

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON FEBRUARY 12, 2007, COUNCIL CHAMBER, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR MARCHAND, ASSISTANT MAYOR FERRINI, COUNCILORS GRASSO, DWYER, RAYNOLDS, WHITEHOUSE, SMITH AND HYNES

ABSENT: COUNCILOR PANTELAKOS

1. Proclamation – Read Across Portsmouth Day – Councilor Grasso read the Proclamation declaring February 23, 2007 as Read Across Portsmouth Day. Councilor Grasso presented the Proclamation to Linda Marconi who accepted it with thanks and appreciation.
2. Proclamation – American Red Cross Month – Councilor Dwyer read the Proclamation declaring March as American Red Cross Month. Councilor Dwyer presented the Proclamation to Karen Vinciguerra McCarthy who accepted it with thanks and appreciation.
3. Presentation – Mimi White, Poet Laureate – What Is Home – Ms. White presented the City Council with a book of poetry from various authors entitled What Is Home.
4. Acceptance of Minutes – January 22, 2007 – Voted to approve and accept the minutes of the January 22, 2007 City Council meeting.
5. Voted to suspend the rules in order to take up Item XI. A.1. – Approval of Tentative Five (5) Year Agreement for Police Chief Michael Magnant.
6. Approval of Tentative Five (5) Year Agreement for Police Chief Michael Magnant – On a unanimous roll call 8-0, voted to approve this five (5) year agreement to expire on January 3, 2013 with Michael J. Magnant, Police Chief, as presented.
7. Voted to suspend the rules in order to take up Item X. A. – Letter from Kathie Lynch, Portsmouth Little League, Inc., requesting permission to place temporary signage at the Plains and Hislop Park baseball fields during the 2007 baseball season as well as permission to maintain signage to the rear of the Plains scoreboard.
8. Letter from Kathie Lynch, Portsmouth Little League, Inc., requesting permission to place temporary signage at the Plains and Hislop Park baseball fields during the 2007 baseball season as well as permission to maintain signage to the rear of the Plains scoreboard – Voted to refer to the City Manager with power.
9. Voted to suspend the rules in order to take up Item X. B. - Letter from Barbara Massar, Pro Portsmouth Inc., requesting permission to close Pleasant Street from Porter Street to Market Square to hold “Summer in the Street” on the following dates: June 23rd, June 30th, July 7th, July 14th, July 28th, and August 4th (rain date August 11th).

10. Letter from Barbara Massar, Pro Portsmouth Inc., requesting permission to close Pleasant Street from Porter Street to Market Square to hold "Summer in the Street" on the following dates: June 23rd, June 30th, July 7th, July 14th, July 28th, and August 4th (rain date August 11th) – Voted to refer to the City Manager with power.
11. Voted to suspend the rules in order to take up Item VII. A. – Acceptance of Phase II Regional Influenza Pandemic Planning Grant.
12. Acceptance of Phase II Regional Influenza Pandemic Planning Grant – Voted to authorize the City Manager to apply for, accept, and expend a grant from the New Hampshire Department of Health and Human Services for the purposes of developing regional public health emergency plans, which includes plans for key capabilities that will be necessary to respond to an influenza pandemic.
13. Public Comment Session – There were three speakers: Henry Sanders and David Forman (Middle School); and Aerial Sillanpaa (Deer Street Flags).
14. Acceptance of Donations to the New Library Building Fund
 - Laurinda L. Hill and David M. Holden - \$800.00
 - Peter B. and Shirley A. Holden - \$1,000.00
 - Kristin and Silas Beane - \$1,000.00
 - Portsmouth Garden Club - \$1,000.00
 - John R. and Skye Maher - \$2,000.00
 - Phyllis Eldridge - \$7,000.00

