

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, COUNCIL CHAMBERS  
DATE: MONDAY, SEPTEMBER 18, 2006

PORTSMOUTH, NH  
TIME: 7:00PM

## AGENDA

- 6:30PM – ANTICIPATED “NON-MEETING” WITH COUNSEL - RSA: 91-A:2, I (c)
- I. CALL TO ORDER [7:00PM or thereafter]
- II. ROLL CALL
- III. INVOCATION
- IV. PLEDGE OF ALLEGIANCE
- V. ACCEPTANCE OF MINUTES – AUGUST 7, 2006
- VI. PUBLIC COMMENT SESSION
- VII. PUBLIC HEARINGS
  - A. 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. ORDINANCE AMENDING CHAPTER 7, ARTICLE III, SECTION 7.330 – NO PARKING – LIVERMORE STREET: THE EASTERLY SIDE FROM PLEASANT STREET TO THE DEAD END
- VIII. APPROVAL OF GRANTS AND DONATIONS
  - A. Acceptance of Donation to the New Library Building Fund from M. Kevin MacLeod & Kristen Sweet in the amount of \$25,000.00 for the naming of the Board Room on the second floor in honor of their parents
  - B. Acceptance of Donation to the New Library Building Fund from Salvatore and Joanne Grasso in the amount of \$1,000.00
  - C. Acceptance of Police Department Grants:
    - NH Highway Safety “Portsmouth Red Light Running” Grant in the amount of \$3,089.40
    - NH Highway Safety for “Portsmouth Regional DWI Saturation Patrols” Grant in the amount of \$3,707.28
    - NH Highway Safety for “Portsmouth Route 1 Corridor Enforcement Patrols” Grant in the amount of \$2,757.00

- D. Acceptance of Fire Department Donations
  - Greenwood Emergency Vehicles, Inc. - \$250.00
  - Joni N Esperian in honor of son, Ian Esperian - \$500.00
  - Robert L & Nackey E Scagliotti - \$1,000.00
  - Granite State Minerals, Inc. - \$3,000.00
  
- E. Acceptance of Donation to the New Library Building Fund in memory of Ida Belostock in the amount of \$686.00
  - Ethyllyne Golub, Laurie Smith and Robert Golub
  - Chujen W. & J. Haywood Davis
  - Sheldon L. & Renee F. Goodman
  - Marc Keller
  - Morris W. & Elaine R. Larkin
  - Florence L. & Peter Pastor
  - Renee Silverman
  - Helen K. Sweeney
  - Elizabeth A. Tober
  - Marilyn & George Zaslav

## **IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES**

- A. First reading of Ordinance amending Chapter 10, Article II, Section 10-208 (35) – Uses in Business Districts
  
- B. First reading of Ordinance amending Chapter 7, Article III, Section 7.327 – Limited Parking – Two Hours – Islington Street:
  - Northerly side from Tanner Street to Parker Street
  - Northerly side from Pearl Street to a point westerly 335'
  - Northerly side from Cabot Street to a point easterly 515'
  
- C. First reading of Ordinance amending Chapter 7, Article III, Section 7.325 – Limited Parking – Thirty Minutes – Islington Street:
  - Northerly side from the corner of Brewster Street easterly 110'
  - Northerly side easterly 70' from Dover Street to a point 82' westerly from Salem Street
  - Northerly side from Pearl Street to Parker Street

- D. First reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking - Adding to the Ordinance (with appropriate deletions):
- Brewster Street: easterly side, from Hanover Street southerly to Islington Street
  - Hanover Street: (Hanover Street Extension) southerly side from Brewster Street easterly 40'
  - Islington Street: northerly side from the corner of Congress Street/Maplewood Avenue/Middle Street running westerly to the easterly corner of Tanner
  - Islington Street: northerly side – easterly from a point 145' from Salem Street to a point 73' westerly of Cabot Street
  - Rock Street: deletion of easterly side from Islington Street to Hanover Street
- E. First reading of Ordinance amending Chapter 7, Article III, Section 7.324 – Limited Parking – One Hour subsection A – deletion of Islington Street: northerly side from the west side of Bridge Street westerly for a distance of 131 feet to the east side of Tanner Street
- F. Second 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
- G. Second reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Livermore Street: the easterly side from Pleasant Street to the dead end
- H. Third and final reading of Ordinance amending Chapter 1, by the creation of Article XVII – Funding of Public Art

**X. CONSENT AGENDA**

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

- A. Acceptance of Donations to the New Library Building Fund
- Rachel L. Hopkins - \$50.00
  - Frances Allen - \$100.00
  - Bottomline Technologies, Inc. - \$500.00
  - Greenwood Heinemann Publishing Group - \$500.00
  - HighLiner Foods - \$500.00

