

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, DECEMBER 3, 2007 TIME: 7:00PM

- 6:00PM – CITY COUNCIL GROUP PHOTOGRAPH
- 6:15PM – ANTICIPATED “NON-MEETING” WITH COUNSEL RE: NEGOTIATIONS – RSA: 91-A:2, I (b-c)

AGENDA

- I. CALL TO ORDER [7:00PM or thereafter]
- II. ROLL CALL
- III. INVOCATION
- IV. PLEDGE OF ALLEGIANCE

- V. ACCEPTANCE OF MINUTES *(There are no minutes on for acceptance this evening)*

- VI. PUBLIC COMMENT SESSION

- VII. PUBLIC HEARING
 - A. PUBLIC HEARING 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 2 (FOUR TWO) 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)**

VIII. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Grant from the Bureau of Justice Assistance to the Portsmouth Police Department for Bulletproof Vest Partnership Initiative - \$2,325.40
- B. Acceptance of Grant from Police Standards & Training to the Portsmouth Police Department for "Total Station" Photogrammetry Training - \$2,987.00
- C. Acceptance of Donations to the Portsmouth Police Department for Accident Investigation Team upgrade to Photogrammetry Equipment
- AXL, Inc. of Greenland - \$1,000.00
 - Siegel Limited Partnership - \$1,000.00
 - Hanscom's Truck Stop - \$1,000.00
- D. Acceptance of Grant from Police Standards & Training to the Portsmouth Police Department for Specialized Training - \$911.33

- E. Acceptance of Donation to the Portsmouth Police Explorers from Jocelyn Freschette and Gerald Howe -\$500.00

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First Reading of Resolution Authorizing a Bond Issue of up to Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) for the Purchase of a Fee Interest in a Portion of an Underground Parking Facility Containing not less than 325 Public Parking Spaces
- B. Second 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 ~~2~~ (four ~~two~~) 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)

X. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. Letter from Susanne Delaney and Catherine Keenan, Portsmouth Criterium, requesting permission to hold the Portsmouth Criterium Race on Sunday, September 21, 2008
(Anticipated action – move to refer to the City Manager with power)
- B. Letter from Pawn Nitichan and Bobby Kessler requesting permission to hold the Martin Luther King Day March of Justice on Monday, January 21, 2008 ***(Anticipated action – move to refer to the City Manager with power)***

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

(There are no items under this section of the agenda this evening)

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

Items which require Action under other sections of the Agenda

- 1. Consideration of First Reading of Proposed Ordinance Amendments and Resolution:
 - 1.1 First Reading of Resolution Authorizing a Bond Issue of up to Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) for the Purchase of a Fee Interest in a Portion of an Underground Parking Facility Containing not less than 325 Public Parking Spaces ***(Action on this matter should take place under Section IX. B. of the Agenda)***
- 2. Public Hearing/Adoption of Proposed Resolution:
 - 2.1 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

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City Manager's Items Which Require Action

1. Acceptance of Wentworth School Building
2. Proposed Extension of Agreement with St. John's Masonic Association for Use of their Parking Lot

3. Approval of 2008 City Council Schedule
4. Request to Extend the Lease Agreement for Poco Diablo, Inc. to Expire November 1, 2008
5. Report Back Re: Request for Easement for 82-86 Congress Street
6. Polling Hours for January 8, 2008 Presidential Primary Election

Informational Items

1. Report Back Re: Fernald Court Water Access
2. News Release Re: Fall Yard Waste Collection Extended to December 7, 2007
3. Report Back Re: School Department Central Office

B. MAYOR MARCHAND

1. Resignation – Henry Sanders from the Zoning Board of Adjustment
2. Appointments to be Considered:
 - James Feehley – Reappointment to the Taxi Commission
 - Peter Bresciano – Reappointment to the Taxi Commission
 - Brendan Cooney – Appointment to the Traffic & Safety Committee
 - Norman Patenaude – Appointment as an Alternate to the Planning Board
 - Thomas Grasso – Appointment as Regular member to the Zoning Board of Adjustment
 - Robin Rousseau – Appointment as an Alternate to the Zoning Board of Adjustment
 - Elena Maltese – Appointment as Regular member to the Historic District Commission
 - George Melchior – Appointment as Alternate to the Historic District Commission
3. Appointment to be Voted:
 - Constance Carmody – Appointment to the Citizens Advisory Committee
4. Reappointment of John P. Bohenko to the Pease Development Authority
5. *Reports

C. COUNCILOR DWYER

1. Request to Accept and Expend Funds from the City of Portsmouth Arts and Culture Trust

D. COUNCILOR SMITH

1. Traffic & Safety Committee Action Sheet and Minutes of the November 8, 2007 meeting

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

XIV. ADJOURNMENT [AT 10:00PM OR EARLIER]

**KELLI L. BARNABY, CMC
CITY CLERK**

(*Indicates verbal report)

INFORMATIONAL ITEMS

1. Conservation Commission minutes of the October 10, 2007 meeting
2. Historic District Commission minutes of the October 10, 2007 meeting
3. Planning Board minutes of the September 20, 2007, October 4, 2007 and October 18, 2007 meetings
4. Zoning Board of Adjustment minutes of the October 16, 2007 meeting

NOTICE TO THE PUBLIC WHO ARE HEARING IMPAIRED: Please contact Dianna Fogarty at 603-610-7270 one-week prior to the meeting for assistance.

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: November 29, 2007
To: Honorable Mayor Steve Marchand and City Council Members
From: John P. Bohenko, City Manager
Re: City Manager's Comments on December 3, 2007 City Council Agenda

6:00 p.m. – City Council Group Photograph.

As is traditional, I am requesting that the City Council be here by 5:50 p.m. so that we can have the group photograph taken at 6:00 p.m.

6:15 p.m. – Non-Meeting with counsel.

For information on this matter, please refer to the confidential envelope inserted in the inside pocket of your binder.

Acceptance of Grants/Donations:

1. **Acceptance of Police Department Grants & Donations.** Attached under Section VIII of the Agenda is a memorandum from John D. Kelley, Chairman of the Portsmouth Police Commissioners, and Michael J. Magnant, Police Chief, requesting that the City Council approve the following grants and donations:
 - a. A grant award in the amount of \$2,325.40 from the Bureau of Justice Assistance, Bulletproof Vest Partnership Initiative.
 - b. A training grant in the amount of \$2,987.00 from Police Standards & Training to send four (4) officers to the “Total Station” Photogrammetry training scheduled to take place December 10 through 12, 2007.

- c. Donations as follows for the Accident Investigation Team to upgrade to Photogrammetry equipment. These donations represent half of the monies required to accomplish this upgrade.
 - \$1,000.00 from AXL, Inc. of Greenland.
 - \$1,000.00 from Siegel Limited Partnership.
 - \$1,000.00 from Hanscom's Truck Stop.
- d. A grant in the amount of \$911.33 also from Police Standards & Training to send one of the ranking officers to specialized training in South Carolina.
- e. A donation in the amount of \$500.00 from Jocelyn Freschette and Gerald Howe for the Portsmouth Explorers enabling them to attend the national meeting of Police Explorers in Colorado next summer.

The Police Commission is submitting this information pursuant to City Policy Memorandum #94-35 for City Council approval and acceptance.

I would recommend that the City Council approve and accept the grants and donations to the Portsmouth Police Department, as listed. Action on this matter should take place under Section VIII of the Agenda.

Items Which Require Action Under Other Sections of the Agenda:

1. Consideration of First Reading of Proposed Ordinance Amendments:

- 1.1 **First Reading of Proposed Resolution Authorizing the Borrowing of up to Twelve Million Five Hundred Thousand Dollars (\$12,500,000) for the purchase of a Fee Interest in a portion of an Underground Parking Facility containing not less than 325 Public Parking Spaces.** As a result of the November 19th City Council meeting, under Section IX of the Agenda, I am bringing back for first reading a proposed Resolution Authorizing the Borrowing of up to Twelve Million Five Hundred Thousand Dollars (\$12,500,000) for the purpose of implementing an Agreement with Parade Office, LLC to create 325 spaces of Municipally-Owned Parking. Attached for your information is a copy of a letter to the Honorable Mayor and Members of the City Council from Dana Levenson, Chair of the Portsmouth Economic Development Commission, regarding a public parking opportunity at the development known as Portwalk (a/k/a Parade Mall). At the November 9, 2007 Economic Development Commission meeting, the Portwalk developers presented a concept to the EDC that would allow the City the opportunity to create a second level of underground parking for the benefit of the public. The essence of the proposal is described below.

A second level of parking would be built with 325 spaces that would be owned and financed by the City and open to the public. It should be noted that Portwalk already has approvals for 325 spaces of parking on one level. Total parking available if this proposal went forward would be 650 spaces (325 of these 650

spaces would be owned and paid for by Portwalk and the additional level of 325 spaces would be owned and paid for by the City of Portsmouth). The garage would be divided into two condominiums, with the City having fee simple ownership of its portion. The City's condominium unit would be comprised of its parking level and Portwalk would have ownership of its level. Portwalk would also pay the appropriate local property taxes on its portion of the condominium. The public parking spaces on the City's level would be available to the public on a 24-hour, 365-day basis. The hourly rates on the City's level would be established by City Council as are other parking rates throughout the City. The owners of Portwalk would be able to use their 325 spaces for their monthly parkers and also operate their valet business serving the Hilton Garden Inn and the new hotel to be constructed as part of the Portwalk development. The City would manage the entire garage and when Portwalk's spaces were not occupied by monthly or valet users, they would be available to the public at City established rates and the City would retain the revenue.

It should be noted that the 325 spaces that would be gained by this additional underground level is approximately the same number that would result from building a parking garage at the Worth Lot. The original plans for the Worth Lot indicated that there would be 440 spaces; 330 of these would be net new spaces (presently there are 110 surface spaces at the Worth Lot). The opportunity to construct 325 new municipally-owned underground parking spaces relieves the immediate need to fund and construct a parking garage on the Worth Lot. This would give future City Councils the opportunity to consider the Worth Lot location for future parking needs or other re-use options.

As indicated in Mr. Levenson's letter, the EDC believes this is a one time opportunity to construct and operate underground public parking in the Central Business District. They also feel it will insure that employees and patrons of businesses contemplating downtown Portsmouth as a business location will have access to adequate and reasonably priced parking. As I have indicated, this results in the same net number of parking spaces that could have been created at the Worth Lot, generates additional real estate tax revenue and results in a parking facility that will not be visible. With all of this in mind, the Economic Development Commission on November 9th unanimously voted to ask the City Council to consider this opportunity.

As you are aware, bonding resolutions require only two readings and a two-thirds vote is required of the City Council for passage.

I would recommend the City Council move to pass first reading and bring back for public hearing and adoption the proposed Resolution, as presented, at the December 17th City Council meeting. Action on this item should take place under Section IX of the Agenda.

2. **Public Hearing / Second Reading of Proposed Ordinance Amendments:**

- 2.1 **Public Hearing/ Second Reading of Amendments to Chapter 7 – Vehicles, Traffic Parking Omnibus Parking Ordinance.** As a result of the November 19th City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and second reading the attached eight proposed changes to Chapter 7 of the Parking Ordinance. These changes were implemented as part of the pilot program by the Parking Committee over the past year.

In summary:

Amend Section 7.324 to address the closure of the library on Islington Street. The parking lot time limit at the old library was changed from one hour to two hours to coincide with the City's metered time limits. (See Map 1 which is under Section VII of the Agenda).

Amend Section 7.402 Section A relative to the Bridge Street Lot. The first five parking spaces in the Bridge Street Lot were designated 30 minute parking for use by Islington Street Library customers. With the library closure, these spaces were changed to coincide with the time limit in the upper section of this parking lot. (See Map 2 which is under Section VII of the Agenda).

Amend Section 7.402 Section G to increase from two hours to four hours the parking time limit in the Wright Avenue Lot to accommodate customers parked while visiting Prescott Park, the Seacoast Repertory Theatre, the Connie Bean Recreation Center and other areas in the downtown. A greater time limit affords visitors the opportunity to use this lot given its location on the downtown periphery. This test began in November 2006 and has been well received by lot users. (See Map 3 which is under Section VII of the Agenda).

Amend Section 7.402 Section I to make available off-street parking at the old public library. With the closure of the library on Islington Street, the parking lot is added to the City's supply of off-street parking areas and designated as a two-hour meter zone. (See Map 1 which is under Section VII of the Agenda).

Amend Section 7-A.402 to adjust the bus stop location on Hanover Street. The bus stop on Hanover Street changed location after installation of the inter-modal facility at the High-Hanover garage. (See Map 4 which is under Section VII of the Agenda).

Amend Section 7A.406 relative to horse drawn carriages. This change removes the horse and carriage stand from Pleasant Street due to inactivity. This section will remain in the ordinance in the event a horse and carriage space is needed in the future. (See Map 5 which is under Section VII of the Agenda).

Amend Section 7A- 408 relative to taxi stand designations. The taxi stand on High Street was moved to Pleasant Street for greater visibility. (See Map 6). One mixed use taxi stand was added to Market Street at Bow Street for patron usage during nighttime hours. (See Map 7). One taxi stand was added to the inter-modal facility at the High-Hanover garage. (See Map 8 which is under Section VII of the Agenda).

Amend Section 7.601 relative to truck loading and unloading. The loading zone end time was changed from 6 pm to 7 pm to correspond with parking enforcement hours and promote equity with downtown metered parking spaces.

Prior to the public hearing, Jon Frederick, Parking Manager, will give a brief PowerPoint presentation reviewing the proposed changes.

I would recommend that the City Council move to pass second reading for the proposed changes to Chapter 7 of the Parking Ordinance and schedule a third and final reading at the December 17th City Council meeting. Action on this item should take place under Section IX of the Agenda.

City Manager's Items Which Require Action:

1. **Acceptance of Wentworth School Building.** Attached under written communications is a letter from Dr. Robert Lister, Superintendent of Schools, regarding the School Board's vote to turn the Wentworth School Building over to the City of Portsmouth subject to the legal terms to be worked out between the City Attorney and the Superintendent of Schools as it relates to the present tenant Exchange City. Further, it would be my recommendation that the City Council accept this building effective December 31, 2007. This would give the Legal Department and Public Works Department the opportunity to have an orderly transition for the acceptance of this building by the City. *I would recommend the City Council move to accept the Wentworth School Building with provisions, as outlined, effective December 31, 2007 with all terms to be worked out between the City's Legal Department, City Manager's Office, and Superintendent of Schools.*
2. **Proposed Extension of Agreement with St. John's Masonic Association for Use of their Parking Lot.** Since 1999, the City has been leasing the St. John Masonic Association's parking lot at 351 Middle Street. The parking lot is close to downtown and has sixty-nine (69) parking spaces. In the Agreement, the parking lot would be open to the public Monday through Saturday from 6:00 a.m. to 7:30 p.m. each day. For your information, I have attached a copy of the proposed Agreement with the Masonic Association outlining all the terms and conditions for the use of the lot. In exchange for the use of the lot, the City will pay the Association \$21,000.00 a year in two installments. The funds for the payment of the lease for the parking lot will come from the Unmet Parking Needs Credit Account which has a \$101,720.00 balance as of the end of November. *I would recommend the City Council move to authorize the City Manager to enter into this Agreement with St. John's Masonic Association from January 1, 2008 through December 31, 2008.*

3. **Approval of 2008 City Council Schedule.** Attached is a copy of the proposed 2008 City Council Schedule for Meetings and Work Sessions. Please note that all City Council elected members have been provided with a copy of this schedule. *I would recommend the City Council move to approve the 2008 City Council Schedule for Meetings and Work Sessions, as submitted.*
4. **Request to Extend the Lease Agreement for Poco Diablo, Inc. to Expire November 1, 2008.** Attached is a copy of the proposed Lease Agreement for Poco Diablo, Inc. for a one-year extension. The proposed Agreement was drafted by the Legal Department. *I would recommend the City Council move to extend the Poco Diablo Lease Agreement until November 1, 2008.*
5. **Report Back Re: Request for Easement for 82-86 Congress Street.** As you may recall, at the October 15th City Council meeting, the Council referred the request for an easement from Mark McNabb for property located at 82-86 Congress Street to the Planning Board for report back. For your information, attached is a memorandum from David Holden, Planning Director, outlining the conditions of the Planning Board's recommendation to grant this request. *I would recommend the City Council move to accept the recommendation of the Planning Board, as submitted.*
6. **Polling Hours for January 8, 2008 Presidential Primary Election.** In accordance with RSA 659:4, the City Council shall determine the polling hours for the 2008 Presidential Primary Election. *I would request that the City Council move to set the polling hours from 8:00 a.m. to 7:00 p.m. for the Presidential Primary Election.*

Informational Items:

1. **Report Back Re: Fernald Court Water Access Request.** As you will recall, in September, the City Council received a letter from Melvin Trefethen regarding the Fernald Court water access. Attached for your information and review is a memorandum from City Attorney Robert Sullivan which will serve as a report back to City Council on this matter. As you can see from Attorney Sullivan's memorandum, he is recommending that the City Council take no action on this matter. On Monday evening, Attorney Sullivan will be able to answer any questions regarding this issue. Copies of this memorandum have been sent to the interested parties.
2. **News Release Re: Fall Yard Waste Collection Extended to December 7th.** For your information, attached is a copy of a news release from Steve Parkinson, Public Works Director, extending the fall yard waste collection to December 7th.
3. **Report Back Re: School Department Central Office.** As requested by Councilor Ken Smith, attached is a copy of a letter responding to Councilor Smith's question regarding the School Department Central Office.