

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: VALERIE A. FRENCH, DEPUTY CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MARCH 5, 2012, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR SPEAR, ASSISTANT MAYOR LISTER, COUNCILORS COVIELLO, KENNEDY, NOVELLINE CLAYBURGH, LOWN, DWYER, SMITH AND THORSEN

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1. Proclamation – Music in Our Schools Month – “Music Lasts a Lifetime” – Assistant Mayor Lister read the Proclamation declaring March as “Music in Our Schools” Month. Mayor Spear presented the Proclamation to Steve Cirillo who accepted it with thanks and appreciation.
 2. Acceptance of Minutes – Voted to accept the Minutes of the February 21, 2012 City Council meeting.
 3. Public Comment Session – There were no speakers.
 4. Proposed Capital Improvement Plan (CIP) FY2013-2018 – A presentation was given by City Staff of the FY2013-2018 CIP. A public hearing was held with 5 speakers.
 5. Acceptance of Grants/Donations to the Portsmouth Police Department – Voted to approve and accept the grants and donation to the Portsmouth Police Department, as listed.
 - o Grant from the Department of Justice to support the Victim/Witness Advocate position in court office - \$70,219.00
 - o Grant from the Department of Highway Safety to DWI/DUI Patrols - \$8,250.00
 - o Donation from St. Andrew’s Lodge No. 56 in support of the Portsmouth Police Honor Guard - \$500.00
 6. U.S. Homeland Security Grant Acceptance, Critical Care and Supplemental Oxygen – Voted to authorize the City Manager to execute any and all documents and agreements to allow portable ventilators, provided by the State of New Hampshire for the benefit of the municipality in emergency situations, to be granted directly to the Portsmouth Regional Hospital to be stored, maintained and deployed as necessary.
 7. Acceptance of Grant for Art Speak – Voted to approve and accept the grant to Art-Speak, as presented.
 - o Rotary Club of Portsmouth - \$2,000.00
 8. First Reading of Proposed Ordinance Amendment to Chapter 1, Article XIV, Section 1.14 – Municipal Fund Balance by the deletion of the terminology *Undesignated* throughout the Ordinance with the replacement of the terminology **Unassigned** – Voted to pass the first reading and schedule a public hearing and second reading on the proposed Fund Balance Ordinance, at the March 19, 2012 City Council Meeting.

9. First reading of Resolution Authorizing the Issuance of Refunding Bonds to Refinance Certain Outstanding Bonds of the City so as to Reduce Interest Costs and to Pay all Costs Incidental and Related Thereto. The City is authorized to issue refunding bonds in the amount of up to Twenty Million Dollars (\$20,000,000.00)– Voted to pass the first reading and schedule a public hearing and adoption of a proposed Refunding Resolution of up to Twenty Million Dollars (\$20,000,000.00) as presented, at the March 19, 2012 City Council Meeting.

10. First Reading of Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Funding (SRF) Loan for Costs related to the Long Term Control Plan (LTCP) Implementation not to exceed Twelve Million Five Hundred Thousand (\$12,500,000.00) Dollars - Voted to pass first reading and schedule a public hearing and adoption of a Bond Resolution for the aforementioned long-term control plan, as presented, at the March 19, 2012 City Council Meeting.

11. Consent Agenda –Voted to adopt the Consent Agenda as presented.
 - A. Letter from Kelly Sicard, Breathe New Hampshire, requesting permission to hold the 27th Annual Seacoast Bike Tour on Saturday, May 19, 2012 and May 20, 2012 (***Anticipated action – move to refer to the City Manager with power***)

 - B. Letter from Brenda Blonigen, The Pease Air National Guard Base Minuteman Fund, requesting permission to hold the 2nd Annual Pease 7k Road Race/Walk on Sunday, July 15, 2012 on the Pease Tradeport (***Anticipated action – move to refer to the City Manager with power***)

 - C. Request for a License from Heidi Archibald, owner of The Colour Bar on Pleasant Street for property located at 86 Pleasant Street to install a projecting sign on an existing bracket (***Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Heidi Archibald, owner of The Colour Bar on Pleasant Street to install a projecting sign at 86 Pleasant Street and, further, authorize the City Manager to execute a License Agreement for this request***)

