

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: VALERIE A. FRENCH, DEPUTY CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL AT MEETING HELD ON MONDAY, NOVEMBER 16, 2015, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR LISTER, ASSISTANT MAYOR SPLAINE, COUNCILORS SHAHEEN (via teleconference), KENNEDY (via teleconference until 8:45 p.m.) LOWN, DWYER, MORGAN, SPEAR AND THORSEN

1. Presentation – Wastewater Treatment Facility Schedule Update– Suzanne Woodland, Assistant City Attorney, and Terry Desmarais, City Engineer, reviewed the history of informal discussions and explained the formal process and next steps relating to the upgrade of the Wastewater Treatment Facility at Peirce Island.
2. Public Comment Session. There were 5 speakers: Michael Berman (on behalf of Christopher David) and Peter Somssich (UBER); John Palreiro (Taxis); Ralph DiBernardo (Transportation Services Ordinance); and Brenden Dubois (Portsmouth Police Department)
3. Acceptance of Minutes – October 5, 2015 and October 19, 2015 – **Voted** on a 9-0 roll call to accept the minutes of October 5, 2015 and October 19, 2015 City Council meetings.
4. First Reading amending Zoning Ordinance so that Certain Described Property on Sagamore Grove Road be rezoned from Waterfront Business (WB) to Single Residence B (SRB) – **Voted** on an 8-1 roll call to amend the revision date to 11/06/2015 and the square footage to 25,678, Council Kennedy voted opposed. **Voted** on an 8-1 roll call vote to pass first reading and schedule a public hearing and second reading of the proposed Ordinance at the December 7, 2015 City Council meeting, as amended.
5. First Reading amending Zoning Ordinance – Chapter 10, Section 10.1530 – Term of General Applicability, amend the definitions of “hotel” and “motel” as follows: shall not include casino gambling, keno or other games of chance.– **Voted** on an 9-0 roll call to pass first reading and schedule a public hearing and second reading of the proposed Ordinance at the December 7, 2015 City Council meeting, as presented.
6. **Voted** on a 9-0 roll call to suspend the rules to move Assistant Mayor Splaine Item 11.C.1 on the Agenda for consideration.
7. Possible Solution to UBER Application process – **Voted** on a 7-2 roll call to authorize the City Attorney to prepare an ordinance for first reading at the December 7, 2015 City Council Meeting that includes the 3 separate technical amendments to the Transportation Services Ordinance that have been requested by UBER in its letter of October 19, 2015 and to refer to the Transportation Services Commission for their review prior to the December 7th Council meeting. Councilor Kennedy and Mayor Lister voted opposed.

8. Consent Agenda – **Voted on a 9-0 roll call** to adopt the Consent Agenda.
- A. Letter from Donald Allison, Eastern States 20 Mile, requesting permission to hold the Eastern States 20 Mile Road Race on Sunday, March 26, 2016 (***Anticipated action – move to refer to the City Manager with power***)
 - B. Letter from Emily Christian, National Multiple Sclerosis, requesting permission to hold the 2016 Walk MS Portsmouth on Saturday, April 16, 2016 from 10:00 a.m. to 2:00 p.m. (***Anticipated action – move to refer to the City Manager with power***)
 - C. Letter from Matt Junkin, Seacoast Rotary, requesting permission to hold the Seacoast Rotary Turkey Trot 5k on Thursday, November 24, 2016 at 7:00 a.m. (***Anticipated action – move to refer to the City Manager with power***)
 - D. Letter from St. Patrick School requesting to host its 3rd annual 5k Road Race on Saturday, March 12, 2016 at 10:30 a.m.; route from Peirce Island and end in front of Strawberry Banke on Marcy Street (***Anticipated action – move to refer to the City Manager with power***)
9. Letter from Michael Potori, Beara Irish Brewing Co., requesting permission to hold a 5k run and Brewfest at 2800 Lafayette Road on March 19, 2016 and provide 4 oz samples to paying attendees with a portion of proceeds going to a local charity – **Voted** on a 9-0 roll call to refer to the City Manager with power with a report back to Council to include which charity the proceeds will be going.
11. Request Partial Waiver of Municipal Service Fee for 31-32 Rochester Avenue, Portsmouth – **Voted** on an 8-0 roll call to authorize the partial waiver under Section 2.9 of the Municipal Services Agreement between the City and the PDA and allow for payment of the Municipal Service Fee in the amount described for 31-32 Rochester Avenue.
12. Letter from Attorney Bruton Re: Unmerge Lots at 75 Monroe Street Nathan Aviezri Revocable Trust – **Voted** on an 8-0 roll call to accept the Planning Board recommendation to unmerge 5 lots with conditions.
13. Report Back Re: Request for License for Trash Enclosure on City property at 319 Vaughan Street – **Voted** on an 8-0 roll call to approve a License for the trash enclosure based upon the two approval processes by City land use boards and City staff determination that the health and safety issues have been adequately addressed, and further, to enter into a License Agreement as drafted by the Legal Department.
14. Parking Agreement with Piscataqua Bank - **Voted** on an 8-0 roll call to authorize the City Manager to negotiate and enter into an Agreement with Piscataqua Bank for the public's use of 19 parking spaces for which the City will provide parking enforcement services.

15. Ratify Agreement Re: Gundalow Company – **Voted** on an 8-0 roll call to ratify the one (1) year Agreement entered into between the Trustees of Trust Funds and Gundalow Company.
16. City Manager Informational Item #2, Charter Committee – Assistant Mayor Splaine requested this item be **brought back at the December 7, 2015** as Councilor Kennedy is not longer in attendance via telephone and may have questions or comments.
17. Appointments to be Considered – Appointment of Jamie Baker to the Citizens Advisory Committee was considered and will be voted at the December 7, 2015 City Council Meeting.
18. Appointments to be Voted – **Voted** on an 8-0 roll call to appoint Anne Poubeau to the Portsmouth Housing Endowment Fund Advisory Board and Hannah K. Dahlgren to the Citizens Advisory Committee.
19. Councilor Morgan Item - Right to Know Law: City Council's Official Position– Councilor Morgan stated she will be bring back a formal motion at the December 7, 2015 City Council meeting.
20. Adjournment – **At 9:00 p.m., voted to adjourn.**

Respectfully submitted by:



Valerie A. French,
Deputy City Clerk