

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, MARCH 16, 2015

PORTSMOUTH, NH
TIME: 6:15PM

At 6:15 p.m., a Work Session was held regarding Abandoned/Derelict Buildings.

I. CALL TO ORDER (6:15PM)

At 7:10 p.m., Mayor Lister called the regular City Council meeting to order.

II. ROLL CALL

Present: Mayor Lister, Assistant Mayor Splaine, Councilors Shaheen, Kennedy, Lown, Dwyer, Morgan, Spear and Thorsen

III. INVOCATION

Mayor Lister asked everyone to join in a moment of silent prayer.

IV. PLEDGE OF ALLEGIANCE

Stan Lyford led in the Pledge of Allegiance to the Flag.

MAYOR'S AWARDS

1. NH Division 1 Girls Alpine Skiing State Champions

Mayor Lister presented plaques to the team and coaches along with gift bags in recognition of being the Girls Alpine Skiing State Champions.

2. NH Division 2 Boys Winter Track State Champions

Mayor Lister presented plaques to the team and coaches along with gift bags in recognition of being the Boys Winter Track State Champions.

PRESENTATION

1. Haven Well Contamination Blood Testing – Rick Cricenti, Director Emergency Services Unit, NH Department of Health and Human Services

Mr. Cricenti reviewed and presented the NH Department of Health and Human Services Fact Sheet regarding Per fluorinated Chemicals (PFCs). He discussed the testing that will occur and the age ranges. He reported anyone that has worked or was enrolled at the day care center for a year prior to the discovery of the contamination from May 2014 would be eligible for the test. He said they currently plan on testing 100 individuals. He said the younger children will need to make appointments with their pediatricians for the test.

Mayor Lister thanked Mr. Cricenti for coming forwarding and making this presentation this evening. He asked how long the testing will be. Mr. Cricenti said not long and the results would be reported as soon as possible.

Assistant Mayor Splaine said he likes the outreach they are doing on the State level regarding this matter. He asked Mr. Cricenti if there will be follow up by the State on the testing done. Mr. Cricenti said they will not look at history and are not interested in that. He said he does not expect there to be high levels in the testing and if that needs to be revisited they would do that.

Councilor Shaheen said we all share in the responsibility and we are 11 months beyond when the contamination was found. We need to make this right and we need to know how high the levels are. She expressed her concern with a limit being set of 100 tests and stated that anyone that fits the criteria should have a test done. She asked if the Air Force has been approached about the testing and paying for them. Mr. Cricenti said the Air Force has not been contacted about the costs associated with the tests but he would talk to the Program Director regarding this matter. Councilor Shaheen said it needs to be opened to anyone younger than 2 years old as well. She said the lines of communication need to be kept open on this matter.

Councilor Morgan asked what would be done with the results of the tests. Mr. Cricenti said they would keep the results. Councilor Morgan asked if there is a number for high levels and low levels. Mr. Cricenti said they would provide the numbers. Councilor Morgan stated that children absorb contamination more than adults. She said we need to test everyone that wants to be.

Councilor Thorsen said he was surprised to hear from Mr. Cricenti that the Department of Health and Human Services does not have the funds to do more than 100 tests. He said how much money is available for the testing. Mr. Cricenti said funds are borrowed or moved from different projects. He said the commitment was made to do this and the best job that can, will be done.

Councilor Dwyer said one of the problems is the testing has no mitigation or course of action. She stated the information people receive needs to be clear for them to understand. She asked if there is an outreach to various physicians in the area regarding this matter and the testing. Mr. Cricenti said that is a great idea but that has not been discussed. A person will receive a letter with the number of their test for establishing levels and a number to call if they have questions.

Assistant Mayor Splaine said not everyone checks our website or watches the meetings or reads the newspaper. He wants to make sure people know the testing is available and they can have it done. He said you need to contact the Air Force and would be very upset if that was not done tomorrow by the State.

