

A
TO: JOHN P. BOHENKO, CITY MANAGER
FROM: KELLI L. BARNABY, CITY CLERK
RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON JUNE 20, 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 AND SMITH

1. At 6:00 p.m., a Work Session was held regarding the Worth Lot Parking Garage.
2. Presentation – Mayor’s Awards – Portsmouth Girls Lacrosse State Champions – Division II – Mayor Ferrini presented Mayor’s Awards and gifts in recognition of the Portsmouth Girls Lacrosse Division II State Champions and their coaches. Coach Squire thanked Mayor Ferrini and the City Council for this recognition.
3. Presentation - Mayor’s Awards – Portsmouth Varsity Baseball Team – Record Breaking Accomplishment and Regular Season – Mayor Ferrini presented Mayor’s Awards and gifts to the Portsmouth Varsity Baseball Team State Champions and in recognition of their setting the longest Record Breaking season in the U.S. Coach Hopley thanked Mayor Ferrini and the City Council for this recognition.
4. Annual Report Art-Speak – Steve McHenry, Chair of Art-Speak provided a presentation on the Annual Report of Art-Speak.

Voted to suspend the rules in order to take up Item XI. A.2. - Art-Speak Annual State of the Art Report and Memorandum of Understanding (MOU) Renewal Request.

Art-Speak Annual State of the Art Report and Memorandum of Understanding (MOU) Renewal Request – Voted to authorize the City Manager to extend the Art-Speak Memorandum of Understanding from July 1, 2011 through June 30, 2012.

5. Proposed Betterment Assessment for Commerce Way – Everett Eaton, Chair of the Economic Development Commission, spoke to the recommendation of EDC regarding improvements to Commerce Way. Nancy Carmer, Economic Development Manager provided a presentation of the Proposed Betterment Assessment for Commerce Way followed by Attorney Malcolm McNeil speaking on behalf of Commerce Way LLC.
6. Acceptance of Minutes – May 16, 2011 and June 6, 2011 – Voted to accept and approve the minutes of the May 16, 2011 and June 6, 2011 City Council meetings.
7. Public Comment Session – There were 8 speakers: Jackie Cali-Pitts, Robert Padian, Ralph DiBernardo, Sr., Rick Condon, William McQuillen (Fire Station 3); Susan Denenberg, Natalie Roman-Nelson and Peter Somssich (Parking Garage).

8. Acceptance of Grant for Household Hazardous Waste Collection – Voted to accept and expend a \$4,381.00 DES grant for the purpose of household hazardous waste collection events and authorize the City Manager to execute any documents which may be necessary for this grant contract.
9. Acceptance of Community Development Block Grant (CDBG) – Voted to accept and expend a Community Development Block Grant (CDBG) in the amount of \$594,463.00 from the U.S. Department of Housing and Urban Development.
10. Consent Agenda – Voted to adopt the Consent Agenda.
 - A. Acceptance of Donation to the Coalition Legal Fund
 - Town of New Castle - \$500.00***(Anticipated action – move to approve and accept the donation, as listed, to be placed in the Coalition Legal Fund)***
 - B. Acceptance of Donations for USS Virginia
 - Harold Whitehouse - \$30.00
 - The Ceres Bakery Creative - \$40.00***(Anticipated action – move to approve and accept the donations for the USS Virginia, as presented)***
11. Letter from Deb Weeks, The Green Monkey Restaurant, requesting permission to place 1 two-yard dumpster and 3 eco-movement totes for composting and recycling on Church Street for a 1 year period – Voted to refer to the City Manager with power.
12. Letter from Julie Slayton Frank, South Church, requesting renewal of their Dumpster License Agreement – Voted to refer to the City Manager with power.
13. Letter from Grace K. Staller, The Descendants of the Signers of the Declaration of Independence, Inc., requesting permission to place a small plaque at the gravesite of William Whipple located in North Cemetery – Voted to refer to the City Manager with power.
14. Letter from Ben Anderson, Prescott Park Arts Festival Executive Director, requesting permission to place 5 directional signs at the following locations:
 - Route 1 Bypass Maplewood exit
 - Market and Bow Street corner
 - Pleasant and State Street corner
 - Pleasant and Marcy Street corner
 - State and Marcy Street corner

Voted to refer to the City Manager with power.

15. Letter from Richard Wagner, AIDS Response Seacoast Director, requesting permission to provide free HIV testing from a Mobile Testing Unit in downtown Portsmouth from 3:00 p.m. to 6:00 p.m. on Monday, June 27, 2011 – Voted to refer to the City Manager with power.

