

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, COUNCIL CHAMBERS
DATE: MONDAY, AUGUST 7, 2006

PORTSMOUTH, NH
TIME: 7:00PM

AGENDA

6:00PM – ANTICIPATED NON-PUBLIC SESSION REGARDING PERSONNEL MATTERS – RSA 91-A II (a)

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

PROCLAMATION

- 1. USS Hartford Portsmouth

V. ACCEPTANCE OF MINUTES – JUNE 19, 2006, JULY 10, 2006 AND JULY 17, 2006

VI. PUBLIC COMMENT SESSION

VII. APPROVAL OF GRANTS AND DONATIONS

- A. Acceptance of Donations to the Coalition Legal Fund from the Town of Sugar Hill in the amount of \$500.00 and the Town of Bridgewater in the amount of \$1,000.00
- B. Acceptance of Grant from NiSource Charitable Foundation for the Firefighter's Monument in the amount of \$35,000.00
- C. Acceptance of Grant to the Police Department from the New Hampshire Department of Justice on the Enforcement for Under Age Drinking Laws in the amount of \$7,379.00
- D. Acceptance of Donation to the New Library Building Fund from Peter M. & Catherine C. Okhuysen for the naming of the Community Wall in the amount of \$200.00 (*Total Pledge will be \$500.00 to be paid over 2 years*)
- E. Acceptance of Donation to the New Library Building Fund from Dietrich E. Frank & Marie P. Frank in the amount of \$1,000.00

VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking sub-section A
- Jenkins Avenue: Northerly and Southerly sides. Westerly end between the hours of 7:00 a.m. – 3:00 p.m. Monday through Friday
- B. Second reading of Ordinance amending Chapter 1, by the creation of Article XVII – Funding of Public Art (*Continued from the April 3, 2006 City Council meeting*)
- C. Third and final reading of Ordinance amending Chapter 10, Article II, Section 10.202 – Location of the Zoning Ordinance and Zoning Map be amended by rezoning the properties located off Hanover Street and Maplewood Avenue at Assessors Map 124, Lot 12, Map 118, Lot 28, Map 125, Lot 21 from Central Business A (CBA) to Central Business B (CBB)
- D. Third and final reading of Ordinance amending Chapter 10, Article XII, Section 10-1201 – Off-Street Parking – to allow Off-Street Parking Facilities to be Located on Lots other than the Same Lot as the Principle Use where the applicant and the City agree on the terms and conditions under which a municipally owned covered parking facility shall be constructed as part of the overall development project
- E. Third and final reading of Ordinance amending Chapter 10, Article XII, Section 10-1202 – Off-Street Parking Innovation: Inter Modal Transportation Credit for Central Business A and Central Business B District – to allow the Inter Modal Parking Credit to be applicable when the applicant and the City agree on the terms and conditions under which a new, municipally owned covered parking facility shall be constructed as part of the overall development project
- F. Third and final reading of Ordinance amending Chapter 10, Article II, Section 10.208 – Table 4, Paragraph 16, Uses in Business District, Central Business B Zone, to allow said uses as Permitted Uses rather than as a Special Exception
- G. Third and final reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Tanner Court
- northerly side from Parker Street to a point 78' westerly of Tanner Street
 - southerly side from Parker Street to a point 78' westerly of Tanner Street
- H. Adoption of Resolution Regarding Acceptance, Negotiation and Liquidation of Donated Securities

IX. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. Acceptance of Donations to the New Library Building Fund
- RB Cole - \$25.00
 - Maryellen Hurley & Gerald Kelly - \$50.00
 - Janice Gallinger - \$50.00
 - Doris Bradshaw - \$100.00
 - Atlantic Management Company, Inc. - \$200.00
 - Helen L. Astle - \$250.00

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

- B. Acceptance of Donations to the Cemetery Committee
- Jackson Gillman - \$54.00
 - Meg Gilman - \$17.00
 - Ben Franklin - \$41.00
 - G. Quessaire Presutti - \$28.96
 - Kate Carney - \$50.00
 - Glenn Knoblock - \$46.35
 - The Lincolns - \$52.22
 - Jeff Warner - \$90.25
 - Anonymous - \$128.02

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

- C. Letter from Barbara Massar, Pro Portsmouth, Inc., requesting permission to hold First Night Portsmouth 2007 ***(Anticipated action – move to refer to the City Manager with power)***
- D. Letter from Janet Bourne, Arthritis Foundation, requesting permission to hold the annual Jingle Bell Run on Saturday, November 18, 2006 at 10:00 a.m. ***(Anticipated action – move to refer to the City Manager with power)***

X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Bill St. Laurent, President Association of Portsmouth Taxpayers, opposing the creation of a forgiveness ticket program

XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

Items which require Action under other sections of the Agenda

1. Adoption of Resolutions:
 - 1.1 Resolution Regarding Acceptance, Negotiation and Liquidation of Donated Securities **(Action on this matter should take place under Section VIII of the Agenda)**

2. Consideration of First Reading of Proposed Resolution and Ordinance Amendments:
 - 2.1 First reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking sub-section A
 - Jenkins Avenue: Northerly and Southerly sides. Westerly end between the hours of 7:00 a.m. – 3:00 p.m. Monday through Friday

(Action on this matter should take place under Section VIII of the Agenda)

3. Second Reading of Proposed Ordinance Amendment:
 - 3.1 Second reading of Amendment to Chapter 1, by the creation of Article XVII – Funding of Public Art *(Continued from the April 3, 2006 City Council meeting)* **(Action on this matter should take place under Section VIII of the Agenda)**

4. Third and Final Reading of Proposed Resolution and Ordinance Amendments:
 - 4.1 Third Reading Re: Proposed Zoning Ordinance Amendments, HarborCorp Rezoning Request
 - a) Third and Final Reading of Amendment to Chapter 10, Article II, Section 10.202 – Location of the Zoning Ordinance and Zoning Map be amended by rezoning the properties located off Hanover Street and Maplewood Avenue at Assessors Map 124, Lot 12, Map 118, Lot 28, Map 125, Lot 21 from Central Business A (CBA) to Central Business B (CBB) **(Action on this matter should take place under Section VIII of the Agenda)**
 - b) Third and Final Reading of Amendment to Chapter 10, Article XII, Section 10-1201 – Off-Street Parking – to allow Off-Street Parking Facilities to be Located on Lots other than the Same Lot as the Principle Use where the applicant and the City agree on the terms and conditions under which a municipally owned covered parking facility shall be constructed as part of the overall development project **(Action on this matter should take place under Section VIII of the Agenda)**

- c) Third and Final Reading of Amendment to Chapter 10, Article XII, Section 10-1202 – Off-Street Parking Innovation: Inter Modal Transportation Credit for Central Business A and Central Business B District – to allow the Inter Modal Parking Credit to be applicable when the applicant and the City agree on the terms and conditions under which a new, municipally owned covered parking facility shall be constructed as part of the overall development project **(Action on this matter should take place under Section VIII of the Agenda)**
 - d. Third and Final Reading of Amendment to Chapter 10, Article II, Section 10.208 – Table 4, Paragraph 16, Uses in Business District, Central Business B Zone, to allow said uses as Permitted Uses rather than as a Special Exception **(Action on this matter should take place under Section VIII of the Agenda)**
- 4.2 Third and Final Reading of Amendment to Chapter 7, Article III, Section 7.330 – No Parking – Tanner Court
- northerly side from Parker Street to a point 78’ westerly of Tanner Street
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(Action on this matter should take place under Section VIII of the Agenda)

City Manager’s Items Which Require Action

1. Listing of Players’ Ring on the NH State Register of Historic Places
2. Acceptance of Easement from South Common Condominium Association and Easement from Elizabeth Brunelle
3. Polling Hours for September 12, 2006 State Primary Election
4. Proposed Revision to City Council Meeting Schedule
5. Acceptance of Easement from K & S Energy Group
6. Request by Pro Portsmouth to Reschedule Street Closure
7. Report Back Re: Driveway Permit Application for 62 Deer Street
8. Request for Approval of Pole License #63-431, #63-432, #63-433

Informational Items

1. Report Back Regarding Additional Signage on Peirce Island
2. New Bicycle Rack
3. Reminder of Joint School Advisory Committee Meeting
4. News Release Regarding Market Street Names New Hampshire’s Best Shopping Street
5. Doble Information Session, 125 Cottage Street

B. MAYOR MARCHAND

1. Resignation – Cable Television and Communications Commission
2. Appointments
3. *Reports

C. ASSISTANT MAYOR FERRINI

1. *City Manager's Evaluation

D. COUNCILOR WHITEHOUSE

1. *Peirce Island/Dogs/Walking Paths

E. COUNCILOR SMITH

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

XII. MISCELLANEOUS/UNFINISHED BUSINESS

XIII. ADJOURNMENT [AT 10:00PM OR EARLIER]

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

(*Indicates verbal report)

INFORMATIONAL ITEMS

1. Zoning Board of Adjustment minutes of the April 18, 2006 and April 25, 2006 meetings
2. Planning Board minutes of the April 20, 2006 and April 27, 2006 meetings
3. Site Review Technical Advisory Committee minutes of the May 2, 2006 and July 5, 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.