Councilor Shaheen said we need the funds from the Air Force which they agreed to pay for the testing. She asked how long after the screening would results be received. Mr. Cricenti said 30 days and people can call the State at 603-271-9461.

City Manager Bohenko stated the Fact Sheet from the State would be placed on the City's website with a link to the Division of Health and Human Services.

Councilor Kennedy asked what will be the follow up education and how will we work with people on this and what is the plan. Mr. Cricenti said there is not a plan, it is just a number there is not a great deal of information nationally on this use. Councilor Kennedy said people should have a place to go and discuss this.

Mayor Lister thanked Mr. Cricenti once again for attending this evening and speaking before the City Council on this matter.

V. ACCEPTANCE OF MINUTES – MARCH 2, 2015

Councilor Lown moved to approve and accept the minutes of the March 2, 2015 City Council meeting. Seconded by Councilor Shaheen and voted.

VI. PUBLIC COMMENT SESSION

Jerry Zelin thanked the City Council for the discussion on dealing with casinos in the City. He said the State has passed a bill allowing for 2 gambling sites. He said the zoning ordinance should be tightening in the definition area and that a restrictive covenant is harder for the State to override. Mr. Zelin said we need to make sure that a future owner of Harborcorp does not get to use the property as a gambling facility and there is good reason to single out Harborcorp property due to the space and location.

Doug Roberts said PS21 hosts informational events in the City. He said several events in April will be held on Transportation. The first is on April 2nd where Michael Manville will be addressing transportation land use and public finance with public parking. The time and location has not been decided as of yet but he would provide that information to the City once it become available.

Patricia Bagley stated the last City Council meeting a comment was made that many of the signatures on the petition are opposition to Whole Foods coming into the City. She said she signed the petition but is in favor of Whole Foods. She is concerned with the 9,000 cars coming into the City on the weekends. Ms. Bagley stated she went to the Parking & Traffic Safety Committee meeting and expressed concern with the process. She said there is more to the Harborcorp project than just Whole Foods.

Rick Becksted said he is concerned with what we are doing with the parking problem in the City. He spoke to the parking garage on Deer Street being constructed. He said it would create 600 more spaces but will this really solve the City's parking problems. He has been told 200+ spaces will be moved to the new garage from the High Hanover Parking Facility and 60+ will receive new passes at a reduced rate. He spoke to the liner building and how many spaces will be needed for that. Mr. Becksted addressed the 41 spaces that will be eliminated with the Harborcorp project on Russell Street.

Mark Brighton said our parking fees are a tax. He said the taxpayers will pay some of the increase.

Susan Denenberg said \$23.2 million is a great deal of money to spend for a new parking garage. She stated there is already discussion taking place on the type of art work to put in due to the Public Art Ordinance. She also stated that people are happy to take public transportation and we need to decide what we want the City to look like.

Paul Mannle said over a year ago he asked the EDC about the new parking garage and to define the problem find a solution, and define what is downtown and he never received an answer. He said the EDC has defined the problem as the need for 600 parking spaces and downtown will always be a 5 minute walk from downtown, right. He asked what we are doing here.

VII. PUBLIC HEARINGS

- A. RESOLUTION APPROPRIATING THE SUM OF ONE MILLION FOUR HUNDRED SEVENTEEN THOUSAND, EIGHT HUNDRED NINETY-SEVEN DOLLARS AND TWELVE CENTS (\$1,417,897.12) FOR EXPENSES RELATING TO MUNICIPAL COMPLEX IMPROVEMENTS

Mayor Lister read the legal notice, declared the public hearing open and called for speakers.

Paul Mannle stated the Resolution proposed to be spent on City Hall would be justified for other projects. He said an infrastructure matrix would be helpful for the City and taxpayers. The City put out \$32 million to bond at a higher coupon rate to make it easier to sell the bonds and we received a bond premium. He asked what actual interest rate and coupon rate the City is receiving.

With no further speakers, Mayor Lister closed the public hearing.

