

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON JUNE 22, 2009, 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, HEJTMANEK AND PANTELAKOS

1. At 6:00 p.m., an Anticipated "Non-Meeting" with Counsel was held regarding Negotiations.
2. Presentation to Superintendent of Schools Dr. Robert J. Lister – Mayor Ferrini, City Manager Bohenko and City Council presented Superintendent Dr. Robert Lister with a City of Portsmouth chair in honor of his retirement as well as a Proclamation recognizing his years of service to the City.
3. Acceptance of Minutes – June 8, 2009 – Voted to approve and accept the minutes of the June 8, 2009 City Council meeting.
4. Public Comment Session – There were four speakers: Martin Cameron, Bill St. Laurent, Erik Anderson (Budget); and Judith Stadtman (Political Assembly).
5. Acceptance of Donations to the Coalition Legal Fund
 - Town of Sugar Hill - \$500.00
 - Town of Moultonborough - \$4,000.00
 - Town of Tuftonboro - \$5,000.00

Voted to approve and accept the donations, as listed, to be placed in the Coalition Legal Fund.
6. Resolution #1 – General Fund Expenditures – On a unanimous roll call 9-0, voted to adopt Resolution #1.
7. Resolution #2 – Municipal Fees – On a unanimous roll call 9-0, voted to adopt Resolution #2.
8. Resolution #3 – Sewer Fund Expenditures – Voted to adopt Resolution #3.
9. Resolution #4 – Water Fund Expenditures – Voted to adopt Resolution #4.
10. Resolution #5 – Special Revenues for Necessary Expenditures and Designated Fund Balances – Voted to adopt Resolution #5.
11. Resolution #6 – Investment Policy – Voted to adopt Resolution #6.

12. First reading of Ordinance amending Chapter 7, Article IV, Section 7.402 – Areas Established, Designated and Described of the Ordinances of the City – Hanover-Fleet Street Off-Street Parking Area (High Hanover Parking Garage) – Voted to pass first reading of the proposed Ordinance, as submitted, and schedule a public hearing and second reading at the July 20, 2009 City Council meeting.
13. Third and final reading of Ordinance amending Chapter 7, Article IV, Section 7.408 – Peirce Island Boat Launch Overnight Parking – Voted to pass third and final reading of the Ordinance, as submitted.
14. Consent Agenda – Voted to adopt the Consent Agenda.
 - A. Acceptance of Grant to Mayor’s Blue Ribbon Cemetery Committee from the Portsmouth Garden Club - \$200.00 (***Anticipated action – move to accept a grant in the amount of \$200.00 to the Mayor’s Blue Ribbon Cemetery Committee***)
 - B. Letter from Jay Diener, Seacoast Half Marathon, requesting permission to hold the 4th annual Seacoast Half Marathon on Sunday, November 8, 2009 (***Anticipated action – move to refer to the City Manager with power***)
 - C. Letter from Eric Weinrieb, Portsmouth Rotary Club, requesting permission to hold the 17th annual Thunder Chicken 5k Road Race on Thursday, August 6, 2009 (***Anticipated action – move to refer to the City Manager with power***)
15. Letters from Judith Stadman, Seacoast for Change Grassroots Network, regarding City of Portsmouth Policies Affecting Peaceable Political Assembly and the Exercise of First Amendment Rights (See City Attorney Sullivan’s Response) – Voted to accept and place the letters on file.
16. Letter from Peggy Lamb, Historic State Street Merchant’s Association, requesting permission to display open flags during business hours on State Street – Voted to refer to the City Manager with power.
17. Fact Finder’s Report Re: Firefighter Negotiations – Voted to reject the report.
18. Portsmouth Police Ranking Officers’ Association Tentative Agreement – Voted to reject the Portsmouth Police Officers’ Ranking Association Tentative Agreement, as presented.
19. Revised Contract for Edward McDonough, Superintendent of Schools – Voted to approve the revised contract for Edward McDonough, Superintendent of Schools Designee, as presented.
20. Ratification of Prescott Park Arts Festival Agreement – Voted to approve the agreement as negotiated and executed by the Trustees of the Trust Funds and the Prescott Park Arts Festival.

21. Adoption of Policy Re: Public Gathering in Market Square – Voted to table action on this matter until the July 20, 2009 City Council meeting.
22. Report Back Re: Rezoning of Land between Bartlett Street and the US Route 1 Bypass – Voted to accept the recommendation from the Planning Board, as submitted.

Planning Board Recommendation:

That the requested zoning change be considered as part of the overall revision of the Zoning Ordinance and Zoning Map, and requested the Planning Department to review land use and circulation issues in this Industrial district and the immediate surround area. The Board's recommended zoning for this area will be included on the revised Zoning Map which will be recommended to the City Council this fall along with the revised Zoning Ordinance.

23. License Agreement for Dumpster at 1 Harbour Place – Voted to authorize the City Manager to negotiate and enter into a license agreement with Two International Construction for purposes of facilitating construction activities at 1 Harbour Place.
24. Voted to suspend the rules in order to take up the Proposed Contract for David Ferland, Deputy Police Chief Designee. *(This item was not on the agenda).*
25. Proposed Contract for David Ferland, Deputy Police Chief Designee (Not on agenda) – Voted to approve the contract for David Ferland, Deputy Police Chief Designee, as presented.
26. City Manager's Informational Item 2 – City Manager Bohenko announced that the City Council will be holding a Half-Day Work Session Re: Proposed Zoning Ordinance on Thursday, June 25, 2009 at the Library in the Levenson Room from 12:30 p.m. – 4:30 p.m.
27. Appointments to be Considered - The City Council considered the following appointments to be voted on at the July 20, 2009 meeting.
- Dennis Moulton – Reappointment to the Building Code Board of Appeals
 - Ron Zolla – Appointment to the Economic Development Commission
 - Robert Pollard – Appointment to the Peirce Island Committee
28. Appointments to be Voted – Voted to reappoint Elena Maltese to the Historic District Commission until June 1, 2012.

Voted to reappoint Jeffrey Mountjoy to the Housing Endowment Fund until June 22, 2012.

Voted to appoint Arlene Corriveau to the Peirce Island Committee until December 31, 2009.

Voted to appoint Harold Hapgood to the Peirce Island Committee until December 31, 2009.

Voted to appoint Heather Hurtt to the Recreation Board until April 1, 2011. *(The Recreation Board is a 3-year term however, the term expired in 2008)*

Voted to reappoint Carl Diemer to the Recreation Board until April 1, 2011. (*The Recreation Board is a 3-year term however, the term expired in 2008*)

Voted to reappoint Kathy Birse Siegel to the Recreation Board until April 1, 2011. (*The Recreation Board is a 3-year term however, the term expired in 2008*)

29. Status Update on Portsmouth Middle School – No action required.

30. Adjournment – At 8:30 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC/CNHMC
City Clerk