

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON AUGUST 5, 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

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1. At 6:00 p.m., an Anticipated "Non-Meeting" with Counsel was held regarding Litigation – RSA 91-A:2 I (c).
2. Presentation - Transportation Issues e.g. COAST, Satellite Parking, Wayfinding, Bicycle Friendly Community, etc. – Juliet Walker, City's Transportation Planner and Rad Nichols, Executive Director of COAST, provided a presentation to the Council regarding the City's Transportation Initiatives. The outline of the presentation included public transportation, parking access and connections, wayfinding, bicycle and walking friendly communities' designations, and complete streets.
3. Presentation - Update Re: Sagamore Bridge Replacement – Peter Rice, Public Works Director provided an overview of the Sagamore Creek Bridge Replacement. Director Rice announced that the bridge would be closed October 15, 2013 and construction should be completed by Spring 2015. He also reviewed the cost for the construction which is estimated at \$8,000,000.00 with the City's share of overall cost \$1,730,000.00. He announced that the project is a Federal Highway/City cost sharing of 80/20%.
4. Acceptance of Minutes – July 15, 2013 – Voted to approve and accept the minutes of the July 15, 2013 City Council meeting.
5. Public Comment Session – There were twelve speakers: Tom Carroll (Scrap Metal in the streets of Portsmouth); Peter Happny, Jim Somes, Jim Anthony (Rock Street Parking Lot); Ralph DiBernardo, Natalie Roman-Nelson, Neill DePaoli (Worth Lot); Blair McCracken (Water/Sewer Billing); Susan Denenberg (Height Limits & Parking); Christine Davidson, Lee Roberts and Paul Mannle (Height Ordinance).
6. Public Hearing - Ordinance amending Chapter 10 – Zoning Ordinance, Article 5 – Dimensional and Intensity Standards, are here by Amended as follows:
  - Section 10.531 – Table of Dimensional Standards – Business and Industrial Districts, Maximum Structure Dimensions – Structure Height, CBA 45' or 3 Stories, which ever is less; CBB 45' or 3 Stories, which ever is less;
  - Section 10.535 – Exception to Dimensional Standards in the Central Business Districts, by Inserting a New Section 10.535.13: Increased Building Height by Conditional Use Permit

Councilor Coviello recused himself from the public hearing and vote. Councilor Coviello stepped down from the Dias.

Held a public hearing. **Voted** to keep the public hearing open and second reading of the ordinance until the August 19, 2013 City Council meeting.

7. Public Hearing - Resolution for bond authorization of up to \$5,750,000 for FY14 City Improvements

- Citywide Facilities Capital Improvements - \$1,000,000
- Citywide Sidewalk Reconstruction Program - \$800,000
- McDonough Street Area Improvements - \$400,000
- Gateway Improvements–Exit 7 - \$550,000
- Street Paving, Management and Rehabilitation - \$2,500,000
- Islington Street Improvements - \$500,000

Held a public hearing. **Voted** to adopt a Bond Resolution for City Improvements in the amount of up to \$5,750,000.00. Councilor Thorsen voted opposed.

8. Public Hearing - Resolution for bond authorization of up to \$10,000,000 for the Peirce Island Wastewater Treatment Plant Upgrades – Held a public hearing. **Voted** to adopt a Bond Resolution for Peirce Island Wastewater Treatment Plant Upgrades in the amount of \$10,000,000.00.

9. Public Hearing - Resolution for bond authorization of up to \$3,500,000 Pease Wastewater Treatment Plant Upgrades – Held a public hearing. **Voted** to adopt a Bond Resolution for Pease Wastewater Treatment Plant Upgrades in the amount of up to \$3,500,000.00.