- B. RESOLUTION APPROPRIATING THE SUM OF FOUR HUNDRED TWELVE THOUSAND, ONE HUNDRED SIXTY-ONE DOLLARS AND NINETY-TWO CENTS (\$412,161.92) FOR EXPENSES RELATING TO MADBURY WELL UPGRADES

Mayor Lister read the legal notice, declared the public hearing open and called for speakers. With no speakers, Mayor Lister declared the public hearing closed.

- C. RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED THIRTY-SIX THOUSAND, THREE HUNDRED ELEVEN DOLLARS AND THIRTY-NINE CENTS (\$136,311.39) FOR EXPENSES RELATING TO MCDONOUGH STREET AREA SEWER LINE REPLACEMENT

Mayor Lister read the legal notice, declared the public hearing open and called for speakers. With no speakers, Mayor Lister declared the public hearing closed.

- D. ORDINANCE AMENDING CHAPTER 7, ARTICLE II – TAXICABS IS HEREBY DELETED IN ITS ENTIRETY AND REPLACED WITH A NEW ARTICLE II ENTITLED TRANSPORTATION SERVICES

Mayor Lister read the legal notice, declared the public hearing open and called for speakers.

William Greenier, Washington, DC, said he represents UBER and they are looking to provide their services here in the City of Portsmouth. He spoke to the process followed by UBER when hiring a person to operate. He stated that UBER provides flexible job opportunities and asked the Council to delay the intent of the ordinance.

John Palrerio spoke in favor of the Ordinance as long as residents and guests are protected to use ride share opportunities. He stated that background checks and inspections need to be done and insurance needs to be provided and approved by the City.

Lisa Rumery, Kittery, Maine, would like to be operating in the City as Pioneer Taxi but can't operate due to the ordinance being in a holding pattern, due to UBER. She spoke opposed to the phone apps being used for ride sharing and feels things should remain as is. She said the older people do not have an I-phone to use a phone app and do not want to provide credit card information for a taxi ride.

Wayne Cipro, Regal Limousine, said he has been a manager at Regal for 16 years and they also run Blue Star Taxi. He spoke to the investment and maintenance of their fleet of vehicles. He said drivers for their business must carry a DOT card and attend a 45 hour training course. He feels that this proposed ordinance needs to eliminate limousines from the definition and car services because they are very different than taxis.

Christopher David stated this is the Epicenter of the Seacoast and felt that this was a technology friendly community. He used UBER in California and had great experiences. He feels technology is important and should be brought into the City. He spoke to UBER's safety and the need to have UBER and/or ride share in the City.

Declan McEachern spoke opposed to the Ordinance and said UBER needs to be operating in the City of Portsmouth. He said there is inconsistent taxi service in the City. UBER came out 5 years ago in San Francisco to find the need was great. He said the pie grew more in San Francisco and accessibility to downtown should not be limited to those that live downtown. He feels a ride share will open up for the downtown businesses and residents.

Robert Ardolf spoke in support of UBER and ride sharing services to help the people and services in the area. Every one should have the right to choose UBER or what ever taxi service they prefer.

Brian Fox said he works for UBER and the opportunity to grow is great here in the City. You are opening the operation to others and allowing for UBER to provide a safe new way to get around the City.

Dennis Hackman said he is going through the process of becoming an UBER driver and there are extensive background checks. He has spent over \$1,000.00 to get the vehicle ready to use for UBER and it is up to the driver to provide the best service.

Tristan Law, Taxi Commissioner said he welcomes ride sharing coming to the City. He looks forward to working with the Taxi companies and drivers.

Carl Speltz said he is an UBER driver and they are dedicated to safety and providing similar rates to people and safe transportation.

Jesse Law said he works on transportation systems nationally. He sees what people do in the City for disabled and public interests. He said the old taxi regulations were borne out of safety concerns. The new transportation nature makes sense to come into the City.

Peyton McManus said he is a user of UBER. He has used taxies here and some are dirty and unsafe. He said he has always had a great experience with UBER and would like to see them continue to serve the City.

