

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, DECEMBER 7, 2015 TIME: 6:15PM

AGENDA

- 6:00PM - CITY COUNCIL PHOTOGRAPH
- 6:15PM – ANTICIPATED “NON-MEETING” WITH COUNSEL RE: UPDATE ON OUTSTANDING COLLECTIVE BARGAINING AGREEMENTS IN ACCORDANCE WITH RSA 91-A:2, I (b)

I. CALL TO ORDER (6:15PM)

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

PRESENTATION

1. Report of Sagamore Creek Blue Ribbon Committee

V. ACCEPTANCE OF MINUTES – NOVEMBER 5, 2015 AND NOVEMBER 16, 2015

VI. PUBLIC COMMENT SESSION

VII. PUBLIC HEARINGS

- A. ORDINANCE AMENDING CHAPTER 10 DESCRIBED LAND BE REZONED FROM WATERFRONT BUSINESS (WB) TO SINGLE RESIDENCE B (SRB): LOT 2 AS SHOWN ON A PLAN TITLED “SUBDIVISION PLAN – TAX MAP 201 LOT 1 – APPLICANT: WILLIAM L. PINGREE – OWNER 955 SAGAMORE REALTY TRUST – 955 SAGAMORE AVENUE, CITY OF PORTSMOUTH, COUNTY OF ROCKINGHAM, STATE OF NEW HAMPSHIRE,” PREPARED BY AMBIT ENGINEERING, INC., DATED JUNE 2015, REVISED 11/06/2015, CONTAINING 25,698 SQUARE FEET. AND THAT THE ZONING MAP REFERENCED IN CHAPTER 10, ARTICLE 4, SECTION 10.420 (DISTRICT LOCATION AND BOUNDARIES) OF THE ORDINANCES OF THE CITY OF PORTSMOUTH BE REVISED
- B. ORDINANCE AMENDING CHAPTER 10, SECTION 10.1530, TERMS OF GENERAL APPLICABILITY, AMEND THE DEFINITIONS OF “HOTEL” AND “MOTEL” BY INSERTING THE PHRASE “BUT SHALL NOT INCLUDE CASINO GAMBLING, KENO OR OTHER GAMES OF CHANCE” AFTER THE WORDS “RECREATIONAL FACILITIES” IN EACH DEFINITION

VIII. APPROVAL OF GRANTS/DONATIONS

- A. *Acceptance of Donation from Annette Roylos for lights on the Market Square Christmas Tree - \$200.00 (**Sample motion – move to accept the donation of \$200.00 from Annette Roylos for lights on the Market Square Christmas Tree**)
- B. *Acceptance of Grant from New Hampshire Division of Historical Resources - \$45,725.00 (**Sample motion – move to give the City Manager authority to enter into a grant agreement and accept and expend funds up to \$45,725.00 from the New Hampshire Division of Historical Resources**)

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance amending Chapter 7, Article II – Transportation Services Ordinance
- B. Second Reading amending Zoning Ordinance so that Certain Described Property on Sagamore Grove Road be Rezoned from Waterfront Business (WB) to Single Residence B (SRB)
- C. Second Reading amending Zoning Ordinance - Chapter 10, Section 10.1530 – Term of General Applicability, amend the definitions of “hotel” and “motels as follows – shall not include casino gambling, keno or other games of chance
- (A Presentation will be made prior to action on this item)**
- D. Third and final reading of Ordinance amending Chapter 11, Article II, Section 11.216:B - Sewer User Charges/Records/Hook-Up by the Elimination of Irrigation Meters (**Tabled from October 5, 2015 City Council Meeting**)

X. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. Requests for License to Install Projecting Signs:
- John F. Golumb, owner of Two Ceres Street, for property located at 33 Bow Street
 - Bethany Hayes, owner of TJ's Food & Spirits, for property located at 88 Penhallow Street

(Anticipated action – move to approve the aforementioned Projecting Sign Licenses as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreements for these requests)

