

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH  
DATE: MONDAY, MARCH 3, 2008 TIME: 7:00PM

- 6:30PM – 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

### PROCLAMATIONS

1. Youth Art Month
2. Music in our Schools Month

### PRESENTATION

1. “Strawbery Banke A Seaport Museum 400 Years in the Making” – Jeff Gilbert, Chair of Board of Trustees and Larry Yerdon, President of Strawbery Banke

### V. ACCEPTANCE OF MINUTES – FEBRUARY 11, 2008

### VI. PUBLIC COMMENT SESSION

### VII. PUBLIC HEARINGS

- A. CAPITAL IMPROVEMENT PLAN (CIP) FY2009-2014
- B. RESOLUTION AUTHORIZING A BOND ISSUE OF UP TO ONE MILLION THREE HUNDRED THOUSAND DOLLARS (\$1,300,000.00) FOR THE PURCHASE OF LAND TO RELOCATE FIRE STATION 2
- C. RESOLUTION INCREASING THE MAXIMUM INCOME LIMIT FOR INDIVIDUALS QUALIFYING FOR THE ELDERLY REAL ESTATE TAX EXEMPTION TO \$31,640.00 FOR SINGLE AND \$39,030.00 FOR MARRIED AND TOTAL ASSETS MAY NOT EXCEED \$105,470.00 WHETHER SINGLE OR MARRIED
- D. RESOLUTION INCREASING THE MAXIMUM INCOME LIMIT FOR INDIVIDUALS QUALIFYING FOR THE DISABLED REAL ESTATE TAX EXEMPTION TO \$31,640.00 FOR SINGLE AND \$39,030.00 FOR MARRIED AND TOTAL ASSETS MAY NOT EXCEED \$105,470.00 WHETHER SINGLE OR MARRIED

- E. ORDINANCE AMENDING CHAPTER 7, ARTICLE III, SECTION 7.330 – NO PARKING – RALEIGH WAY:
- SOUTHERLY SIDE FROM KEARSARGE WAY TO A POINT 65' WESTERLY OF KEARSARGE WAY
  - NORTHERLY SIDE FROM SARATOGA WAY TO A POINT 55' WESTERLY OF SARATOGA WAY

SECTION 7.336 – ONE WAY STREETS – VEHICULAR TRAFFIC SHALL MOVE ONLY IN THE INDICATED DIRECTIONS ON THE FOLLOWING STREETS:

- CONCORD WAY: IN A EASTERLY DIRECTION FROM CRESCENT WAY TO PREBLE WAY
- PORPOISE WAY: IN A WESTERLY DIRECTION FROM SARATOGA WAY TO CRESCENT WAY
- RALEIGH WAY: IN A WESTERLY DIRECTION FROM RANGER WAY TO CRESCENT WAY

## VIII. APPROVAL OF GRANTS/DONATIONS

*There are no items under this section this evening*

## IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Adoption of Resolution Authorizing a Bond Issue of up to One Million Three Hundred Thousand Dollars (\$1,300,000.00) for the purchase of land to relocate Fire Station 2
- B. Adoption of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Elderly Real Estate Tax Exemption to \$31,640.00 for single and \$39,030.00 for married and total assets may not exceed \$105,470.00 whether single or married
- C. Adoption of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Disabled Real Estate Tax Exemption to \$31,640.00 for single and \$39,030.00 for married and total assets may not exceed \$105,470.00 whether single or married
- D. Second reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Raleigh Way:
- Southerly side from Kearsarge Way to a point 65' westerly of Kearsarge Way
  - Northerly side from Saratoga Way to a point 55' westerly of Saratoga Way

Section 7.336 – One Way Streets – Vehicular traffic shall move only in the indicated directions on the following streets:

- Concord Way: in a easterly direction from Crescent Way to Preble Way
- Porpoise Way: in a westerly direction from Saratoga Way to Crescent Way
- Raleigh Way: in a westerly direction from Ranger Way to Crescent Way