Merle White, Anchor Taxi, said UBER should get the same insurance, inspections as the taxies are currently required to attain. He questioned the insurance policies that the UBER business holds. He said taxies pay up to \$6,000.00 a year to have commercial insurance as required by the City of Portsmouth.

Peter Bresciano, Chair of Taxi Commission, said at 9:00 p.m. you would not get a share ride from UBER. He spoke to the current ordinance definitions and vehicles for hire. He stated that the Taxi Commission looks at point to point service in the City. The Taxi Commission's responsibility is to look at vehicles and their safety.

Patricia Bagley spoke in support of UBER. She said she would like to reach a compromise with the City and UBER.

Hawk Furman said he is a driver for UBER and times are changing and we all need to adapt. The demographics are younger people and they do not drive so they use UBER.

Joe Famuliro spoke in support of UBER and their excellent service. He said the vehicles are immaculate and the service is great. He encourages every City Councilor to try UBER to see what they are all about.

Dick Bagley said that UBER is here to stay and people want it. He suggested moving forward to pass second reading.

With no further speakers, Mayor Lister closed the public hearing.

Assistant Mayor Splaine moved to suspend the rules in order to take up Item IX. C. - Second reading of Ordinance amending Chapter 7, Article II – Taxicabs to be deleted in its entirety and replaced with a new Article II entitled – Transportation Services. Seconded by Councilor Lown and voted.

IX. C. Second reading of Ordinance amending Chapter 7, Article II – Taxicabs to be deleted in its entirety and replaced with a new Article II entitled – Transportation Services

Assistant Mayor Splaine moved to postpone second reading of the ordinance until the April 6, 2015 City Council meeting and to suspend the renewal fees for current taxi owners. Seconded by Councilor Shaheen.

Assistant Mayor Splaine said he gathered information on this through the public hearing. He said he would like the City Attorney to attend the Taxi Commission meeting on Wednesday morning and the intent here is to find a win – win. It is a simple process for ride sharers and on a level field for regulations. He said we must know who is driving and picking up people in the City. We need to do background checks, and make sure they have the insurance as required. Also, a fee of \$25.00 to register as a driver and a vehicle would be \$25.00. He said we need to be fair to our ride sharing companies. He announced that the Taxi Commission will be meeting on Wednesday morning at 9:00 a.m. in Conference Room A. He does not want to delay this much past April 6th.

Councilor Lown said he supports the motion. He said this is a situation where the public hearing was eye opening and informative for him. He is interested in that there is insurance. He feels that the City Attorney should review the policy to make sure there is coverage. He said he is against the letter from the UBER General Manager. He said people come to Portsmouth expecting certain things and this maybe one of them.

Councilor Kennedy said the ordinance changes are a major concern for safety. She said it is appropriate to ask for insurance and background checks. She said we need to add something for people with disabilities as part of the ordinance.

Councilor Shaheen said she seconded the motion because we need more time. She said we need ride sharing and UBER to be at the table. She said UBER and ride share needs to consider the needs of the City Council. She said she uses UBER all the time and supports it but we need to keep in mind all opportunities.

Councilor Dwyer said she agrees with postponing but not sure sending it back to the Taxi Commission is the right place. She believes that the City Attorney needs to weigh in on some of this. She would vote no because of this. She said the insurances issues are the big issue.

Motion passed.

