

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, COUNCIL CHAMBERS  
DATE: MONDAY, MARCH 20, 2006

PORTSMOUTH, NH  
TIME 7:00 PM

- 5:30PM – ANTICIPATED “NON-MEETING” WITH COUNSEL REGARDING NEGOTIATIONS & LITIGATION – RSA: 91-A:2, I (b-c) & RSA: 91-A:2, I (c)

## AGENDA

- WORK SESSION REGARDING OVERTIME AUDIT INTERIM REPORT – MATRIX CONSULTING [6:00PM]

I. CALL TO ORDER [7:00PM or thereafter]

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. ACCEPTANCE OF MINUTES – MARCH 6, 2006

VI. PUBLIC COMMENT SESSION

VII. PUBLIC HEARINGS

A. CAPITAL IMPROVEMENT PLAN (CIP) FY2007-2012

B. ORDINANCE AMENDING CHAPTER 1, BY THE CREATION OF ARTICLE XVII – FUNDING OF PUBLIC ART

C. ORDINANCE AMENDING CHAPTER 10, ARTICLE II, SECTION 10.202 – LOCATION-REZONING PROPERTIES LOCATED OFF BANFIELD ROAD AND CONSTITUTION AVENUE FROM OFFICE RESEARCH (OR) TO INDUSTRIAL (I)

D. ORDINANCE AMENDING CHAPTER 7, ARTICLE III, SECTION 7.330, SUB-SECTION A - NO PARKING – CHURCH STREET: BOTH SIDES FROM STATE STREET TO COURT STREET

VIII. ACCEPTANCE OF GRANTS/DONATIONS

A. Acceptance of Public Health Network Grant Amendment

B. Acceptance of Storm Water Master Plan Grant

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

A. First reading of Resolution Amending Elderly Exemption Income Limits

- B. Second reading of Ordinance amending Chapter 1, by the creation of Article XVII – Funding of Public Art
- C. Second reading of Ordinance amending Chapter 10, Article II, Section 10.202 – Location- Rezoning properties located off Banfield Road and Constitution Avenue from Office Research (OR) to Industrial (I)
- D. Second reading of Ordinance amending Chapter 7, Article III, Section 7.330, Sub-section A - No Parking – Church Street: both sides from State Street to Court Street

**X. CONSENT AGENDA**

***A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA***

- A. Approval of Donation for Disposal of Vehicle to Seacoast Emergency Response Team  
***(Anticipated motion – move to approve the donation of the vehicle to the Seacoast Emergency Response Team as listed)***
- B. Acceptance of Grant from the NH Highway Safety Agency ***(Anticipated motion – move to approve and accept the grant to the Portsmouth Police Department as listed)***
- C. Acceptance of Donation to the New Library Building Fund
  - Barry and Suzanne Foley - \$1,000.00***(Anticipated motion – move to approve and accept the donation to the New Library Building Fund as listed)***
- D. Renewal Requests for Sidewalk Obstruction Licenses from the following businesses with no changes from last year
  - Cobble Hill – 1 A-frame sign
  - Corks & Curd, LLC – 1 A-frame sign
  - Edible Arrangements – 1 A-frame sign
  - Molly Malones – 1 A-frame sign
  - Online Communications – 1 A-frame sign
  - RiverRun Bookstore – 1 Table and 1 A-frame sign
  - Portsmouth Athenaeum – 1 A-frame sign
  - The Press Room – 1 A-frame sign***(Anticipated action – move to refer to the City Manager with power)***
- E. Letter from Carol Welsh and Ellen Stockmayer, Pan Mass Challenge, requesting permission to hold a Pan Mass Challenge Kids Ride on Sunday, May 21, 2006  
***(Anticipated action – move to refer to the City Manager with power)***
- F. Letter from Tracy Poland, American Diabetes Association, requesting permission to hold the Tour de Cure on Sunday, May 7, 2006 ***(Anticipated action – move to refer to the City Manager with power)***

- G. Letter from Tammy Jordan, Sexual Assault Support Services, requesting permission to hold the 14<sup>th</sup> Annual SASS Walk on Sunday, April 30, 2006 (***Anticipated action – move to refer to the City Manager with power***)
- H. Letter from George Hosker, Jr. requesting permission to hold a parade on Thursday, May 25, 2006 at 5:45 p.m. to celebrate the early history of Portsmouth in conjunction with the Underbelly Tour (***Anticipated action – move to refer to the City Manager with power***)
- I. Letter from Phelps Dieck and Debra Weeks, The Green Monkey, requesting permission to place one dumpster and one 50 gallon grease drum behind the establishment on Church Street (***Anticipated action – move to refer to the City Manager with power***)
- J. Letter from Samson Tokuno, Sakurabana, requesting permission to place one dumpster on Church Street (***Anticipated action – move to refer to the City Manager with power***)

**XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS**

- A. Letter from Jameson French, Market Square Steeple Fund, requesting that the City waive the building permit fee for the restoration project of the North Church Steeple
- B. Letter from Peter Narbonne, Portsmouth Historical Society, requesting their interest in becoming a central player in discussions and possible implementation of future reuse of the historic library building
- C. Letter from Attorney Michael Donahue on behalf of The Housing Partnership requesting a Proposed Amendment to Section 10-1503 of the City’s Zoning Ordinance Relating to Residential Planned Unit Developments
- D. Letter from Attorney Malcolm McNeill on behalf of HarborCorp LLC (Sheraton) requesting Four (4) Proposed Zoning Amendments
- E. Letter from Richard Davis, Seacoast Academy, expressing interest in the South Meeting House and the current Library as possible sites for the school
- F. Letter from George Robinson, Portsmouth Housing Authority, regarding Lafayette School

**XII. 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 Resolution and Ordinance Amendments:

- 1.1 First reading of Resolution Amending Elderly Exemption Income Limits (**Action on this matter should take place under Section IX of the Agenda**)
2. Public Hearing:
  - 2.1 Public Hearing Re: Proposed Capital Improvement Plan (CIP) FY 2007-2012
3. Public Hearing/Second Reading of Proposed Resolution and Ordinance Amendments:
  - 3.1 Public Hearing/Second reading of Ordinance amending Chapter 1 by the creation of Article XVII – Funding of Public Art (**Action on this matter should take place under Section IX of the Agenda**)
  - 3.2 Public Hearing/Second reading of Ordinance amending Chapter 10, Article II, Section 10.202 – Location- Rezoning properties located off Banfield Road and Constitution Avenue from Office Research (OR) to Industrial (I) (**Action on this matter should take place under Section IX of the Agenda**)
  - 3.3 Public Hearing/Second reading of Ordinance amending Chapter 7, Article III, Section 7.330, Sub-section A - No Parking Church Street from State Street to Court Street (**Action on this matter should take place under Section IX of the Agenda**)
4. Letter from Attorney Michael Donahue Requesting a Proposed Amendment to Section 10-1503 of the City's Zoning Ordinance Relating to Residential Planned Unit Developments (**Action on this matter should take place under Section XI of the Agenda**)
5. Letter from Attorney Malcolm McNeill Requesting Three (3) Proposed Zoning Amendments (**Action on this matter should take place under Section XI of the Agenda**)
6. Request from North Church to Waive Building Permit Fee (**Action on this matter should take place under Section XI of the Agenda**)

#### **City Manager's Items Which Require Action**

1. Proposed Contract Extension for Fire Chief Christopher LeClaire
2. Conservation Fund Reimbursement to Contingency Fund
3. Request to Establish Work Session Re: Update on Water/Sewer Rate Study

#### **Informational Items**

1. Student Government Day
2. Pre-construction Meeting Notice for Contract 2 Re: Lincoln Area Separation Project
3. Children's Day

**B. MAYOR MARCHAND**

1. Appointments
2. \*Reports

**C. COUNCILOR RAYNOLDS**

1. \*Report on meeting of Middle School Facilities Committee Meeting
2. National Trust for Historic Preservation Fact Sheet: Renovation vs. Replacement and the Role of a Feasibility Study
3. \*Motion for Joint Work Session with the School Board and Public Hearing on the future of the Middle School (post-budget passage)

**D. COUNCILOR PANTELAKOS**

1. \*Request for drafting of Ordinance regulating Balloons for Auto Dealerships

**E. COUNCILOR SMITH**

1. Traffic & Safety Committee Action Sheet and Minutes of the March 9, 2006 meeting

**XIII. MISCELLANEOUS/UNFINISHED BUSINESS**

**XIV. ADJOURNMENT [AT 10:00PM OR EARLIER]**

**KELLI L. BARNABY, CMC  
CITY CLERK**

(\*Indicates verbal report)

**INFORMATIONAL ITEMS**

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