

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MAY 7, 2007, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, 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 6:00 p.m., the City Council held a Work Session with the Blue Ribbon Committee on Board and Commission Appointment Process.
2. Presentation - Building Re-use Committee Final Report – Heather Hurtt – Ms. Hurtt reviewed the final report of the Building Re-use Committee and outlined the recommendations for the six properties reviewed.

Former Public Library

Recommendations:

The City retain long-term ownership.

The City issue a Request for Proposal (RFP) for redevelopment of the property using the ground-lease method of long term control. RFP should illicit public and private re-uses, including partnerships, with an emphasis on solid financial plans. Response time should be 90 days.

Lafayette School

Recommendations:

The City retain long-term ownership.

The City issue a Request for Proposal (RFP) for redevelopment of the property using the ground-lease method of long-term control. RFP should include expectations for retention of the playground and park. Response time should be 60 days.

Rock Street Garage

Recommendations:

The City retain long-term ownership.

The City issue a Request for Proposal (RFP) for redevelopment of the property using the ground-lease method of long-term control. Response time should be 60 days.

Plains School & Creek Athletic Club

Recommendations:

The City require that before the end of the respective leases, current tenants develop and demonstrate a public benefit as part of their mission.

The City assess property and increase the annual rent from \$1/year to the annual property tax amount; increase would begin at the beginning of the next lease period.

The City apply all lease revenues to property stewardship and to adjacent park in the case of the Creek Athletic Club. This procedure should be reviewed annually.

South Meeting House

Recommendations:

The City investigate further opportunities associated with partnerships with neighborhood groups. For example, The Friends of the South End who has already developed a conceptual proposal for the property. Other groups that would complement the building's use in this neighborhood setting should be considered if they appear.

3. Acceptance of Recommendations from the Building Re-use Committee – Voted to accept and move forward with the recommendations as outlined from the Building Re-use Committee for the Rock Street Garage, Plains School and the Creek Athletic Club properties.
4. Acceptance of Minutes – April 16, 2007 and April 18, 2007 – Voted to approve and accept the minutes of the April 16, 2007 and April 18, 2007 City Council meetings.
5. Public Comment Session – There were twelve speakers: Harold Ecker (City Business); Tom Bolko (Bicycle Race ADA); John Tinios, George Carlisle (Popovers Outside Seating); Peter Bresciano, Russ Grazier (Art Speak Grant); Mark Allinson, Nancy Beach, Brian Vawter, Liz Doucette, Tim Stone and Tim Allison (Rezoning Lafayette Road).
6. Public Hearing - Ordinance amending Chapter 10, Article II, Section 10-208 – Uses in Business Districts – Table 4 and Chapter 10, Article II, Section 10-209 – Uses in Industrial Districts – Table 5 regarding the Regulation of Amusement Parks/Outdoor Recreation in the Industrial & General Business Districts Respectively – Held a public hearing. Voted to pass second reading of the amended ordinance, as submitted and hold third and final reading at the May 21, 2007 City Council meeting.
7. Acceptance of Donation from Wal-Mart Foundation for the Portsmouth Police Explorers - \$1,000.00 – Voted to approve and accept the donation to the Portsmouth Police Department as listed.