- E. ORDINANCE AMENDING THE ZONING MAP BY REZONING THE FOLLOWING LOTS FROM INDUSTRIAL (I), OFFICE RESEARCH (OR) OR MUNICIPAL (M) TO GATEWAY (GW):
- ASSESSORS MAP 163, LOTS 33, 34 AND 37;
 - ASSESSORS MAP 165, LOTS 1, 2 AND 14;
 - ASSESSORS MAP 172, LOTS 1 AND 3;
 - ASSESSORS MAP 173, LOTS 2 AND 10;
- AND INCLUDING CATE STREET BETWEEN HODGSON'S BROOK AND BARLETT STREET; AND AMENDING THE ZONING ORDINANCE AS FOLLOWS:
- ARTICLE 7, SECTION 10.730 – GATEWAY PLANNED DEVELOPMENT:

- AMEND SECTION 10.734.20 – LOT REQUIREMENTS, BY ESTABLISHING FRONT YARD STANDARDS RELATIVE TO STREETS OTHER THAN LAFAYETTE ROAD;
- AMEND SECTION 10.734.33 BY MODIFYING THE MAXIMUM BUILDING HEIGHT STANDARDS;
- INSERT A NEW SECTION 10.734.40 – WORKFORCE HOUSING INCENTIVES, TO ALLOW INCREASED BUILDING HEIGHT AND BUILDING LENGTH, AND TO ALLOW PARKING TO BE LOCATED IN A REQUIRED FRONT YARD OR BETWEEN A PRINCIPAL BUILDING AND A STREET, FOR A GATEWAY PLANNED DEVELOPMENT THAT CONTAINS 10% OR GREATER WORKFORCE HOUSING UNITS.
- ARTICLE 15 – DEFINITIONS:
 - AMEND SECTION 10.1530 – TERMS OF GENERAL APPLICABILITY, BY INSERTING DEFINITIONS OF “WORKFORCE HOUSING” AND “WORKFORCE HOUSING UNIT.”

Mayor Lister read the legal notice, declared the public hearing open and called for speakers.

Elizabeth Moreau, Vice Chair of Planning Board, said the change before the City Council allows the owner to provide a larger footprint and less work force housing and she is opposed to the ordinance. She addressed one area we would go from 94 units to allowing 236 units with 213 at market rate price. The 10% is not creating the numbers needed for work force housing in the City. The zoning change allows for longer buildings. She spoke to the time spent on Character Based Zoning where we wanted parking in the back of units and this would allow parking in the front which she feels is a step back. The ordinance would also allow a 60 foot high building at the edge of the street, and that is not good for the City. She asked the City Council not to approve the changes to the Ordinance.

Paul Mannle said the public hearing is on the gateway changes only. He is against the changes to allow work force housing in the gateway. He spoke opposed to changing the zoning ordinance to change the value of the property. He said he is against giving developers more lucrative property. He feels nothing should be voted on until the Islington Street Charrette is completed. Mr. Mannle stated that the City should purchase the parcels at the Frank Jones Center. The property could fit 1,000 spaces for parking. He said he did not attend the first reading of the ordinance on December 8th but the agenda and minutes from the December 22nd meeting no where are the parcels listed. The legal notice posted in the newspaper no mention of the parcels and he verified this. He said the agenda and minutes are not the operating document for the City Council but the City Manager's comments are and he was told this by a city official.

Dick Bagley echoed the comments of the Planning Board Vice Chair Moreau. He feels the ordinance should be postponed until the City Council receives information on the Charrette and this could come back to the City Council at an earlier date. He said the parking garage solution is a good solution to a difficult problem. He said good things are happening and we are not all of one voice.

Rick Becksted said he would like the City Council to postpone the ordinance until the findings are completed on the Charrette. He stated work force housing took a spin at the Charrettes to micro housing. He said 10% out of 100% would be work force housing. He said the City should buy the Frank Jones Center parcel. He said we could make it what we need, make the connector road, create revenue for the City and create work force housing. This is a project that could take place immediately. He also recommended creating a shuttle out at Frank Jones to bring people into the downtown.

With no further speakers, Mayor Lister stated he will keep the public hearing open until May 18th and no vote is necessary.

Councilor Kennedy said the Council should keep the public hearing open until the Islington Street Charrette is completed.

Planning Director Taintor said he would have a draft to the City Council on April 6th and come back to the City Council for first reading the first meeting in May. The public hearing would not take place until the second meeting in May.

