

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON JUNE 3, 2013, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR SPEAR, ASSISTANT MAYOR LISTER, COUNCILORS COVIELLO, KENNEDY (7:22PM), NOVELLINE CLAYBURGH, LOWN, DWYER (7:20PM), SMITH AND THORSEN

1. A Work Session was held at 6:00 p.m. regarding Transportation Policy Committee Final Report.
2. Presentation - Portsmouth Housing Authority Annual Report – Craig Welch, Executive Director – Mr. Welch provided the City Council with the Portsmouth Housing Authority Spring 2013 Annual Report.
3. Presentation - Art-Speak State of the Arts Report – Nancy Pearson, President of Art-Speak – Ms. Pearson reviewed Art-Speak's State of the Arts Report with the City Council. She announced that Emma Pearson will be serving as the new Director of Art-Speak.
4. **Voted** to suspend the rules in order to take up Item XI. A.3. - Art-Speak Annual State of the Art Report and Memorandum of Understanding Renewal Request.
5. Art-Speak Annual State of the Art Report and Memorandum of Understanding Renewal Request – **Voted** to authorize the City Manager to extend the agreement from July 1, 2013 through June 30, 2014.
6. Update on Mosquito Control Program – Michael Morrison – Mr. Morrison provided an update to the City Council on the Mosquito Control Program.
7. Acceptance of Minutes – May 6, 2013 – **Voted** to approve and accept the minutes of the May 6, 2013 City Council meeting.
8. Public Comment Session – Mayor Spear announced due to the large number of speakers each person would have 1 ½ minutes to speak.

Moved to suspend the rules in order to allow each speaker 3 minutes to make remarks. **Voted** to amend the motion to allow each person 2 minutes to speak. Councilors Kennedy and Thorsen voted opposed.

There were 35 speakers: Gibson Kennedy (Reappointment of HDC Commissioners); Cathy Baker, Richard Adams, Mary Lou McElwain, Keith Eveland, Rye, NH, Nancy Elwell, Zelita Morgan, Doug Roberts, Lisa DeStefano, Jerry Zelin, Ruth Griffin, Dickie Gamester, Barbara DeStefano, Vincent Colella, Arthur Clough, Claire Kittredge, Bob Shouse, Robin Normandeau, Blair McCracken, Barbara Hilton, Christine Davidson, Duncan MacCallum, Colby Gamester, Tristan Law, Michele Richard, Ellen Marlatt, Peter Loughlin, David Noard, Neill DePoli, Geoffrey Clark, M.D., and Rick Horowitz (35' Height Restriction); Mimi Clark (General Information – HDC); Julie Ross and Nicole LaPierre (21 Brewster Street Boarding House License Renewal); and Michael McCann (Mosquito Control Program).

9. Acceptance of Police Department Grant and Donation

- NH Department of Highway Safety Grant for “Join the NH Clique” seat belt campaign - \$4,680.00
- Donation from Mr. & Mrs. David Brown to the Explorer Cadet Academy Program - \$250.00

Voted to approve and accept the grant and donation to the Portsmouth Police Department, as listed.

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

- A. Letter from Thomas Martin, Race Director, Portsmouth Criterium, regarding Cancellation of 2013 Portsmouth Criterium Race (***Anticipated action – move to accept and place the letter on file***)
- B. Letter from Russell Osgood, Vice President, Portsmouth Fire Fighters Charitable Association, requesting permission to hold Sarah’s Ride on September 7, 2013 (***Anticipated action – move to refer to the City Manager with power***)
- C. Request for License from Ryan & Tyler McGill, owner of Summer Sessions Surf Shop for property located at 15 Vaughan Mall for 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 Ryan & Tyler McGill, owner of Summer Sessions Surf Shop for a projecting sign at property located at 15 Vaughan Mall and, further, authorize the City Manager to execute License Agreements for this request***)

Planning Director’s Stipulations:

- ***The licenses shall be approved by the Legal Department as to content and form;***
- ***Any removal or relocation of the projecting signs, 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***

11. Letter from Islington Creek Neighborhood Association regarding renewal extension of Boarding Housing at 21 Brewster Street – **Voted** to accept and place the letter on file.
12. Boarding House License Extension Re: 21 Brewster Street – **Voted** to approve the 21 Brewster Street Boarding House permit for an extension to expire August 20, 2013 with all conditions as listed on the permit. Councilor Lown abstained from voting on this matter.