Planning Director's 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***

- D. Request for a License from Jay Schadler, owner of Jay Schadler Studio on Fleet Street for property located at 82 Fleet Street to install a projecting sign on an existing bracket (***Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Jay Schadler, owner of Jay Schadler Studio on Fleet Street to install a projecting sign at 82 Fleet Street and, further, authorize the City Manager to execute a License Agreement for this request***)

Planning Director's 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***

- E. Request for a License from Mark McNabb, owner of 82-86 Congress LLC, on Chestnut Street for property located at 25 Chestnut Street to install a projecting sign on an existing bracket (***Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Mark McNabb, owner of 82-86 Congress LLC, on Chestnut Street to install a projecting sign at 25 Chestnut Street and, further, authorize the City Manager to execute a License Agreement for this request***)

Planning Director's 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***
- F. Request for Renewal of Boarding House Permit for G. Edward Gowen Jr., 350-352 Hanover Street (***Anticipated action – move to authorize the City Manager to issue the Boarding House Permit for G. Edward Gowen Jr., 350-352 Hanover Street***)
- G. Request for Renewal of Boarding House Permit for Paul H. White, 278 Cabot Street (***Anticipated action - move to authorize the City Manager to issue the Boarding House permit for Paul H. White, 278 Cabot Street***)
- H. Request for Approval of Pole License to install/replace 1 pole located at the intersection of State Street and Cass Street (***Anticipated action – move to approve the aforementioned Pole License Agreement as recommended by the Public Works Department with the approval conditioned upon amendment of the license to allow for the collection of any lawfully assessed real estate taxes***)
12. Letter from Michael and Anne Coffey with a Petition from residents of Haven Road, Brackett Lane and Brackett Road regarding the number events being held at the Little Harbour School and the problems that are associated with the events – Voted to refer to Parking and Traffic Safety Committee for a report back.
13. Letter from Steven Marison, Peirce Island Committee Chair, requesting a memorial plaque be placed on a bench at Peirce Island in memory of Harold Hapgood and his dog Puma– Voted to approve the placement of the plaque on a bench at Peirce Island in memory of Harold Hapgood and his dog Puma.
14. Letter from Barbara Devanna requesting an easement in perpetuity over an area of 750 square feet for property located at 55 Meredith Way – Voted to refer to the Planning Board for a report back.

15. Letter from William Mortimer and Jack Kelley, requesting the City Council to make a donation to the Portsmouth High School Clipper Band to participate in the Disney Music Festival in Orlando, Florida from April 22 through April 29, 2012 – Voted to suspend the rules to allow Mr. Kelley to answer questions from the Council. Voted to accept the letter and place it on file.
16. Policy Regarding Use of City Property for Sidewalk Cafés Providing Alcohol Services – Voted 8-1 to refer to the March 19, 2012 City Council Meeting for City Council action. Assistant Mayor Lister voted opposed.
17. Appointments to be considered: - The following appointment recommendation will be brought back for Council vote on March 19, 2012.
 - Appointment of Christopher Mulligan to the Zoning Board of Adjustment
18. Appointments to be Voted – Voted to approve the following appointments:
 - Appointment of Daniel Rawling to the Historic District Commission
 - Reappointment of James Russ to the Peirce Island Committee
19. Upcoming Work Session Schedule – The following Work Session Dates were announced by Mayor Spear:
 - March 12, 2012 at 6:30 p.m. – Regarding Guiding Principles Re: Parking and Disposal of Connie Bean Center
 - March 26, 2012 at 6:30 p.m. – Regarding Quarterly Meeting with Economic Development Commission, Planning Board and Historic District Commission
 - April 9, 2012 at 6:30 p.m. – Regarding Update on Wastewater Treatment
20. Recommended Ordinance Amendments – Magazine Solicitors'; Alarm Systems Service and Dog Licensing – Voted to authorize the drafting of Ordinances regarding these recommendations for first reading at the March 19, 2012 City Council meeting.
21. Parking and Traffic Safety Committee Meeting Minutes and Action Sheet from February 16, 2012 meeting. – Voted 8-1 to accept and place on file. Councilor Kennedy voted opposed.
22. Adjournment – At 9:00 p.m., voted to adjourn.

Respectfully submitted by:

Valerie A. French
Deputy City Clerk