

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 APRIL 18, 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, COVIELLO, KENNEDY.

ABSENT: COUNCILOR SMITH

1. Proclamation – Councilor Spear read the Proclamation for Earth Day 2011
2. Proclamation – Councilor Hejtmanek read the Proclamation for Arbor Day, April 29, 2011
3. Proclamation - Councilor Kennedy read the Proclamation naming John-Michael Albert, Poet Laureate of Portsmouth. Mayor Ferrini presented the proclamation to Mr. Albert who accepted it with appreciation.
4. Acceptance of Minutes – April 4, 2011 – Voted to accept and place on file the April 4, 2011 City Council Meeting minutes.
5. Public Comment – There were 6 speakers; Bob McElwain, Bill St. Laurent, Ed DeValle, Carl Diemer, Max and Charlie Surmaian (Recreation Center)
6. Ordinance Amendment to Chapter 7, Article I, Section 7.1 – Parking Meters (Downtown Parking Omnibus) – Section 7.102 Parking Meter Zones at Metered Spots upon Streets and Metered Parking Lots Shall be Increased to \$1.00 per Hour with Maximum Time Permitted for Parking of Two (2) Hours. Section 7.105 – Parking – All On-Street Metered Parking shall be increased to \$1.00 per Hour for a Maximum of Two Hours - A Public Hearing was held with 5 speakers. Voted on a 7-1 roll call to pass second reading and hold a third and final reading at the May 2, 2011 City Council Meeting. Assistant Mayor Novelline Clayburgh voted opposed. Voted on an 8-0 roll call to suspend the rules to take up third and final reading. **Voted 6-2 to pass Third and Final Reading.** Assistant Mayor Novelline Clayburgh and Councilor Kennedy voted opposed.
7. Ordinance Amendment to Chapter 7, Article IV, Section 7.402 – Off-Street Parking Areas – Parrott Avenue Parking Lot (Downtown Parking Omnibus) by the Placement of Parking Meters. – A Public Hearing was held with 17 speakers. Motion to amend by changing the fee for Parrott Avenue Meter to 25 cents per hour FAILED on a 3-5 roll call vote. Assistant Mayor Novelline Clayburgh, Councilors Hejtmanek and Spear voted in favor. **Voted on a 5-3 roll call to table until the October 17, 2011 City Council Meeting.** Assistant Mayor Novelline Clayburgh, Councilors Lister and Kennedy voted opposed.

8. Ordinance Amendment to Chapter 7, Various Limited Time Parking Sections – Sunday Hours (Downtown Parking Omnibus) to have Parking Meters Operational on Sunday - A Public Hearing was held with 8 speakers. **Voted on a 5-3 roll call vote to pass second reading and schedule a third and final reading on the proposed Ordinance, as presented, for the May 2, 2011 City Council meeting.** Councilors Lister and Kennedy and Mayor Ferrini voted opposed.
9. Ordinance Amendment to Chapter 7, Section 7.101 – Definitions and Section 7.105 – Variable Parking Rates (Downtown Parking Omnibus) – to create special parking districts with individual rates – A Public Hearing was held with 10 speakers. **Voted on a 5-3 roll call vote to pass second reading and schedule a third and final reading on the proposed Ordinance, as presented, for the May 2, 2011 City Council meeting.** Assistant Mayor Novelline Clayburgh, Councilors Lister and Kennedy voted opposed.
10. First Reading of a Resolution Authorizing a Bond Issue of up to Twelve Million Dollars (12,000,000.00) for the Construction of a new Parking Facility – Motion to table first reading until July 2011 FAILED on a 3-5 roll call vote. Councilors Hejtmanek, Spear and Kennedy voted in favor. **Voted on a 6-2 roll call to pass first reading and schedule a public hearing and second reading on the proposed Bonding Resolution, as presented, at the May 2, 2011 City Council meeting.** Councilors Hejtmanek and Kennedy voted opposed.
11. Third and Final Reading of Proposed Ordinance Amendment to Chapter 7, Article IX, Section 7.901 – Penalties, Forfeitures and Separability - Voted to pass third and final reading of the proposed ordinance as presented.
12. Adoption of Proposed Resolutions Appropriating Funds for the Construction of a Youth Recreation Facility:
 - Resolution Appropriating the Sum of Five Hundred Twelve Thousand, Seven Hundred Dollars and Fifty-eight cents (\$512,700.58) from the premium the City received from the sale of its \$17,300,000.00 General Obligation Capital Improvement Bonds for Expenses Relating to the Construction of a Youth Recreation Facility. **Voted on a 7-1 roll call to adopt the resolution in the amount of Five Hundred Twelve Thousand, Seven Hundred Dollars and Fifty-eight cents (\$512,700.58) in accordance with the Resolution.** Councilor Kennedy voted opposed.
 - Resolution Authorizing a Supplemental Appropriation from Undesignated Fund Balance for necessary expenditures for the Construction of a Youth Recreation Facility. The City Council has determined that the sum of One Million Eight Hundred Thousand (\$1,800,000.00) Dollars be Appropriated to pay a portion of the costs of the Construction of the Youth Recreation Facility. **Voted on 7-1 roll call to adopt the Resolution in the amended amount of up to One Million Six Hundred and Fifty Thousand (\$1,650,000.00) Dollars be appropriated to pay a portion of the costs of the Construction of the Youth Recreation Facility.** Councilor Kennedy voted opposed.