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***

- B. Letter from Caryl Dow, Dottie Bailey and Sarah Rafferty, Compassionate Friends', requesting to hold the 19th Annual Worldwide Candle Lighting on Sunday, December 13, 2015 at 7:00 p.m. in Market Square, for 1 hour ***(Anticipated action – move to refer to the City Manager with power)***
- C. Letter from Deidre Reynolds, NH Chapter Leader for Moms Demand Action, requesting permission to hold a walk from the South Church to Prescott Park to honor the Sandy Hook Anniversary on Sunday, December 13, 2015 from 12:00 p.m. to 1:15 p.m. ***(Anticipated action – move to refer to the City Manager with power)***
- D. Letter from Donna Hepp, Granite State Wheelmen, Inc., requesting permission to hold the Seacoast Century on Saturday, September 24, 2016 and Sunday, September 25, 2016 ***(Anticipated action – move to refer to the City Manager with power)***
- E. Letter from Caroline Piper, Friends of the South End requesting permission to hold the 2016 Fairy House Tours on Saturday, September 24, 2016 and Sunday, September 25, 2016 ***(Anticipated action – move to refer to the City Manager with power)***
- F. Letter from Doug Bates, President of Greater Portsmouth Chamber of Commerce requesting permission to hold the Chamber of Commerce Run Portsmouth Road Race Series Races for 2016: ***(Anticipated action – move to refer to the City Manager with power)***
- Easter Seals Veteran's Count – Pack & Boots 5k on Monday, July 4, 2016 at Strawberry Banke at 9:00 a.m.
 - Portsmouth Rotary Club – 5K Cross Country Race on Thursday, August 4, 2016 at Portsmouth High School at 6:00 p.m.
 - CelebratePink 5K Road Race & Walk on Sunday, September 18, 2016 at Portsmouth Middle School at 9:00 a.m.
 - Memorial Bridge Road Race, Saturday, October 8, 2016 at Memorial Bridge at 10:00 a.m.
 - Great Bay Services – Resolution 5k on Sunday, January 1, 2017 at Portsmouth Middle School at 11:00 a.m.
- G. Letter from Thomas P. D'Arcy requesting permission to hold a charity fundraiser road race event, "Danielle's Dash", on Saturday, April 30, 2016 on Pease Tradeport. ***(Anticipated action – move to refer to the City Manager with power)***

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Gerald Zelin regarding Right to Know Law

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

City Manager's Items Which Require Action:

1. Proposed Adoption of Blue Ribbon Committee's Report Back Re: Sagamore Creek Parcel
2. Acceptance of Sagamore Creek Bridge Project
3. 2016 Schedule of City Council Meetings and Work Sessions
4. Holiday Parking
5. License Request for 110 Chapel Street from Applicant Rye Beach Landscaping, LLC

Informational items

1. Events Listing
2. Charter Committee
3. Downtown Parking Shuttle Service for 2015
4. Planning Board Report Renaming of Ledgewood Drive
5. Zoning Board of Adjustment Action to Override Decision Re: 65 Mendum Avenue
6. Update Re: 165 Deer Street
7. Report Back Re: Electronic Communications
8. Stormwater Management Flyer

B. MAYOR LISTER

1. Appointments to be Considered:
 - Appointment of Dexter Legg to the Planning Board effective January 1, 2016
 - Appointment of Jim Lee as an alternate to the Zoning Board of Adjustment
 - Appointment of Jeremiah Johnson as a regular member to the Zoning Board of Adjustment
2. Appointments to be Voted:
 - Appointment of Jamie Baker to the Citizens Advisory Committee

C. ASSISTANT MAYOR SPLAINE

1. *Renaming of Lafayette Playground

D. COUNCILOR SHAHEEN & COUNCILOR DWYER

1. *Update Re: Community Meeting on Heroin Epidemic

E. COUNCILOR LOWN

1. Parking and Traffic Safety Committee Action Sheet, Minutes and Work Session Minutes of the November 5, 2015 meeting (***Sample motion – move to approve and accept the minutes of the Parking and Traffic Safety Committee of the November 5, 2015 meeting***)