8. Acceptance of Homeland Security Grant from NH Department of Safety to the Police Department for the purchase of 30 APCO-25 compliant digital/analog portable radios - \$50,550.00 – Voted to approve and accept the grant to the Portsmouth Police Department as listed.
9. Acceptance of Highway Safety Grant to the Police Department for “Portsmouth DWI Patrols” - \$3,666.66 – Voted to approve and accept the grant to the Portsmouth Police Department as listed.
10. Acceptance of New Hampshire Charitable Foundation (NHCF) Grant - \$4,650.00 – Voted to accept the NHCF grant award and authorize the City Manager to oversee its administration.
11. Acceptance of Donation to the New Library Building Fund - Stephen L. and Susan S. Tober - \$2,750.00 – Voted to approve and accept the donation to the New Library Building Fund as listed.
12. First reading of Ordinance amending Chapter 1, Article IX, Section 1.901 – Conflict of Interest by the amendment to Mandatory Financial Disclosure in Article IX, and the addition of a new Section 1.902 – Election Candidate Financial Disclosure – Voted to pass first reading of the amended ordinance, as submitted, and hold a public hearing and second reading at the May 21, 2007 City Council meeting.
13. First reading of Ordinance amending Chapter 10, Article I, Section 10-102 Definitions by the addition of Light Industry and Article XV, Section 10-1508 - establishing a Process by which to Consider a Non-residential Planned Unit Development Type Use within an Office Research Zoning District – Voted to pass first reading of the amended ordinance, as submitted, and hold a public hearing and second reading at the May 21, 2007 City Council meeting.
14. Consent Agenda – Voted to adopt the Consent Agenda as presented.
 - A. Renewal Request for Sidewalk Obstruction Licenses from the following businesses with no changes from last year
 - Helen Marks – 1 A-frame sign
 - Riverrun Bookstore, Inc. – 1 Table and 1 A-frame sign

(Anticipated action – move to refer to the City Manager with power)
 - B. Letter from Mary Carey Foley, Student Council Adviser, thanking the City Council for a successful 2007 Student Government Day ***(Anticipated action – move to accept and place the letter on file)***
 - C. Letter from Sister Mary Agnes, St. Charles Children’s Home, requesting permission to hold a 5k race on Monday, September 3, 2007 at 9:00 a.m. at the Pease International Tradeport ***(Anticipated action – move to refer to the City Manager with power)***

15. Letter from Scott Bogle, Rockingham Planning Commission, requesting permission to hold the annual Bike/Walk to Work Day free Commuter Breakfast event in Market Square on Friday morning, May 18, 2007 from 7:00 a.m. – 10:00 a.m. – Voted to refer to the City Manager with power.
16. Voted to suspend the rules in order to take up Item XII. A.4. - Grant Funding Request Re: Art Speak.
17. Grant Funding Request Re: Art Speak – On a roll call 7-2, voted to approve the grant request for \$20,000.00 from the City's UDAG funds to partially cover the labor costs for delivery of Art-Speak services. Assistant Mayor Ferrini, Councilors Dwyer, Reynolds, Whitehouse, Smith, Hynes and Mayor Marchand voted in favor. Councilors Grasso and Pantelakos voted opposed.
18. Letter from Susan Turner, Rockingham County Community Resource Network, Inc. requesting permission to hold a memorial service for friends who have died and who have suffered homelessness on May 18, 2007 at 10:30 a.m. – 12:00 p.m. at Goodwin Park – Voted to refer to the City Manager with power.
19. Letter from Brendan Cooney, Seacoast Local Festival, requesting permission to hold the Second Annual Seacoast Local Festival on Saturday, September 8, 2007 from 1:00 p.m. – 6:30 p.m. and further request the closing of Pleasant Street from State Street to Porter Street for the event – Voted to refer to the City Manager with power.
20. Letter from John Tinios, Popovers on the Square, requesting the reconfiguration of sidewalk tables and chairs and bike rack – Voted to refer the aforementioned matter to the City Manager for report back.
21. Letter from Dick Samuels, Water Country, requesting permission to hold a City Employee's Day on Saturday, June 16, 2007 from 1:30 p.m. to 6:00 p.m. – Voted to refer to the City Manager with power.
22. Letter from Carl Diemer, President, Portsmouth Babe Ruth League, requesting permission to install temporary signage at Leary Field for the 2007 baseball season (Not on Agenda) – Voted to allow the Portsmouth Babe Ruth League to install signage in accordance with the authorization of the City Manager.
23. Request to Establish Joint Work Session with the City Council and School Board Re: Study Circles – Voted to establish this Joint Work Session on Monday, June 18, 2007 at 6:30 p.m. and reschedule its regular meeting to June 25, 2007.
24. Request to Establish City Council Final Budget Review Work Session and Cancel Special City Council Meeting – Voted to establish a Final Budget Review Work Session meeting on Tuesday, May 15, 2007 and cancel the May 29, 2007 City Council Special meeting, and further, leave the option of holding a meeting to adopt the budget on May 22, 2007.

