

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON AUGUST 4, 2008, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR FERRINI, ASSISTANT MAYOR BLALOCK, COUNCILORS NOVELLINE CLAYBURGH, SMITH, KENNEDY, SPEAR, HEJTMANEK AND PANTELAKOS

ABSENT: COUNCILOR DWYER

1. Acceptance of Resignation – City Council voted to accept with regret the resignation of Edward Reynolds from the City Council.
2. Acceptance of Resignation – City Council voted to accept with regret the resignation of Jerry Hejtmanek from the Planning Board.
3. Oath of Office – The City Clerk Barnaby administered the Oath of Office to Jerry Hejtmanek to the City Council filling the vacancy of Edward Reynolds.
4. Acceptance of Minutes – July 21, 2008 – Voted to approve and accept the minutes of the July 21, 2008 City Council meeting. Councilor Hejtmanek abstained from voting.
5. Public Comment Session – There were nine speakers: Steve Marchand, Lisa Newman (City Year's Young Heroes Program); Bob Hopley, Carol Chellman, Allen Nelson and Wayne Barrows (Peirce Property – Eminent Domain); Bill St. Laurent, Erik Anderson and Dr. Mitchell Shuldman (Teachers' Contract).
6. Public Hearing - Ordinance amending Chapter 7, Article VII, Section 7.702 – Truck Traffic Prohibited – Maplewood Avenue: from Central Avenue to Woodbury Avenue – Held a public hearing. Voted to pass second reading and hold a third and final reading of the proposed ordinance, as submitted, at the August 18, 2008 City Council meeting.
7. First reading of Ordinance amending Chapter 7, Article XI, Section 7.1100 – Speed Limits sub-section B – 20 MPH – Leavitt Avenue, McClintock Street, Moffat Street, Swett Avenue and Woodworth Avenue – Voted to pass first reading and schedule a public hearing and second reading of the proposed ordinance, as submitted, at the August 18, 2008 City Council meeting.

8. Consent Agenda – Voted to adopt the Consent Agenda.
 - A. Acceptance of Anonymous Donation to the Blue Ribbon Cemetery Committee in the amount of \$145.00 (***Anticipated action – move to approve and accept the donation to Blue Ribbon Cemetery Committee, as listed***)
 - B. Letter from Julie Slayton Frank, South Church, requesting renewal of Dumpster License Agreement for Church Street (***Anticipated action – move to refer to the City Manager with power***)
 - C. Letter from Dawn Burnett, PNF Realty, Inc., requesting renewal of Dumpster License Agreements for Peter Floros and the State Street Saloon for Church Street (***Anticipated action – move to refer to the City Manager with power***)
 - D. Letter from Sister Mary Agnes, St. Charles Children’s Home, requesting permission to hold the annual St. Charles Children’s Home 5k Road Race on Monday, September 1, 2008 at 9:00 a.m. (***Anticipated action – move to refer to the City Manager with power***)
9. Voted to suspend the rules in order to take up Item XII A.4. - Report Back Re: Young Heroes Program Funding Request.
10. Report Back Re: Young Heroes Program Funding Request – Voted that the School Department fund 50% from their existing budget and the City fund 50% from the prior year contingency account.
11. Letter from Michael Capalare requesting that the City find a way to honor John F. Kennedy’s name again – Voted to refer the request to the City Manager for report back.
12. Petition from patrons of the Portsmouth Farmers’ Market requesting the ban on legally processed local NH chicken sales be lifted – Voted to accept the petition and place it on file and further to request a report back from the Health Department as they work with the State to address this matter.
13. Letter from Jay Somers, Comcast, regarding Preparing for the Broadcast Digital Television (DTV) Transition – Move to accept Comcast’s offer to provide informational sessions regarding the transition to digital television. Voted to amend the motion to instruct Comcast that this would be an educational session and not a sales session. Main motion passed as amended.

Councilor Smith requested that Comcast have available the forms to assist individuals with the conversion.
14. Letter from Peter Egelston, The Portsmouth Brewery, requesting permission to use Vaughan Mall to hold the Saint Baldrick’s Celebration fundraiser for children’s cancer research on Sunday, September 28, 2008 from 12:00 p.m. – 4:00 p.m. – Voted to refer to the City Manager with power.