Councilor Shaheen moved to suspend the rules in order to continue the meeting beyond 10:00 p.m. Seconded by Councilor Kennedy and voted.

Mayor Lister called a brief recess at 10:00 p.m. At 10:15 p.m., Mayor Lister called the meeting back to order.

VIII. APPROVAL OF GRANTS/DONATIONS

(There are no items on under this section of the Agenda)

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Resolution Authorizing a Bond Issue and/or Notes of up to Twenty Three Million Two Hundred Thousand Dollars (\$23,200,000.00) for the Construction of a New Parking Facility

Councilor Spear moved to pass first reading and schedule a public hearing and adoption of the Resolution at the April 20, 2015 City Council meeting. Seconded by Councilor Shaheen.

Councilor Spear said he is pleased to have a parking garage downtown and supports the motion. He said this is one step to getting us to the public hearing process.

Councilor Shaheen said she echoes the comments made by Councilor Spear. She said the public needs to understand the investment of this. She said we need to act and the time is now.

Councilor Kennedy said she wants to go back to the Blue Ribbon Committee Report on Transportation dated April, 2013 and feels it was always the intent to look at multiple areas of transportation. She stated that there are hotels being built without the right amount of parking and this is a parking and transportation issue. She does not feel this proposed parking garage with 600 spaces will solve our problems. She stated we need to look at shuttles.

Councilor Thorsen said he is concerned with the economic concept. He said we need another garage and this is where the garage should go. He said in the Work Session he expressed sticker shock with the cost of the garage and he said he doesn't see any different angles to justify the costs. He said he would support the motion because it is first reading.

Councilor Lown said he has done work for Mr. & Mrs. Kim Rogers, estate planning and deed transferring, real estate but did not deal with this property. He said City Attorney Sullivan recommended he disclose this information to the City Council but it is not a conflict of interest that would prevent him from voting on this matter. Councilor Lown also received a written opinion from another lawyer and it is stated he does not have a conflict of interest and he also called the Bar Association to make sure that all of this was correct and he was legally able to vote on this matter, and he is.

Councilor Dwyer said a challenge is the steps in the process where the first vote is a vote to bond. She said one of the steps is we are first bonding before committing to a site. She said we need to be clear of the stages and a shared understanding we need to think differently on how we look at the costs of this. She said that this is not a tax. She suggested stop taking money from the parking fund and using it for the general fund. She said parking is helping the general fund greatly with the parking revenues.

City Manager Bohenko said after this evening the public hearing would be advertised to borrow up to \$23.2 million and a public hearing would take place on April 20th. He said we will spend a great deal of money moving forward. The City Council asked staff to look for a parking garage in the downtown which was not the Worth Lot or Parrott Avenue Lot.

Councilor Kennedy said the Council was sitting here not that long ago asking the School Department to have a long term plan. She said she is asking for a thorough transportation plan as a City Council. She does not feel that this will meet the transportation plan.

City Manager Bohenko said the fact is we have moved forward in many ways to act on multi-module. He said we have moved forward with a transportation plan and he disagrees that we have not moved the transportation plans forward. He spoke to the shuttle costs being \$6.00 per ride.

Assistant Mayor Splaine said he listened to Councilor Kennedy and he feels she is right. He disagrees with Councilor Lown. He said this parking garage will not solve the problem of parking but is part of the process. This is part of the transportation plan and we should also explore the Frank Jones property as part of the transportation plan. He said the Worth Lot was not a solution. He said we need a vibrant downtown and he looks forward to the public hearing on this.

Assistant Mayor Splaine said we need to learn more on the design process and what can be done to reduce the impact of parking fees for our residents.

Councilor Morgan said this does not address all transportation needs however we are not going to solve our issues if we do not address our current ordinances. She said we have parking requirements in our current ordinance that are not adequate.

Motion passed with Councilor Kennedy voting opposed.