## X. CONSENT AGENDA

### **A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA**

- A. Letter from Aaron Wensley, Children's Museum, requesting permission to hold the Annual 5k Road Race and Kid's Fun Run on Saturday, May 3, 2008 at 9:00 a.m.  
***(Anticipated action – move to refer to the City Manager with power)***
- B. Letter from MaryLiz Geffert, Seacoast Local, Inc., requesting permission to hold the Seacoast Local Festival on Saturday, June 7, 2008 from 1:00 p.m. to 4:00 p.m. and further request to close Pleasant Street between Congress and Porter Streets  
***(Anticipated action – move to refer to the City Manager with power)***
- C. Letter from Robert Sutherland, Jr., St. John's Lodge, requesting permission to hold a 5k "Out of Hibernation" Road Race on Saturday, April 26, 2008 ***(Anticipated action – move to refer to the City Manager with power)***
- D. Letter from Jennifer Kennedy, Blue Ocean Society for Marine Conservation, requesting permission to conduct a coastal cleanup at Peirce Island on Saturday, April 19, 2008  
***(Anticipated action – move to refer to the City Manager with power)***
- E. Letter from Kathy Beebe Keefe, Sexual Assault Support Services, requesting permission to hold the 1<sup>st</sup> Annual KidSafe 5k Run on Pease Tradeport Saturday, April 26, 2008 ***(Anticipated action – move to refer to the City Manager with power)***
- F. Letter from Anna Moskov, Cystic Fibrosis Foundation, requesting permission to hold the Seacoast Safari for CF on Saturday, July 19, 2008 and Sunday July 20, 2008  
***(Anticipated action – move to refer to the City Manager with power)***
- G. Letter from Peter Somssich, LPPT Parade Committee, requesting permission to hold the 2<sup>nd</sup> Annual Labor Portsmouth Peace Treaty Parade on Sunday, September 28, 2008  
***(Anticipated action – move to refer to the City Manager with power)***

## XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Kathie Lynch, Portsmouth Little League, Inc., requesting permission to affix temporary signage to the fences at Plains and Hislop fields from April 12, 2008 through the end of the summer program and further to maintain signage to the rear of the Plains scoreboard
- B. Letter from Wendy Segit, Seacoast Mental Health Center, Inc., requesting permission to hold a fundraiser by placing life-size fiberglass dog and cat figures, painted by local artists around the downtown area during July, August and part of September, 2008  
***(Sample motion – move to refer to Art Speak for report back)***

- C. Letter from Anthony Moulton, Miles for Miracles, requesting permission to set up a treadmill in Market Square in order to raise funds for a child on Saturday, March 15, 2008, Sunday, March 16, 2008, Saturday, April 5, 2008 and Sunday, April 6, 2008 **(Sample motion – move to approve the request at the Vaughan Mall location)**
- D. Letter from School Board Re: Funding Request for Middle School Architect **(Sample motion – move to authorize the City Manager to expend up to \$70,500.00 for architectural and related services for the four tasks required for Phase I and reimbursable expenses in accordance with the agreement with JCJ Architects)**
- E. Letter from Thomas Watson requesting to enter into an agreement with the City for the reconstruction of his dock at 200 Newcastle Avenue **(Sample motion – move to authorize the City Manager to negotiate and execute a license agreement with Thomas Watson and Kathleen Salisbury to allow a dock to be reconstructed on the northerly side of Newcastle Avenue)**
- F. Letter from Abigail Wiggin, Seacoast Growers' Association, requesting an amendment to the License Agreement to allow the sale of wine and mead by Piscassic Pond Winery **(Sample motion – move to authorize the City Manager to negotiate and execute the amendment to the City's Agreement with the Seacoast Growers' Association in order to allow the sale of wine and mead by Piscassic Pond Winery)**
- G. Letter from Portsmouth Listens requesting permission to hold a Celebration of Sustainability on Saturday, April 19, 2008 at the Middle School and Public Library with the closure of Parrott Avenue from the Middle School to the courthouse from 7:00 a.m. – 5:00 p.m.

## XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

### A. CITY MANAGER

#### Items which require Action under other sections of the Agenda

- 1. Public Hearing:
  - 1.1 Public Hearing Re: Proposed Capital Improvement Plan (CIP) FY2009-2014 **(Public Hearing on this matter will take place under Section VII of the Agenda)**
- 2. Public Hearing/Adoption of Proposed Resolutions:
  - 2.1 Public Hearing/Adoption of Resolution Authorizing a Bond Issue of up to One Million Three Hundred Thousand Dollars (\$1,300,000.00) for the purchase of land to relocate Fire Station 2 **(Action on this matter should take place under Section IX of the Agenda)**

- 2.2 Public Hearing/Adoption of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Elderly Real Estate Tax Exemption to \$31,640.00 for single and \$39,030.00 for married and total assets may not exceed \$105,470.00 whether single or married **(Action on this matter should take place under Section IX of the Agenda)**
- 2.3 Public Hearing/Adoption of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Disabled Real Estate Tax Exemption to \$31,640.00 for single and \$39,030.00 for married and total assets may not exceed \$105,470.00 whether single or married **(Action on this matter should take place under Section IX of the Agenda)**
3. Public Hearing/Second Reading of Proposed Ordinance Amendments:
  - 3.1 Public Hearing/Second reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Raleigh Way:
    - Southerly side from Kearsarge Way to a point 65' westerly of Kearsarge Way
    - Northerly side from Saratoga Way to a point 55' westerly of Saratoga Way

Section 7.336 – One Way Streets – Vehicular traffic shall move only in the indicated directions on the following streets:

    - Concord Way: in a easterly direction from Crescent Way to Preble Way
    - Porpoise Way: in a westerly direction from Saratoga Way to Crescent Way
    - Raleigh Way: in a westerly direction from Ranger Way to Crescent Way

**(Action on this matter should take place under Section IX of the Agenda)**
4. Letter from Anthony Moulton, Miles for Miracles **(Action on this matter should take place under Section XI of the Agenda)**
5. Funding Request from School Board Re: Middle School Architect **(Action on this matter should take place under Section XI of the Agenda)**
6. Request to Reconstruct Dock **(Action on this matter should take place under Section XI of the Agenda)**
7. Request for Amendment to Seacoast Growers' Association License Agreement **(Action on this matter should take place under Section XI of the Agenda)**
8. Proposed Amendments to Taxi Ordinance **(Action on this matter should take place under Section XII of the Agenda)**

### **City Manager's Items Which Require Action**

1. Request to Dispose of Surplus Vehicles
2. Remcon Associates, Inc. (formerly Avanti Development) Re: Sidewalk Easement Deed
3. Boarding House Permit

### **Informational Items**

1. Events Listing
2. Report Back Re: Request to Renew Lease of 251 Bartlett Street by the Creek Athletic Club
3. Economic Development Commission Agenda and Minutes

### **B. MAYOR FERRINI**

1. Appointments to be Voted:
  - Harold Whitehouse – Appointment to Peirce Island Committee
  - Steven Marison – Appointment to Peirce Island Committee
  - Joe Couture – Appointment to Portsmouth Housing Endowment Fund Advisory Board
  - John Howe – Reappointment to Traffic & Safety Committee
  - Christina Westfall – Reappointment to Traffic & Safety Committee
  - David Witham – Reappointment to Zoning Board of Adjustment
2. Appointment of Blue Ribbon Committee on Housing
3. \*Reports

### **C. COUNCILOR SMITH**

1. \*Ten Year Rule (City Council Rule #47 – Appointments to Boards and Commissions)
2. \*Proposed Consolidation of City Committees

### **D. COUNCILOR SPEAR**

1. Amendments to Taxi Ordinance

### **XIII. MISCELLANEOUS/UNFINISHED BUSINESS**

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

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

(\*Indicates verbal report)

## **INFORMATIONAL ITEMS**

1. Conservation Commission minutes of the January 9, 2008 meeting
2. Historic District Commission minutes of the December 19, 2007 and January 2, 2008 meetings
3. Site Review Technical Advisory Committee minutes of the February 5, 2008 meeting
4. Planning Board minutes of the October 25, 2007; December 20, 2007 and January 17, 2008 meetings
5. Zoning Board of Adjustment minutes of the January 15, 2008 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:** February 29, 2008  
**To:** Honorable Mayor Thomas G. Ferrini and City Council Members  
**From:** John P. Bohenko, City Manager  
**Re:** City Manager's Comments on March 3, 2008 City Council Agenda