F. COUNCILOR MORGAN

1. Right-to-Know Law – charging for labor costs (***Sample motion – move that the Portsmouth City Council does not support any proposal to amend the Right-to-Know law (RSA91-A) that would allow municipalities to charge for the cost of labor for the reproduction of public documents. It shall be the policy in the City of Portsmouth to not charge city residents and the press for the cost of labor for access to and retrieving or reproducing public documents***)

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 October 15, 2015 meeting of the Planning Board are now available on the City's website
2. Notification that the minutes of the November 5, 2015 Site Review Technical Advisory Committee are now available on the City's website
3. Notification that the minutes of the October 20, 2015 Zoning Board of Adjustment 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: December 2, 2015
To: Honorable Mayor Robert J. Lister and City Council Members
From: John P. Bohenko, City Manager 
Re: City Manager's Comments on December 7, 2015 City Council Agenda

6:00 p.m. – City Council Photograph

6:15 p.m. – Non-meeting with counsel regarding update on outstanding collective bargaining agreements 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.

Presentation:

1. **Presentation Re: Final Report of the Blue Ribbon Committee on the Sagamore Creek Land.** On Monday evening, David Moore, Assistant City Manager for Special Projects/Community Development Director, will make a presentation regarding the [attached Final Report of the Blue Ribbon Committee on the Sagamore Creek Land.](#)

Action on this matter is requested under the City Manager's Action Items.

Acceptance of Grants and Donations:

1. **Acceptance of Donation for Market Square Christmas Tree Lighting.** The City of Portsmouth has received a donation in the amount of \$200.00 from Annette Roylos for lights on the Market Square Christmas Tree.

I recommend the City Council move to accept and approve the donation for lighting for the Market Square Christmas Tree. Action on this matter should take place under Section VIII of the Agenda.

2. **Acceptance of Grant from New Hampshire Division of Historical Resources.** Staff is in receipt of a Grant Agreement from the New Hampshire Division of Historical Resources (DHR) in the amount of \$45,725 to conduct pre-disaster mitigation work. The National Park Service awarded DHR funds to repair historic properties damaged during Superstorm Sandy and support other initiatives that will better prepare historical properties for future disasters.

The grant will fund a detailed review of historic properties and their vulnerability to climate change, development of a mitigation plan with adaptation strategies to include but not be limited to elevating mechanical equipment, flood-proofing, relocating buildings, and other engineering solutions such as seawalls, tide gates, elevated structures and/or streets. Work will be conducted by a contractor overseen by Planning Department staff and a local advisory committee and will include enhanced GIS mapping, 3-D modelling, limited archeological assessments and a public outreach component. Staff will provide an in-kind match of \$5,646 and a cash match of \$4,305 which is a portion of the expanded 3-D modeling of the Historic District.

I recommend the City Council move to give the City Manager authority to enter into a grant agreement and accept and expend funds up to \$45,725 from the New Hampshire Division of Historical Resources. Action on this matter should take place under Section VIII of the Agenda.

Items Which Require Action Under Other Sections of the Agenda:

1. **Request for First Reading of Proposed Ordinances.**

- 1.1 **First Reading of Proposed Ordinance amending Chapter 7, Article II – Taxicabs, Section 7.201: Transportation Services Ordinance.** [Attached under Section IX of the Agenda is a proposed Ordinance](#) amending Chapter 7, Article II – Taxicabs, Section 7.201: Transportation Services Ordinance as requested by Assistant Mayor James Splaine with amendments.

I recommend the City Council move to pass first reading and schedule a public hearing and second reading of the proposed Zoning Ordinance amendment, as presented, at the December 21, 2015 City Council meeting. Action on this matter should take place under Section IX of the Agenda.

2. **Second Reading/Public Hearing of Proposed Ordinances.**

- 2.1 **Second Reading/Public Hearing Amending Zoning Ordinance so that Certain Described Property on Sagamore Grove Road be Rezoned from Waterfront Business (WB) to Single Residence B (SRB).** As a result of the November 16th City Council meeting, under Section VII of the Agenda, I am bringing back for second reading and public hearing the [attached proposed amendment to the Zoning Ordinance](#) so that Certain Described Property on Sagamore Grove Road be Rezoned from Waterfront Business (WB) to Single Residence B (SRB).

