

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON NOVEMBER 16, 2009, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR FERRINI (left the meeting at 8:15 p.m.), ASSISTANT MAYOR BLALOCK, COUNCILORS NOVELLINE CLAYBURGH, DWYER, SMITH, KENNEDY, SPEAR, HEJTMANEK AND PANTELAKOS

1. At 6:00 p.m., a Work Session was held regarding the Parking Master Plan.
2. Proclamation – Seacoast Local – “Buy Local First” – Councilor Kennedy read the Proclamation declaring the week of November 30th through December 6th as “Buy Local First” Week. Mayor Ferrini presented the Proclamation to Kelly Cioe of Seacoast Local who accepted it with thanks and appreciation.
3. Presentation – Cable Television and Communications Commission Re: Establishment of Non-Profit Corporation for Public Access – John Gregg, Chair of the Cable Television and Communications Commission provided a presentation to the City Council regarding the establishment of a Non-Profit Corporation for Public Access.
4. Presentation – Quarterly Report on Wastewater – Dave Allen, Deputy Public Works Director with Peter Goodwin and Mark Allenwood provided a Quarterly Report on Wastewater to the City Council.
5. Acceptance of Minutes – October 5, 2009, October 19, 2009 and November 5, 2009 – Voted to approve and accept the minutes of the October 5, 2009, October 19, 2009 and November 5, 2009 City Council meetings.
6. Public Comment Session – There were two speakers: Ralph DiBernardo (Zoning) and Patrick Ellis (Wastewater Facility).
7. Public Hearing – Ordinance amending Chapter 7, Article III, Section 7.336 – One Way Streets – Parker Street – Northerly from Tanner Court to Hanover Street – Held a public hearing. Voted to pass second reading of the Ordinance and schedule third and final reading at the December 7, 2009 City Council meeting.
8. Acceptance of Donations to the Fire Department for the Firefighter’s “Vigilance” Sculpture
 - National Wrecker, Inc. - \$500.00
 - Industrial Protection Services, LLC - \$1,000.00
 - J. Kutt, LLC - \$1,000.00

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

9. Acceptance of Donation to the Fire Department from the Firefighter's Charitable Foundation, Inc. - \$300.00 – Voted to approve and accept the donation, as listed to the Fire Department.

10. Acceptance of Donations to the Coalition Legal Fund
 - Town of North Hampton - \$2,000.00
 - Town of New London - \$5,500.00

Voted to approve and accept the donations, as listed, to be placed in the Coalition Legal Fund.

11. Acceptance of Grant from the Department of Justice Office for radio encryption to the Police Department - \$105,000.00 – Voted to approve and accept the grant to the Portsmouth Police Department, as listed.

12. Acceptance of Grant from the U.S. Department of Justice Office for replacement of old crime-scene van - \$80,000.00 – Voted to approve and accept the grant to the Portsmouth Police Department, as listed.

13. Acceptance of Grant for the purchase of new and replacement bulletproof vests - \$7,170.00 – Voted to approve and accept the grant to the Portsmouth Police Department, as listed.

14. First reading of Resolution Appropriating the Sum of Six Hundred Fifty-Nine Thousand, Three Hundred Ninety-Four Dollars and Fifty Cents (\$659,394.50) for Expenses relating to the Water Portion of the State Street Utilities and Road Upgrade Project – Voted to pass first reading and schedule a public hearing and adoption of the Resolution in the sum of \$659,394.50 at the December 7, 2009 City Council meeting.

15. First reading of Resolution Appropriating the Sum of Two Hundred Eight Thousand, Two Hundred Twenty-Nine Dollars and Eighty-Five Cents (\$208,229.85) for Expenses relating to the General Fund Portion of the State Street Utilities and Road Upgrade Project – Voted to pass first reading and schedule a public hearing and adoption of the Resolution in the sum of \$208,229.85 at the December 7, 2009 City Council meeting.

16. Voted to suspend the rules in order to take action on Items IX C. – IX E. as one motion.

17. First reading of Ordinance amending Chapter 10 – Zoning Ordinance and Zoning Map by deleting it in its entirety and replacing it with a new Chapter 10 – First reading of Ordinance amending Chapter 11, Article VIII, Section 11.801 to Reduce the Threshold for Site Plan Review of multi-family residential units from five (5) to three (3) Units - First reading of Ordinance amending Chapter 11, Article VI – Comprehensive Plan Information by deleting it in its entirety and inserting in its place a new Article VI – Referrals to Planning Board Voted to pass first reading of Chapter 10 of the Zoning Ordinance and Zoning Map by deleting it in entirety and replacing it with a new Chapter 10 and Chapter 11, Article VIII, Section 11.801 to reduce the Threshold for Site Plan Review of multi-family residential units from five (5) to three (3) Units and Chapter 11, Article VI – Comprehensive Plan Information by deleting it in its entirety and inserting in its place a new Article VI - Referrals to Planning Board and further schedule a public hearing and second readings at the December 7, 2009 City Council meeting.
18. Voted to suspend the rules in order to take up Items XII. B.1. – XII. B.5.
19. Appointments to be Considered – Catherine Ennis to the Conservation Commission and Eduardo DelValle to the Recreation Board – The City Council considered the appointments of Catherine Ennis to the Conservation Commission and Eduardo DelValle to the Recreation Board. These appointments will be voted on by the City Council at the December 7, 2009 meeting.
20. Appointment to be Voted - John F. McVay – Appointment to the Peirce Island Committee – Voted to appoint John F. McVay to the Peirce Island Committee until December 31, 2009.
21. Resignations – Voted to accept with regret the resignations of Kirsten Barton from the Safe Routes to School Committee; Paul Houlares from the Recreation Board; Brendan Cooney from the Traffic & Safety Committee; Kent Kirkpatrick from the Taxi Commission; and Karina Quintans from the Mayor’s Blue Ribbon Committee for Sustainable Practices.

