

TO: JOHN P. BOHENKO, CITY MANAGER
FROM: KELLI L. BARNABY, CITY CLERK
RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON APRIL 17, 2006 COUNCIL CHAMBER, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE
PRESENT: MAYOR MARCHAND, ASSISTANT MAYOR FERRINI (left meeting at 8:35 p.m.), COUNCILORS GRASSO, DWYER, RAYNOLDS, PANTELAKOS, WHITEHOUSE, SMITH AND HYNES

1. Presentation – Proposed Legal Settlement Re: Packard Development – Suzanne Woodland, Assistant City Attorney and David Allen, Deputy Public Works Director – Assistant City Attorney Woodland and Deputy Public Works Director Allen provided a presentation to the City Council Re: Packard Development Proposed Legal Settlement.
2. Voted to suspend the rules in order to take up Item VI – Public Comment Session.
3. Public Comment Session – There were eleven speakers: Ralph DiBernardo, Harold Ecker, Walter Allen, Gary Lowe, Deborah Terreson, Bill St. Laurent, Martin Cameron, and Cate Jones (Packard Development); Peter Bresciano (Funding of Public Art); Peter Whelan (Sewer Waiver – EPA); and Everett Eaton (City/Chamber Partnership).
4. Voted to suspend the rules in order to take up Item XII. D.1. – Packard Development.
5. Packard Development – On a roll call vote 3-6, motion to table this matter until a public hearing is held failed to pass. Councilors Whitehouse, Smith and Hynes voted in favor. Assistant Mayor Ferrini, Councilors Grasso, Dwyer, Raynolds, Pantelakos and Mayor Marchand voted opposed.

On a roll call 6-3, voted to authorize the City Manager to negotiate and execute a settlement agreement with Packard Development as outlined in the letter from Attorney William C. Tucker dated March 9, 2006. Assistant Mayor Ferrini, Councilors Grasso, Dwyer, Raynolds, Pantelakos and Mayor Marchand voted in favor. Councilors Whitehouse, Smith and Hynes voted opposed.

6. Proclamation – Community Development Block Grant Week – April 17, 2006 – April 21, 2006 - Mayor Marchand presented the Proclamation declaring April 17, 2006 – April 21, 2006 as Community Development Block Grant Week to David Moore, Community Development Department. David accepted the Proclamation on behalf of the department with thanks and appreciation.
7. Acceptance of Minutes – April 3, 2006 – Voted to approve and accept the minutes of the April 3, 2006 City Council meeting.
8. Public Hearing – Ordinance amending Chapter 7, Article XVI, Section 7.1602 – Locations – Resident Only Parking by the addition of Pearl Street – Easterly side of Pearl Street, from a point ninety feet (90') north of Islington Street to the corner of Pearl Street and Hanover Street – Held a public hearing. Voted to pass second reading of amended ordinance, as submitted, and hold a third and final reading at the May 1, 2006 City Council meeting.

9. Public Hearing - Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking sub-section A by the addition of Pearl Street – Westerly side of Pearl Street after 8:00 a.m. and before 5:00 p.m. – Held a public hearing. Voted to pass second reading of amended ordinance, as submitted, and hold a third and final reading at the May 1, 2006 City Council meeting.
10. Public Hearing - Ordinance amending Chapter 7, Article VI, Section 7.601 - Truck Loading/Unloading by the addition of Pearl Street – Easterly side from a point thirty feet (30') north of Islington Street to a point seventy feet (70') north of Islington Street – Held a public hearing. Voted to pass second reading of amended ordinance, as submitted, and hold a third and final reading at the May 1, 2006 City Council meeting.
11. Public Hearing – Resolution to Adopt New Hampshire RSA 162-K Authorizing the Establishment of one or more Tax Increment Financing Development Districts – Held a public hearing. Voted to authorize the City Manager to bring back for final action a proposed resolution to adopt New Hampshire RSA 162-K authorizing the establishment of one or more Tax Increment Financing Development Districts at the May 15, 2006 City Council meeting.
12. Acceptance of Donation to the New Library Building Fund for the Naming of the Reference Center in the amount of \$15,000.00 – Voted to accept a donation to the New Library Building Fund in the amount of \$15,000.00 for the naming of the Reference Center.
13. First reading of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Disabled Real Estate Tax Exemption to \$30,000.00 for single and \$37,000.00 for married – Voted to pass first reading and schedule a public hearing and adoption at the May 1, 2006 City Council meeting.
14. Consent Agenda – Councilor Raynolds requested that Item G - Letter from David O'Connor regarding street performers be removed from the Consent Agenda.

Voted to adopt the remainder of the Consent Agenda as presented.