At its meeting on August 3, 2015, the City Council considered this matter. [Attached is a new letter from Peter G. Weeks, PGW Real Estate Consulting, on behalf of 955 Sagamore Realty Trust](#), dated December 2, 2015 further clarifying this matter.

Concurrently with its consideration of the rezoning request, the Planning Board has reviewed and approved an application for subdivision approval to create a new lot corresponding to the area proposed for SRB zoning. After the initial plan for a 22,500 sq. ft. lot was submitted to the Planning Board, the applicant revised the subdivision plan by increasing the proposed lot area to 24,000 sq. ft. as a result of a separate review process by the New Hampshire Division of Environmental Services. At its meeting on October 15, 2015, the Board granted preliminary subdivision approval for this plan, and referred the application to the Technical Advisory Committee for review of utility issues, easements and related matters.

Also at the October 15th meeting, the Planning Board voted to recommend as follows:

Vote to recommend that the City Council amend the Zoning Map by rezoning from Waterfront Business (WB) to Single Residence B (SRB) the land shown as Lot 2 on a plan titled “Subdivision Plan – Tax Map 201 – Lot 1 – Applicant: William L. Pingree – Owner: 955 Sagamore Realty Trust – 955 Sagamore Avenue, City of Portsmouth, County of Rockingham, State of New Hampshire,” revised 10/9/15, containing 24,000 s.f.; provided that the rezoning shall take effect no earlier than the date on which the subdivision plat approved by the Planning Board is recorded at the Registry of Deeds.

On November 5, 2015, TAC voted to recommend final subdivision approval subject to certain stipulations. On November 12, 2015, the applicant submitted a further revised plan (dated November 6) showing the proposed lot area increased to 25,698 sq. ft., and on November 19, 2015, the Planning Board granted final subdivision approval for that revised plan.

At its meeting on November 16, 2015, the City Council voted to amend the area of the proposed rezoning to conform to the lot dimensions and area shown on the November 6 plan. Therefore, it is recommended that the vote on second reading

refer to that plan and to the stipulation recommended by the Planning Board regarding this matter.

I recommend the City Council move to pass second reading and schedule third and final reading of this Ordinance at the December 21, 2015 City Council meeting and further:

Vote to amend the Zoning Map by rezoning from Waterfront Business (WB) to Single Residence B (SRB) the land shown as Lot 2 on a plan titled “Subdivision Plan – Tax Map 201 – Lot 1 – Applicant: William L. Pingree – Owner: 955 Sagamore Realty Trust – 955 Sagamore Avenue, City of Portsmouth, County of Rockingham, State of New Hampshire,” revised 11/6/15, containing 25,698 s.f. This amendment shall take effect on the date on which the subdivision plat approved by the Planning Board is recorded at the Registry of Deeds.

Action on this matter should take place under Section IX of the Agenda.

- 2.2 **Second Reading/Public Hearing of proposed Ordinance Amending Chapter 10 – Zoning Ordinance, Section 10.1530, Terms of General Applicability, Definitions of Hotel and Motel.** As a result of the November 16th City Council meeting, under Section VII of the Agenda, I am bringing back for second reading and public hearing the [attached proposed Ordinance](#) amending Chapter 10 – Zoning Ordinance, Section 10.1530, Terms of General Applicability, Definitions of Hotel and Motel. At its meeting on September 8, 2015, the City Council considered the [attached letter from Gerald Zelin](#) proposing to amend the Zoning Ordinance to prohibit gambling at hotels and motels, and voted to refer the proposal to the Planning Board for a report back.

The Planning Board considered this matter at its meeting on October 15, 2015, and voted to recommend that the City Council amend the definitions of “hotel” and “motel” in Section 10.1530 of the Zoning Ordinance by inserting the phrase “but shall not include casino gambling, keno or other games of chance” in each definition following the words “recreational facilities,” so that the sentence reads as follows:

Such activities may include, where allowed, such accessory uses as restaurants, bars, taverns, nightclubs, function rooms, places of public assembly or recreational facilities, but shall not include casino gambling, keno or other games of chance.