16. Proposed Amendment to the Professional Management Association (PMA) Collective Bargaining Agreement and Non-Union Employees Re: Health Insurance – Voted to approve the Memorandum of Agreement between the Portsmouth Professional Management Association and the City of Portsmouth, as presented and, further, approve this change for non-union employees.
17. Report Back Re: Cocheco Valley Humane Society Event – Voted to accept the report back from the Peirce Island Committee and Recreation Board to deny the request, as presented.
18. Report Back Re: the Revised Proposal from John Tinios, Owner of Popovers on the Square, for use of City Owned Property for Outdoor Seating with Alcohol Service – On a roll call 5-4, voted to authorize the City Manager to enter into an Area Service Agreement with Popovers on the Square for outdoor liquor service on City land in Market Square and pro rate the fee on a per day basis. Assistant Mayor Novelline Clayburgh, Councilors Dwyer, Coviello, Smith and Mayor Ferrini voted in favor. Councilors Lister, Hejtmanek, Spear and Kennedy voted opposed.
19. Proposed Amendment to Worth Development Agreement Re: Parking – Voted to approve the aforementioned amendment and, further, authorize the City Manager to execute the amended Agreement.
20. Request for Approval of Pole License #63-0510 – Voted to approve the request of PSNH for pole license agreement, #63-0510, as recommended by the Public Works Department.

The City Council agreed to move all future Pole License requests to the Consent Agenda.

21. Request for a License from Scott Segee and Liz Wright owners of Fa La Lo of Portsmouth LLC for property located at 7 Commercial Alley to install a projecting sign – Voted to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Scott Segee and Liz Wright, owners of Fa La Lo of Portsmouth LLC to install a projecting sign on an existing bracket at 7 Commercial Alley and, further, authorize the City Manager to execute a License Agreement for this request.

Planning Director 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.*

22. Request for a License from Ted Alex, owner of True North Property Management for property located at 208 Market Street to install a projecting sign – Voted to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Ted Alex, owner of True North Property Management, to install a projecting sign on an existing bracket at 208 Market Street and, further, authorize the City Manager to execute a License Agreement for this request.

Planning Director 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.*

The City Council agreed to move all future Projecting Sign requests to the Consent Agenda.

23. Request for Approval of Porter Street Dumpster License Agreement – Voted to authorize the City Manager to enter into a new License Agreement with Jay McSharry for waste receptacles on Porter Street.

24. Appointment to be Considered - Leslie Stevens – Appointment to the Trees and Public Greenery Committee – The City Council considered the appointment of Leslie Stevens to the Trees and Public Greenery Committee and will vote on the appointment at the July 18, 2011 City Council meeting.

25. Appointments to be Voted – Voted to reappoint Richard Katz to the Historic District Commission until June 1, 2014; the reappointment of Nancy Beach to the Cable Television and Communications Commission until April 1, 2014; and the reappointment of Steve Berg to the Portsmouth Housing Endowment Fund Advisory Board until June 1, 2014.

- Richard Katz – Reappointment to the Historic District Commission
- Nancy Beach – Reappointment to the Cable Television and Communications Commission
- Steven Berg – Reappointment to the Portsmouth Housing Endowment Fund Advisory Board

26. Final Report of City Charter Advisory Committee – Voted that the Report of the City Charter Advisory Committee be accepted, and; that a Work Session be established at 5:30 p.m. prior to the regular City Council meeting of July 18, 2011, and; that the matter be placed on the agenda for the July 18, 2011 meeting so that the City Council may vote on the recommendations made by the Committee and on any other charter amendments which might be proposed by the Council.

Mayor Ferrini requested that the Committee members be invited to attend the Work Session to answer any questions the City Council may have.

27. Authorize Joint Building Committee (JBC) to Oversee Construction of the Youth Recreational Facility – Moved to authorize the Joint Building Committee (JBC) to oversee construction of the Youth Recreational Facility in accordance with memorandum dated June 16, 2011.

Voted to amend the motion to have the Finance Director and Recreation Director have bi-monthly meetings with Steve Bartlett.

Main motion passed as amended.

28. Miscellaneous/Unfinished Business – On a roll call 6-3, voted to request the Fire Commission meet with the City Council in a Work Session on Monday, June 27, 2011 at 6:30 p.m. regarding Fire Station 3 and beginning with a Non-Meeting with Counsel regarding Personnel Matters. Councilors Hejtmanek, Dwyer, Coviello, Kennedy, Smith and Mayor Ferrini voted in favor. Assistant Mayor Novelline Clayburgh, Councilors Lister and Spear voted opposed.

29. Adjournment – At 9:30 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC/CNHMC
City Clerk