Voted to approve and accept the donations to the New Library Building Fund as listed.
15. Voted to suspend the rules in order to allow for an additional speaker for the Public Comment Session.
16. Public Comment Session Additional Speaker - Dan Rawling (Conference Center Stair Tower Design).
17. Voted to suspend the rules in order to take up Item X. F. – Letter from Deer Street merchants' requesting permission to hang "Deer Street Open' flags at each of their locations. Councilor Smith abstained from voting.
18. Letter from Deer Street merchants' requesting permission to hang "Deer Street Open' flags at each of their locations – On a roll call 7-0, voted to refer to the City Manager with power. Councilor Smith abstained from voting. City Manager Bohenko stated that the merchants' would need to request permission on an annual basis to hang the flags.
19. First reading of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Elderly Real Estate Tax Exemption to \$30,600.00 for single and \$37,740.00 for married and total assets may not exceed \$102,000.00 whether single or married – Voted to pass first reading and schedule a public hearing and adoption at the March 5, 2007 City Council meeting.

20. First reading of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Disabled Real Estate Tax Exemption to \$30,600.00 for single and \$37,740.00 for married and total assets may not exceed \$102,000.00 whether single or married – Voted to pass first reading and schedule a public hearing and adoption at the March 5, 2007 City Council meeting.
21. First reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Maplewood Avenue by the addition from the US Route 1 Bypass northbound off ramp to Prospect Street – Voted to pass first reading and schedule a public hearing and second reading at the March 5, 2007 City Council meeting.
22. First reading of Ordinance amending Chapter 7, Article III, Section 7.321 (G) – Snow Emergency Parking Ban; Section 7.324 – Limited Parking – One Hour by the deletion of Chatham Street: southerly side from Summer Street to Winter Street; Section 7.326 – Limited Parking – 15 Minutes by the addition of Hanover Street: northerly side, first two spaces east of High Street; northerly side, two spaces 246 feet west from the intersection of High Street; Section 7.327 – Limited Parking – Two Hours – by the addition of Church Street: easterly side, two spaces 26 feet south of State Street; Section 7.330 – No Parking – Hanover Street by the addition of the southerly side from Market Street to a point 285 feet east of Fleet Street; and Section 7.403 to be entitled Length of Vehicles – Vehicles Parking in Off-Street Parking Areas shall not exceed 19 feet in length – Voted to pass first reading and schedule a public hearing and second reading at the March 5, 2007 City Council meeting.
23. First reading of Ordinance amending Chapter 10, Section 10-102 – Definition: Floor Area Ratio; Section 10-304 (A) Business – Table 10 Dimensional Requirements; and Section 10-304 – New (E) and (F) for Central Business A District (CBA) – Voted to pass first reading on the ordinance as presented, schedule a public hearing and second reading for March 19, 2007 and refer to the Planning Board for a report back; with the request that the Planning Board also report back on the previous amendment that was referred to them that had the effect of changing maximum building height from 50 feet to 40 feet within the Central Business A District prior to the March 19, 2007 meeting of the City Council.
24. Consent Agenda – Voted to adopt the Consent Agenda as presented.
- A. Acceptance of Donations to the Coalition Legal Fund
- Town of Hebron - \$1,000.00
 - Town of Grantham - \$1,000.00
 - Town of Bridgewater - \$1,250.00
 - Town of Tuftonboro - \$5,000.00
- (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
- Heather E. Armitage - \$20.00
 - RB Cole - \$25.00
 - Henry A. Gill - \$35.00
 - Marsha J. Richelli - \$50.00
 - IMHOFF Consulting Project LLC - \$100.00
 - William, Susan and Alexandra Manfull - \$100.00
 - Nicholas and Lea H. Aeschliman - \$100.00
 - Richard Katz - \$100.00
 - Albert B. Glassenberg - \$500.00
 - Edith Gipstein Revocable Trust and Edward Gipstein Trustee - \$500.00