I recommend the City Council move to pass second reading and schedule third and final reading of the proposed Zoning Ordinance amendment, as presented, at the December 21, 2015 City Council meeting. Action on this matter should take place under Section IX of the Agenda.

3. **Third and Final Reading of Proposed Ordinance.**

- 3.1 **Third and Final Reading of Proposed Ordinance amending Chapter 11, Article II, Section 11.216:B – Sewer User Charges/Records/Hook-up - by the Elimination of Irrigation Meters. (Tabled from the October 5, 2015 City Council meeting)**. As you will recall at the October 5th City Council meeting, the Council tabled the aforementioned proposed Ordinance. Under Section IX of the Agenda, I am bringing back for third and final reading the [attached proposed Ordinance](#) amending Chapter 11, Article II, Section 11.216:B – Sewer User Charges/Records/Hook-up regarding the elimination of irrigation meters.

Prior to action on this item, a Presentation will be made by Brian Goetz, Deputy Public Works Director and David Hyder of Burton and Associates outlining four (4) different options for course of action.

The City Council will move the following motions:

- 1) *Remove the proposed Ordinance from the table, and,*
- 2) *Pass one of the four 4 options that will be outlined as part of the Presentation.*

Consent Agenda:

1. **Request for License to Install Projecting Signs.** [Attached under Section X of the Agenda](#) are requests for a projecting sign licenses (see [attached memorandums from Rick Taintor, Planning Director](#)):
- John F. Golumb, owner of Two Ceres Street, for property located at 33 Bow Street.
 - Bethany Hayes, owner of TJ's Food & Spirits, for property located at 88 Penhallow Street.

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

City Manager's Items Which Require Action:

1. **Proposed Adoption of Blue Ribbon Committee's Report Back Re: Sagamore Creek Parcel.** Under the Presentation portion of the meeting, Assistant City Manager for Special Projects/Community Development Director David Moore will present the Final Report of the Mayor's Blue Ribbon Committee on the Sagamore Creek Land. The Committee's report includes recommendations for improvements to the City-owned 66-acre parcel along Sagamore Creek. The proposed improvements and related recommendations are consistent with the Vision and Guidelines for the parcel proposed by the Committee and

adopted by the City Council in June of this year. Councilor Eric Spear served as the Committee Chair. Committee members also included Councilor Chris Dwyer; City resident John Mikolajyk; City resident Alison Pyott; Conservation Commission representative Allison Tanner; Recreation Board representative Kori Sirmain; School Board representative Lennie Mullaney; and David Moore who served as the City Manager's designee in an ex-officio capacity.

I recommend the City Council move to adopt the Blue Ribbon Committee's Report Back as well as its recommendations and Master Plan for the Sagamore Creek parcel.

2. **Acceptance of Sagamore Creek Bridge Project.** As you know, the City reconstructed the Sagamore Creek Bridge in 2014 using 80% Federal funds with a local 20% match. The total cost of the structure and all appurtenant work was \$6,214,163.20. As part of the State's closeout procedure on the project, the City is required to formally accept the project. We are requesting therefore that the City Council accept this project formally at Monday's meeting. The Public Works Department and their consulting engineers FST, Inc. have reviewed the entire project in depth and find no fault with the work that was performed.

I recommend the City Council move to accept the Sagamore Creek Bridge Project, and further, authorize the City Manager to execute the Certificate of Final Completion of Work.

3. **2016 Schedule of City Council Meetings and Work Sessions.** [Attached for your review and adoption is a proposed schedule](#) for City Council Meetings and Work Sessions for calendar year 2016. Please note that the Budget Work Session is scheduled for Saturday, May 7, 2016.

May I have your approval on this schedule.

4. **Holiday Parking.** As the December holidays approach, it is time to consider a Portsmouth tradition - free holiday parking in the downtown. In past years, the City Council has approved roughly three weeks of free parking beginning in mid-December and running through January 2nd (the day after New Year's). The cost of that is approximately \$8,105 a day or a total of approximately \$154,000. I am proposing this year to reduce that number to 9 days starting Saturday, December 19, 2015 and running through Sunday, December 27, 2015. The loss of revenue for this proposal would be approximately \$73,000 with a savings of \$81,000. During this time, parking enforcement officers would check for time-limit violations only and inserts would be placed in all single-space and pay & display parking meters, stating, "Seasons Greetings, 3 Hours Free Parking" or "4 Hours Free Parking", as appropriate.

