

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, COUNCIL CHAMBERS  
DATE: MONDAY, MAY 1, 2006

PORTSMOUTH, NH  
TIME 6:15PM

## AGENDA

• **6:15PM – WORK SESSION WITH LEGISLATIVE DELEGATION**

- I. **CALL TO ORDER [7:00PM or thereafter]**
- II. **ROLL CALL**
- III. **INVOCATION**
- IV. **PLEDGE OF ALLEGIANCE**

### PROCLAMATIONS

- 1. Bike/Walk to Work Day – May 19, 2006
- 2. National Police Week – May 14, 2006 – May 21, 2006

**V. ACCEPTANCE OF MINUTES – APRIL 17, 2006**

**VI. PUBLIC COMMENT SESSION**

**VII. PUBLIC HEARINGS**

- A. RESOLUTION INCREASING THE MAXIMUM INCOME LIMITS FOR INDIVIDUALS QUALIFYING FOR THE DISABLED REAL ESTATE TAX EXEMPTION TO \$30,000.00 FOR SINGLE AND \$37,000.00 FOR MARRIED
- B. ORDINANCE AMENDING CHAPTER 7, ARTICLE III, SECTION 7.330 – NO PARKING SUB-SECTION A BY THE ADDITION OF COTTAGE STREET: BOTH SIDES FROM ROUTE 1 BY-PASS
  - THE SOUTHERLY SIDE FROM ROUTE 1 BY-PASS EASTERLY THREE HUNDRED FEET (300')
  - THE NORTHERLY SIDE FROM ROUTE 1 BY-PASS EASTERLY FOUR HUNDRED FEET (400')
- C. ORDINANCE AMENDING CHAPTER 7, ARTICLE IVA, SECTION 7A.402 – BUS STOPS, TAXICAB STANDS & HORSE DRAWN CARRIAGES BY THE ADDITION OF MIDDLE STREET: A STRIP 10 FEET ADJACENT TO THE SIDEWALK ON THE WESTERLY SIDE OF SAID STREET FROM THE POINT OF INTERSECTION OF MADISON STREET AND RUNNING NORTHERLY ALONG MIDDLE STREET A DISTANCE OF 40 FEET
- D. ORDINANCE AMENDING CHAPTER 3, ARTICLE IV, SECTION 3.403 – NOISES PROHIBITED – UNNECESSARY NOISE STANDARD BY THE ADDITION OF ITEM R – ENGINE COMPRESSION BRAKES

## VIII. APPROVAL OF GRANTS AND DONATIONS

- A. Acceptance of Grant from NH Charitable Foundation-Piscataqua Region for the New Library Building - \$5,000.00
- B. Acceptance of Federal Transit Authority Grant for Hanover Street Intermodal Transportation Project - \$275,000.00

## IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Adoption 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
- B. Second reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking sub-section A by the addition of Cottage Street: both sides from Route 1 By-Pass
  - the southerly side from Route 1 By-Pass easterly three hundred feet (300')
  - the northerly side from Route 1 By-Pass easterly four hundred feet (400')

*(See attached letter from Attorney Charles Griffin requesting that the City Council hold third and final reading at the June 5, 2006 City Council meeting)*

- C. Second reading of Ordinance amending Chapter 7, Article IVA, Section 7.A402 – Bus Stops, Taxicab Stands & Horse Drawn Carriages by the addition of Middle Street – a strip 10 feet adjacent to the sidewalk on the westerly side of said street from the point of intersection of Madison Street and running northerly along Middle Street a distance of 40 feet
- D. Second reading of Ordinance amending Chapter 3, Article IV, Section 3.403 – Noises Prohibited – Unnecessary Noise Standard by the addition of Item R - Engine Compression Brakes
- E. Third and final reading of 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
- F. Third and final reading of 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.
- G. Third and final reading of 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