***(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
- Anonymous - \$30.00
  - Anonymous - \$112.26
  - Saint Andrew's Lodge No. 56 - \$200.00
  - New Hampshire Humanities Council - \$200.00

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

- C. Letter from Peter Bresciano, Seacoast Adult Baseball League, thanking the City of Portsmouth and various Municipal Departments for their outstanding support over the summer months ***(Anticipated action – move to accept and place the letter on file)***

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

- A. Letter from Attorney Douglas Macdonald, Keane & Macdonald, Re: Driveway Permit Application – 62 Deer Street - Motion for Rehearing of the City Council's August 7, 2006 decision *(See attached memorandum from City Attorney Sullivan)*
- B. Letter from Attorney John Ryan, Casassa and Ryan, Re: Dover Realty Trust / HarborCorp Re-Zoning – Motion for Reconsideration and Rehearing pursuant to RSA Chapter 677:2 *(Proposed Conference Center)* *(See attached memorandum from City Attorney Sullivan)*
- C. Letter from Attorney Thomas Keane, Keane & Macdonald, Re: Ninety Seventy Six Realty Trust, 1000 Market Street Corporation, Trustee, Vs. City of Portsmouth – Motion for Reconsideration of Rehearing Re: HarborCorp Re-Zoning Pursuant to NH RSA 677:2 *(Proposed Conference Center)* *(See attached memorandum from City Attorney Sullivan)*
- D. Letter from Zhana Morris, The Music Hall, requesting for parking meter bags for the Music Hall's 2006-2007 Season
- E. Letter from Philip Pettis and Jameson French, Market Square Steeple Fund, requesting use of UDAG Funds for North Church Steeple Improvements
- F. Letter from Tim Veilleux, The Stone Pigeon, requesting permission to use the space in front of Breaking New Grounds, in Market Square for a poetry reading event and the use of a small-scale sound amplification system on October 9, 2006 from 7:00 p.m. – 9:00 p.m.

## 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 Ordinance amending Chapter 10, Article II, Section 10-208 (35) - Uses in Business Districts (**Action on this matter should take place under Section IX of the Agenda**)
  - 1.2 First reading of Ordinance amending Chapter 7, Article III, Section 7.327 – Limited Parking – Two Hours – Islington Street (**Action on this matter should take place under Section IX of the Agenda**)
  - 1.3 First reading of Ordinance amending Chapter 7, Article III, Section 7.325 – Limited Parking – Thirty Minutes – Islington Street (**Action on this matter should take place under Section IX of the Agenda**)
  - 1.4 First reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Brewster Street, Hanover Street, Islington Street and Rock Street (**Action on this matter should take place under Section IX of the Agenda**)
  - 1.5 First reading of Ordinance amending Chapter 7, Article III, Section 7.324 – Limited Parking – One Hour Islington Street (**Action on this matter should take place under Section IX of the Agenda**)
2. Public Hearing/Second Reading of Proposed Ordinance Amendment:
  - 2.1 Public Hearing/Second Reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Jenkins Avenue (**Action on this matter should take place under Section IX of the Agenda**)
  - 2.2 Public Hearing/Second Reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Livermore Street (**Action on this matter should take place under Section IX of the Agenda**)
3. Third and Final Reading of Proposed Resolution and Ordinance Amendments:
  - 3.1 Third and Final reading of Amendment to 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**)
4. Letter from Music Hall Regarding Parking Meter Bags (**Action on this matter should take place under Section XI of the Agenda**)

5. Challenge Grant for North Church Steeple Restoration (***Action on this matter should take place under Section XI of the Agenda***)

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

1. Request for First Reading on Bonding Resolution

**Informational Items**

1. Update on Revaluation
2. Report Back Re: Bicycle Friendly Communities
3. September 25<sup>th</sup> Work Session

**B. MAYOR MARCHAND**

1. \*Reports

**C. COUNCILOR PANTELAKOS**

1. Report Back and Requested Action Re: Dogs on Peirce Island

**D. COUNCILOR SMITH**

1. \*Disposal of (8 Islington Street) Old Library Building

**XIII. MISCELLANEOUS/UNFINISHED BUSINESS**

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

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

(\*Indicates verbal report)

**INFORMATIONAL ITEMS**

1. Planning Board minutes of the May 18, 2006 and July 20, 2006 meetings
2. Zoning Board of Adjustment minutes of the November 15, 2005, May 23, 2006, June 20, 2006, and June 27, 2006 meetings
3. Historic District Commission minutes of the April 19, 2006; May 3, 2006 and May 10, 2006 meetings
4. Joint School Advisory Committee minutes of the August 16, 2006 meeting

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