

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH  
DATE: MONDAY, MAY 4, 2015 TIME: 6:30 PM

## AGENDA

- 6:30PM – AN ANTICIPATED “NON-MEETING” WITH COUNSEL RE: LITIGATION RSA 91- A:2, I (b)

### I. CALL TO ORDER (6:30PM)

### II. ROLL CALL

### III. INVOCATION

### IV. PLEDGE OF ALLEGIANCE

### PROCLAMATIONS

1. Poet Laureate (*Proclamation will be handed out to City Council on Monday evening*)
2. Police Week in Portsmouth – Peace Officers’ Memorial Day
3. Bike/Walk to Work Day

### V. ACCEPTANCE OF MINUTES – APRIL 20, 2015

### VI. PUBLIC COMMENT SESSION

### VII. PUBLIC HEARING

- A. 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 (***Public Hearing kept open from the April 20, 2015 City Council meeting***)

### VIII. APPROVAL OF GRANTS/DONATIONS

*(There are no items under this section of the agenda)*

### IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Adoption 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 (***Sample motion – move to Adopt the Proposed Resolution, as presented***)

## X. CONSENT AGENDA

### **A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA**

- A. \*Acceptance of Membership Dues to Art-Speak
- Harbor Light Stage Inc. - \$100.00
- (Anticipated action – move to approve and accept the membership dues to the Piscataqua Arts & Cultural Alliance, a program of Art-Speak, as listed)***
- B. Letter from Sister Mary Agnes, Run with the Cause, requesting to hold the 19<sup>th</sup> Annual St. Charles Children’s Home 5k Road Race at Pease International Tradeport on Monday, September 7, 2015 at 9:00 a.m. ***(Anticipated Action – move to refer to the City Manager with power)***
- C. Letter from Josh Pierce, Seacoast Area Bicycle Riders, requesting permission to allow SABR to host a commuter breakfast on Friday, May 15, 2015 from 7:00 a.m. to 10:00 a.m. ***(Anticipated action – move to refer to the City Manager with power)***
- D. Letter from Duncan Regonini, Portsmouth Professional Firefighters Local 1313, requesting permission to hold 2 boot drives, the first on Saturday, June 27, 2015, and the second on Saturday, August 8, 2015 from 8:00 a.m. to 5:00 p.m. in Market Square ***(Anticipated action – move to refer to the City Manager with power)***
- E. Request for License from James Woodhouse, owners of Louie’s for property located at 84-86 Pleasant Street 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 James Woodhouse, owners of Louie’s for a projecting sign at property located at 84-86 Pleasant Street and, further, authorize the City Manager to execute License Agreements for this request)***

#### **Planning Director’s Stipulations:**

- ***The license shall be approved by the Legal Department as to content and form;***
  - ***Any removal or relocation of the projecting sign, for any reason, shall 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***
- F. 2015 Omnibus Sidewalk Obstruction Renewals (Final) *(List Attached)*  
***(Anticipated Action – move to refer to the City Manager with power)***
- G. Letter from Robert L. Sutherland, Jr., St. John’s Lodge No. 1, requesting permission to March from the William Pitt Tavern to St. John’s Church on Sunday, June 21, 2015 at 9:00 a.m. ***(Anticipated action – move to refer to the City Manager with power)***

- H. Letter from Mike Young, President of Portsmouth Babe Ruth, requesting permission to place 10 outfield signs on the inside of the fence at Leary Field (***Anticipated action – move to refer to the City Manager with power***)

## **XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS**

- A. Friends of Sheafe Street Petition requesting “Residential Parking Only” on Sheafe Street from 5:00 p.m. to 9:00 a.m. Monday – Sunday, maximum day-time parking allowed and further to designate Residential Reserved evening Parking on Sheafe Street and not install Parking meters on the residential street (***Sample motion – move to refer to the Parking & Traffic Safety Committee for report back***)
- B. Letter from Attorney Bernard Pelech regarding Portsmouth Land Acquisition, LLC Proposed Rezoning Bartlett Street and Route 1 Bypass Area (***Sample motion – move to refer to the Planning Board for report back***)
- C. Letter from Michael Busby, Eversource Energy, regarding Proposed Hanover/High Street Underground Improvement Project (***Sample motion – move to refer to the Planning Board for report back***)
- D. Letter from Delmira Pirini Morse regarding the pursuit of a Memorial for the Immigrants who resided in the North End

