

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: VALERIE A. FRENCH, DEPUTY CITY CLERK I

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON FEBRUARY 7, 2011, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR FERRINI, ASSISTANT MAYOR NOVELLINE CLAYBURGH, COUNCILORS LISTER, HEJTMANEK, SPEAR, DWYER (VIA TELEPHONE), COVIELLO, KENNEDY AND SMITH

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1. At 6:15 p.m. a "Non-Meeting" with Counsel was held regarding Negotiations RSA:91-A:2 I (b-c).
 2. Presentation - Comprehensive Annual Financial Report (CAFR) - Melanson, Heath & Company, P. C. Auditors' Financial Report for the Year Ending June 30, 2010 (Annual Audit) – Scott McIntyre of Melanson, Heath & Company reviewed the City of Portsmouth Financial Report for the Year Ending June 30, 2010.
 3. Acceptance of Minutes – January 18, 2011 - Voted on a 9-0 roll call to approve and accept the minutes of the January 18, 2010 City Council meeting.
 4. Public Comment Session – There were 3 speakers: Rep. Rich Depentima and Rick Horowitz (Fluoride) and Roland Cote (Parking on Street).
 5. Public Hearing – Resolution Authorizing a Bond Issue of Up to Three Million Dollars (\$3,000,000.00) for Treatment Plan Engineering and Equipment Performance Testing and Long-Term Control Implementation. (*Continued from the January 18, 2011 City Council Meeting.*) Held a public hearing, there were no speakers. Voted on a 9-0 roll call to adopt the bond resolution, as submitted.
 6. Approval of Grant from National Association of County and City Health Officials (NACCHO) – Voted on a 9-0 roll call to authorize the City Manager to apply for, accept and expend a \$5,000.00 grant from the National Association of County and City Health Officials to sustain current efforts and further develop the Greater Portsmouth Medical Reserve Corps Unit.
 7. Acceptance of Grant to the Portsmouth Police Department from the Department of Justice – Violence Against Women Act (VAWA) to fund our Victim/Witness Advocate Position - \$41,339.00 – Voted on a 9-0 roll call to approve and accept the grant to the Portsmouth Police Department, as listed.
 8. First Reading of Proposed Bonding Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Elderly Real Estate Tax Exemption. – Voted on an 7-2 roll call vote to pass first reading and schedule a public hearing and adoption at the February 22, 2011 City Council meeting of Option A (1%) Single - \$33,514.00, Married - \$41,343.00, Asset Limit (single or married) \$111,718.00. Assistant Mayor Novelline Clayburgh and Councilor Spear voted opposed.

9. First Reading of Proposed Bonding Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Disabled Estate Tax Exemption. – Voted on a 9-0 roll call vote to pass first reading and schedule a public hearing and adoption at the February 22, 2011 City Council Meeting of Option A (1%) Single - \$33,514.00, Married - \$41,343.00, Asset Limit (single or married) \$111,718.00.
10. First Reading of Ordinance amending Zoning Ordinance, Article 7, Section 10.730 – Gateway Development, Subsection 10.735 – Sustainability Standards. – Voted on a 9-0 roll call to accept the recommendation of the Planning Board and pass first reading and schedule a public hearing and second reading of the proposed Zoning Ordinance, as presented, at the February 22, 2011 City Council meeting.
11. Consent Agenda – Voted on a 9-0 roll call to adopt the Consent Agenda.
- A. Acceptance of Donations for Art-Speak Annual Appeal
- Liz Wright & Scott Segee - \$25.00
 - Anthony & Cheryl Coviello - \$50.00
 - G. Willikers! Toy Shop - \$50.00
- (Anticipated action – move to accept and approve the donations to Art-Speak for operations, as presented)***
- B. Acceptance of Donations for USS Virginia
- J.D. Johnson - \$20.00
 - Amanda Toscano (cash) - \$20.00
 - Carol Zink-Mailloux - \$80.00
 - Boynton, Waldron, Doleac, Woodman and Scott, P.A. - \$100.00
 - Kathleen & David Brown - \$100.00
 - Kevin & Roseann Clark - \$160.00
 - Northrop Grumman/AMSEC - \$200.00
 - American Legion(Kathie Lynch/Bob Andelman, Austin Nickerson, Catherine and James Pope - \$225.00
 - Orbis, Inc. - \$300.00
 - American Legion (Tom Decker contribution) - \$1,000.00
- (Anticipated action – move to accept and approve the donations for the USS Virginia, as presented)***
- C. Letter from Jeanine Sylvester, Runner’s Alley, LLC, requesting permission to hold the 14th Annual Runner’s Alley/Redhook Brewery Memorial 5k on Sunday, May 29, 2011 at 11:00 a.m. ***(Anticipated action – move to refer to the City Manager with power)***
- D. Letter from Penny Gant, Chairman of 2011 Fairy House Tour, requesting permission to hold the annual Fairy House Tour on Saturday, September 17, 2011 and Sunday, September 18, 2011 from noon to 4:00 p.m. ***(Anticipated action – move to refer to the City Manager with power)***