13. Consent Agenda – **Voted to adopt the Consent Agenda.**

- A. Acceptance of Donation for USS Virginia
 - Cynthia A. and Robert J. Lister - \$110.00
(Anticipated action – move to accept the donation for the USS Virginia, as listed)
- B. Letter from Peter Somssich requesting permission to hold the 2nd Annual Portsmouth Peace Treaty Parade on Sunday, September 25, 2011 **(Anticipated action – move to refer to the City Manager with power)**
- C. Letter from Jay Diener, Co-Race Director, requesting permission to hold the 6th Annual Half Marathon on Sunday, November 13, 2011 **(Anticipated action – move to refer to the City Manager with power)**

14. Youth Recreation Facility Correspondence (Bob Vaccaro, Joel Look and Todd Henley) – Voted to accept and place on file.

15. Letter from Stephen Alie regarding downtown parking system – Voted to accept and place on file.

16. Letter from Mike Young, President of Rockland Street Baseball (Portsmouth Babe Ruth) requesting approval to install signage at Leary Field for the 2011 Baseball Season - Voted to refer to the Recreation Board for a report back.

17. Report Back Re: 54 Rogers Street – Voted to accept the recommendations of the Planning Board and School Board, as presented in the City Manager's Comments and authorize the City Manager to proceed with the release of the City's disputed claim to the parcel based upon the appraised value of that claim, which is anticipated to be approximately \$1,282.00 (641 square feet at \$2.00 per square foot).

18. Request for Approval of Pole License #63-0498 – Voted 7-0 to approve the request from PSNH for pole license agreement, #63-0498, as recommended by the Public Works Department. Councilor Coviello abstained.

19. Report Back Re: Red Eft Project – Voted to refer to the City Manager with power.

20. Request for a License from Mark Tremontana, owner of The Upper Crust for property located at 41 Congress Street to install a projecting sign. – Voted to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Mark Tremontana, owner of The Upper Crust to install a projecting sign on an existing bracket at 41 Congress Street and further authorize the City Manager to execute a License Agreement for this request.

Planning Board Stipulations:

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, shall 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.*

21. Appointments to be Considered: – The following appointments were considered and will be voted at the May 2, 2011 City Council meeting.

- John Gregg – Reappointment to the Cable Television and Communications Commission
- Allison Tanner – Reappointment to the Conservation Commission
- Barbara McMillan – Reappointment to the Conservation Commission
- Steve Miller – Reappointment to the Conservation Commission
- Philip Cohen – Appointment to the Economic Development Commission

22. Single-payer Health Care (Councilor Lister) – The Legislative Delegation and Congressional Delegations will be requested to follow this issue and update the Council accordingly.

23. Update on Middle School (Councilor Dwyer) – An update of the Middle School Project was given by JBC Council representative Dwyer.

24. Request to formally refer disposition of the Connie Bean Center to Planning Board (Assistant Mayor Novelline Clayburgh) Not on Agenda - The City Manager will bring this item back on the May 2, 2011 City Council meeting Agenda.

25. At 10:50 p.m., voted to adjourn.

Respectfully submitted by:

Valerie A. French
Deputy City Clerk I