Councilor Smith requested letters of thanks and appreciation be sent to Ms. Barton, Mr. Houlares, Mr. Cooney, Mr. Kirkpatrick and Ms. Quintans for their years of service.

22. Establish Blue Ribbon Committee on Downtown Events

- One representative from the Economic Development Commission; - Susanne Delaney
- One representative from Downtown Businesses; - Gail Licciardello
- One Downtown Resident; - George Carlisle
- One City Council member; - Eric Spear
- One representative from event organizations (e.g. Pro Portsmouth, Critierium, etc.); - Barbara Massar
- One representative from the Clergy; - Dawn Shippee
- One Chamber representative; - Doug Bates
- Ex-officio non-voting members: City Manager or his designee, Police Chief or his designee, Fire Chief or his designee, Public Works Director or his designee, City Attorney or his designee

Mayor Ferrini announced that the above referenced individuals will serve on the Blue Ribbon Committee on Downtown Events.

The charge of the Committee shall be as follows:

The committee shall be charged with making findings, which shall include the pros and cons of downtown events and the impact of such events on downtown life and economic activity within the City.

The committee shall meet no more than 4 times to establish an agenda, hold a public hearing, complete findings and offer a report to the City Council. The committee will sunset on or before December 31, 2009, but shall be reconstituted in January 2010 if work remains to be completed.

23. Holiday Parade – Mayor Ferrini announced that the downtown Holiday tree lighting and 2009 Illuminated Holiday Parade celebrating “A Portsmouth Christmas” will be Saturday, December 5th. The City is again in charge of both events this year. The tree lighting ceremony begins at 5:00 p.m. at the Reviewing Stand in Market Square. Afterward, City Council members will be transported by trolley to the beginning of the parade route near Plaza 800. The parade steps off at 6:00 p.m. Council members are asked to contact the City Manager’s office by December 1st if they wish to ride the trolley when it leaves the City Hall lower parking lot at 4:45 p.m. and how many guests will be accompanying them.

24. Consent Agenda – Voted to adopt the Consent Agenda.
- A. Letter from Heidi Roy, National Multiple Sclerosis Society, requesting permission to hold the 2010 Walk MS Portsmouth on Saturday, April 17, 2009 from 10:00 a.m. – 2:00 p.m. (***Anticipated action – move to refer to the City Manager with power***)
 - B. Letter from Major Chester Emmons, Jr., The Salvation Army, requesting permission to place “Christmas Kettles” in Market Square, November 13, 2009 – December 24, 2009 (***Anticipated action – move to refer to the City Manager with power***)
25. Letter from Jane James, Art-Speak, requesting permission to place temporary public art on city property for Art-Speak Overnight Art! 2010 – Voted to refer to the City Manager with power.
26. Letter from Ronald Smith requesting the installation of a bench in memory of his son, Mark “Smitty” Smith in the new Port Walk Area – Voted to refer to the City Manager with power.
27. Establish City Council Work Session for November 30, 2009 Re: Zoning Ordinance and Zoning Map Amendments – Voted to establish a Work Session on November 30, 2009 for the purpose of discussing the Zoning Ordinance in greater detail.
28. Request for 99 Bow Street License Extension – Voted to authorize the City Manager to negotiate an extension of the License Agreement with Martingale Wharf L.P. for construction activities at 99 Bow Street with changes in terms relative to suspension of the license and use of planters as outlined.
29. Proposed Approval of Percent for Art for Fire Station 2 – Voted to authorize the project and refer the selection of the art project to Art-Speak.
30. Establish City Council Schedule for 2010 – Voted to approve the schedule as presented.
31. Proposed Dates Re: Holiday Meter Parking – Voted to approve free holiday meter parking from Monday, December 14, 2009 through Saturday, January 2, 2010. (*Please note: Time limits and illegal parking will be enforced as usual*).
32. Seacoast Watershed Alliance – Senate Bill 168 (formerly EAST) – Voted to appoint Peter Rice, the City’s Engineer for the Water and Sewer Divisions, as a representative to the Seacoast Watershed Alliance (SWA).
33. Traffic & Safety Committee Action Sheet and Minutes of the October 8, 2009 meeting – Voted to approve and accept the action sheet and minutes of the October 8, 2009 Traffic & Safety Committee meeting. Councilor Kennedy voted opposed.

34. Parking Committee Action Sheet and Minutes of the October 8, 2009 meeting – Voted to approve and accept the action sheet and minutes of the October 8, 2009 Parking Committee meeting. Councilor Kennedy voted opposed.
35. Miscellaneous/Unfinished Business – The City Council agreed to hold a Work Session on December 21, 2009 prior to the City Council meeting with the Portsmouth Housing Authority to discuss a proposed parking facility.
36. Adjournment – At 8:45 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC/CNHMC
City Clerk