

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MONDAY, SEPTEMBER 21, 2015, 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. On a unanimous roll call 8-0, **voted** to enter into an Anticipated “Non-Meeting” with Counsel regarding Collective Bargaining in Accordance with RSA 91-A:2, I (b). Councilor Shaheen was not present for this vote.
2. On a roll call 8-1, **voted** to enter into an Anticipated “Non-Meeting” with Counsel regarding Litigation in Accordance with RSA 91-A:2, I (b). Councilors Shaheen, Kennedy, Lown, Dwyer, Morgan, Spear, Thorsen and Mayor Lister voted in favor. Assistant Mayor Splaine voted opposed.
3. Public Comment Session – There were 7 speakers: Charlie Griffin (WSCA License Agreement); Gloria Guyette, Timothy Montminy, Paul Mannle (Prescott Park Arts Festival); Beth LaMontagne Hall (Frank Jones Parcel); John Palreiro and Joanne Pipkin (Transportation Service/Ride Share).
4. Public Hearing – Ordinance amending Chapter 7, Vehicles, Traffic and Parking Omnibus Ordinance – Held a public hearing. **Voted** to pass second reading and schedule third and final reading of the proposed Ordinance at the October 5, 2015 City Council meeting, as presented.
5. Consent Agenda – **Voted** to adopt the Consent Agenda.
 - A. Acceptance of Donation to the Coalition Legal Fund:
 - Town of Moultonborough - \$6,500.00

(Anticipated action – move to approve and accept the donation as listed, to be placed in the Coalition Legal Fund)
 - B. Letter from Andrea Abbott, Portsmouth Halloween Parade, requesting permission to hold the 21st annual Portsmouth Halloween Parade on Saturday, October 31, 2015 ***(Anticipated action – move to refer to the City Manager with power)***

- C. Request for License from Lisa Shah, owner of LIT Boutique for property located at 19 Congress Street for a projecting sign located on Congress Street on an existing bracket (***Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Lisa Shah, owner of LIT Boutique for a projecting sign located on Congress Street on an existing bracket 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***
6. Letter from William Guernier regarding Transportation Network Services Ordinance – Voted to refer to the City Attorney for review and report back.
7. Approval of Land Transfers for Proposed Municipal Parking Structure at 165 Deer Street – On a unanimous roll call 9-0, **voted** to acquire from Deer Street Associates a parcel of land off Deer Street and Bridge Street containing 54,017 ± s.f. (1.2401 ac.) for construction of a municipal parking garage and associated access and utility improvements, and to acquire or convey any further property interests necessary to implement the intent of this acquisition.

Said parcel is shown as Lot “A” on the Disposition Plan, Sheet C1 – Disposition Plan Land Ownership, prepared by Ambit Engineering, Inc., dated July 2015 (amended 9/15/15). Easements to be created, terminated or relocated in connection with this acquisition are shown on the Disposition Plan, Sheet C2 – Disposition Plan Easements, prepared by Ambit Engineering, Inc., dated July 2015 (amended 9/15/15).

Voted to transfer to Deer Street Associates the City’s right, title and interest in a parcel of land at the intersection of Deer Street and Bridge Street, containing 1,717 ± s.f. (0.0394 ac.).

Said Parcel is shown as Lot “B” on the Disposition Plan, Sheet C1 – Disposition Plan Land Ownership prepared by Ambit Engineering, Inc., dated July 2015 (amended 9/15/15).

Voted to acquire from the John W. Gray Revocable Trust and the Bradford A. Gray Revocable Trust a triangular parcel of land off Bridge Street containing 421 ± s.f. (0.0097 ac.) for construction of access and utility improvements, and to acquire or convey any further property interests necessary to implement the intent of this acquisition, including an 8-foot sidewalk easement between said parcel and Bridge Street.

Said parcel is shown as Lot "C" on the Disposition Plan, Sheet C1 – Disposition Plan Land Ownership, prepared by Ambit Engineering, Inc., dated July 2015 (amended 9/15/15). The sidewalk easement is shown as Easement "12" on the Disposition Plan, Sheet C2 – Disposition Plan Easements prepared by Ambit Engineering, Inc., dated July 2015 (amended 9/15/15).

Subject to City Council approve of the Purchase & Sales Agreement.

8. **Voted** to suspend the rules in order to take up Item XII. A.3. – License Agreement Re: WSCA.
 9. License Agreement Re: WSCA – **Voted** to authorize the City Manager to amend the existing WSCA License to allow an 80-foot free-standing antenna and to make such other minor amendments to the agreement as may be necessary to accommodate the change.
 10. Proposed Land Acquisition (Frank Jones Center Property) – On a roll call 6-3, **voted** that the City Manager continue to negotiate and look at a counter offer. Assistant Mayor Splaine, Councilors Shaheen, Kennedy, Dwyer, Morgan and Thorsen voted in favor. Councilors Lown, Spear and Mayor Lister voted opposed.
 11. License Request for 386-390 State Street – **Voted** to authorize the City Manger to enter into a license with FA Gray to facilitate the completion of painting activities for 386-390 State Street.
 12. Polling Hours – November 3, 2015 Municipal Election – **Voted** to set the polling hours from 8:00 a.m. to 7:00 p.m. for the Municipal Election on Tuesday, November 3, 2015.
 13. **Voted** to suspend the rules in order to briefly continue the meeting beyond 10:00 p.m.
 14. Appointments to be Considered:
 - Reappointment of Shari Donnermeyer to the Parking & Traffic Safety Committee
 - Appointment of Jennifer Pyke to the Portsmouth Housing Authority
- The City Council considered appointments listed above which will be voted on at the October 5, 2015 City Council meeting.
15. Appointments to be Voted – **Voted** to appoint Richard Winstanley to the Cable Television and Communications Committee until April 1, 2016; appointment of Jolanda Fannin to the Library Board of Trustees until October 1, 2018; reappointment of Ernie Greenslade to the Library Board of Trustees until October 1, 2018; reappointment of Ronald Cypher to the Parking & Traffic Safety Committee until September 17, 2018; reappointment of Frederick (Ted) Gray, Jr. to the Parking & Traffic Safety Committee until September 17, 2018; reappointment of Harold Whitehouse to the Parking & Traffic Safety Committee until September 17, 2018.
 16. Thanking John Connors – No action required.
 17. Concerns with Property Assessments – No action required.

18. Parking & Traffic Safety Committee Action Sheet and Minutes of the August 13, 2015 and September 3, 2015 meetings – **Voted** to approve and accept the minutes of the August 13, 2015 and September 3, 2015 Parking & Traffic Safety Committee meetings. Councilor Kennedy voted opposed.
19. Motion to request that the City Council engage the expert in police facility construction to make a presentation to the Council about the particular requirements for a police facility – **Voted** to have a presentation to the City Council on the requirements for a police facility.
20. Recent Vote Restricting PPAF Operation, and Motion to Reconsider – **Voted** to suspend the rules in order to bring a motion for reconsideration. Mayor Lister voted opposed and Councilor Lown abstained. On a roll call 5-3, **voted** to reconsider the recent vote restricting the PPAF operations. Assistant Mayor Splaine, Councilors Shaheen, Dwyer, Spear and Thorsen voted in favor. Councilors Kennedy, Morgan and Mayor Lister voted opposed. Councilor Lown abstained.
21. Adjournment – At 11:00 p.m., **voted** to adjourn.

Respectfully submitted by:

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