

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON JANUARY 22, 2007, 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. Presentation - Interim Report from Mayor's Blue Ribbon Committee on Building Re-use Re: Disposition of the Old Library – Heather Hurtt – Ms. Hurtt reviewed the goals and deliverables of the Committee and outlined those items which have been completed and those that remain in progress. She advised the City Council that the Building Re-use Committee is recommending that an RFP be issued within the next month to elicit public and private re-uses. Emphasis should be on viable re-uses with solid financial plans and partnerships (non-profits and public/private).
2. Voted to suspend the rules in order to take up Item X. D.1. - Action on Old Library Building Re-use.
3. Action on Old Library Building Re-use – Voted to authorize the City Manager to issue an RFP that would look for public and private re-uses of the old library and to accept the Interim Report dated January 22, 2007 from the Mayor's Blue Ribbon Committee on Building Re-use.
4. Acceptance of Minutes – January 8, 2007 – Moved to approve and accept the minutes of the January 8, 2007 City Council meeting. Councilor Whitehouse requested that his comments expressing concern relative to the large amount of paper work contained in the packet, specifically the report back regarding bicycle friendly communities be added to the minutes under Miscellaneous/Unfinished Business. Motion passed with Councilor Whitehouse's comments being noted as part of the January 8, 2007 minutes.
5. Public Comment Session – There were three speakers: Peter Bresciano (Rezoning); Elisa Loeser and Kristin Scott (Student Government Day).
6. Voted to suspend the rules in order to take up Item VIII. H. under the Consent Agenda – Letter from Elisa Loeser, Student Council President and Mary Carey Foley, Student Council Adviser, requesting permission to hold Student Government Day 2007 on Wednesday, April 11, 2007.
7. Letter from Elisa Loeser, Student Council President and Mary Carey Foley, Student Council Adviser, requesting permission to hold Student Government Day 2007 on Wednesday, April 11, 2007 – Voted to refer to the City Manager with power and accept the letter as submitted.
8. Acceptance of Grant for the Cities Readiness Initiatives in the amount of \$4,093.00 – Voted to authorize the City Manager to accept and expend these funds from the New Hampshire Department of Health and Human Services for the purpose of operationalizing our POD Clinic.

9. Consent Agenda – Voted to adopt the Consent Agenda as presented.

A. Acceptance of Donations to the Coalition Legal Fund

- Town of New Castle - \$500.00
- Town of Hampton Falls - \$1,000.00
- Town of Lincoln - \$1,000.00
- Town of Moultonborough - \$1,000.00
- Town of Newington - \$1,000.00

(Anticipated action – move to approve and accept the donations as listed, to be placed in the Coalition Legal Fund)

B. Acceptance of Donations to the New Library Building Fund

- Jill H. Breneman - \$50.00
- PM Campbell - \$100.00
- O. L. & Sharon S. Thagard - \$100.00
- Roberta O. & Barry P. Finkelstein - \$100.00
- Anne Rouse & Matthew P. Sudduth - \$250.00

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

C. Letter from Donald Allison, Eastern States 20 Mile, requesting permission to hold the Eastern States 20 Mile Road Race on Sunday, March 25, 2007 ***(Anticipated action – move to refer to the City Manager with power)***

D. Letter from Christopher Courage, American Lung Association, requesting permission to hold the 22nd annual Clean Air Challenge Seacoast Bike Tour on May 19, 2007 and May 20, 2007 ***(Anticipated action – move to refer to the City Manager with power)***

E. Letter from Emily Yadati, American Diabetes Association, requesting permission to hold the America's Walk for Diabetes on Saturday, September 29, 2007 ***(Anticipated action – move to refer to the City Manager with power)***

F. Letter from Kaarin Olofsson, Greater Portsmouth Chamber of Commerce, requesting permission to hold the 12th annual Harbour Trail Road Race on Saturday, July 14, 2007 ***(Anticipated action – move to refer to the City Manager with power)***

G. Letter from Allyson Welsh, Cystic Fibrosis Foundation, requesting permission to hold the 2007 Seacoast Safari for CF on Saturday, July 21, 2007 ***(Anticipated action – move to refer to the City Manager with power)***

10. Letter from Deborah Childs, John Paul Jones House Museum, requesting permission for the Portsmouth Historical Society to borrow the A View of Portsmouth, NH from Freeman's Point painting from the Council Chambers for an exhibit being held June 1, 2007 through October 31, 2007 – Voted to refer to the City Manager for report back.

11. Request from Farah's Special Occasion to place one A-frame sign in front of building located at 110 Fleet Street – Voted to refer to the City Manager with power.
12. Planning Board Report Back on the Request of The Housing Partnership for an Access Easement on Bedford Way – Voted to postpone action on the Bedford Way easement until such time as The Housing Partnership has requested that the City Manager place the easement back before the City Council.
13. Staff Recommendation and Report Back on Letter from Temple Israel – Voted to adopt the recommendation by City staff.

Staff Recommendation as follows:

- *In that Portsmouth's historic buildings and streetscapes are key to the City's economic vitality and unique character, a public benefit accrues when improvements are made to the facades of buildings that a) enhance and preserve the City's historic character and are located within the City's Historic District; and b) have demonstrated that they provide a public benefit to the extent that the religious, charitable or educational organizations that own those buildings are exempt from local property taxes on those buildings because of the public benefit they provide; and*
- *The portion of building permit fees to be waived should be rationally related to the dollar value of the proposed (exterior) façade improvements; and*
- *Building permit applicants that meet the above criteria and wish to have a portion of their building permit fees waived, should make a request in writing to the City Council, which specifies a) the amount of public benefit provided, which would be the dollar value of proposed façade improvements; b) the location of their project within the Historic District; and c) documentation of their local property tax exemption status as determined by the City Assessor*
- *Each request to waive a portion of the building permit fee should be reviewed and considered for approval by the City Council on a case by case basis, after referral to City staff for a recommendation and report back*

Deputy City Manager Hayden advised the City Council in the case of Temple Israel, once they submit building plans to the Inspection Department; staff will be able to use the above criteria, to calculate the amount of their building permit fee that would be waived under this policy.

14. Report Back Re: Proposed Zoning Amendment Regulating Formula Businesses with the Historic District – Moved to table indefinitely. Voted to amend the motion not to table indefinitely but to refer back to the Planning Board for refinement with respect for how they would address specific issues of emblems, signage and lighting as they fit within the character of the downtown. Main motion passed as amended.
15. Maxam Property Easement – Voted to refer this matter to the Planning Board to provide a report back to the City Council approving the acquisition of this parcel and execution of the Conservation Easement Deed.

16. Request to Renew Lease of Seacoast Area Lodge No. 2303 Order Sons of Italy in America – Voted to authorize the City Manager to extend the Lease with the Seacoast Area Lodge No. 2303 Order Sons of Italy in America for the property known as the Plains School House at One Plains Avenue, for a period of April 1, 2007 through March 31, 2008.
17. Update on Elderly and Disabled Persons Exemptions – Voted to authorize the City Manager to bring back for first reading at the February 12, 2007 City Council meeting the resolutions as presented.
18. Request to Dispose of Surplus Vehicles and Other Equipment – Voted to authorize the City Manager to dispose of surplus vehicles and other equipment by the sealed bid process.
19. Request to Bring Back for First Reading Proposed Ordinance Amendments to Chapter 7 – Voted to authorize the City Manager to bring back for first reading at the February 12, 2007 City Council meeting the ordinance amendments as submitted.
20. Request for Memorial Tree – Voted to authorize the Trees and Greenery Committee to select the appropriate tree species and location for the planting of a tree.
21. Appointments to be Considered – The City Council considered the appointment of Elizabeth A. Shepard-Rabadam to the Citywide Neighborhood Association and the appointment of Sandra Dika to the Historic District Commission from an alternate to a regular member. The City Council will vote on these appointments at the February 12, 2007 City Council meeting.
22. Appointments to be Voted – Voted to appoint John R. Howe to the Traffic & Safety Committee filling the unexpired term of Herbert Bunnell until January 1, 2008.

Voted to appoint Richard G. Adams as an alternate to the Conservation Commission filling the unexpired term of James Horrigan until April 1, 2009.

Voted to appoint Richard Smith to the Peirce Island Committee.
23. Traffic & Safety Committee Action Sheet and Minutes of the January 11, 2007 meeting – Voted to approve and accept the action sheet and minutes of the January 11, 2007 Traffic & Safety Committee meeting.
24. Parking Committee Action Sheet and Minutes of the January 11, 2007 meeting – Voted to approve and accept the action sheet and minutes of the January 11, 2007 Parking Committee meeting.
25. Adjournment – At 9:05 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC
City Clerk