

TO: JOHN P. BOHENKO, CITY MANAGER
FROM: KELLI L. BARNABY, CITY CLERK
RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MARCH 18, 2008, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE
PRESENT: MAYOR FERRINI, ASSISTANT MAYOR BLALOCK, COUNCILORS NOVELLINE CLAYBURGH, DWYER, SMITH, KENNEDY, SPEAR, RAYNOLDS AND PANTELAKOS

1. At 6:00 p.m., a Work Session was held regarding the Capital Improvement Plan FY2009-2014.
2. Presentation – Quarterly Wastewater Master Plan Update – Deputy Public Works Director Allen and consultants from Weston and Sampson provided a quarterly review of the Wastewater Master Plan.
3. Acceptance of Minutes – March 3, 2008 – Voted to approve and accept the minutes of the March 3, 2008 City Council meeting.
4. Public Comment Session – There were four speakers: Sandra Dika, Donald Coker, Ray Will and Brendan Cooney (10-Year Rule).
5. Acceptance of Donations to the Police Department Accident Investigation Team for the purchase of Photogrammetry Equipment
 - National Wrecker - \$1,000.00
 - Ralph’s Truck & Equipment Parts - \$1,000.00
 - Anonymous Donor - \$1,000.00

Voted to approve and accept the donations to the Portsmouth Police Department, as listed.

6. Acceptance of Donations to the Portsmouth Police Explorers
 - Portsmouth Police Relief Association - \$250.00
 - Portsmouth Police Patrolmans’ Union - \$100.00

Voted to approve and accept the donations to the Portsmouth Police Department, as listed.

7. Acceptance of Grant & Donations for Art-Speak’s Overnight Art Event

Grant

- New Hampshire State Council on the Arts - \$2,500.00

Donations

- Christine Dwyer - \$2,500.00
- John McCluggage & Alexandra Urbanowski - \$100.00
- Kennedy Studios - \$100.00

Application Fee - \$15.00 Each

- Jennifer Burns Benn
- Jennifer Calivas
- Jordan Chichester
- Miranda Clark
- Katie Crowell
- Shawn Dailey
- Stephanie Holt
- Carol Lake
- Tim Pickett
- Jason Probert
- James Rappa
- J&J Steel & Stone
- Lynn Szymanski
- Bruce Teatrowe

Voted to accept and approve the grant and donations to Art-Speak's Overnight Art Event, as presented.

8. First reading of Ordinance amending Chapter 7, Article II – Taxicabs - Section 7.213 (D) – Fees and Terms for Permits/Licenses by the addition of the following language: Except that when the revocation is due to failure to meet vehicle inspection, requirements, no fee shall be due if the vehicle is repaired to the satisfaction of the taxi inspector within 24 hours of the revocation; and Section 7.219 (1) (2) (4) – Rates of Taxi Fares – (1) Increase the first one-eighth (1/8) mile or fraction hereof, from \$.35 cents to \$.45 cents; (2) Increase waiting time from \$.25 cents to \$.45 cents; (4) Increase discount to any passenger who is age sixty (60) or over from 10% to 20% - Voted to pass first reading and schedule a public hearing and second reading of the proposed ordinance amendment, as presented, at the April 7, 2008 City Council meeting.
9. First reading of Ordinance amending Chapter 7, Article III, Section 7.302 – Enforcement Authority by the addition of Item B to read as follows: Any vehicle or object parked or placed in violation of this ordinance shall be cited for such violation and may be towed at the vehicle owners expense at direction of the enforcement authority, the Chief of Police or the Director of Public Works – Voted to pass first reading and schedule a public hearing and second reading of the proposed ordinance amendment, as presented, at the April 7, 2008 City Council meeting.
10. First reading of Ordinance amending Chapter 7 by creating a Two Hour Parking Area on Court Street, a No Parking Area on Court Street, a No Parking Area on Islington Street, a No Parking Area on Essex Avenue, creating a Loading Zone on Court Street and deleting provisions inconsistent with the foregoing - Voted to pass first reading and schedule a public hearing and second reading of the proposed ordinance amendment, as presented, at the April 7, 2008 City Council meeting.

11. Third and final 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

Voted to pass third and final reading of the amended ordinance, as presented.

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

- A. Acceptance of Donation to the Fire Department
 - Kenneth H. Volk - \$50.00 (***Anticipated action – move to approve and accept the donation to the Fire Department, as listed***)
- B. Acceptance of Donation to City's Residential Accessibility Grant Program
 - Robert K. Ryan - \$500.00 (***Anticipated action – move to approve and accept the donation to the Residential Accessibility Grant Program, as listed***)
- C. Letter from Stacy Baker Chilicki from Seacoast Repertory Theatre, requesting permission to hold the 41st Annual Bow Street Fair on Saturday, July 19, 2008 and Sunday, July 20, 2008 from 10:00 a.m. – 5:00 p.m. (***Anticipated action – move to refer to the City Manager with power***)
- D. Renewal of Sidewalk Obstruction Licenses with no changes from last year
 - Ambrosia Gardens, Inc. – 1 A-frame sign
 - Aroma Italian Café – 1 A-frame sign
 - Attrezzi LLC – 1 A-frame sign
 - Bagel Works – 4 tables, 12 chairs and 1 A-frame sign
 - Belle Peppers – 2 tables and 4 chairs
 - Bellman's Portsmouth – 1 A-frame sign
 - Betty LaBranche Agency – 1 A-frame sign
 - Blue Athletic, Inc. – 1 A-frame sign
 - Breaking New Grounds, Inc. – 15 tables and 42 chairs
 - Buyer's Brokers of the Seacoast – 1 A-frame sign
 - Ceres Bakery – 2 tables and 10 chairs