I recommend the City Council move to approve Holiday Free Parking commencing on Saturday, December 19, 2015 through Sunday, December 27, 2015.

5. **License Request for 110 Chapel Street from Applicant Rye Beach Landscaping, LLC.** The Applicant, Rye Beach Landscaping, LLC, requests on behalf of the owner of 110 Chapel Street, Jim O'Donoghue, Member of RoxyJames Realty LLC, a license to install two new electrical meter panels attached to the side of the house that will protrude into the right of way of Chapel Court. The Applicant seeks to encumber the area more specifically shown in [Attachment A](#). See attached letter from [Bennett Holmes, Rye Beach Landscaping LLC](#).

In addition, the owner seeks to install a necessary underground conduit from the pole located on Chapel Street under the City sidewalk along Chapel Court to the new electrical meter panels. Typically Eversource will request a license to install conduit when they are installing wire to bury utilities. However, in this instance, the conduit is being installed prior to Eversource installing the wires. As a result, the conduit license needs to be held by the owner until the wires are installed. Once the wires are installed by Eversource, the license will be automatically transferred to Eversource. This license is incorporated into a single document entitled [Petition and Underground Utility License and License to Homeowner and Eversource attached](#). Eversource and the City's legal department have reviewed and approved the content of the [draft license attached](#). The Department of Public Works supports the request and location of the conduit (see attached memorandum from [Ryan Flynn, Construction Project Coordinator](#)).

I recommend the City Council move to authorize the City Manager to negotiate and enter into a revocable meter panel license with Applicant Rye Beach Landscaping, LLC on behalf of owner and accompanying Petition and License for the new electrical conduit.

Informational Items:

1. **Events Listing.** For your information, [attached is a copy of the Events Listing](#) updated after the last City Council meeting on November 16, 2015. In addition, this can be found on the City's website.
2. **Charter Committee.** As requested by Councilor Esther Kennedy, [attached is a memorandum from Robert P. Sullivan, City Attorney](#), regarding the establishment of a Charter Committee.
3. **Downtown Parking Shuttle Service for 2015.** For your information, [attached is a memorandum from Juliet Walker, Transportation Planner](#), regarding the Downtown Parking Shuttle Service for 2015.
4. **Planning Board Report Naming of Ledgewood Drive.** [Attached for your information is a memorandum from Rick Taintor, Planning Director](#), regarding the renaming of Ledgewood Drive in compliance with E-911 requirements.

5. **Zoning Board of Adjustment's Action to Override a Decision Re: 65 Mendum Avenue.** As you will recall, at the September 8, 2015 City Council meeting, the Council voted to approve the unmerging of involuntarily merged 4 lots at 65 Mendum Avenue under RSA 674:39-aa. [Attached for your information is a memorandum from Rick Taintor, Planning Director](#) regarding the Zoning Board of Adjustment's action at their November 17, 2015 meeting to reverse the City Council's action to restore the lots to their pre-merger status.
6. **Update Re: 165 Deer Street.** [Attached is a memorandum from David Allen, Deputy City Manager and Robert P. Sullivan City Attorney](#) updating the City Council concerning negotiations of purchase and sale agreement for property on which the Deer Street Parking Garage would be located.
7. **Report Back Re: Electronic Communications.** As requested by Councilor Jack Thorsen, [attached is a memorandum from City Attorney Robert Sullivan](#), regarding electronic communication by city Councilors during Council meetings.
8. **Stormwater Management Flyer.** For your information, the [attached flyer](#) will be inserted in the December 2015 mailing of water/sewer bills. It provides information to our water and sewer customers regarding stormwater and efforts to protect and improve water quality throughout our service territory. Though it is primarily directed to stormwater, the Best Management Practices referenced in the flyer also apply to the surface and groundwater that supply the Portsmouth regional drinking water system.