

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON APRIL 15, 2013, 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

1. At 6:30 p.m., an Anticipated “Non-Meeting” Consultation with Legal Counsel was held – RSA 91-A:2 I (b).
2. Proclamation – Earth Day – Councilor Lown read the Proclamation declaring April 22, 2013 as Earth Day and encouraging residents, businesses and institutions to use the occasion to celebrate the Earth and commit to building a sustainable and green economy, and urge others to undertake similar actions to participate in various Service Projects in our City.
3. Proclamation – Poet Laureate – Assistant Mayor Lister read the Proclamation declaring Kimberly Cloutier Green as the 2013 Poet Laureate. Ms. Green accepted the Proclamation with thanks and read one of her poems for the City Council.
4. Presentation – Re: Clipper Foundation Stuart Levenson & Phil Pettis – Mr. Pettis stated that The Clipper Foundation was founded to foster excellence in public education within the Seacoast area schools. The Mission of the Foundation is a community-wide partnership to enhance the quality of public education within our schools by:
 - *Funding innovative initiatives that fall outside of the school budget*
 - *Working collaboratively with school districts to achieve their vision*
 - *Building community-wide support for the benefit of our schools*Mr. Levenson reported on the campaign goal of The Clipper Foundation being \$1,000,000.00 and announced to date they have raised \$700,000.00.
5. Presentation – Re: Proposal to Portsmouth City Council for Study Circle Dialogue on Transportation – Jeff Cooper & Greg Spaulding – Mr. Cooper stated that Portsmouth Listens is seeking support for a series of citizen Study Circles on transportation this May. The 2013 Portsmouth Sustainable Transportation Dialogue would kickoff on Thursday, May 2, 2013 with a session on Transportation 101, which will be followed by 5 Study Circle sessions. The Dialogue will ask, “What are the characteristics of a sustainable transportation system that makes Portsmouth the best place to live, work and play for all of our residents, workers and visitors?” Mr. Spaulding reported that Portsmouth Listens will send e-mails that will be all inclusive of the City of Portsmouth.
6. Acceptance of Minutes – April 1, 2013 and April 8, 2013 – **Voted** to approve and accept the minutes of the April 1, 2013 and April 8, 2013 City Council meetings.
7. Public Comment Session – There was one speaker: Tom Carroll (Ignored Complaints from the City of Portsmouth to Pease Development Authority).

8. Public Hearing – Resolution Authorizing the Borrowing of up to Three Million Three Hundred Thousand Dollars (\$3,300,000.00) through the Issue of Bonds and Note for Additional Costs for the Construction, Expansion and Renovation of the Portsmouth Middle School – Held a public hearing. On a unanimous roll call 9-0, **voted** to adopt the \$3.3 Million Dollar Bond Authorization, as presented.
9. Third and Final Reading of Proposed Amendments to Chapter 10 – Zoning Ordinance – Article 12 – Signs, Section 10.1230 – Sign Districts, Section 10.1240 – Permitted Sign Types; Section 10.1250 – Sign Dimensional Standards, Section 10.1290 – Sign Definitions, and Section 10.1270 – Additional Sign Regulation – **Voted** to pass third and final reading on the proposed Ordinance, as presented. Councilors Kennedy and Smith abstained from voting on this matter.
10. Third and Final Reading of Proposed Amendments to Chapter 10 – Zoning Ordinance – Article 5 – Dimensional and Intensity Standards, Section 10.515 – Measurement Rules, Section 10.516 – Exceptions to Yard Requirements and Article 15 – Definitions, Section 10.1530 – Term of General Applicability – **Voted** to pass third and final reading on the proposed Ordinance, as presented. Councilor Kennedy voted opposed.
11. Third and Final Reading of Proposed Amendments to Chapter 10 – Zoning Ordinance – Article 6 – Overlay Districts, Section 10.630 - Historic District and Section 10.635.20 – Work Sessions – **Voted** to pass third and final reading on the proposed Ordinance, as presented. Councilor Smith voted opposed.
12. Consent Agenda – **Voted** to adopt the Consent Agenda.
 - A. Letter from Josh Pierce, Seacoast Area Bike Routes, requesting permission to hold the Bike/Walk to Work Day in the Seacoast on Friday, May 17, 2013
(Anticipated action – move to refer to the City Manager with power)
 - B. *Acceptance of Donations for Art-Speak
 - Catherine V. Sununu - \$150.00
 - Robin Lurie-Meyerkopf - \$150.00**(Anticipated action – move to accept and approve the donations to Art-Speak for the General Administration line item, as presented)**
 - C. *Acceptance of Donations to Fire Department
 - Kearsarge Historical SFE - \$2,661.19
 - Anonymous - \$15.00**(Anticipated action – move to approve and accept the donations to the Portsmouth Fire Department, as listed)**