- A. Acceptance of Donations to the New Library Building Fund
 - Virginia H. Eshoo - \$50.00
 - Hugo E. Riciputi - \$150.00

(Anticipated action – move to approve and accept the donations to the New Library Building Fund a listed)

- B. Acceptance of Donations to the Cemetery Committee/Programs
 - Anonymous - \$15.00
 - Lowell W. & Gloria A. Berry - \$20.00
 - Joseph A. & Margery W. Melville - \$20.00
 - George & Priscilla Metalious - \$20.00
 - Eugene & Donna Peaker Ritzo - \$20.00
 - June Ann Rogers - \$20.00
 - June Ann Rogers - \$21.00

- Cynthia Kent - \$25.00
- Syphers Monument Co., Roger A. Syphers - \$26.00
- John P. Bohenko & Nancy K. London - \$30.00
- John Goyette - \$38.00
- Alexandra E. Barbehenn - \$39.50
- Bruce A. & Nancy A. Bierhans - \$40.00
- Richard David Grossman - \$40.00
- John A. Howes - \$40.00
- Susan Long - \$40.00
- G. Patrick & M. Judy Nerbonne - \$40.00
- Barrie Paster, M.D. & Barbara Ann Paster - \$40.00
- Mary S. & John D. Rauh - \$40.00
- New England Lock & Safe - \$70.00
- Paul J. & Deborah J. Jancewicz - \$85.00
- Barrie Paster, M.D. & Barbara Ann Paster - \$90.00
- John W. & Sharon C. Churchill - \$304.00

(Anticipated action – move to approve and accept the donations to the Cemetery Committee/Programs as listed)

- C. Acceptance of Donation to the Cemetery Committee
- Anonymous - \$714.00

(Anticipated action – move to approve and accept the donation to the Cemetery Committee as listed)

- D. Acceptance of Community Development Block Grant - \$672,674.00 ***(Anticipated action – move to accept a Community Development Block Grant (CDBG) in the amount of \$672,674.00 from the U.S. Department of Housing and Urban Development)***
- E. Renewal Requests for Sidewalk Obstruction Licenses from the following businesses with no changes from last year
- Madd Matt's Ice Cream – 1 A-frame sign
 - Market Street Tub Shop – 1 A-frame sign
 - Portsmouth Gas Light – 2 A-frame signs

(Anticipated action – move to refer to the City Manager with power)

- F. Letter from Drika Overton, Portsmouth Percussive Dance Festival, requesting permission to close off Pleasant Street between Market Square and Porter Street for street performances on Friday, June 30th from 7:30 p.m. – 8:30 p.m.
(Anticipated action – move to refer to the City Manager with power)

15. Letter from David O'Connor regarding street performers – Voted to accept and place the letter on file.

16. Letter and Petition from Islington Creek Neighborhood requesting a review of traffic and safety signage in neighborhood – Voted to refer to the Traffic & Safety Committee for report back.

Councilor Grasso requested to refer this matter to the Planning Board for informational purposes.

17. Letter from Michael Edwards requesting permission to place a storage container in front of property located at 64 Brackett Road – Voted to approve this request with the provision that the Public Works Department and Police Department assure that there are no safety issues.
18. Letter from Geoffrey Wilson, Northeast Wetland Restoration, requesting permission to harvest above ground biomass, on 25 acres in the Great Bog Area – Voted to refer to the Conservation Commission for report back.
19. Letter from Bill St. Laurent requesting that the new library be named after Dorothy Vaughn – Voted to accept and place the letter on file.
20. Letter from Evelyn Sirrell regarding Packard Development – Voted to accept and place the letter on file.
21. EDC Recommendation Re: Chamber Partnership and Guide to the Seacoast – Voted to approve the appropriation of \$35,000.00 for UDAG funds to continue the economic development partnership between the City and the Greater Portsmouth Chamber of Commerce.
22. Proposed Easement and License to PSNH – Voted to grant an easement and license to PSNH at 680 Peverly Hill Road and further, to authorize the City Manager to execute any appropriate documents to execute this easement.
23. Paul Dobles Army Reserve Center – Voted to establish the City of Portsmouth, NH as the entity to serve as the Local Redevelopment Authority (LRA) to create a comprehensive redevelopment plan for the Paul Dobles Army Reserve Center; request the Office of Economic Adjustment to recognize the Portsmouth LRA as the redevelopment planning entity for the Paul Dobles Army Reserve Center; and designate the City Manager as the point of contact for the Portsmouth LRA.
24. Request to Reschedule May 1st Work Session Re: Political Contributions – The City Council agreed to reschedule the May 1, 2006 Work Session Re: Political Contributions to sometime in the future.

The City Council agreed to hold a Work Session on May 1, 2006 Re: Legislative Delegation at 6:15 p.m. in the City Council Chambers.

25. Consideration of Appointments - The City Council considered the reappointment of Charles Cormier to the Conservation Commission. The appointment of MaryAnn Blanchard as an alternate to the Conservation Commission filling the expired term of Skye Maher. The appointment of Brian Gregg as a regular member of the Cable Television and Communications Commission filling the expired term of Jeffrey Landry. The appointment of Timothy Fortier as an alternate to the Planning Board filling the unexpired term of Anthony Coviello. The reappointment of Angelo Pappas to the Portsmouth Housing Authority. The City Council will vote on these appointments at the May 1, 2006 City Council meeting.
26. Appointments – Voted to reappoint Carl Diemer, Patrick McCartney, and Paul Houlares to the Recreation Board until April 1, 2009. Voted to appoint Barbara McMillan as a regular member to the Conservation Commission filling the unexpired term of Donald Green until April 1, 2008. Voted to appoint Skye Maher as a regular member to the Conservation Commission until April 1, 2009, Skye is filling the expired term of J. Lyn Walters. Voted to reappoint Eva Powers to the Conservation Commission until April 1, 2009.
27. Global Warming – Local Action – Voted to refer to the Blue Ribbon Committee on Sustainable Practices for report back and recommended action.
28. Adjournment – At 10:10 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC
City Clerk