- Chamber of Commerce – 1 A-frame sign
- Colby's Breakfast & Lunch – 1 A-frame sign
- Corks & Curds, LLC – 1 A-frame sign
- Dos Amigos Burritos – 1 bench
- Fat Belly's – 1 A-frame sign
- Geno's Coffee Shop – 1 A-frame sign
- Izzy's Frozen Yogurt – 1 bench
- Leo Auger Real Estate – 1 A-frame sign
- Lucky 7 Gallery – 1 A-frame sign
- Making Faces – 1 A-frame sign
- Me & Ollies Café – 6 tables, 18 chairs and 1 A-frame sign
- Muddy River Smokehouse – 1 A-frame sign
- Paradiza – 1 A-frame sign
- Poco's – 1 bench and 1 A-frame sign
- Popovers on the Square, LLC – 10 tables, 38 chairs and 1 A-frame sign
- Portsmouth Athenaeum – 1 A-frame sign
- Rosa's Restaurant – 2 A-frame signs
- Six Degrees A Unique Salon – 1 A-frame sign
- Starbucks Coffee – 4 tables and 8 chairs
- Stonewall Kitchen – 1 A-frame sign
- The First National Bank of Ipswich – 1 A-frame sign
- The One Hundred Restaurant – 1 A-frame sign
- Tugboat Alley – 1 bench
- Upscale Nails – 1 A-frame sign
- Water Monkey – 1 A-frame sign

(Anticipated action – move to refer to the City Manager with power)

- E. Request from Jacqui Harmon, Mainely Gourmet Chocolate Factory, requesting permission for a Sidewalk Obstruction License to place 1 A-frame sign in front of establishment ***(Anticipated action – move to refer to the City Manager with power)***

13. Letter from Donald Coker regarding the "Ten Year Rule" – Appointments to Boards and Commissions – Voted to accept the letter with appreciation and respect and place it on file.
14. Letter from Friends of Sagamore Creek Land requesting the establishment of a committee to work cooperatively with the City on an inventory, evaluation and plan for the land located off Jones Avenue – Voted to refer to the City Manager for report back.
15. Letter from School Board regarding Middle School at Parrott Avenue Site – On a roll call 8-1, voted to accept and place the letter on file. Assistant Mayor Blalock, Councilors Novelline Clayburgh, Dwyer, Smith, Spear, Raynolds, Pantelakos and Mayor Ferrini voted in favor. Councilor Kennedy voted opposed.
16. Adoption of Capital Improvement Plan FY 2009 – FY 2014 – Voted to adopt the CIP in accordance with the summary sheet distributed on March 18, 2008.

17. Doble Reserve Center – Voted to schedule a public hearing on the revised Redevelopment Plan and Homeless Assistance Application for the Doble Army Reserve Center for April 7, 2008 to be followed by Council action on the adoption of the revised Redevelopment Plan. Councilor Dwyer voted opposed.
18. Creek Athletic Club Lease Agreement – Voted to approve the one-year extension of the Creek Athletic Club Lease Agreement for 251 Bartlett Street, as presented. Councilor Novelline Clayburgh voted opposed.
19. Request for Use of Prior Year's Contingency for Snow Removal – Voted to reserve funds from the prior year's contingency to cover these expenses. (*Total amount of expenses \$215,554.00*).
20. Proposed Authorization of Purchase & Sale Agreement for 3000 Lafayette Road – Voted to authorize the City Manager to negotiate and execute a Purchase & Sale Agreement with the owners of the property at 3000 Lafayette Road.
21. Request for Approval of Pole License Agreements #63-0324, #63-0347, #63-353 and #63-363 – Voted to approve the request from PSNH for Pole License Agreements #63-0324, #63-0347, #63-353, and #63-363 as recommended by the Public Works Department.
22. Establish Legislative Delegation Meeting – The City Council agreed to establish a Work Session with the Legislative Delegation on Monday, March 24, 2008 at 6:00 p.m. in Conference Room A.
23. Appointments to be Considered – The City Council considered the appointment of Kirsten Barton to the Safe Routes to School Committee as the Little Harbour School Representative. The appointment will be voted on by the City Council at the April 7, 2008 meeting.
24. Resignation of Kathleen Brown from Recreation Board – Voted to accept the resignation with regret and that a thank you letter be sent to Ms. Brown for her years of service to the Recreation Board.
25. Blue Ribbon Committee Housing Update – Mayor Ferrini advised the City Council that he would be announcing the names of individuals to serve on the Committee in the near future.
26. Request to Install Temporary Sculpture on South Mill Pond as part of April Sustainability Fair – Voted the approval of the location for approximately one week for the recycling art pending approval by the Department of Environmental Services.
27. Ten Year Rule (City Council Rule #47 – Appointments to Boards and Commissions) – On a roll call 8-1, voted to suspend the rules to propose an amendment to City Council Rule #47. Assistant Mayor Blalock, Councilors Novelline Clayburgh, Dwyer, Smith, Kennedy, Spear, Pantelakos and Mayor Ferrini voted in favor. Councilor Reynolds voted opposed.

Voted to suspend the rules in order to continue the meeting beyond 10:00 p.m.

On a roll call 5-4, voted to repeal City Council Rule #47. Assistant Mayor Blalock, Councilors Novelline Clayburgh, Smith, Kennedy and Pantelakos voted in favor. Councilors Dwyer, Spear, Raynolds and Mayor Ferrini voted opposed.

28. Adjournment – At 10:30 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC/CNHMC
City Clerk