25. Planning Board Report Back Re: Perry Silverstein of 10 Commercial Alley Seeking an Easement from the City to Allow for a Foundation and Building Overhangs to Extend Over and Above a Public Right-of-Way – Voted to approve the recommendation of the Planning Board to grant an easement to allow for the following:
- Copper gutters and their attachment;
 - Window granite heads and sills;
 - Exterior lighting fixtures;
 - Marquis cornice and drip edge;
 - Window trim and sill around the display windows; and,
 - Foundation footing
26. Acceptance of Right of Entry and Quitclaim Deed from K.S.C. LLC, 141 Congress Street – Voted to authorize the City Manager to accept the required Right of Entry and Quitclaim Deed from K.S.C. LLC.
27. Doble Army Reserve Center Reuse Plan Options – Voted to allow the City Manager to bring this back for the May 21, 2007 agenda to vote on the preferred option so that we may establish a public hearing for June 4, 2007.
28. Informational Item – Report Back to Councilor Harold Whitehouse Re: Motorized Scooters and Handicapped Flags – Voted to authorize the City Attorney to conduct an outreach program regarding this matter and report back to the City Council with further recommendations to address this issue.
29. Appointments to be Considered – The City Council considered the appointment of MaryLiz Geffert as an Alternate to the Planning Board and reappointment of James Melfi to the Citywide Neighborhood Steering Committee. These appointments will be voted on by the City Council at the May 21, 2007 meeting.
30. Appointments to be Voted – Voted to reappoint Gary Lowe as an Alternate to the Cable Television and Communications Commission until April 1, 2009.
31. Upcoming Appointment Vacancies for the month of June – Mayor Marchand announced that four individuals terms will be expiring June 1, 2007 from the Historic District Commission. The vacancies will consist of 3 regular members and 1 alternate position. Mayor Marchand urged anyone wishing to apply to submit an application with the City Clerk's office or the Mayor's Office. Also, individuals can download applications from the City's website.
32. Safe Routes to School Appointments – Moved to appoint Steve Pesci and Bill Lyons as public members to the Safe Routes to School Committee. Voted to table the motion to appoint Steve Pesci and Bill Lyons to the Safe Routes to the School Committee. Councilor Raynolds voted opposed. On a roll call vote 1-8, motion to expand the Safe Routes to School Committee by two additional members *failed* to pass. Councilor Raynolds voted in favor. Assistant Mayor Ferrini, Councilors Grasso, Dwyer, Pantelakos, Whitehouse, Smith, Hynes and Mayor Marchand voted opposed.

33. Voted to suspend the rules in order to continue the meeting beyond 10:00 p.m. Councilor Grasso voted opposed.
34. Rooming House Ordinance – Voted to authorize the City Attorney to come back with an ordinance addressing safety in our community with respect to activities in the Islington Street area.
35. Portsmouth Listens Mailing and Other Expenses - \$3,500.00 – On a roll call 8-1, voted to authorize the City Manager to expend up to \$3,500.00 from the Contingency Fund for expenses incurred by Portsmouth Listens. Assistant Mayor Ferrini, Councilors Grasso, Dwyer, Reynolds, Whitehouse, Smith, Hynes and Mayor Marchand voted in favor. Councilor Pantelakos voted opposed.
36. Traffic & Safety Committee Action Sheet and Minutes of the April 12, 2007 meeting – Voted to approve and accept the Traffic & Safety Committee action sheet and minutes of the April 12, 2007 meeting.
37. Parking Committee Action Sheet and Minutes of the April 12, 2007 meeting – Voted to approve and accept the Parking Committee action sheet and minutes of the April 12, 2007 meeting.
38. Adjournment – At 10:45 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC
City Clerk