

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON AUGUST 2, 2010, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR FERRINI, ASSISTANT MAYOR NOVELLINE CLAYBURGH, COUNCILORS LISTER, HEJTMANEK, SPEAR, COVIELLO, KENNEDY AND SMITH

ABSENT: COUNCILOR DWYER

1. At 6:00 p.m., a Work Session was held regarding Continuing Care Retirement Community (CCRC).
2. Proclamation – National Night Out (Not on Agenda) – Councilor Coviello presented the Proclamation to Captain Schwartz declaring August 3, 2010 as “National Night Out” in Portsmouth. Captain Schwartz accepted the Proclamation with thanks and appreciation and encouraged the Councilors to attend the various neighborhoods that will be celebrating National Night Out tomorrow evening. Mayor Ferrini announced that the Pine Street Playground Ribbon Cutting ceremony will take place tomorrow evening at 5:30 p.m.
3. Acceptance of Minutes – July 19, 2010 – Voted to approve and accept the minutes of the July 19, 2010 City Council meeting.
4. Public Comment Session – There was one speaker: Marylou McElwain (Continuing Care Retirement Community (CCRC)).
5. Acceptance of Donations to the Coalition Legal Fund
 - Town of Sugar Hill - \$500.00
 - Town of Hebron - \$1,500.00
 - Town of Rye - \$5,000.00
 - Town of Sunapee - \$5,000.00

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

6. Conservation License Plate Grant for City-owned Building Leased by Players’ Ring – Voted to accept and expend a grant from the NH Division of Historical Resources Conservation License Plate Grant Program in the amount of \$5,276.00 for the purpose of making repairs to the City-owned building on Marcy Street leased by the Players’ Ring.

7. Acceptance of Grant from the NH Department of Highway Safety for "Portsmouth Enforcement Patrols" to the Police Department - \$6,050.00 – Voted to approve and accept the grant to the Portsmouth Police Department, as listed.
8. Acceptance of Grant from the NH Department of Highway Safety for "Portsmouth Red Light Running Enforcement Patrols" to the Police Department - \$6,050.00 – Voted to approve and accept the grant to the Portsmouth Police Department, as listed.
9. Acceptance of Grant from the NH Department of Highway Safety for "Portsmouth Sobriety Checkpoints" to the Police Department - \$9,900.00 – Voted to approve and accept the grant to the Portsmouth Police Department, as listed.
10. Acceptance of Grant from the NH Department of Highway Safety for "Portsmouth DWI Patrols" to the Police Department - \$6,050.00 – Voted to approve and accept the grant to the Portsmouth Police Department, as listed.
11. Consent Agenda – Voted to adopt the Consent Agenda.
 - A. Acceptance of Donations to the Art-Speak Overnight Art Sponsorship - \$6,250.56
 - Cash \$28.56
 - Jack & Diane Chambers \$50.00
 - Newmarket International \$150.00
 - M. Christine Dwyer \$6,022.00

(Sample motion – move to approve and accept the donations for the Art-Speak Overnight Art Sponsorship)
 - B. Letter from Barbara Massar, Pro Portsmouth, Inc. requesting permission to hold First Night Portsmouth 2010 on Friday, December 31, 2010 ***(Anticipated action – move to refer to the City Manager with power)***
12. Letter from Patricia Lanciani requesting to donate a bench in the Market Square area in memory of her parents – Voted to refer to the City Manager with power.
13. 2700 Lafayette Road Auction (Old Fire Station 2) – Voted to authorize the City Manager to take all necessary action in the best interest of the City to sell 2700 Lafayette Road on August 18, 2010.
14. New Castle Wastewater Agreement – City Manager Bohenko withdrew the New Castle Wastewater Agreement from the Agenda.

15. Request for a License from Greg Walsh, owner of Working Class Music and Minerals property located at 90B Fleet Street to install a projecting sign – Voted to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Greg Walsh, owner of Working Class Music and Minerals to install a projecting sign on an existing bracket at 90B Fleet Street and further authorize the City Manager to execute a License Agreement for this request.

Planning Board Stipulations

- *The license shall be approved by the Legal Department as to content and form;*
- *Any removal or relocation of the projecting sign, for any reason, will be done at no cost to the City; and*
- *Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works*

16. Request for a License from Helen Marks, owner of Spiritual Readings by Duchess property located at 74 Congress Street to install a projecting sign – Voted to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Helen Marks, owner of Spiritual Readings by Duchess to install a projecting sign on an existing bracket at 74 Congress Street and further authorize the City Manager to execute a License Agreement for this request.

Planning Board Stipulations

- *The license shall be approved by the Legal Department as to content and form;*
- *Any removal or relocation of the projecting sign, for any reason, will be done at no cost to the City; and*
- *Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works*

17. City Council Referral – Off Street Parking in the Central Business District (Parking Focus Group Report) – Voted to establish a work session on Monday, September 20, 2010, to review with the City Council what actions that the Council may want to proceed with regarding this matter and further, to refer the report to the Parking Committee for review.

Councilor Kennedy requested that a copy of the report be forwarded to the Sustainability Committee for review.

18. Wetlands Ordinance – Proposed Amendments – Voted to schedule this matter for first reading at the August 16, 2010 City Council meeting.

19. Polling Hours for September 14, 2010 State Primary Election – Voted to set the polling hours from 8:00 a.m. – 7:00 p.m. for the State Primary Election on Tuesday, September 14, 2010.
20. Request for Dumpster License Agreement Re: HuLa, LLC d/b/a/ Foobar – Voted to authorize the City Manager to enter into a dumpster license agreement for the benefit of HuLa, LLC d/b/a Foobar. Mayor Ferrini abstained from voting on this matter.
21. Request for License from Brad Sawler, Oxland Builders for use of one parking space in front of 55 High Street – Voted to authorize the City Manager to enter into a license agreement with Oxland Builders for one parking space on High Street to facilitate construction activities at 55 High Street.
22. Request for License from Mark McNabb, 82-86 Congress Street – Voted to authorize the City Manager to enter into a license with 82 – 86 Congress Street LLC to facilitate construction activities.
23. Letter from Gerald Howe, Police Commission Chair, Re: Independent Survey of the Portsmouth Police Department requesting the appointment of Councilor Chris Dwyer to serve on the Steering Committee – Mayor Ferrini reported that he will be appointing Councilor Dwyer and Councilor Spear to serve on the Police Department Independent Survey Steering Committee.
24. Miscellaneous/Unfinished Business – City Manager Bohenko provided a copy of a report from Councilor Dwyer regarding the Middle School. Mayor Ferrini advised the Council that this matter will be placed under Councilor Dwyer's name for the next agenda.
25. Adjournment – At 7:50 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC/CNHMC
City Clerk