- B. First reading of Resolution Authorizing a Bond Issue and/or Notes of up to Five Million Dollars (\$5,000,000.00) for Costs related to Elementary School Facility Improvements

Councilor Kennedy moved to pass first reading and schedule a public hearing and adoption of the Resolution at the April 6, 2015 City Council meeting. Seconded by Councilor Shaheen.

Superintendent McDonough announced it would take three years to complete the work at Little Harbour School. Councilor Dwyer said that this is money we are spending now and the CIP is the next set of funding. City Manager Bohenko said that this would jump start the project by getting the money before the new fiscal year starts. He said this allows putting the job out to bid.

Motion passed.

- E. Adoption of Resolution Appropriating the sum of One Million Four Hundred Seventeen Thousand, Eight Hundred Ninety-Seven Dollars and Twelve Cents (\$1,417,897.12) for Expenses relating to Municipal Complex Improvements (*A two-thirds vote of the Council is required for Adoption*)

Councilor Spear moved to adopt the Resolution, as presented. Seconded by Councilor Shaheen.

Councilor Lown asked what the funds would go to. City Manager Bohenko said work will be done to the exterior of the building and replacement of all windows. Public Director Rice concurred with City Manager Bohenko.

On a unanimous roll call 9-0, voted to adopt the Resolution, as presented.

- F. Adoption of Resolution Appropriating the sum of Four Hundred Twelve Thousand, One Hundred Sixty-One Dollars and Ninety-Two Cents (\$412,161.92) for Expenses relating to Madbury Well Upgrades (*A two-thirds vote of the Council is required for Adoption*)

Councilor Spear moved to adopt the Resolution, as presented. Seconded by Councilor Shaheen and voted unanimously by a voice vote of the City Council.

- G. Adoption of Resolution Appropriating the sum of One Hundred Thirty-Six Thousand, Three Hundred Eleven Dollars and Thirty-Nine Cents (\$136,311.39) for Expenses relating to McDonough Street Area Sewer Line Replacement (*A two-thirds vote of the Council is required for Adoption*)

Councilor Kennedy moved to adopt the Resolution, as presented. Seconded by Councilor Spear and voted unanimously by a voice vote of the City Council.

X. CONSENT AGENDA

- A. 2015 Omnibus Sidewalk Obstruction Renewals – See Attached Listings (*Anticipated action – move to refer to the City Manager with power*)
- B. Letter from Christina O’Grady, American Lung Association, requesting permission to hold the 6th Annual American Lung Association Cycle the Seacoast ride on Sunday, May 3, 2015 (*Anticipated action – move to refer to the City Manager with power*)
- C. Letter from Kathie Lynch, President of Portsmouth Little League, Inc., requesting permission to affix temporary signage to be located at the Plains and Hislop Park baseball fields during the 2015 baseball season from April 11th through the end of the fall ball program, in addition, maintain signage to the rear of the Plains scoreboard (*Anticipated action – move to refer to the City Manager with power*)
- D. Letter from Robert Sutherland, Secretary of St. John’s Lodge No 1 requesting permission to hold the annual 5k on Sunday, April 11, 2015. (*Anticipated action – move to refer to the City Manager with power*)

Councilor Spear moved to adopt the Consent Agenda. Seconded by Councilor Dwyer and voted.

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

(There are no items on under this section of the Agenda)

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

(There are no items on under this section of the Agenda)

Informational items

1. Events Listing
2. Legislative Subcommittee Update
3. News Release from Cooperative Alliance for Seacoast Transportation (COAST)
4. Letter from New Hampshire Municipal Association
5. Reminder of City Council Work Session Re: Master Plan and Impact Fees
6. New Hampshire Water Works Association's Journal Article Re: Portsmouth Water Efficiency

Councilor Morgan asked about HB46 regarding the Right-to-Know law. She stated she does not support changing the language or charging a fee for our residents to get documents and would like to make all electronic documents available on line.

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

XIV. ADJOURNMENT [AT 10:00PM OR EARLIER]

At 11:10 p.m., Councilor Lown moved to adjourn. Seconded by Councilor Spear and voted.



Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk