

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: VALERIE A. FRENCH, DEPUTY CITY CLERK I

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL AT MEETING HELD ON SEPTEMBER 14, 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

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1. At 6:30 p.m., an Anticipated "Non-Meeting" with Counsel was held regarding Negotiations.
 2. Mayor's Award – Harbor Church – Mayor Ferrini presented a Mayor's Award to Seth Hoffman of Harbor Church for their volunteer community work at various locations. Mr. Hoffman accepted the award with thanks and appreciation.
 3. Mayor's Award – Cornerstone Tree Care – Mayor Ferrini presented a Mayor's Award to Micum Davis of Cornerstone Tree Care for their work at Haven Park on Arbor Day. Mr. Davis accepted the award with thanks and appreciation and recognized the 6 other Tree Service Companies who also participated.
 4. Presentation – Quarterly Report – Peirce Island Committee – Steve Marison and Richard Smith – Steve Marison and Richard Smith gave an update of the recent activities and future goals of the Peirce Island Committee.
 5. Presentation – Quarterly Report – Conservation Commission – Steve Miller - Steve Miller gave an update of the recent activities and future goals of the Conservation Commission.
 6. Presentation – Quarterly Report – Recreation Board – Carl Diemer – Carl Diemer gave an update of the recent activities and future goals of the Recreation Board.
 7. Acceptance of Donation from Elinor Frank to the Portsmouth Fire Department - \$50.00 - Voted to approve and accept the donation, as listed, to the Portsmouth Fire Department.
 8. Request to apply for and accept a \$10,000.00 grant from the National Association of County and City Health Officials (NACCHO) – Voted to authorize the City Manager to apply for, accept and expend a \$10,000.00 grant from the National Association of County and City Health Officials to sustain current efforts and further develop the regional Medical Reserve Corps unit.
 9. First Reading of Ordinance amending Chapter 7, Article II – Taxicabs, Section 7.210 – Permits and Inspections Required by the addition of Item C – Each taxi permitted in the City shall be inspected in the month of June each year for compliance with the requirements in the Ordinances – Voted to pass first reading and schedule a public hearing and second reading of the proposed Ordinance, as submitted, at the October 5th City Council Meeting.

10. First Reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Washington Street – both sides from Hancock Street to Howard Street – Voted 7-2 to pass first reading and schedule a public hearing and second reading of the proposed Ordinance, as submitted, at the October 5th City Council Meeting, Councilors Kennedy and Spear voted opposed.
11. First Reading of Ordinance amending Chapter 5, International Fire Code; Chapter 12, Part I – International Building Code and Part II – International Residential Code; Chapter 15, Part I – International Plumbing Code and Part II – International Mechanical Code – Voted to pass first reading and schedule a public hearing and second reading of the proposed amendments as submitted at the October 5th City Council Meeting.
12. First Reading of Resolution Authorizing the Borrowing through the State Revolving Fund (SRF) Loan Program/American Recovery and Reinvestment Act (ARRA) for Costs related to Two Water System Improvements not to exceed Fifty-Five Thousand Dollars (\$55,000.00) – Voted to pass first reading and schedule a public hearing and adoption of the Resolution, as submitted, at the October 5, 2009 City Council Meeting.
13. Petition for Municipal Storm Drain on Custom House Court – Voted to accept the letter and place petition on file.
14. Letter from Paul LeBlanc requesting permission to set up a Missing Man Table in honor of POW/MIA Recognition Day on Saturday, September 19, 2009 from 9:00 a.m. – 4:00 p.m. at 22 Pleasant Street – Deputy City Manager Hayden explained the City Manager recommends this event be relocated to the Vaughan Mall due to the many other activities occurring in the downtown on the 19th. Voted to refer to the City Manager with power.
15. Request of Poco Diablo, Inc. Re: Unmet Parking Need Fee - Voted to authorize the City Manager to transfer \$22,220.00 from the Benefit Payments made by Poco Diablo, Inc. to the Unmet Parking Need Fund. Mayor Ferrini and Assistant Mayor Blalock abstained from the discussion and voting.
16. Letter from Trevor Bartlett, PHP Committee, requesting permission to hold the annual Portsmouth Halloween Parade on Saturday, October 31st at 6:00 p.m. – Voted to refer to the City Manager with power.
17. Policy for Hanging Private Flags Projecting over City Property. – Voted to refer this matter to the City's Economic Development Commission so that they may develop and recommend to the City Council a policy on flags that would project over City property and pending a recommendation from the EDC, institute a moratorium on the issuance of any additional licenses for flags that would project over City property.
18. Bow – Ceres Street Waterfront Improvement Project, Construction Access Agreements, Easements, Compactor License and Loan Agreements – A. Acquire the temporary passageway construction access agreements as outlined in the City Manager's comments. – Voted to acquire the temporary passageway construction access agreements as outlined in the City Manager's comments. Mayor Ferrini and Assistant Mayor Blalock abstained from the discussion and voting.

