

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 3, 2014, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

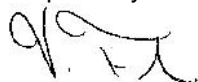
PRESENT: MAYOR LISTER, ASSISTANT MAYOR SPLAINE, COUNCILORS SHAHEEN, KENNEDY, LOWN, DWYER, MORGAN, SPEAR AND THORSEN

1. At 6:15 p.m., a Work Session was held regarding Update on Peirce Island Wastewater Treatment Facility
2. Proclamation – Music in our Schools Month – Steve Cirillo, Performing Arts Coordinator K-12 – Councilor Kennedy read the Proclamation proclaiming the Month of March as Music in our Schools Month. Mayor Lister presented the Proclamation and gift bag to Steve Cirillo who accepted with thanks and appreciation.
3. Presentation – Update on Transportation Projects – Transportation Planner Juliet Walker Transportation Planner Juliet Walker gave a brief power point presentation updating the ongoing Transportation Projects in the City of Portsmouth.
4. Acceptance of Minutes – **Voted** to accept the minutes of December 16, 2013 as amended.
5. Public Comment Session – There were 19 speakers: Catherine DiPentima, Jane Sutherland, Bob Gibbons, Richard DiPentima (Sea-3 Propane Issue) Julian Long, Marilyn (Mim) Easton, Sean Malvis, Janson Wu and Devon Chaffee (Transgender Resolution), Bob Shouse (Portwalk), Bill and Tom Sylla (Crosswalk on Middle Street) Carol Hinton (LaCava property sale), James Boyle (Rent on Sewer lines) Jerry Zelin (Conditional Use Permit/Height), Julie Ross, Jay Dennett, Larry Cataldo and Karina Quintans (21 Brewster Street) Joseph Caldarola (Transportation/Brewster Street)
6. **Voted** to suspend the rules to bring forth Item XI.A.3 (a) of the Agenda for consideration. Annual Renewal of Boarding House Permits – 21 Brewster Street – **Voted** to allow Mr. Brian Hogan to speak to the issue, Councilor Lown abstained. **Voted** on an 8-0 roll call to **DENY** the permit in accordance with staff reports and to establish a non-meeting with Counsel on a date to be determined to discuss legal options, Councilor Lown abstained. Councilor Kennedy moved to go into a non-public session after the meeting, seconded by Assistant Mayor Splaine. City Attorney Sullivan stated it would be a non-meeting with Counsel. **Roll call vote** was taken and passed 8-0 with Councilor Lown abstaining.
7. **Voted** to suspend the rules to bring forth Item XI.C.2 of the Agenda for consideration. Portsmouth Transgender Non-Discrimination Policy Resolution– **Voted** on a 9-0 roll call vote to adopt the Portsmouth Transgender non-discrimination Policy resolution. City Manager Bohenko clarified that this would be added to the existing non-discrimination policy for Municipal employees.
8. Public Hearing: Resolution Authorizing a Bond Issue of Up to Three Million Five Hundred Thousand Dollars (\$3,500,000) related to the design and Construction of the Hobbs Hill Landing Water Tank Replacement – There was 1 speaker for the public hearing. **Voted** on a 9-0 roll call vote to adopt the Bond Resolution up to Three Million Five Hundred Thousand (\$3,500,000) Dollars for the replacement of the Hobbs Hill Landing Water Tank, as presented.

