

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: DIANNE M. KIRBY, DEPUTY CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON JULY 16, 2007, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

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

ABSENT: MAYOR MARCHAND

1. At 6:15 p.m., the City Council held a Non-Meeting with Counsel Re: Litigation.
 2. Proclamation – National Night Out – Councilor Smith read the Proclamation declaring August 7, 2007 as “National Night Out” in Portsmouth. Assistant Mayor Ferrini presented the Proclamation to Sarah Mallard who accepted it with thanks and appreciation.
 3. Proclamation – USS Hartford Commander – Captain Brookhart and Chief of the Boat Tom Wright – Councilor Raynolds read the Proclamation sending the Council’s thanks and very best wishes to the officers and crew of the USS Hartford. Assistant Mayor Ferrini presented the Proclamation to Captain Brookhard and Chief Wright who accepted it with thanks and appreciation.
 4. Presentation – Save the Old State House Committee – David Engel, Chair of the Save the Old State House Committee presented a report outlining the history of the Committee and requested assistance from the Council by signing a letter to the New Hampshire Division of Historical Resources requesting they consider the location of the Old State House in the City of Portsmouth a high priority.
 5. Acceptance of Minutes – June 25, 2007 – Voted to approve and accept the minutes of the June 25, 2007 City Council meeting.
 6. Public Comment Session – There were fourteen speakers: Harold Ecker (City Business), Jack Blalock (Land Conveyance Between City & DiLorenzo), Eric Spear, Rick Chellman, David Forman, Rebecca Emerson, Tony Coviello, Jerry Stow, Carol Chellman, Heather Hurt, Lelita Morgan and Kirsten Barton (Middle School), Allen Nelson (Pierce Trust/Middle School); Ken White, (USO)
- Voted to suspend the rules in order to take up item XI D. – Old State House.
7. Voted to table the signing of the letter to the New Hampshire Division of Historical Resources until the work session scheduled for August 6, 2007 has been completed. On a roll call vote 5-3, motion to table the endorsing of the letter to the New Hampshire Division of Historical Resources until the work session scheduled for August 6, 2007 has been completed, motion passed. Assistant Mayor Ferrini, Councilors Dwyer, Raynolds, Smith and Hynes voted in favor. Councilors Grasso, Pantelakos and Whitehouse voted opposed.

8. Acceptance of Donation to the New Library Building Fund – Scott A. & Valencia L. Wilson - \$1,100.00 – Marie Wilson Memorial Plaque (Second payment of pledge for memorial plaque) – voted to approve and accept the donation to the New Library Building Fund, as listed.
9. First Reading of Resolution Authorizing a Bond Issue of up to Three Million Six Hundred Fifty Thousand Dollars (\$3,650,000.00) for the Construction of a New Fire Station to Replace Fire Station 2. – On a roll call vote 8-0 motion to pass first reading to authorize bonding in the amount of three million six hundred fifty thousand dollars (\$3,650,000.00) for the construction of a new fire station to replace Fire Station 2 and schedule a public hearing and adoption at the August 6, 2007 City Council meeting, motion passed.
10. Consent Agenda – Voted to adopt the Consent Agenda as presented.
 - A. Acceptance of Donation to the Fire Fighter Monument
 - Eugene C. & Diana F. Hersey - \$25.00

(Anticipated action – Move to approve and accept the donation to the Fire Fighter Monument, as listed)
 - B. Acceptance of donation to the Coalition Legal Fund
 - Town of Carroll - \$1,000.00

(Anticipated action – Move to approve and accept the donation as listed to be placed in the Coalition Legal Fund)
 - C. Letter from Janet Bourne, Arthritis Foundation, requesting permission to hold the annual Jingle Bell Run on Saturday, November 17, 2007 at 10:00 a.m.

(Anticipated action – Move to refer to the City Manager with power)
11. Letter from Jill Harkness, Good Vibes, Life is Good Shoppe, requesting permission to hold a Pumpkin Festival in Prescott Park on Saturday, October 20, 2007 – Voted to refer to the Trustees of the Trust Fund for report back.
12. Letter from Ken White, Waddell & Reed Financial Advisors, requesting permission to set up a specially equipped Waddell & Reed truck on Friday, August 10, 2007 from 8:00 a.m. – 7:00 p.m. to participate in supplying USO Care Packages to US troops overseas – Voted to refer the request from Waddell & Reed Financial Advisors to the City Manager with power.
13. Letter from Attorney Malcolm McNeill, Jr., regarding request for a municipal shoreland exemption (RSA 483-B: 12) for property at 99 Bow Street – Voted to suspend the rules to allow Attorney Malcolm McNeill to speak on the issue. On a roll call vote 7-0, with Councilor Grasso abstaining, motion to authorize the Mayor to request a municipal exemption and to further authorize the Mayor to execute the request which is appended hereto for submission to the New Hampshire Department of Environmental Services and the Office of State Planning passed.