19. Bow – Ceres Street Waterfront Improvement Project, Construction Access Agreements, Easements, Compactor License and Loan Agreements – B. Grant the Utility easements as outlined in the City Manager’s comments. – Voted to Grant the Utility easements as outlined in the City Manager’s comments. Mayor Ferrini and Assistant Mayor Blalock abstained from the discussion and voting.
20. Bow – Ceres Street Waterfront Improvement Project, Construction Access Agreements, Easements, Compactor License and Loan Agreements – C. Approve the compactor loan agreements and associated promissory notes with the terms as outlined in the City Manager’s comments. – Voted to approve the compactor loan agreements and associated promissory notes with the terms as outlined in the City Manager’s comments. Mayor Ferrini and Assistant Mayor Blalock abstained from the discussion and voting.
21. Bow – Ceres Street Waterfront Improvement Project, Construction Access Agreements, Easements, Compactor License and Loan Agreements – D. Approve the compactor license agreement attached to the City Manager’s comments. – Voted to approve the compactor license agreement attached to the City Manager’s comments. Mayor Ferrini and Assistant Mayor Blalock abstained from the discussion and voting.
22. Bow – Ceres Street Waterfront Improvement Project, Construction Access Agreements, Easements, Compactor License and Loan Agreements – E. Approve the temporary construction license for Poco Diablo’s new restaurant deck. – Voted to approve temporary construction license for Poco Diablo’s new restaurant deck. Mayor Ferrini and Assistant Mayor Blalock abstained from the discussion and voting.
23. Police Department request to utilize Propertyroom.com to dispose of property – Voted to authorize the Police Department to enter into an agreement with Propertyroom.com in accordance with the presentation made by letter from Chief Ferland, dated September 9, 2009.
24. Information Items – Deputy City Manager Hayden stated that the Household Hazardous Waste Collection will be held Saturday, September 26, 2009 at the Dept. of Public Works for Portsmouth, Newington and Greenland residents.
25. Appointments to be Voted: - Voted to approve appointments as listed below:
 - Ryan Baker, appointment to Citywide Neighborhood Steering Committee
 - James Horrigan – reappointment to Conservation Commission
 - George Melchior – Reappointment to Historic District Commission – Alternate
 - Calvin Couch – Reappointment to Housing Endowment Fund Advisory Board
 - Jeff McLean – Appointment to Portsmouth Economic Development Loan Program
 - Drew Martin – Appointment to Blue Ribbon Committee on Sustainable Practices

26. Appointments to be Voted: At the request of Councilor Smith, Appointment to Blue Ribbon Committee on Sustainable Practices, Brett Pasinella was removed for clarification - Voted to approved appointment of Brett Pasinella to Blue Ribbon Committee on Sustainable Practices.

27. Reports – Councilor Kennedy – Letter of Support – Fishermen – Voted to forward letter from Erik Anderson, President of the Commercial Fishing Industry to City Manager Bohenko and Legislative Liaison Pat Remick to draft a letter (with detailed background explanation of what is specifically being supported) to the Legislative Delegation in support of local Fishermen on regulation issues to be brought back to Council for approval.

28. Adjournment – At 8:40 p.m., voted to adjourn.

Respectfully submitted by:

Valerie A. French
Deputy City Clerk I