15. Letter from David Caswell, Portsmouth Sign Company, requesting permission on behalf of Optima Bank and Trust to hang a sign over the City sidewalk – Voted to authorize the City Manager to negotiate and execute a license agreement with Optima Bank & Trust to hang a sign over the City sidewalk.
16. Letter from Geoffrey O'Hara, U.S. Chamber of Commerce, requesting permission to park a VoteForBusiness bus on Wednesday, August 20, 2008 at the Vaughan Mall in the Worth Lot from 11:00 a.m. – 2:00 p.m. – Voted to refer to the City Manager with power.
17. Proposed Adoption of the Association of Portsmouth Teachers' Contract for the period July 1, 2008 through June 30, 2013 – On a unanimous roll call 8-0, voted to adopt the Association of Portsmouth Teachers' Contract for the period July 1, 2008 through June 30, 2013.
18. Report Back Re: USS New Hampshire Commissioning Celebration – Moved to accept the report back including the City Attorney's recommendation with regard to banners, and refer the aforementioned requests to the City Manager with power. Voted to amend the motion to direct the City Manager not to allow for the hanging of banners as requested by the USS New Hampshire Commissioning Committee. Main motion passed as amended.

Requests as outlined:

- a) Event parking requests:
 - Request to allow remote viewing of the commissioning from Four Tree Island, Prescott Park.
 - Request for permission to park vehicles at Portsmouth High School and the Masonic Temple and to place appropriate signage to direct people to parking lots.
- b) Request for temporary installation of a Jumbotron viewing screen on Four Tree Island or Prescott Park for remote viewing of the commissioning ceremony.
- c) Event Banners: The Commissioning Committee has requested permission to hang event banners including sponsors' names on poles in the city. Attached is a copy of a memorandum from City Attorney Sullivan on the topic of banners.
- d) Request that the City of Portsmouth officially adopt the submarine.
- e) Request for use of city parks for event fundraising with area non-profits.
- f) Media correspondence and relations and letter from Mayor in official commissioning program.

19. Report Back Re: Request for Approval of Dumpster License Agreements for Porter Street – Voted to authorize the City Manager to enter into license agreements with Jay McSharry and with the Salvation Army for waste receptacles on Porter Street.
20. Polling Hours for September 9, 2008 State Primary Election – Voted to set the polling hours from 8:00 a.m. to 7:00 p.m. for the State Primary Election on Tuesday, September 9, 2008.
21. Appointment to be Considered – The City Council considered the appointment of Stephen McCarthy to the Building Code Board of Appeals which will be voted on by the City Council at the August 18, 2008 meeting.
 - Stephen McCarthy – Appointment to Building Code Board of Appeals
22. Appointment to be Voted – Voted the following appointments:
 - Steve Miller – Reappointment to the Conservation Commission until April 1, 2011.
 - Barbara McMillan – Reappointment to the Conservation Commission until April 1, 2011.
 - Allison Tanner – Reappointment to the Conservation Commission until April 1, 2011.
 - Brian Wazlaw – Reappointment to the Conservation Commission until April 1, 2011.
 - Nancy Beach – Reappointment to the Cable Commission until April 1, 2011.
 - Richard Katz – Reappointment to the Historic District Commission until June 1, 2011.
23. Resignation - Jonathan Bailey – Safe Routes to School Committee – Voted to accept with regret the resignation of Jonathan Bailey from the Safe Routes to School Committee and requested that Mayor Ferrini send a letter thanking Mr. Bailey for his service to the City.
24. Traffic & Safety Committee Action Sheet and Minutes of the June 12, 2008 and July 10, 2008 meetings – Voted to approve and accept the action sheet and minutes of the June 12, 2008 Traffic & Safety Committee meeting. Voted to approve and accept the action sheet and minutes of the July 10, 2008 Traffic & Safety Committee meeting.
25. Parking Committee Action Sheet and Minutes of the June 12, 2008 meeting – Voted to approve and accept the action sheet and minutes of the June 12, 2008 Parking Committee meeting.
26. Recognition of the Fishing Fleet – The City Council requested that the City Manager provide a report back on this matter.
27. Adjournment – At 9:30 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC/CNHMC
City Clerk