10. **Voted** to suspend the rules in order to take up Items XII. A.1. – Rock Street Parking Garage Lot Proposed License Agreement for Shared Parking, XII. A.5. – Proposed Outside Area Service Agreement for British Beer Company, and XII. A.7. – Report Back Re: Letter of Request for Amendment to License Agreement between Priscilla Semprini, Trustee of the Priscilla Semprini Revocable Trust 2010, 300 New Castle Avenue and the City of Portsmouth which appeared under the City Manager’s Items Requiring Action.

11. Rock Street Parking Garage Lot Proposed License Agreement for Shared Parking – **Voted** to authorize the City Manager to enter into a license agreement with the Heinemann Company and Kearsarge Mill Unit Owners Association for shared parking at the Rock Street Garage lot.

12. Proposed Outside Area Service Agreement for British Beer Company – **Voted** to authorize the City Manager to enter into an Area Service Agreement with the British Beer Company.

13. Report Back Re: Letter of Request for Amendment to License Agreement between Priscilla Semprini, Trustee of the Priscilla Semprini Revocable Trust 2010, 300 New Castle Avenue and the City of Portsmouth – **Voted** to authorize the City Manager to negotiate and execute an amendment to the Revocable License Agreement with the Priscilla Semprini Revocable Trust of 2010 in accordance with the request presented to the Council to allow a dock to be constructed attached to City land on New Castle Avenue.
14. Consent Agenda – **Voted** to adopt the Consent Agenda.
- A. Acceptance of Police Department Donations:
- Police Honor Guard in memory of Retired Captain Kerry Plaisted by former Commissioner William Mortimer - \$100.00
  - Police Explorer Cadets from Wentworth-Coolidge Commission Inc. - \$100.00  
**(Anticipated action – move to approve and accept the donations, as listed, to the Portsmouth Police Department)**
- B. Acceptance of Donation from Liberty Mutual Insurance Re: African Burying Ground Committee:
- Liberty Mutual Insurance - \$1,000.00  
**(Anticipated action – move to authorize the City Manager to accept and expend a \$1,000.00 donation from Liberty Mutual Insurance for fundraising soft costs related to the African Burying Ground Project)**
- C. Letter from Jill McFarland, St. Patrick School, requesting permission to hold an annual 5k Road Race on Saturday, March 15, 2014 at 9:00 a.m. **(Anticipated action – move to refer to the City Manager with power)**
- D. Letter from Jay Diener, Seacoast Half Marathon, requesting permission to hold the 8<sup>th</sup> annual Seacoast Half Marathon on Sunday, November 10, 2013 **(Anticipated action – move to refer to the City Manager with power)**
15. Letter from Mark Ayotte, requesting the City return all rights and privileges to him as an abutter (9 Garden Street) from their current property line to the centerline of both Garden Street and Colonial Avenue – **Voted** to refer to the Planning Board for report back.
16. Letter from Valerie Rochon, Greater Portsmouth Chamber of Commerce and Assiah Russell, Chair, Retail Committee, requesting permission to hold the Summer Daze Sidewalk Sale for five days, August 29, 2013 through September 2, 2013 with the placement of sale racks outside and against their shops during retail hours, 10:00 a.m. until at least 8:00 p.m. (Participating shops to date: Flower Kiosk, Puttin' on the Glitz, Hazel, Tugboat Alley, Kilwins, City Shoes and Le Club Boutique) – **Voted** to refer to the City Manager with power. Councilor Smith abstained from voting on this matter.
17. Letter from Barbara Archibald requesting permission to have a Flash Dance/Flash Mob outside Poco's Restaurant on Saturday, September 7, 2013 from 1:30 p.m. – 2:00 p.m. – **Voted** to refer to the City Manager with power.