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***6:30 p.m. – Non-meeting with counsel.***

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

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***Items Which Require Action Under Other Sections of the Agenda:***

1. **Public Hearing:**

- 1.1 **Public Hearing Re: Proposed Capital Improvement (CIP) FY2009-2014.** In accordance with Section 7.7 of the City Charter, a Public Hearing on the proposed Capital Improvement Plan for FY2009-2014 will take place on Monday evening at 7:00 p.m. At that time, I have requested that the staff make a 20-minute PowerPoint presentation giving the public an overview of the proposed Capital Plan for the aforementioned years. In addition, I will have copies available of the summary pages for the public, as well as the capital expenditures that will be proposed in the FY09 budget. Also, a copy of the Capital Plan is on our web page ([www.cityofportsmouth.com](http://www.cityofportsmouth.com)).

The City Council is required, in accordance with Section 7.8 of the City Charter, to adopt the Capital Plan subsequent to the Public Hearing and before the City Manager submits his budget to the City Council. I anticipate that I will be transmitting my proposed FY2009 budget to you on or about April 11, 2008. Given that projected date, I am suggesting the City Council adopt the proposed Capital Improvement Plan at your March 18th meeting. In accordance with the Charter, you could adopt the CIP no later than your April 7<sup>th</sup> meeting.

Please bring your Capital Improvement Plan with you. If you need another copy, please let me know.

*I would suggest that action on this matter be taken at the March 18th City Council meeting, at which time I will recommend adoption of the CIP with any appropriate amendments. Public hearing on this item should take place under Section VII of the Agenda.*

2. **Public Hearing/Adoption of Proposed Resolutions:**

- 2.1 **Public Hearing/Adoption of Resolution Authorizing a Bond Issue of up to One Million Three Hundred Thousand Dollars (\$1,300,000.00) for the Purchase of Land to Relocate Fire Station 2.** As a result of the February 11th City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and adoption a proposed Resolution Authorizing a Bond Issue of up to One Million Three Hundred Thousand Dollars (\$1,300,000.00) for the Purchase of Land to Relocate Fire Station 2.

On August 6, 2007, the City Council authorized bonding in the amount not to exceed \$3,650,000.00 for the design and construction of a new facility to replace Fire Station 2.

The original intent of the Fire Station Building Committee and the City Council, at the time of the bonding resolution, was to replace Fire Station 2 at the same location it is today. Subsequent to the approval of the bonding, the Fire Chief brought to my attention that the property at 3000 Lafayette Road (corner of Ocean and Lafayette) was available. The Fire Chief felt that the existing site which is less than one acre was not ideal for the replacement of a new fire station that was expected to last over forty years. The site at 3000 Lafayette Road is 2.5 acres and has better access to Route 1 and Ocean Road and would allow for enhanced operations at this location. The Fire Chief feels that 3000 Lafayette Road is a rare opportunity for the City to obtain a prime corner lot, in what he believes is a district that has been growing since Station 2 was built in 1967. The present location of Fire Station 2 and its replacement at that location was predicated on available land at the time it was designed. The Fire Chief along with the Building Committee, as well as, the Fire Commission, believes that this is an opportunity that the City needs to evaluate very carefully and should not pass up. It is their opinion that this location is ideal for a new public safety facility that will benefit not only the citizens but the Fire Department personnel, as well as, having a safe, healthy working environment.

Fire Station 2 has long been considered a gateway to the City of Portsmouth and the Chief feels that at this new location it would create an esthetically pleasing entryway into the City.