Conditions to be met as follows:

- *Extend the current permit until August 20, 2013 with an inspection and report back prior to further extension*
 - *Maintain full time professional management of the facility; such management firm having the ability to respond to municipal inquires and requests 24/7*
 - *Integrated pest management (IPM) to be maintained on monthly basis or more often if needed with monthly reports submitted to the Health Department*
 - *Require all common floors to remain non-porous and non-absorbent with cleanable surfaces*
 - *Soiled or infested bedding shall be disposed of and not re-used*
 - *Correction of all deficiencies from the annual inspection prior to permit issuance*
 - *Permittee agrees to allow unannounced inspections of all common areas of the property and to allow similar inspections of tenant rooms with the permission of the tenants*
 - *Permittee agrees that any failure to comply with these conditions, after a reasonable cure period, is adequate grounds for termination of the permit*
 - *The professional management described in bullet 2 above shall have the full authority of the permittee to take those actions necessary to maintain compliance with the permit*
 - *The professional management described in bullet 2 above shall be provided with the complete authority to maintain open communications with the neighborhood, the tenants of the property and the City with regard to all issues concerning the property*
13. Proposed Additional Study Areas Re: Form-Based Zoning – City Manager Bohenko stated he would bring this matter back to the City Council at the August 5, 2013 meeting.
 14. Acceptance of Easement and Quitclaim of Abandoned Line Re: Lincoln 3B Sewer Separation Project – **Voted** to authorize the City Manager to negotiate and accept a sewer easement from Portsmouth Place Apartments, LLC and quitclaim any municipal interests in the older line once abandoned.

15. Appointment to be Considered - The City Council considered the following appointment which will be voted on at the June 17, 2013 City Council meeting.
 - Ronald Poulin – Cable Television Advisory Board
16. Appointments to be Voted – **Voted** to reappoint Daniel Rawling, Jonathan Wyckoff, Joseph Almeida, and Tracy Kozak to the Historic District Commission until June 1, 2016.
17. Request for Funds for HDC tools – Mayor Spear stated he would come back to the City Council with a suggested date to establish a Work Session with the Historic District Commission.
18. Maximum Structure Height Dimensions in the Central Business District A and B District to be 35 feet – On a roll call 2-6, motion to pass first reading and schedule a public hearing and second reading of an ordinance to amend the Maximum Structure Height Dimensions in the Central Business District A and B District to be 35 feet at the July 15, 2013 City Council meeting **failed** to pass. Councilors Kennedy and Thorsen voted in favor. Assistant Mayor Lister, Councilors Novelline Clayburgh, Lown, Dwyer, Smith and Mayor Spear voted opposed. Councilor Coviello recused himself from the discussion and vote.

On a roll call 4-4, motion to suspend the rules in order to make a further motion on this matter **failed** to pass. Councilors Kennedy, Dwyer, Smith and Thorsen voted in favor. Assistant Mayor Lister, Councilors Novelline Clayburgh, Lown and Mayor Spear voted opposed. Councilor Coviello recused himself from the discussion and vote.
19. Proposed Work Session to Review Report of the Operational Efficiencies Committee for Police and Fire Departments – Councilor Lown requested the Council review the Report and that he would not be bringing forth a motion to hold a Work Session, as he does not feel it is necessary.
20. Ideas Related to HDC – Councilor Dwyer requested City Manager Bohenko forward her memorandum to the Historic District Commission for their review and reference.
21. Parking and Traffic Safety Committee Action Sheet and Minutes of the May 9, 2013 meeting – **Voted** to approve and accept the Action Sheet and Minutes of the May 9, 2013 Parking and Traffic Safety Committee meeting. Councilor Kennedy voted opposed.
22. Adjournment – At 11:20 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC/CNHMC
City Clerk