9. First Reading of Proposed Amendments to Chapter 10 – Zoning Ordinance, Inserting a New Article 5A – Character Districts (aka Form-Based Zoning) – **Voted** to schedule a second reading and public hearing on the ordinance entitled Article 5A – Character Districts, at the March 17, 2014, City Council meeting
10. First Reading of Proposed Amendments to Chapter 10 – Zoning Ordinance, Miscellaneous Conforming Amendments to Implement Character Based Zoning – **Voted** to schedule a second reading and public hearing on the attached Ordinance dealing with conforming amendments at the March 17, 2014 City Council meeting.
11. Consent Agenda – **Voted to adopt the Consent Agenda.**
 - A. Request for Approval of Pole License to install 1 pole and 40' of underground conduit on Salter Street for an electrical service to 13 Salter 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***)
 - B. Letter from Kathie Lynch, Portsmouth Little League, Inc., requesting permission to install temporary signage to be located at the Plains and Hislop Park baseball fields during the 2014 baseball season (***Anticipated action – move to refer to the City Manager with power***)
12. Letter from Peter Newbury, SABR Board of Directors requesting permission to hold an Open Streets event on Sunday, September 14, 2014 – **Voted** to refer to the City Manager for report back.
13. Letter from Islington Creek Neighborhood Association Re: Permit renewal for 21 Brewster Street Boarding House – **Voted** to place on file.
14. Proposed Purchase of 95 Mechanic Street (LaCava Property) – **Voted** on an 8-1 roll call to ratify the Purchase and Sales Agreement dated February 21, 2014, and further, authorize the City Manager to complete the acquisition of the property at 95 Mechanic Street from the Estate of LaCava. Councilor Kennedy voted opposed.
15. **At 10:00 p.m. voted** to suspend the rules to continue meeting past 10:00 p.m. to 10:45 p.m.
16. Request for Street and Sidewalk Obstruction License Re: 7 Islington Street, LLC, 40 Bridge Street – **Voted** to authorize the City Manager to negotiate and enter into a license with 7 Islington Street, LLC to facilitate construction activities at 40 Bridge Street, which includes a license fee of \$30 per parking space per day.
17. Annual Renewal of Boarding House Permits
 - (a) 350-352 Hanover Street – **Voted** to approve the Boarding House permit for 350-352 Hanover Street for a one year permit to expire March 3, 2015
 - (b) 278 Cabot Street – **Voted** to approve the Boarding House permit for 278 Cabot Street for a one year permit to expire March 3, 2015

18. Proposed Easement Re: 1475 Lafayette Road - **Voted** to authorize the City Manager to accept a right-of-way easement on Elwyn Road from Cumberland Farms, Inc.
19. Request to Establish a Work Session with GSA (U.S. General Services Administration) on Re: McIntyre Federal Building – **Voted** to establish a work session for Monday, March 31, 2014 to begin at 5:30 p.m. with a site walk at the McIntyre Federal Building and work session to begin at 6:30 p.m. in the Eileen Dondero Foley Council Chambers and to invite the Congressional Delegation.
20. Appointments to be Voted: **The following appointments were approved:**
- Dana Levenson reappointment to Economic Development Commission
 - Francesca Marconi Fernald reappointment to Peirce Island Committee
 - Chris Hubbard reappointment to Peirce Island Committee
 - Lisa Louttit reappointment to Peirce Island Committee
 - Steve Marison reappointment to Peirce Island Committee
 - John McVay reappointment to Peirce Island Committee
 - Robert Pollard reappointment to Peirce Island Committee
 - Richard Smith reappointment to Peirce Island Committee
 - Marc Stettner reappointment to Peirce Island Committee
 - Harold Whitehouse reappointment to Peirce Island Committee
 - Peter Bresciano reappointment to Taxi Commission
 - Dana Levenson reappointment to Trustees of the Trust Fund
 - Cliff Lazenby appointment to Citywide Neighborhood Steering Committee
 - Shelley Saunders (current alt) appointment to Conservation Commission
 - Josh Denton appointment to Sustainable Practices Blue Ribbon Committee
21. Establish Transportation Committee – Councilor Kennedy withdrew item from Agenda to be brought back on March 17, 2014 with complete motion to be included.
22. Parking and Traffic Safety Committee Action Sheet and Minutes of the February 13, 2014 meeting – **Voted** on an 8-1 vote to approve and accept the action sheet and minutes of the February 13, 2014 Parking and Traffic Safety Committee meeting. Councilor Kennedy voted opposed. *Per this action, the City Attorney shall draft an ordinance to add an alternate member to the Parking and Traffic Safety Committee.*
23. JBC Update – Councilor Dwyer gave an update of the Joint Building Committee in regards to the ongoing Middle School Construction project. *No action required.*
24. Non-meeting – Previous vote regarding non-public vs. non-meeting was clarified and voted to enter into a non-meeting immediately following adjournment.
25. Adjournment – At 11:35 p.m. voted to adjourn regular meeting.

Respectfully submitted by:



Valerie A. French, Deputy City Clerk