## X. CONSENT AGENDA

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

- A. Letter from Ronald Gale, Trans NH Bike Ride, requesting permission to hold the Trans NH Bike Ride to benefit Muscular Dystrophy on Sunday, June 25, 2006 (***Anticipated action – move to refer to the City Manager with power***)
- B. Letter from Stacy Chilicki, Seacoast Repertory Theatre, requesting permission to hold the Bow Street Fair on Saturday, July 22, 2006 and Sunday, July 23, 2006 from 10:00 a.m. – 5:00 p.m. (***Anticipated action – move to refer to the City Manager with power***)
- C. Letter from Nick Ciani Re: Settlement of Litigation with Olde Port Properties concerning Mill Pond Way Development Plans (***Anticipated action – move to accept and place the letter on file***)
- D. Letter from Paul Sorli, Downtown Business Association, requesting that the City Council establish a “forgiveness parking ticket” program (***Anticipated action – move to refer to the Parking Committee for report back***)
- E. Request for Sidewalk Obstruction License from Nick Saunders, Anna Street, LLC, to place 1 A-frame sign in front of establishment (***Anticipated action – move to refer to the City Manager with power***)
- F. Letter from Josh Pierce, Seacoast Area Bicycle Routes, requesting permission to use the sidewalk near the Market Square Kiosk on May 19, 2006 from 7:00 a.m. – 10:00 a.m. for the commuter breakfast (***Anticipated action – move to refer to the City Manager with power***)

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

- A. Letter from Bryan Wyatt, The Housing Partnership, regarding the redevelopment of Lafayette School
- B. Letter from Rick O’Connell, Boston Pedal Party, requesting permission to operate (2) 7 passenger CoBi bikes in the City seasonally from May to September
- C. Memorandum from the Mayor’s Blue Ribbon Cemetery Committee requesting that the City Council make the present Committee an official City Committee by ordinance with a new name to be determined at a later date

## XII. 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 Adoption of Resolution Amending Disabled Exemption Income Limits (**Action on this matter should take place under Section IX of the Agenda**)
  - 1.2 Second Reading/Public Hearing of Amendment to Chapter 7, Article III, Section 7.330 – No Parking sub-section A by the addition of Cottage Street: both sides from Route 1 By-Pass
    - the southerly side from Route 1 By-Pass easterly three hundred feet (300')
    - the northerly side from Route 1 By-Pass easterly four hundred feet (400')(**Action on this matter should take place under Section IX of the Agenda**)
  - 1.3 Second Reading/Public Hearing of Amendment to Chapter 7, Article IVA, Section 7.A402 – Bus Stops, Taxicab Stands & Horse Drawn Carriages by the addition of Middle Street – a strip 10 feet adjacent to the sidewalk on the westerly side of said street from the point of intersection of Madison Street and running northerly along Middle Street a distance of 40 feet (**Action on this matter should take place under Section IX of the Agenda**)
  - 1.4 Second Reading/Public Hearing of Amendment to First reading of Ordinance amending Chapter 3, Article IV, Section 3.403 – Noises Prohibited – Unnecessary Noise Standard by the addition of Item R - Engine Compression Brakes (**Action on this matter should take place under Section IX of the Agenda**)
2. Third and Final Reading of Proposed Resolution and Ordinance Amendments:
    - 2.1 Third and Final Reading of Amendment to 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 (**Action on this matter should take place under Section IX of the Agenda**)
    - 2.2 Third and Final Reading of Amendment to 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. (**Action on this matter should take place under Section IX of the Agenda**)
    - 2.3 Third and Final Reading of Amendment to 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 (**Action on this matter should take place under Section IX of the Agenda**)

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

1. Request for Approval of Verizon License Agreement 9AAX4A

### **Informational Items**

1. Sustainable Practices Committee Appointment
2. Proposed FY 2007 City Budget on Web
3. Community-Wide Workshop on Sustainability
4. Work Session with School Board Re: Portsmouth Middle School
5. Public Hearing on May 2, 2006 Re: FY 2007 City Budget

### **B. MAYOR MARCHAND**

1. Appointments
2. Letter to Pease Development Authority Re: Noise
3. \*Reports

### **C. COUNCILOR SMITH**

1. Traffic & Safety Committee Action Sheet and Minutes of the April 13, 2006 meeting
2. Parking Committee Action Sheet and Minutes of the April 13, 2006 meeting

### **XIII. MISCELLANEOUS/UNFINISHED BUSINESS**

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

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

(\*Indicates verbal report)

### **INFORMATIONAL ITEMS**

1. Site Review Technical Advisory Committee minutes of the April 4, 2006 meeting
2. Conservation Commission minutes of the February 8, 2006 and March 8, 2006 meetings
3. Planning Board minutes of the February 16, 2006, February 22, 2006 and March 16, 2006 meetings

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