- D. *Acceptance of Donation to Recreation Department
- Jodi L. and Mark C. Stone - \$250.00
(Anticipated action – move to approve and accept the donation to the Portsmouth Recreation Department, as listed)
- E. Second 2013 Omnibus Sidewalk Obstruction Renewals – See Attached Listings
(Anticipated action – move to refer to the City Manager with power)
13. Letter from Ben Hayman, Oceana, requesting permission to hold a public demonstration event on Saturday, April 20, 2013 from 12:00 p.m. – 2:00 p.m. in the stage area of the Vaughan Mall – **Voted** to refer to the City Manager with power.
14. Letter from Ryan Glen Hirsch, NH Green Party, Idle No More, Occupy New England, requesting permission to hold an Environmental March in downtown on Sunday, April 28, 2013 at Noon – **Voted** to refer to the City Manager with power.
15. Proposed Amendment to the Memorial Bridge Illumination Trust – **Voted** to amend the Trust document for the Memorial Bridge Illumination, as presented. *The Trust will require only the signature from the City of Portsmouth so that the funds that have been raised can be placed in the Trust in order to proceed with the installation of the lighting.*
16. Application for Sidewalk Café Providing Alcohol Service – The District Restaurant **Voted** to authorize the City Manager to enter into an Area Service Agreement with The District Restaurant for outdoor alcohol service on City land for the 2013 season subject to City Council Policy No. 2012-02 regarding use of City property for sidewalk cafes providing alcohol service. Councilor Kennedy voted opposed.
17. Request for Restoration of Involuntary Merged Lots Re: 79 Lois Street – **Voted** to suspend the rules to allow Attorney McEachern to make a brief presentation to the City Council regarding the above referenced matter. **Voted** to approve the request of Beth Gross-Santos to “unmerge” the lots at 79 Lois Street.
18. Request for License Re: 70 State Street – **Voted** to authorize the City Manager to negotiate and enter into a license with McNabb Properties/B&M Wharf LLC to facilitate construction activities at 70 State Street.
19. Appointments to be Considered – The City Council considered the following appointments which will be voted on at the May 6, 2013 City Council meeting.
- Jay Leduc – Appointment as an Alternate to the Planning Board
 - Todd Henley – Reappointment to the Recreation Board
 - Christine Lukacz – Reappointment to the Portsmouth Housing Endowment Fund
20. Appointment to be Voted – **Voted** to appoint Michael Barker to the Taxi Commission until December 31, 2013 filling the unexpired term of Jim Feehley.

21. Resignation of Ed DelValle from the Recreation Board – **Voted** to accept the resignation of Ed DelValle with regret and that a letter of thanks be sent to Mr. DelValle for his years of service to the City.
22. Public Input Session Re: Parking – Monday, June 17, 2013 – Mayor Spear announced the City Council will be conducting a Public Input Session regarding Parking on Monday, June 17, 2013.
23. Proposed Work Session to Review Transportation Policy Committee Report – **Voted** to establish a Work Session for June 10, 2013 at 6:30 p.m. to Review the Transportation Policy Committee Report.
24. Miscellaneous/Unfinished Business – The Page Restaurant (Not on agenda) – **Voted** to request that the City Manager, Police Department and Legal Department conduct a full inquiry into the operation of The Page Restaurant during the term of its current ownership with a report back to the City Council as soon as possible.
25. Adjournment At 11:00 p.m., **voted** to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC/CNHMC
City Clerk