## **XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS**

### **A. CITY MANAGER**

#### **Items Which Require Action Under Other Sections of the Agenda**

- 1. Public Hearing and Adoption of Proposed Resolution:
  - 1.1 Public Hearing/Adoption 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 (***Action on this item should take place under Section IX of the Agenda***)

#### **City Manager’s Items Which Require Action:**

- 1. Request for First Reading of Proposed Ordinance Amending Chapter 1, Article VIII, Section 1.807 of the Ordinances – BEQUESTS OR GIFTS TO CITY EMPLOYEES (***Sample motion – move to authorize the City Manager to bring back for first reading at the May 18, 2015 City Council meeting the aforementioned Ordinance, as presented***)
- 2. Request for Approval of Parking Agreement with Connect Community Church

### **Informational items**

1. Events Listing
2. Reminder Re: All Day City Council Budget Work Session with Departments
3. North End Character-Based Zoning Informational Meeting
4. Updated Schedule of Events Re: African Burying Ground
5. Seacoast Bike/Walk to Work Day
6. Work Session Re: Election of Mayor
7. May 2015 Meeting Coverage for Channel 22 and YouTube

### **B. MAYOR LISTER**

1. Appointments to be Considered:
  - Appointment of Matthew Cardin to the Conservation Commission as a Regular member
  - Appointment of Kimberly Meuse to the Conservation Commission as a Regular member
  - Appointment of Kate Zamarchi to the Conservation Commission as a Regular member
  - Appointment of Adrienne Harrison to the Conservation Commission as an Alternate member
  - Appointment of Samantha Wright to the Conservation Commission as an Alternate member
  - Reappointment of Carl Diemer to the Recreation Board
  - Appointment of Patrick Moretti to the Zoning Board of Adjustment as a Regular member

### **C. ASSISTANT MAYOR SPLAINE**

1. Arranging an Interactive Work Session for PS21 Topics on the Search for Walkability, On-Street Parking, and Street Flow

### **D. COUNCILOR KENNEDY**

1. \*Update on the Prescott Park Arts Festival

### **E. COUNCILOR LOWN**

1. Parking & Traffic Safety Committee Action Items and Minutes of the April 9, 2015 meeting (***Sample motion – move to approve and accept the minutes of the April 9, 2015 Parking & Traffic Safety Committee meeting***)

### **F. COUNCILOR MORGAN**

1. \*Prescott Park Arts Festival
2. \*May 11<sup>th</sup> Pease Development Authority Airport Committee meeting at 6:00 p.m. at the PDA Office Re: Helicopter Sales

**G. COUNCILOR THORSEN**

1. New Parking Garage (Update)

**XIII. MISCELLANEOUS/UNFINISHED BUSINESS**

**XIV. ADJOURNMENT**

**KELLI L. BARNABY, MMC, CMC, CNHMC  
CITY CLERK**

*\*Indicates Verbal Report*


**INFORMATIONAL ITEMS**

1. \*Notification that the minutes of the March 12, 2015; March 19, 2015 and March 26, 2015 meetings of the Planning Board are now available on the City's website

*NOTICE TO THE PUBLIC WHO ARE HEARING IMPAIRED: Please contact Dianna Fogarty at 603-610-7270 one-week prior to the meeting for assistance.*

**CITY OF PORTSMOUTH  
PORTSMOUTH, NH 03801**

*Office of the City Manager*

**Date:** April 30, 2015  
**To:** Honorable Mayor Robert J. Lister and City Council Members  
**From:** John P. Bohenko, City Manager   
**Re:** City Manager's Comments on May 4, 2015 City Council Agenda

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**6:30 p.m. Non-meeting with counsel regarding litigation in accordance with RSA 91-A:2, I (b).**

For details on this matter, please refer to the confidential envelope inserted in the inside pocket of your binder.

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***Items Which Require Action Under Other Sections of the Agenda:***

1. **Public Hearing and Adoption of Proposed Resolution.**
  - 1.1 **Public Hearing and Adoption of Proposed Resolution Authorizing a Bond Issue and/or Notes of up to Twenty Three Million Two Hundred Thousand Dollars for the Construction of a New Parking Facility.** At the April 20, 2015 City Council meeting, the Council voted to keep the public hearing open regarding the aforementioned Resolution. Under Section VII of the Agenda, [attached is a proposed Resolution](#) authorizing a Bond Issue and/or Notes of up to Twenty Three Million Two Hundred Thousand Dollars for the Construction of a New Parking Facility. Also, [attached is a PowerPoint](#) for the presentation that evening.