18. Proposed Omnibus Parking Ordinance – **Voted** to authorize the City Manager to bring back for first reading the proposed Parking Omnibus Ordinance at the August 19, 2013 City Council meeting.
19. Proposed Amendments to the School Clerical Employees' Collective Bargaining Agreement in accordance with the Memorandum of Agreement and the School Custodial Supervisors' Union Collective Bargaining Agreement in accordance with the Memorandum of Agreement to Change to SchoolCare Re: Health Insurance – Assistant Mayor Lister recused himself from this matter and stepped down from the Dias.
- School Clerical Employee's Memorandum of Agreement – **Voted** to approve the proposed amendment to the School Clerical Employees' Collective Bargaining Agreement in accordance with the Memorandum of Agreement, as presented.
  - School Custodial Supervisors' Union Memorandum of Agreement – **Voted** to approve the proposed amendment to the School Custodial Supervisors' Union Collective Bargaining Agreement in accordance with the Memorandum of Agreement, as presented.
20. Proposed Application to National Parks Service Re: Doble Center – **Voted** to authorize the City Manager to apply for a public benefit conveyance from the National Parks Service for the Paul A. Doble Army Reserve Center.
21. Proposed Additional Areas Re: Form-Based Zoning – **Voted** to table this item until the September 16, 2013 City Council meeting.
22. Appointment to be Considered – Stephen Scott Gerrato – Taxi Commission (Taxicab Company Representative) – The City Council considered the appointment of Stephen Scott Gerrato which will be voted on by the City Council at the August 19, 2013 meeting.
23. Letter from Tammy Wright, Clerk of the New Hampshire Senate, requesting the City appoint a representative to serve on the Projected Sea Level Rise and other Coastal and Coastal Watershed Hazards - Steve J. Miller, Conservation Commission Chair – **Voted** to appoint Steve Miller, Conservation Commission Chair, as the City's Representative to the Projected Sea Level Rise and other Coastal Watershed Hazards Commission.
24. Resignation - Anthony Blenkinsop from the Planning Board effective at the end of the August 15, 2013 meeting – **Voted** to accept with regret the resignation of Anthony Blenkinsop from the Planning Board effective at the end of August 15, 2013 meeting. Councilor Smith requested that a letter of thanks be sent to Mr. Blenkinsop for his service to the City.
25. Resignation - T. Stephen McCarthy from the Portsmouth Housing Authority effective August 1, 2013 – **Voted** to accept with regret the resignation of T. Stephen McCarthy from the Portsmouth Housing Authority. Councilor Smith requested that a letter of thanks be sent to Mr. McCarthy for his service to the City.

26. The Worth Lot – On a roll call vote 4-5, motion to suspend the rules in order to take this matter up **failed** to pass. Councilors Coviello, Novelline Clayburgh, Lown and Mayor Spear voted in favor. Assistant Mayor Lister, Councilors Kennedy, Dwyer, Smith and Thorsen voted opposed. **(two-thirds vote required for suspension of the rules)**
27. Report Re: Sustainability Committee – Councilor Lown provided an update to the City Council on the May 23, 2013 and June 27, 2013 meetings of the Sustainability Committee.
28. 50 “Sustainable Tips” – Councilor Lown reviewed the 50 “Sustainable Tips” that can support Portsmouth in its ongoing process as an EcoMunicipality.
29. Free Holiday Parking Period (Deferred from the July 15, 2013 City Council meeting) – Moved to set the 2013 Holiday Parking from December 16, 2013 through January 1, 2014. On a roll call vote 4-5, motion to amend and reduce the number of free holiday parking to 11 days **failed** to pass. Assistant Mayor Lister, Councilors Coviello, Lown and Mayor Spear voted in favor. Councilors Kennedy, Novelline Clayburgh, Dwyer, Smith and Thorsen voted opposed. **Main motion passed** to set the 2013 Holiday Parking from December 16, 2013 through January 1, 2014. Mayor Spear and Councilor Coviello voted opposed.
30. Parking and Traffic Safety Committee Action Sheet and Minutes of the July 11, 2013 meeting – **Voted** to approve and accept the action sheet and minutes of the Parking and Traffic Safety Committee meeting of July 11, 2013. Councilors Coviello and Kennedy voted opposed.
31. Adjournment – At 11:15 p.m., **voted** to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC/CNHMC  
City Clerk