

TO: JOHN P. BOHENKO, CITY MANAGER
FROM: KELLI L. BARNABY, CITY CLERK
RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MAY 1, 2006 COUNCIL CHAMBER, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE
PRESENT: MAYOR MARCHAND, ASSISTANT MAYOR FERRINI, COUNCILORS GRASSO, DWYER, RAYNOLDS, PANTELAKOS, WHITEHOUSE, SMITH AND HYNES

1. At 6:15 p.m., the City Council held a Work Session with the Legislative Delegation.
2. Proclamation – Bike/Walk to Work Day – May 19, 2006 – Councilor Raynolds read the Proclamation declaring May 19, 2006 as Bike/Walk to Work Day in the City of Portsmouth.
3. Proclamation – National Police Week – May 14, 2006 – May 21, 2006 – Councilor Dwyer read the Proclamation declaring May 14, 2006 – May 21, 2006 as National Police Week. Mayor Marchand presented the Proclamation to Lieutenant Earl Case who accepted it on behalf of the Police Department with thanks and appreciation.
4. Acceptance of Minutes – April 17, 2006 – Moved to approve and accept the minutes of the April 17, 2006 City Council meeting. Voted to amend page 1 of the minutes under the Presentation regarding Packard Development to include the following two sentences at the end of the first paragraph: *Assistant City Attorney Woodland also referred to Councilor Whitehouse's concern about an approved septic system if no sewer connection is approved. Assistant City Attorney Woodland assured Councilor Whitehouse that approvals from all agencies have been given to Packard Development.* Main motion passed to include the amendment to the minutes requested by Councilor Whitehouse.
5. Public Comment Session – There were six speakers: Laurel Brauns, Beth Gross-Santos, Atlanta McIlwraith, and Denise Wheeler (Street Performers); Peter Bresciano (Funding of Public Art); and Robert Hassold (Forgiveness Ticket).
6. Public Hearing – 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 – Held a public hearing. Voted to adopt the Resolution amending Disabled Exemption Income Limits as presented.
7. Public Hearing – 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')

Held a public hearing. Voted to pass second reading of amended ordinance, as submitted, and hold a third and final reading at the June 5, 2006 City Council meeting.
8. Public Hearing – 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 – Held a public hearing. Voted to pass second reading of amended ordinance, as submitted, and hold a third and final reading at the May 15, 2006 City Council meeting.

9. Public Hearing – Ordinance amending Chapter 3, Article IV, Section 3.403 – Noises Prohibited – Unnecessary Noise Standard by the addition of Item R – Engine Compression Brakes – Held a public hearing. Voted to pass second reading of amended ordinance, as submitted, and hold a third and final reading at the May 15, 2006 City Council meeting.
10. Acceptance of Grant from NH Charitable Foundation-Piscataqua Region for the New Library Building - \$5,000.00 – Voted to accept the grant from the NH Charitable Foundation-Piscataqua Region to the Library in the amount of \$5,000.00.
11. Acceptance of Federal Transit Authority Grant for Hanover Street Intermodal Transportation Project - \$275,000.00 – Voted to accept the grant from the Federal Transit Authority for the Hanover Street Intermodal Transportation Project in the amount of \$275,000.00.
12. 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 – Voted to pass third and final reading of amended ordinance, as submitted.
13. 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. – Voted to pass third and final reading of amended ordinance, as submitted.
14. 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 – Voted to pass third and final reading of amended ordinance, as submitted.
15. Consent Agenda – Councilor Whitehouse requested that Item D - Letter from Paul Sorli, Downtown Business Association, requesting that the City Council establish a “forgiveness parking ticket” program be removed from the Consent Agenda.

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

- 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)**

- 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***)
16. Letter from Paul Sorli, Downtown Business Association, requesting that the City Council establish a “forgiveness parking ticket” program – Voted to refer to the Parking Committee for report back.
 17. Letter from Bryan Wyatt, The Housing Partnership, regarding the redevelopment of Lafayette School – Voted to accept and place the letter on file.
 18. 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 – Voted to table this request until the May 15, 2006 City Council meeting to allow for a presentation by Mr. O’Connell.
 19. 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 – Move to accept and place the letter on file. On a voice vote 1-8, amendment to motion to refer this matter to the City Attorney for report back with a possible ordinance change *failed* to pass. Councilor Whitehouse voted in favor. Assistant Mayor Ferrini, Councilors Grasso, Dwyer, Raynolds, Pantelakos, Smith, Hynes and Mayor Marchand voted opposed. Main motion passed.
 20. Voted to suspend the rules in order to allow consideration of a Letter from Tom Holbrook, RiverRun Bookstore requesting permission to hold a series of five music concerts at the Vaughan Mall Thursday nights on June 1, June 8, June 15, June 22 and June 29, 2006. (Not on agenda).
 21. Letter from Tom Holbrook, RiverRun Bookstore requesting permission to hold a series of five music concerts at the Vaughan Mall Thursday nights on June 1, June 8, June 15, June 22 and June 29, 2006 (Not on agenda) – Voted to refer to the City Manager with power. Councilor Hynes voted opposed on the basis of procedure not the request.
 22. Request for Approval of Verizon License Agreement 9AAX4A – Voted to approve the request from Verizon for Petition and License for Buried Cable and Conduit Location Petition 9AAX4A, as recommended by the Public Works Department.

23. Appointments – Voted to reappoint Charles Cormier to the Conservation Commission until April 1, 2009. Voted to appoint MaryAnn Blanchard as an alternate to the Conservation Commission until April 1, 2009. MaryAnn will fill the expired term of Skye Maher who has been appointed as a regular member to the Conservation Commission. Voted to appoint Brian Gregg as a regular member to the Cable Television and Communications Commission until April 1, 2009. Brian is filling the expired term of Jeffrey Landry. Voted to appoint Timothy Fortier as an alternate to the Planning Board until December 31, 2008. Timothy is filling the unexpired term of Anthony Coviello who has been appointed as a regular member to the Planning Board. Voted to reappoint Reverend Angelo Pappas to the Portsmouth Housing Authority until April 1, 2011.
24. Letter to Pease Development Authority Re: Noise – Voted to approve the letter, as submitted, and to send it to Mr. Nickless, Chairman of the Pease Development Authority.
25. Voted to suspend the rules in order to allow Mayor Marchand to bring two items forwarded which are not on the agenda.
26. Request from Pharmacist Providing Assistance RX Bus Tour to set up in the City of Portsmouth on May 12, 2006 (Not on agenda) – Voted to refer to the City Manager with power.
27. Request from CSPAN Book Mobile Tour to work in conjunction with the RiverRun Bookstore to set up in the City of Portsmouth on May 24, 2006 to promote reading (Not on agenda) – Voted to refer to the City Manager with power.
28. Traffic & Safety Committee Action Sheet and Minutes of the April 13, 2006 meeting – Voted to approve and accept the action sheet and minutes of the April 13, 2006 Traffic & Safety Committee meeting.
29. Parking Committee Action Sheet and Minutes of the April 13, 2006 meeting – Voted to approve and accept the action sheet and minutes of the April 13, 2006 Parking Committee meeting.
30. Adjournment – At 9:30 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC
City Clerk