14. Request from John Tinios, Popovers on the Square, for a sidewalk obstruction license for the placement of 1 A-frame sign in front of establishment. Voted to refer to the City Manager with power.
 15. Request from Daniel Fenderson, Subway, for a sidewalk obstruction license for the placement of 2 tables and 12 chairs in front of establishment. Voted to refer to the City Manager with power.
 16. Request from Airial Sillanpaa, Chrisrial & Co. Fine Jewelry, for a sidewalk obstruction license for the placement of 1 A-frame sign in front of establishment. Voted to refer to the City Manager with power.
 17. Letter from Portsmouth School Board requesting an Architectural Feasibility Study for the Parrott Avenue site. Moved to authorize the City Manager to expend funding from the Contingency Fund for an Architectural Feasibility Study. On a roll call vote 4-4 to postpone this issue until the next regular meeting and request that the School Board provide the following information:
 - Is it the intent of the School Board that Parrott Avenue is the chosen site.
 - Given that a site is chosen, would the School Board then require the Council provide funds for a design analysis and consideration of design alternatives.
- Motion *failed* to pass. Councilors Raynolds, Whitehouse, Smith, and Hynes voted in favor. Assistant Mayor Ferrini, Councilors Grasso, Dwyer and Pantelakos voted opposed.
- Main motion withdrawn. On a roll call vote 8-0 to request School Board identify Parrott Avenue as the chosen site and to authorize the City Manager to work with the Superintendent of Schools to develop an appropriate RFP for design alternatives that would be circulated to the Council and the School Board prior to being issued motion passed.
18. Voted to suspend the rules in order to continue the meeting beyond 10:00 p.m.
 19. Letter from Sam Bennett & Alec Lager, Portsmouth Fair Trade Coalition, requesting permission to hold a benefit jazz concert and Fair Trade craft bazaar on Saturday, August 18, 2007 in the Vaughn Mall – Voted to refer to the City Manager with power
 20. Report Back Re: Riverwalk – Proposed Land Conveyance between the City and DiLorenzo Real Estate, LLC – Voted to accept the recommendation of the Planning Board and authorize the City Manager to execute the required documents for the conveyance of the property between the City and DiLorenzo Real Estate, LLC.
 21. Report Back Re: Popover's – Voted to authorize the continuance of the relocation of the tables and chairs through the end of the year for Popover's on the Square.
 22. Request for Street Acceptance of Wholey Way – Voted to refer the aforementioned matter to the Planning Department and the Public Works Department for a report back to the City Council.

23. Request to Establish Public Necessity Hearing for the Route 33 Railroad Replacement Project. – Voted to establish a public necessity hearing with respect to any property interest which the City must acquire for the Route 33 Railroad Bridge Replacement Project for the August 20, 2007 City Council meeting.
24. Acceptance of Deed Re: North Mill Pond Conservation Property – Voted to accept the deed from the Emerson and Ruth McCourt Revocable Trust and authorize the City Manager to execute all necessary documents.
25. Appointments to be Considered – The City Council considered the application of Brad Lown to the Trustee of the Trust Fund; the application of Joseph Almeida as an alternate to the Historic District Commission and the application of Suzy Greene to the Blue Ribbon Dog Committee. These appointments will be voted on by the City Council at the August 6, 2007 meeting.
26. Rooming House Ordinance – Voted to bring this ordinance back for first reading at the August 6, 2007 City Council meeting.
27. Report from Independent Inquiry Commission (not on agenda). – Voted to request that a report be provided to the City Council at the same time as the Police Commission of the additional investigation being required by the Police Commission
28. Recognition of Board Services – Voted to refer to the Mayor for a report back.
29. City Recreation Fields – Voted to refer to the City Manager for report back.
30. Defining the Use of the Term Spot Zoning – Voted to accept the written report presented by the City Attorney.
31. Request for Funding Re: African Burial Ground. – Voted in concept to have the City Manager expend up to 50% of the cost of the African Burial Ground from UDAG funds with the remaining 50% being raised privately.
32. Traffic: & Safety Committee Action Sheet and Minutes for the June 14, 2007 meeting. Voted to accept the action sheet and minutes of the June 14, 2007 Traffic & Safety Meeting.
33. Traffic & Safety Committee Action Sheet and Minutes for the June 28, 2007 meeting. – Voted to approve and accept the action sheet and minutes of the June 28, 2007 Traffic: & Safety Committee meeting.
34. Parking Committee Action Sheet and Minutes of the June 14, 2007 meeting. – Voted to approve and accept the action sheet and minutes of the June 14, 2007 Parking Committee meeting.
35. Buy Local – Voted to refer to the City Manager for report back.
36. Committee to look into possibility of bringing cruise ships into Portsmouth. - Voted to refer to the Mayor for report back.

37. Adjournment – At 11:15 p.m., voted to adjourn.

Respectfully submitted by:

Dianne M. Kirby, Deputy City Clerk