

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON NOVEMBER 19, 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 6:15 p.m., an Anticipated "Non-Meeting" with Counsel was held regarding Negotiations RSA: 91-A:2, I (b-c).
2. Presentation – Portwalk Re: Proposed Underground Municipal Parking Garage – Dana Levenson and Everett Eaton provided a brief presentation on behalf of the Economic Development Commission relative to their unanimous endorsement of the Portwalk Project. Josh Anderson of Portwalk also provided a brief overview of the project and proposed underground municipal parking garage.
3. Voted to suspend the rules in order to take up Item XII. A.1. – Portwalk Re: Proposed Underground Municipal Parking Garage.
4. Portwalk Re: Proposed Underground Municipal Parking Garage – On a unanimous roll call 9-0, voted to authorize the City Manager to negotiate and bring back for approval an Agreement with Parade Office LLC in accordance with the presentation which has been made to the City Council this evening.

On a unanimous roll call 9-0, voted to authorize the City Manager to bring forward for first reading on December 3, 2007, a bond resolution, which authorizes the borrowing of up to \$12.5 Million for the purpose of implementing an Agreement with Parade Office LLC to create 325 spaces of municipally owned parking.

5. Moved to suspend the rules in order to present a Mayor's Award to Dr. Susan Bunting (Not on agenda).
6. Mayor's Award – Dr. Susan Bunting (Not on agenda) – Kathy Goodwin, York Chamber of Commerce and Mayor Marchand presented Dr. Susan Bunting with a Mayor's Award in recognition of Susan's 23 years of dedicated service to the Foundation for Seacoast Health. Susan accepted the award with thanks and appreciation.
7. Acceptance of Minutes – October 15, 2007 – Voted to approve and accept the minutes of the October 15, 2007 City Council meeting.
8. Public Comment Session – There were two speakers: Barbara Massar (Holiday Events) and Bert Cohen (Eco-municipality Resolution).

9. Public Hearing - Resolution Authorizing the Borrowing of up to Seven Hundred and Fifty Thousand Dollars (\$750,000.00) through the Issue of Bonds, Notes or the Execution of Lease Purchase Agreements for the Acquisition of One Fire Apparatus – Held a public hearing. On a unanimous roll call 9-0, voted to adopt the Proposed Resolution, as presented.

10. First reading of Amendments to Chapter 7 – Vehicles, Traffic Parking Omnibus Parking Ordinance (October 1, 2006 – April 30, 2007)

1. Section 7.324: LIMITED PARKING - ONE HOUR

A. No person having control or custody of any vehicle shall stop or cause the same to stop or park for longer than one hour at any time between the hours of 8:00 a.m. and 6:00 p.m., Sundays and Holidays not included, on the following streets and locations:

~~9. Public Library: All areas adjacent to and part of the public land contiguous to the Public Library. (See Map #1)~~

2. Section 7.402: AREAS ESTABLISHED, DESIGNATED, AND DESCRIBED

A. Bridge Street Off-Street Parking Area

~~1. The first five parking spaces along the Bridge Street side of the lot from Islington Street shall be designated and marked "thirty minutes parking only. (See Map #2)~~

G. Wright Avenue Off-Street Parking Area

The following area to be known as the Wright Avenue Off-Street Parking Area is hereby established for off-street parking of motor vehicles:

That piece of land bounded by State Street on the South, the Memorial Bridge Traffic Island on the East, Daniel Street on the North and the Community Center on the West.

All of said area not otherwise designated by the placement of parking meters shall be limited to parking not to exceed 4 ~~two~~ (four) hours at any one time.

It shall be unlawful for any person to cause or permit any vehicle registered in his name to be parked in violation of this Section and said violation may be subject to be removed by towing. **(See Map #3)**

I. Old Public Library Off-Street Parking Area

All areas adjacent to and part of the public land contiguous to the old Public Library on Islington Street are hereby established for the off-street parking of motor vehicles. All of said area in the Old Public Library off-street parking area is designated as a two-hour parking meter zone. **(See Map #1)**

3. Section 7-A.402: BUS STOPS DESIGNATED

D. Hanover Street: southerly side of Hanover Street 140 feet east of Fleet Street to a point 285 feet east of Fleet Street ~~from a point located 100 feet west of Market Street to a point 54 feet westerly.~~
(See Map #4)

4. Section 7A.406: HORSE DRAWN CARRIAGES

~~A. There is hereby established an area comprised of one parking space on the westerly side of Pleasant Street adjacent to Congress Street to be marked, "Horse and Carriage Stand, 12 Noon to 12 Midnight". All vehicles parking in that location in contravention of this limitation shall be subject to towing by the City with the costs to be borne by the owner of the vehicle. **(See Map #5)**~~

5. Section 7A- 408: TAXI STANDS DESIGNATED

The following areas are hereby designated as Taxi stands:

A. ~~High Street: easterly side, first two parking spaces from Market Square.~~ Pleasant Street: easterly side, first parallel parking space north of State Street. **(See Map #6)**

B. Market Street:

1. westerly side, second parking space from Market Square.
2. easterly side, first parking space north of Bow Street, from 10:00 p.m. to 6:00 a.m. only. **(See Map #7)**

C. Hanover Street: southerly side, first parking space west from the bus stop. **(See Map #8)**

6. Section 7.601: TRUCK LOADING/UNLOADING ZONES ESTABLISHED

Unless otherwise designated below, the following locations are established as exclusive "Truck Loading Zones" on Mondays through Saturdays between the hours of 6:00 a.m. and 7 6:00 p.m. During these times only trucks, vans and other commercial delivery vehicles engaged in loading or unloading of product, merchandise or equipment may park. Such vehicles may park at the designated locations for a period not to exceed 30 minutes. Unless otherwise determined by ordinance, at all other times these zones shall be open parking for all vehicles. **(No Map Attached)**

Voted to pass first reading for the proposed changes to Chapter 7 of the Parking Ordinance and schedule a public hearing and second reading at the December 3, 2007 City Council meeting.

