

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON JUNE 4, 2007, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

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

ABSENT: ASSISTANT MAYOR FERRINI

1. Proclamation - Portsmouth High School Boys' Tennis Team Class I Title Champions – Mayor Marchand read the Proclamation recognizing the 2007 Portsmouth High School Boys' Tennis Team perfect 17-0 season and congratulating them on winning the Class I State Championship title. Mayor Marchand presented the Proclamation to Coach Dana Levenson who accepted it with thanks and appreciation.
2. Proclamation - Market Square Day 30th Anniversary – Councilor Whitehouse read the Proclamation declaring June 9, 2007, as the 30th Anniversary of Market Square Day. Mayor Marchand presented the Proclamation to Executive Director Barbara Massar who accepted it with thanks and appreciation.
3. Presentation – Annual Report from Art-Speak – Russ Grazier – Mr. Grazier provided the Annual Report of Art-Speak to the City Council.
4. Acceptance of Minutes – May 14, 2007 and May 21, 2007 – Voted to approve and accept the minutes of the May 14, 2007 and May 21, 2007 City Council meetings.
5. Voted to suspend the rules in order to take up Items XII. A.3. - Authorization to Utilize up to \$50,000.00 from Contingency Fund Re: Fire Department FY07 Budget and XII. A.8. - Request to Extend Agreement between City of Portsmouth and Art-Speak.
6. Authorization to Utilize up to \$50,000.00 from Contingency Fund Re: Fire Department FY07 Budget – On a unanimous roll call 8-0, voted to authorize the City Manager to reserve up to \$50,000.00 from the current year contingency to cover the Fire Department deficit.
7. Request to Extend Agreement between City of Portsmouth and Art-Speak – Voted to authorize the City Manager to extend the agreement from July 1, 2007 through June 30, 2008.
8. Public Comment Session – There were six speakers: David LaFevers, Nancy LaFevers (Noise in Market Square Area); Joel Carp, Tom Carroll (Port); Dick DeChard (Upcoming Appointment Vacancies); and Pat Deshaies (Parking Motorcycles on New Brick Sidewalks).

9. Public Hearing – Resolution Authorizing Borrowing in Anticipation of Revenues and Taxes in the amount of \$16,000,000.00 – Held a public hearing. Voted to adopt the Resolution for FY08 authorizing borrowing in anticipation of revenues and taxes in the amount of \$16,000,000.00.
10. Public Hearing - Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Fleet Street: Westerly side from Congress Street to a point 135 feet in the northerly direction – Held a public hearing. Voted to pass second reading and hold a third and final reading at the June 25, 2007 City Council meeting.
11. Public Hearing – Proposed Re-use of the Paul A. Doble Army Reserve Center for Municipal Use, such as a Recreation Facility or Police Station – Held a public hearing.
12. Councilor Pantelakos requested that City Attorney Sullivan review the law that was passed last year by the State relative to the noise created by motorcycles and radios in vehicles and refer the information to the Police Department. She also requested motorcycles be prohibited from parking on the brick sidewalks in the downtown.
13. Acceptance of Donation from Lynne and David Weihrauch in the amount of \$390.00 for the planting of a red oak tree in Langdon Park in honor of Sandra Elizabeth Richardson – Voted to approve and accept the donation from Lynne and David Weihrauch, as listed.
14. Acceptance of Police Department Donations in support of the PAL Summer Girls Basketball League:
 - \$100.00 from Elite Sports Performance, LLC
 - \$100.00 from Chubrich & Harrigan, P.A.
 - \$100.00 from The Eyeglass Shop, P.L.L.C.
 - \$100.00 from Spectrum by Design, Inc.
 - \$100.00 from the Portsmouth Police Ranking Officers Association
 - \$100.00 from Nurse Audit, Inc.
 - \$100.00 from The Green Monkey, L.L.C.

Voted to approve and accept the donations to the Portsmouth Police Department, as listed.
15. Acceptance of Police Department Donations to support the Police Honor Guard:
 - \$500.00 from the Portsmouth Police Ranking Officers Association
 - \$500.00 from Gerald Howe and Jocelyn Frechette
 - \$2,000.00 from Mr. Karl Hahn

Voted to approve and accept the donations to the Portsmouth Police Department, as listed.
16. First reading of Resolution Authorizing a Bond Issue of up to Two Million Five Hundred Thousand Dollars (\$2,500,000.00) for FY08 Street, Sidewalk and Bridge Replacement Projects – Voted to pass first reading to authorize bonding in the amount of two million five hundred thousand dollars (\$2,500,000.00) for street, sidewalk and bridge replacement projects and schedule a public hearing and adoption at the June 25, 2007 City Council meeting.

17. First reading of Resolution Authorizing a Bond Issue of up to Five Hundred Thousand Dollars (\$500,000.00) for FY08 School Building Improvements – Voted to pass first reading to authorize bonding in the amount of five hundred thousand dollars (\$500,000.00) for school building improvements and schedule a public hearing and adoption at the June 25, 2007 City Council meeting.

Councilor Whitehouse requested that City Manager Bohenko provided him with a report indicating what type of windows and when they were replaced at the Middle School.

18. Third and final 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 third and final reading of the amended ordinance, as submitted. Councilor Whitehouse voted opposed.
19. Letter from Phelps Dieck and Deb Weeks, The Green Monkey, requesting an extension of the license for their dumpster located on Church Street for the term length of The Green Monkey restaurant which is November 2013 – Voted to approve the annual renewal of the dumpster license.
20. Letter from Deborah Phillips requesting an extension of the license for her dumpster located on Church Street – Voted to approve the annual renewal of the dumpster license.
21. Letter from Dawn Burnett, PNF Realty, Inc., on behalf of Peter Floros and the State Street Saloon requesting an extension to the licenses for their dumpsters located on Church Street – Voted to approve the annual renewal of these dumpster licenses.
22. Letter from Mike Schwartz, Accountability Coalition, requesting permission to hold a public forum on health care plans of the candidates for US President at the Vaughn Walking Mall on June 24, 2007 from 12:00 p.m. – 3:30 p.m. – Voted to refer to the City Manager with power.
23. Request from Penelope Brewster, Ceres Bakery, for a sidewalk obstruction license for the placement of 2 tables and 10 chairs in front of establishment (*This is an amendment to the original license which approved the placement of 4 benches. The benches have been removed and replaced with 2 tables and 10 chairs*) – Voted to refer to the City Manager with power.
24. Adoption of Proposed Re-Use of the Paul A. Doble Army Reserve Center for Municipal Use, such as a Recreation Facility or Police Station – Voted to adopt the Reuse Plan and Homeless Application and recommend that the Department of Army transfer the Paul A. Doble Army Reserve Center parcel to the City of Portsmouth for a municipal re-use. Councilor Dwyer voted opposed.
25. Request to Establish Work Session with Portsmouth Historical Society Re: Old Library Re-use – Voted to establish a work session for the City Council meeting on August 6, 2007 at 6:00 p.m., with the Portsmouth Historical Society, to review their proposal regarding the re-use of the old library.

Councilor Grasso requested that an invitation to attend the work session be extended to the members of the Save the Old State House Blue Ribbon Committee.

26. Joint Use Agreement with UNH to Facilitate the Crossing of the City's Water Line Easement in Madbury – Voted to authorize the City Manager to negotiate and enter into a Joint Use Agreement with the University of New Hampshire for purposes of facilitating the crossing of UNH's bio-gas pipeline.
27. Request to Establish Friends of the South End Trust – Voted to establish a Trust for the Friends of the South End and authorize the City Manager to execute the appropriate document.
28. Report Back Re: Entry Steps at 466 Dennett Street – Voted to accept the aforementioned recommendation of City staff and grant the homeowner's request.
29. Approval of Proposed Labor Day / Peace Treaty Parade – Voted to approve the Labor Day / Peace Treaty Parade, as presented.
30. Referral to Planning Board Re: Exchange of Property Interests – Voted to refer the proposed conveyance of interests in real estate (Riverwalk) between the City of Portsmouth and DiLorenzo Real Estate LLC to the Planning Board for report back.
31. Appointments to be Voted – Voted to reappoint Kathleen Pearce to the Cable Television and Communications Commission until April 1, 2010.

Voted to appoint Jonathan Wyckoff effective July 1, 2007 as a regular member to the Historic District Commission until June 1, 2010. Mr. Wyckoff will be filling the expired term of David Adams.

Voted to reappoint Sandra Dika effective July 1, 2007 to the Historic District Commission until June 1, 2010.

Voted to appoint Tracy Kozak effective July 1, 2007 to the Historic District Commission until June 1, 2010. Ms. Kozak will be filling the expired term of Ellen Fineberg.

32. Upcoming Appointment Vacancies for the month of June - Mayor Marchand announced that the Historic District Commission is seeking an Alternate to serve on the Commission. 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.
33. Right-of-Way Re: Bedford Way – Councilor Dwyer advised the City Council that she will be placing this matter on the next City Council agenda seeking the City Council to remove the stipulation that the Portsmouth Housing Authority endorses the joint use concept as proposed by the proposal for use in a workforce housing project that would allow the Housing Partnership to share a portion of the easement to enter Bedford Way.
34. Request to Conduct Work Session Re: Master Plan Update – Voted to establish a work session on June 25, 2007 at 6:00 p.m. in order to receive an update on the Master Plan.

35. Traffic & Safety Committee Action Sheet and Minutes of the May 10, 2007 & May 24, 2007 meetings – Voted to approve and accept the action sheet and minutes of the May 10, 2007 Traffic & Safety Committee meeting.

Voted to approve and accept the action sheet and minutes of the May 24, 2007 Traffic & Safety Committee meeting.

36. Parking Committee Action Sheet and Minutes of the May 10, 2007 meeting – Voted to approve and accept the action sheet and minutes of the May 10, 2007 Parking Committee meeting.

37. Adjournment – At 9:30 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC
City Clerk