*I recommend the City Council move to adopt the Proposed Resolution, as presented. Action on this matter should take place under Section IX of the Agenda.*

## ***Consent Agenda:***

1. **Acceptance of Membership Dues to Art-Speak.** Art-Speak has received the following membership dues for Piscataqua Arts & Cultural Alliance (PACA), a program of Art-Speak:

- Harbor Light Stage Inc. \$100.00

*I recommend that the City Council move to approve and accept the membership dues to the Piscataqua Arts & Cultural Alliance, a program of Art-Speak, as listed. Action on this item should take place under Section X of the Agenda.*

2. **Request for License to Install Projecting Sign.** Attached under Section X of the Agenda is a request for a projecting sign license (see attached memorandum from Rick Taintor, Planning Director):

- James Woodhouse, owner of Louie's for property located at 84-86 Pleasant Street.

*I recommend the City Council move to approve the aforementioned Projecting Sign License as recommended by the Planning Director and, further, authorize the City Manager to execute this License Agreement for this request. Action on this item should take place under Section X of the Agenda.*

## ***City Manager's Items Which Require Action:***

1. **Request for First Reading of Proposed Ordinance Amending Chapter 1, Article VIII, Section 1.807 of the Ordinances – BEQUESTS OR GIFTS TO CITY EMPLOYEES.** As initiated by Councilor Lown, attached is a proposed Ordinance amending Chapter 1, Article VIII, Section 1.807 of the Ordinances – BEQUESTS OR GIFTS TO CITY EMPLOYEES. I am requesting that the City Council authorize me to bring this Ordinance back for first reading at the May 18, 2015 City Council meeting.

*I recommend the City Council move to authorize the City Manager to bring back for first reading at the May 18, 2015 City Council meeting the aforementioned Ordinance, as presented.*

2. **Request for Approval of Parking Agreement for Connect Community Church.** Attached is a License Agreement for the provision of public parking on an existing parking lot at the Connect Community Church, which is located off of Market Street. This lot will be served by the City's parking shuttle.

The Agreement with Connect Community Church replaces the existing Agreement with the Church. This provides for use of 124 spaces, an addition of 30 spaces over the previous Agreement, in the lot for public parking 7-days a week with the exception of Sundays between 5:00 a.m. and 1:00 p.m. The Agreement is for a period of 3-years for an annual

fee of \$18,000 to be paid in bi-annual payments. As in the previous Agreement, the City will operate a bus shelter for the purpose of operating the Downtown Shuttle.

*I recommend the City Council move to approve the aforementioned License Agreement, and further, authorize the City Manager to execute these Agreements, as presented.*

### ***Informational Items:***

1. **Events Listing.** For your information, [attached is a copy of the Events Listing](#) updated after the last City Council meeting on April 20, 2015. In addition, this can be found on the City's website.
2. **Reminder Re: "All Day" City Council Budget Work Session with Departments.** Just a reminder that an "All Day" City Council Budget Work Session with Departments (e.g., Police, Fire, Schools and General Government) will be held on Saturday, May 9, 2015, from 8:00 a.m. to 2:30 p.m., in the Levenson Room, at the Portsmouth Library [Attached is a copy of the Agenda.](#)
3. **North End Character-Based Zoning Informational Meeting.** Please note that there will be a North End Character-based Zoning Informational Meeting on Tuesday, May 5, 2015 at 6:00 p.m., in the Eileen Dondero Foley Council Chambers at City Hall.
4. **Updated Schedule of Events Re: African Burying Ground.** [Attached for your information is a letter from Vernis Jackson, Chair of the African Burying Ground Committee and a listing of the key events regarding the African Burying Ground event, which will take place from Wednesday, May 20, 2015 to Saturday, May 23, 2015.](#)
5. **Seacoast Bike/Walk to Work Day.** For your information, [attached is an informational flyer regarding the Seacoast Bike/Walk to Work Day on Friday, May 15, 2015.](#)
6. **Work Session Re: Election of Mayor.** For your information, the Mayor has rescheduled the Work Session on the Election of Mayor from this Monday evening to Monday, May 18<sup>th</sup> prior to the regular City Council meeting.
7. **May 2015 Meeting Coverage for Channel 22 and YouTube.** For your information, [attached is a list for May 2015 Meeting Coverage](#) for Channel 22 and YouTube.