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

- C. Acceptance of Wellness Grant - \$3,754.00 ***(Anticipated action – move to accept the Wellness Grant in the amount of \$3,754.00 from the Trust’s Health Promotion WELLDollars Grant Program)***
- D. Acceptance of Anonymous Donation to the Portsmouth Police K-9 Unit in the amount of \$10.00 ***(Anticipated action – move to approve and accept the donation to the Portsmouth Police Department as listed)***
- E. Letter from Marjorie Hubbard, Greater Portsmouth Chamber of Commerce, requesting permission to hang Portsmouth Harbour Trail flags at 26 key sites for the 2007 season ***(Anticipated action – move to refer to the City Manager with power)***
- F. Letter from Christine Groleau, The Children’s Museum of Portsmouth, requesting permission to hold the Annual 5k Road Race and Kid’s Fun Run on Saturday, May 5, 2007 at 9:00 a.m. ***(Anticipated action – move to refer to the City Manager with power)***
25. Letter from Tina Peiffer, Portsmouth Percussive Dance Festival, requesting permission to hold a street dance on Saturday, June 30, 2007 at 12:00 p.m. – Voted to refer to the City Manager with power.
26. Letter from Petra Barstow, PHS “100 Voices Choir”, requesting a donation toward the PHS Students performance at the Riverside Church in New York City in April – Motion to expend \$5,000.00 from the Contingency Fund for the PHS “100 Voices Choir” ***failed*** to pass. Councilor Whitehouse voted in favor. Assistant Mayor Ferrini, Councilors Grasso, Dwyer, Reynolds, Smith, Hynes and Mayor Marchand voted opposed.
27. Letter from Joanne Grasso, Co-Chair and Kent LaPage, Co-Chair, Joint Building Committee for the High School Renovations/Construction Project, requesting that the City Council accept the final report of the Joint Building Committee pursuant to RSA 199:4-a – Voted to accept the final report of the Joint Building Committee pursuant to RSA 199:4-a.

28. Request from Upscale Nails to place one A-frame sign in front of their establishment located at 59B Deer Street – Voted to refer to the City Manager with power. Councilor Smith abstained from voting.
29. Request for Approval of Joint Use Agreement with PSNH – Voted to authorize the City Manager to enter into a Joint Use Agreement with PSNH for purposes of facilitating the construction of the Borthwick sewer line and further authorize the City Manager to expend up to \$13,000.00 if necessary.
30. Seacoast Growers' Association (Farmers' Market) Proposed 2007 License Agreement – Voted to authorize the City Manager to enter into a License Agreement with the Seacoast Growers' Association as presented.
31. Establish a Public Hearing Re: Re-use of Doble Reserve Center – Voted to establish a public hearing on Wednesday, April 4, 2007, at 7:00 p.m., regarding the Re-use of the Doble Reserve Center.
32. Disposal of Library Surplus Property – Voted to authorize the City Manager to dispose by any effective means surplus furniture and shelving from the old public library.
33. Appointments to be Voted – Voted to appoint Elizabeth A. Shepard-Rabadam to the Citywide Neighborhood Association until April 1, 2008.

Voted to appoint Sandra Dika as a regular member of the Historic District Commission. Sandra will be filling the unexpired term of John Rice until June 1, 2007.

On a roll call vote 4-4, motion to reappoint Duncan MacCallum to the Zoning Board of Adjustment failed to pass. Councilors Grasso, Dwyer, Whitehouse and Smith voted in favor. Assistant Mayor Ferrini, Councilors Reynolds, Hynes and Mayor Marchand voted opposed.

34. Acceptance of Resignation – Voted to accept with regret the resignation of John Rice from the Historic District Commission effective March 7, 2007.
35. Miscellaneous/Unfinished Business – Voted to establish a Work Session on March 28, 2007 at 6:30 p.m. in the City Council Chambers with presentations by Arthur Maerlender, Jr., Dartmouth Medical School regarding adolescent needs, Beth Della Valle, Land Use Team Coordinator, to discuss sprawl and school in there relationship to sprawl, and John Corrigan, Safe Routes to School Coordinator to regarding NH Safe Routes to Schools.
36. Adjournment – At 9:00 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC
City Clerk