For your information, I have enclosed the following:

- 1) A memorandum from Fire Chief Christopher LeClaire regarding his reasons to relocate Fire Station 2 for the property known as 3000 Lafayette Road.
- 2) An aerial photograph showing the location of 3000 Lafayette Road.
- 3) A copy of an aerial showing the existing Fire Station 2.
- 4) Copy of a letter to Donald Eaton, who is representing the property owner regarding the City's interest in this property.
- 5) Copy of a bonding amortization schedule which shows the anticipated cost of the project at \$3,650,000.00 (bonding resolution that was approved on August 6<sup>th</sup>).
- 6) Amortization schedule showing the cost of the \$1.3 Million if the City Council proceeded with purchase of this property to relocate Fire Station 2.
- 7) Amortization schedule showing total cost with the new property.  
As you are aware, bonding resolutions require only two readings and a two-thirds vote is required of the City Council for passage.
- 8) Appraisal of 3000 Lafayette Road conducted by Fremeau Appraisal. Copy of the entire appraisal is located on the inside cover of your packet. Please note that he has appraised the property for \$1 million.
- 9) Report back from the Planning Board regarding purchase of 3000 Lafayette Road.

On Monday evening, prior to the public hearing, the Fire Chief will be making a presentation regarding the proposed relocation of Fire Station 2 from the existing site at 2700 Lafayette Road to 3000 Lafayette Road.

*I would recommend the City Council move to adopt the proposed Resolution, as presented. Action on this item should take place under Section IX of the Agenda.*

- 2.2 **Public Hearing/Adoption of Resolution Amending Elderly Exemption Income and Asset Limits.** As a result of the February 11th City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and adoption the proposed attached resolution for amending Elderly Exemption Income and Asset Limits.

Annually, since 2006 at the direction of the City Council, the City of Portsmouth reviews income and asset levels for Elderly Exemptions pursuant to RSA 72:39-b and makes recommendations as to these levels.

Last year, the City Council adopted Resolution #7-2007 which increased the income and asset levels for elderly exemptions by the rate of the November 2005 through November 2006 consumer price index (CPI) of 2%.

The current elderly exemption income levels are \$30,600 for a single taxpayer, \$37,740 for married taxpayers, and an asset limit of \$102,000.

If qualified, for elderly taxpayers, the exemption off the assessed value of the property is as follows:

Age 65 to 74	\$125,000
Age 75 to 79	\$175,000
Age 80 +	\$225,000

If the City Council wishes to adjust the income and asset levels for the elderly taxpayers by the current November 2006 to November 2007 CPI of 3.4%, this would increase the limits (rounded up) as follows:

Single	\$31,640 increase of \$1,040
Married	\$39,030 increase of \$1,290
Asset Limit of	\$105,470 increase of \$3,470

This adjustment would be for assessments as of April 1, 2008 for the 2008 tax year or FY09.

The Assessor's office mails a notification annually to all elderly persons who currently receive this exemption to update their applications. All new applicants must submit an application and required documentation by April 15<sup>th</sup> of each year.

If the City Council wishes to make any adjustment in these exemptions, it would require an amendment to this resolution as well as a public hearing and a majority vote of the City Council. It would be my suggestion that the City Council adjust these exemptions by the November 2006 to November 2007 CPI of 3.4% including asset limitations. I have attached for your information the tax impact of the elderly exemptions for tax year 2007 or FY08.

*I would recommend the City Council move to adopt the Resolution Amending Elderly Exemption Income and Asset Limits, as presented. (This requires a majority vote.) Action on this matter should take place under section IX of the Agenda.*

2.3 **Public Hearing/Adoption of Resolution Amending Disabled Exemption Income and Asset Limits.** As a result of the February 11th City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and adoption the proposed attached resolution for amending Disabled Exemption Income and Asset Limits.

Annually, since 2006 at the direction of the City Council, the City of Portsmouth reviews income and asset levels for the Disabled Exemptions pursuant to RSA 72.37-b and makes recommendations as to these levels.

Last year, the City Council adopted Resolution #8-2007 which increased the income and asset levels for disabled exemptions by the rate of the November 2005 through November 2006 consumer price index (CPI) of 2%.

The current disabled exemption income levels are \$30,600 for a single taxpayer, \$37,740 for married taxpayers, and an asset limit of \$102,000.

If qualified, for disabled taxpayers, the exemption off the assessed value of the property is \$100,000.

