

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, COUNCIL CHAMBERS
DATE: MONDAY, JULY 11, 2005

PORTSMOUTH, NH
TIME 7:00 PM

6:00 PM – ANTICIPATED “NON-MEETING” WITH COUNSEL REGARDING 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. The Portsmouth Girls Softball League Champions

PRESENTATION

1. Former Superintendent of Schools Lyonel Tracy

V. ACCEPTANCE OF MINUTES – JUNE 8, 2005 & JUNE 20, 2005

VI. PUBLIC COMMENT SESSION

VII. PUBLIC HEARINGS

- A. AMENDMENT TO CHAPTER 7 – VEHICLES, TRAFFIC PARKING (OMNIBUS PARKING ORDINANCE APRIL 16, 2004 TO JUNE 14, 2005)
 - CHAPTER 7, ARTICLE III, SECTION 7.327 – LIMITED PARKING – TWO HOURS – BY THE DELETION OF HANCOCK STREET: BOTH SIDES FROM MARCY STREET TO PLEASANT STREET
- B. ORDINANCE AMENDING CHAPTER 7, ARTICLE III, SECTION 7.336 – ONE WAY STREET BY THE ADDITION OF PEARL STREET: NORTHERLY FROM ISLINGTON STREET TO HANOVER STREET
- C. ORDINANCE AMENDING CHAPTER 7, ARTICLE III, SECTION 7.330 – NO PARKING – BY DELETION OF PEARL STREET: WESTERLY SIDE FROM ISLINGTON TO HANOVER STREET
- D. ORDINANCE AMENDING CHAPTER 7, ARTICLE X, SECTION 7.1004 – TOWING OR IMMOBILIZATION OF MOTOR VEHICLES FOR NON-PAYMENT OF PARKING FINES

VIII. APPROVAL OF GRANTS AND DONATIONS

- A. Acceptance of Donations to the New Library Building Fund
 - Thelma Ballew - \$10.00
 - Charles Vaughn - \$100.00
 - Carol Hollis - \$100.00
 - Robert & Nackey Scagliotti - \$1,000.00
 - John P. Bohenko & Nancy K. London - \$1,000.00
- B. Acceptance of Donations to the Cemetery Committee
 - Robert & Betty Goldstein - \$25.00
 - Anonymous - \$47.00
 - Dr. Robert Chaikin - \$100.00
- C. Acceptance of Grant to the Portsmouth Police Department from the Office of Juvenile Justice for the tri-state ICAC task force in the amount of \$450,000.00
- D. Acceptance of Donation to the Portsmouth Police Honor Guard from Rick Fecteau in the amount of \$100.00
- E. Acceptance of Donation to the Portsmouth Police Department from the Fuller Foundation for Drug Recognition Expert (DRE) training in the amount of \$1,000.00
- F. Acceptance of Recycling Grant from NH The Beautiful, Inc. in the amount of \$2,790.00
- G. Acceptance of NHSCA Community Arts Development Grant in the amount of \$5,000.00

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Second reading of Amendment to Chapter 7 – Vehicles, Traffic Parking Omnibus Parking Ordinance April 16, 2004 to June 14, 2005
 - Chapter 7, Article III, Section 7.327 – Limited Parking – Two Hours – by the deletion of Hancock Street: both sides from Marcy Street to Pleasant Street
- B. Second reading of Ordinance amending Chapter 7, Article III, Section 7.336 – One Way Street by the addition of Pearl Street: Northerly from Islington Street to Hanover Street
- C. Second reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – by deletion of Pearl Street: westerly side from Islington to Hanover Street
- D. Second reading of Ordinance amending Chapter 7, Article X, Section 7.1004 – Towing or Immobilization of Motor Vehicles for Non-Payment of Parking Fines

X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Request for Sidewalk Obstruction License from Mimi Loureino, 02 Yoga Studio to place 1 A-frame sign in front of establishment
- B. Letter from Attorney Bernard Pelech regarding Rezoning of Land at Banfield Road and Constitution Avenue
- C. Letter from Martha Petruzzi, The American Diabetes Association, requesting permission to hold the annual America's Walk for Diabetes on Saturday, October 15, 2005
- D. Letter from Attorney Robert Ciandella requesting motion for rehearing in regards to ordinance amending Chapter 10, Article II, Section 10.202 – Location – to rezone properties located off Mirona Road at Tax Map 252, Lot 3 and Map 253, Lot 4 from Industrial to General Business (*For additional information see attached memorandum from City Attorney Sullivan*)
- E. Request for Sidewalk Obstruction License from Donna Downes, Edible Arrangements, requesting permission to place 1 A-frame sign in front of establishment
- F. Letter from Sister Mary Agnes, St. Charles Children's Home, requesting permission to hold a 5k Road Race at Pease International Tradeport on Labor Day, September 5, 2005 at 9:00 a.m.
- G. Letter from Gary Dodds & Pat Lyons, Portsmouth Rotary Club, requesting permission to hold the 13th annual Thunder Chicken 5k Road Race on Thursday, August 4, 2005

XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

Items which require Action under other sections of the Agenda

- 1. Public Hearing/Second Reading of Proposed Resolution and Ordinance Amendments:
 - 1.1 Public Hearing/Second reading of Amendment to Chapter 7 – Vehicles, Traffic Parking (Omnibus Parking Ordinance April 16, 2004 to June 14, 2005)
 - Chapter 7, Article III, Section 7.327 – Limited Parking – Two Hours – by the deletion of Hancock Street: both sides from Marcy Street to Pleasant Street (***Action on this matter will take place under Section IX of the Agenda***)
 - 1.2 Public Hearing/Second reading of Ordinance amending Chapter 7, Article III, Section 7.336 – One Way Street by the addition of Pearl Street: Northerly from Islington Street to Hanover Street (***Action on this matter will take place under Section IX of the Agenda***)

- 1.3 Public Hearing/Second reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – by deletion of Pearl Street: westerly side from Islington to Hanover Street (**Action on this matter will take place under Section IX of the Agenda**)
- 1.4 Public Hearing/Second reading of Ordinance amending Chapter 7, Article X, Section 7.1004 – Towing or Immobilization of Motor Vehicles for Non-Payment of Parking Fines (**Action on this matter will take place under Section IX of the Agenda**)
2. Motion for rehearing in Re: Chapter 10, Article II, Section 10.202 (“the ordinance”) – Location – to rezone properties located off Mirona Road at Tax Map 252, Lot 3 and Map 253, Lot 4 from Industrial (I) to General Business (GB) (**Action on this matter will take place under Section X of the Agenda**)

City Manager’s Items Which Require Action

1. Report Back Re: Avanti Development
2. Clarification of July 14, 2005 Work Session

B. MAYOR SIRRELL

1. Donations to the Coalition Legal Fund
2. Art-Speak Trust Appointment
3. Port Reuse Advisory Board Appointments
4. Appointments
5. *Reports

C. COUNCILOR MARCHAND

1. Resolution Re: Support for Continued Presence of Taxpayer Assistance Center in Portsmouth

XII. MISCELLANEOUS/UNFINISHED BUSINESS

XIII. ADJOURNMENT

**KELLI L. BARNABY
CITY CLERK**

(*Indicates verbal report)

INFORMATIONAL ITEMS

1. Planning Board minutes of the May 19, 2005 meeting

NOTICE TO THE PUBLIC WHO ARE HEARING IMPAIRED: Please contact Dianna Fogarty at 603-610-7270 one-week prior to the meeting for assistance.