11. Adoption of Eco-Municipality, Designation Resolution – Adoption of Sustainable Community Development Policy – Voted to adopt the proposed Resolution, as presented.

12. Consent Agenda - Voted to adopt the Consent Agenda, as presented.

A. Acceptance of Donations to the Coalition Legal Fund

- Town of Hampton Falls - \$1,000.00
- Town of Sunapee - \$2,500.00

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

B. Acceptance of Donation to the Cemetery Committee

- Louise Tallman - \$40.00

(Anticipated action – move to approve and accept the donation to the Cemetery Committee, as listed)

C. Acceptance of Donation to the New Library Fund

- Edmund S. & Maija N. Hibbard - \$250.00 *(Fulfills pledge)*

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

D. Acceptance of Donation to the Fire Department

- Michael A. & Janet D. McCann - \$100.00

(Anticipated action – move to approve and accept the donation to the Fire Department, as listed)

- E. Letter from Bill St. Laurent regarding the Ruling of Superior Court Judge for Garage Building (***Anticipated action – move to accept the letter and place it on file***)
- F. Letter from Madelyn Good regarding the Human Rights Torch Relay Special Event Permit Request (***Anticipated action - move to refer to the City Manager with power***)
13. Letter from Peter Somssich, Labor Portsmouth Peace Treaty Parade, requesting that the City consider splitting the cost of the police overtime coverage for the event – Voted to approve the request of \$733.00 to be paid from the Contingency Fund.
14. Request to Authorize Prepayment of Taxes – Voted to authorize property owners to prepay taxes in accordance with the attached RSA 80:52-a.
15. Report Back Re: Sidewalk Encroachment for 2 Ceres Street – Voted to accept the Planning Board's recommendation to grant a license to 2 Ceres Street with the following stipulation:
- That the City retains the right to direct the removal of the encroachment in order to preserve the public's interest.
16. Lafayette School Redevelopment – Voted to designate the Lafayette School building as blighted and in need of substantial repair and recognize that the redevelopment of this building will meet the City's building re-use and affordable housing goals.
17. Report Back Re: Easement/License for the Westin Hotel, Conference Center and Parking Facility – Voted that the City Council accept the recommendation of the Planning Board as outlined.
- Planning Board Recommendations:*
- That the maintenance easement should be eliminated from the plan and all other easements and licenses should be approved by the Council and,*
- That the Legal Department should review and approve all easements and licenses as to content and form and when these are in proper form that the City Manager shall be authorized to have these recorded at the Rockingham County Registry of Deeds.*
18. Acceptance of Easement Re: Kevin and Meghan Bowersox, 114 Raleigh Way – Voted to authorize the City Manager to accept a sidewalk easement from Kevin and Meghan Bowersox.
19. Request to Extend License Agreement for Trash Compactor on Ceres Street Compactor – Voted to authorize the City Manager to extend the License Agreement between the City of Portsmouth and Old Ferry Landing, Inc., Poco Diablo, Inc., Stockpot, Ltd., and Dolphin Striker for the period December 1, 2007 through November 30, 2008.
20. PSNH Request for Easement – Voted to refer to the Planning Board for a report back.

21. Appointments to be Considered - The City Council considered the appointment of Constance Carmody to the Citizens Advisory Committee. This appointment will be voted on by the City Council at the December 3, 2007 meeting.
22. Appointments to be Voted – Voted to reappoint Lisa DeStefano to the Building Code Board of Appeals until July 1, 2012.
- Voted to reappoint Chester Keefe to the Building Code Board of Appeals until July 1, 2012.
- Voted to appoint Jeffrey Landry to the Building Code Board of Appeals until July 1, 2012.
- Voted to appoint Carol Lincoln to the Board of Library Trustees until October 1, 2010. Ms. Lincoln will be filling the expired term of Kevin Lafond.
- Voted to appoint Carla Marvin to the Blue Ribbon Committee for Trees & Public Greenery.
23. Resignation – Voted to accept with regret the resignation of Timothy Fortier from the Planning Board.
24. Report and Recommendation from the Mayor’s Blue Ribbon Cruise Ship Committee – Voted to accept the report as presented.
25. Traffic & Safety Committee Action Sheet and Minutes of the October 11, 2007 meeting – Voted to approve and accept the action sheet and minutes of the October 11, 2007 Traffic & Safety Committee meeting.
26. Parking Committee Action Sheet and Minutes of the October 11, 2007 meeting –Voted to approve and accept the action sheet and minutes of the October 11, 2007 Parking Committee meeting.
- Councilor Smith announced that the City will be foregoing meter enforcement in the downtown area from Monday, December 10, 2007 – Wednesday, December 26, 2007, with the stipulation that the 15-minute, two-hour, and four-hour limits will be enforced.
27. Adjournment – At 9:05 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC
City Clerk