If the City Council wishes to adjust the income and asset levels for disabled taxpayers by the current November 2006 to November 2007 CPI of 3.4%, this would increase the limits (rounded up) as follows:

Single	\$31,640 increase of \$1,040
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If the City Council wishes to make any adjustments in these exemptions, it would require an amendment to this resolution as well as a public hearing and a majority vote of the City Council. It would be my suggestion that the City Council adjust these exemptions by the November 2006 to November 2007 CPI of 3.4% including asset limitations. I have attached for your information the tax impact of the disabled exemptions for tax year 2007 or FY08

*I would recommend the City Council move to adopt the Resolution Amending Disabled Exemption Income and Asset Limits, as presented. (This requires a majority vote.) Action on this matter should take place under Section IX of the agenda.*

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

- 3.1 **Public Hearing/Second Reading of Ordinance Amending Chapter 7, Article III, Section 7.330 – No Parking and Section 7.336 – One-Way Streets.** As a result of the February 11th City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and second reading the attached proposed amendment to Chapter 7, Article III, Section 7.330 – No Parking and Section 7.336 – One-Way Streets.

Over the past year, the Community Development and Public Works Departments have been working with the Atlantic Heights neighborhood and CLD Consulting Engineers on the design of the next Community Development Block Grant-funded streetscape improvement project in the neighborhood. This project, which is described in the attached Executive Summary, will be constructed in phases as funding allows, with construction of at least the first phase to begin this summer. The design, which has received strong neighborhood support, calls for a one-way neighborhood circulation pattern. Also, attached as requested by the City Council is a letter of support from the Co-chairs of the Atlantic Heights Area Neighborhood Association. During the design phase, the City held three public meetings with the neighborhood and two on-site field days.

On February 8, 2007, the Traffic and Safety Committee unanimously recommended the designation of the one-way circulation pattern as shown on the attached plan. The City Council adopted the minutes of this meeting at the March 5, 2007 Council meeting.

On Monday evening prior to the public hearing, there will be a brief presentation by CLD Consulting Engineers on this project.

*I would recommend the City Council move to pass second reading and schedule a third and final reading at the March 18, 2008 City Council meeting. Action on this matter should take place under Section IX of the agenda.*

4. **Letter from Anthony Moulton, Miles for Miracles.** Attached under written communications is a letter from Anthony Moulton, Miles for Miracles, requesting permission to set up a treadmill in Market Square in order to raise funds for a child on Saturday, March 15, 2008, Sunday, March 16, 2008, Saturday, April 5, 2008 and Sunday, April 6, 2008. Due to the sidewalk obstruction, I would suggest that this event be held at Vaughan Mall. *Therefore, I would recommend the City Council move to approve the request at the Vaughan Mall location. Action on this matter should take place under Section XI of the Agenda.*

5. **Funding Request from School Board Re: Middle School Architect.** Attached under Section XI of the Agenda is a letter from the School Board requesting that the City Council fund \$70,500 for architectural and related services for Phase 1 of the Middle School design contract. As you are aware, the School Board voted to engage JCJ Architects of Hartford, Connecticut.

For your information, I have also attached the following:

- 1) A memorandum dated January 8, 2008 from the Architectural Selection Committee to the Portsmouth School Board regarding RFP #08-08.
- 2) A memorandum dated January 16, 2008 from the Architectural Selection Committee to the Portsmouth School Board.

If the City Council wishes to fund Phase 1, I would recommend that you authorize the City Manager to expend \$70,500 from the FY07 contingency account.

On Monday evening, the School Board Chair Dr. Mitchell Shuldman along with Dr. Robert Lister and other members of the School Board will be in attendance to answer any questions that you might have relating to this matter.

