted in its entirety – Voted to suspend the rules in order to amend the dog ordinance. Voted to amend Section 6.702 (6) by deleting it in its entirety and replacing it with the following: *“Barks, whines, howls or cries in a continuous fashion for more than thirty (30) minutes.”* Voted to pass third and final reading of the amended ordinance.

On a roll call vote 8-1, motion to remove Goodwin Park from the list off-leashed areas permitted for dogs *failed* to pass. Councilor Whitehouse voted in favor. Assistant Mayor Grasso, Councilors Ferrini, Marchand, Pantelakos, Hynes, Reynolds, St. Laurent and Mayor Sirrell voted opposed.

13. Renewal Request for Sidewalk Obstruction License from the following business with no changes from last year – Cobble Hill – Voted to refer to the City Manager with power.
14. Letter from Michael and Jacqui Bryan regarding permission to hold the 2005 New Hampshire Seacoast Run Pedal Paddle on Saturday, September 17, 2005 – Voted to refer to the City Manager with power.
15. Letter from Gail Bradbard, Cabot House, requesting permission to use the adjacent street to the Cabot House Parking Lot for the 12th annual Tent Sale from June 17, 2005 to June 19, 2005 – Voted to refer to the City Manager with power.
16. Request for Sidewalk Obstruction License from Roger Elkus, Me & Ollies Café to place 6 tables, 18 chairs and 1 A-frame sign in front of establishment – Voted to refer to the City Manager with power.
17. Request for Sidewalk Obstruction License from William Thorpe, Seacoast African American Cultural Center Association, Inc., to place 1 A-frame sign in front of establishment – Voted to refer to the City Manager with power. Councilor Whitehouse requested that the A-frame sign not be chained to the telephone pole.
18. Letter from Kenneth & Deborah Smith requesting a license for land use beside and in back of their property located at 298 Myrtle Avenue – Voted to refer to the Planning Board for a report back.

19. Letter from Tracy Heine expressing her opposition to the Proposed Dog Ordinance – Voted to accept and place the letter on file.
20. Letter from John Zwalley requesting that dogs using Goodwin Park be leashed – Voted to accept and place the letter on file.
21. Letter from Ken Linscott, Maine Maritime Academy Alumni Association, requesting permission to hold tours of the Schooner Bowdoin at the Prescott Park dock on July 6, 2005 – July 7, 2005 – Voted to refer to the City Manager with power.
22. Letter from Josh Pierce, Seacoast Area Bicycle Routes, requesting permission to hold a “commuter breakfast” from 7:00 a.m. – 9:00 a.m. in Market Square in front of Breaking New Grounds – Voted to refer to the City Manager with power. City Manager Bohenko advised the City Council that he would not approve their request to erect a tent for the event.
23. Newcastle Avenue Roadway and Seawall Reconstruction Project Burying Overhead Utilities-Cost Sharing Proposal – Voted to authorize the City Manager to bring back for first reading at the June 6th meeting a bond authorization for the Newcastle Avenue Roadway and Seawall Reconstruction Project Burying Overhead Utilities-Cost Sharing Proposal.
24. Proposed Landscape & Drainage Easement Deeds Re: Changing Places, LLC/Development on Michael Succi Drive – Voted to accept the easement deeds, as listed, so that the originals may be forwarded to the City Clerk for inclusion into permanent City records.
25. EDC Recommendation Re: Chamber Partnership and Guide to the Seacoast – Voted to approve the appropriation of \$35,000 from UDAG Funds to continue the economic development partnership between the City and the Greater Portsmouth Chamber of Commerce.
26. Proposed Pedestrian Walkway Connecting Johnson Court and Junkins Avenue Along the South Mill Pond – Voted to refer this matter to the Planning Board for report back.
27. Request to Waive Pease Airport Terminal/Municipal Services Fee – Voted to authorize the City Manager to execute the necessary documents to accommodate the request of Pease Development Authority.
28. Report Back Re: Request from Portsmouth Babe Ruth for Temporary Signage at Leary Field – On a roll call 8-1, voted to accept the Planning Board’s recommendation with the conditions, as listed. Assistant Mayor Grasso, Councilors Ferrini, Marchand, Pantelakos, Hynes, Raynolds, St. Laurent and Mayor Sirrell voted in favor. Councilor Whitehouse voted opposed.

Planning Board's Conditions

- *That this proposal should be considered as a pilot type program;*
- *That it should be authorized for no longer than one season;*
- *That the trial period should commence in the 2006 season;*
- *That as part of this trial, there will be no “tagging” activities conducted by this league;*
- *No more than 5 sign blanks shall be erected on the outfield fence, each with the dimension of 3 feet by 5 feet and with the height and location of each sign to be determined by the City;*
- *That the League shall place no signs earlier than May 15th and these shall be removed by the League no later than July 15th;*
- *All sign facings shall be in or towards the playing field; and,*
- *All sign backings shall be white in color, all lettering/logos shall be of a dark green color, and any lettering shall share the same style and font*

29. Request to Establish Additional Budget Work Session – Voted to schedule an additional budget work session for Tuesday, May 24th at 6:30 p.m. in Conference Room A.

30. Donation to the Coalition Legal Fund – Voted to accept the \$1,000.00 contribution from the Town of Stoddard to be placed in the Coalition Legal Fund.

31. Save Our Shipyard (Not on agenda) – Voted to authorize the City Manager to expend \$10,000.00 from the FY05 Contingency for the Save Our Shipyard effort.

32. Reports – Central Veterans Council – Memorial Day Parade – Mayor Sirrell announced that the Memorial Day Parade would be held on Monday, May 30th at 1:00 p.m. and urged members of the City Council to attend.

33. Adjournment – At 9:45 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, City Clerk