12. Letter from Amy Pettengill, The National Eating Disorders Association, requesting permission to hold the 1st Annual Eating Disorder Awareness Walk on Sunday, June 26, 2011 at 11:00 a.m. – Voted on a 9-0 roll call to refer to the City Manager with power.
13. Letter from Tom and Zelita Morgan regarding Proposed Youth Recreation Facility. – Voted on a 9-0 roll call to accept and place on file and to make copies of letter available to all members attending the Joint Work Session with the Recreation Board on February 9th.
14. Letter from Arlon A. Chaffee, LOCO Sports Inc. requesting permission to hold a 5K Road Race at Pease on Monday, July 4, 2011 at 8:00 a.m. – Voted on a 9-0 roll call to refer to the Pease Development Authority.
15. Letter from Bill Hess requesting a boundary line adjustment for his property located at 54 Rogers Street. – Voted on a 9-0 roll call to refer to the City Attorney for a report back.
16. Fact Finder's Report Re: AFSCME, Local 1386 School Custodial Unit and the Portsmouth School Board – Voted on a 9-0 roll call to reject the Fact Finder's Report.
17. Request to Renew Seacoast Grower's Association (Farmer's Market) Proposed 2011 License Agreement. - Voted on a 9-0 roll call to authorize the City Manager to enter into a License Agreement with the Seacoast Grower's Association for 2011, as presented and to hand out a survey question at the Farmer's Market regarding the future location of the event.
18. Request to Renew the Lease Agreement for Sons of Italy – Voted on a 9-0 roll call to extend the Lease Agreement with the Sons of Italy at One Plains Avenue, for a period of one year from April 1, 2011 through March 31, 2012 (with amendment made to agreement correcting Item 21 of the lease agreement to reflect the date June 20, 2011).
19. Request to Renew Lease of 251 Bartlett Street by the Creek Athletic Club – Voted on a 9-0 roll call to allow Creek Athletic Club representative Alec McEachern to address the Council. Voted on a 9-0 roll call vote to authorize the City Manager to bring back this matter for a formal vote at the February 22, 2011 City Council meeting.
20. Letter from Portsmouth Housing Authority Regarding Wasemit Place – Voted on a 9-0 roll call to allow PHA Director Joe Couture to address the Council. Voted on a 9-0 roll call to refer this matter to the CDBG Citizens Advisory Committee for a report back.
21. Request for a License from The Friends of the Music Hall, owner of the Music Hall Loft, for property located at 131 Congress Street to install a projecting sign. – Voted on an 8-0 roll call to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Friends of the Music Hall, owner of The Music Hall Loft, to install a projecting sign on a new bracket at 131 Congress Street and further authorize the City Manager to execute a License Agreement for this request. Councilor Coviello abstained from voting.

- 1) The license shall be approved by the Legal Department as to content and form;
 - 2) Any removal or relocation of the projecting sign, for any reason, will be done at no cost to the City; and
 - 3) 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.
22. Department of Health and Human Services proposed recommendation for adjusting Fluoride levels. – Voted on a 9-0 roll call to accept the Department of Health and Human Services recommendation for adjusting fluoride levels.
23. Appointments to be Voted – Voted on a 9-0 roll call to approve the following appointments:
- Gary Lowe – Appointment to the Sustainable Practices Blue Ribbon Committee
 - Everett Eaton – Reappointment to the Economic Development Commission
 - Elias Abelson – Reappointment to the Board of Library Trustees
 - Valerie Cunningham – Appointment to the Board of Library Trustees
 - Kate Gill Kressley – Appointment to the Board of Library Trustees
 - Derek Durbin – Appointment as Regular member to the Zoning Board of Adjustment
24. Traffic and Safety Committee Action Sheet and Minutes of the January 13, 2011 meeting – Voted on an 8-1 roll call to accept the Traffic and Safety Committee Action Sheet and Minutes of the January 13, 2011 meeting. Councilor Kennedy voted opposed.
25. Parking Committee Action Sheet and Minutes of the January 13, 2011 meeting – Voted on an 8-1 roll call to accept the Parking Committee Action Sheet and Minutes of the January 13, 2011 meeting. Councilor Kennedy voted opposed.
26. Ban on Synthetic Marijuana – Voted on an 8-1 roll call to request the City Attorney to come back with an ordinance proposal banning synthetic marijuana. Councilor Spear voted opposed.
27. Adjournment – At 8:35 p.m., voted to adjourn.

Respectfully submitted by:

Valerie A. French
Deputy City Clerk I