*I would recommend the City Council move to authorize the City Manager to expend up to \$70,500 for architectural and related services for the four tasks required for Phase 1 and reimbursable expenses in accordance with the agreement with JCJ Architects. Action on this matter should take place under Section XI of the Agenda.*

6. **Request to Reconstruct Dock.** Attached under written communications is a self-explanatory letter from Thomas Watson and Kathleen Salisbury of Newcastle Avenue. As your review will indicate, they wish to complete a process authorized several years ago by the City Council to allow them to reconstruct a dock, which connected Newcastle Avenue in front of their property prior to the recent reconstruction of that street. *If the City Council wishes to move this matter forward, an appropriate motion would be to authorize the City Manager to negotiate and execute a license agreement with Thomas Watson and Kathleen Salisbury to allow a dock to be reconstructed on the northerly side of Newcastle Avenue. Action on this matter should take place under Section XI of the Agenda.*

7. **Request for Amendment to Seacoast Growers' Association License Agreement.** Attached under written communications is a letter from Seacoast Growers' Association requesting an amendment to their License Agreement. The Agreement with Seacoast Growers' Association, which allows the Farmers' Market to operate at the Municipal Complex specifically limits the Farmers' Market to one wineseller, the current wineseller Jewell Towne Vineyards. Seacoast Growers' would like to add one additional wineseller, Piscassic Pond Winery. *I would recommend the City Council move to authorize the City Manager to negotiate and execute the amendment to the City's Agreement with the Seacoast Growers' Association in order to allow the sale of wine and mead by Piscassic Pond Winery. Action on this matter should take place under Section XI of the Agenda.*

8. **Proposed Amendments to Taxi Ordinance.** Attached under Councilor Eric Spear's name is a request for amendments to the Taxi Ordinance. *I would recommend this be brought back for first reading at the March 18<sup>th</sup> City Council meeting. Action on this matter should take place under Section XII of the Agenda.*

### ***City Manager's Items Which Require Action:***

1. **Request to Dispose of Surplus Vehicles.** The City currently has eighteen (18) surplus vehicles for disposal. (See attached list.) In the past, we have sold the surplus vehicles through a sealed bid process in which the vehicle is sold to the highest bidder. According to City Ordinance, Section 1.505 (see attached), property valued at \$500.00 or more must receive approval from the City Council prior to bidding. *I would recommend the City Council move to authorize the City Manager to dispose of surplus vehicles by the sealed bid process.*
2. **Remcon Associates, Inc. (formerly Avanti Development) Re: Sidewalk Easement Deed.** Attached is a copy of a memorandum from City Attorney Robert Sullivan regarding a sidewalk easement deed that Remcon Associates, Inc. (formerly Avanti Development) has granted to the City, which the City Council needs to accept and place on file. *Therefore, I would recommend the City Council move to accept and place this matter on file.*
3. **Boarding House Permit.** In accordance with the Boarding House Ordinance, a permit is required commencing January 1, 2008 and annually thereafter. As you are aware, in August the City Council passed an Ordinance requiring a permit for all boarding houses "in which more than three rooms are rented, leased or otherwise made available to tenants where such rooms do not contain separate bathroom facilities".

Attached is a request for a Boarding House Permit from Brian Hogan for property located at 21 Brewster Street.

I have attached for your information a copy of the Ordinance, a memorandum from City Attorney Robert Sullivan regarding the Boarding House Permit process, and a photograph of the aforementioned property. It would be my recommendation that the City Council refer this matter to the City Manager with power so that I can have the appropriate City agencies do inspections in order to insure compliance with City Ordinances. *Therefore, I would recommend the City Council move to refer the request for a Boarding House Permit for 21 Brewster Street to the City Manager with power.*

### ***Informational Items:***

1. **Events Listing.** For your information, I will be providing the City Council with an updated Events Listing at each regular City Council meeting for your reference. Each update will start with the date of the last City Council meeting (see attached copy).

2. **Report Back Re: Request to Renew Lease of 251 Bartlett Street by the Creek Athletic Club.** At the February 11<sup>th</sup> City Council meeting, the Council voted to instruct the City Manager to draft a Lease Agreement for Creek Athletic Club to bring back for action at the March 3, 2008 City Council meeting with a new section entitled Public Benefit. We are in the process of negotiating and drafting this Lease, which will be available for the March 18<sup>th</sup> City Council meeting. The Lease expires on March 31, 2008.
  
3. **Economic Development Commission Agenda and Minutes.** For your information, attached are copies of the Economic Development Commission Agenda for the March 7, 2008 meeting and the minutes for the February 1, 2008 meeting.