

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MONDAY, MARCH 6, 2017 MEETING, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR BLALOCK, ASSISTANT MAYOR SPLAINE, COUNCILORS PERKINS 7:05 P.M.), DWYER, LOWN, PEARSON, CYR, SPEAR AND DENTON

1. Acceptance of Minutes – February 6, 2017 and February 21, 2017 – **Voted** to accept and approve the minutes of the February 6, 2017 and February 21, 2017 City Council meetings.
2. Public Comment Session – There were 12 speakers: Roy Helsel (Budget, Parking, Plastic Bags); Jim Lee, Erik Anderson, Jeff Semprini, Rob Wofchuck, Nathalie Morison, and Kirsten Howard (Plastic Bag Ban); Merle White (New Insurance Rates); Jim Boyle (Special Council Meeting Request); Mary Lou McElwain (Parrott Avenue); Pat Bagley (Parking); and Mark Brighton (Campaign Financing).
3. Acceptance of Donation from Wentworth Senior Living, Sponsorship of Senior Luncheon Program - \$15,000.00 – **Voted** to accept and approve the donation to the Senior Luncheon program, as presented.
4. Acceptance of Donation of a disbursement check in the amount of \$105,687.00 from the Estate of Geraldine W. Webber – **Voted** to accept and approve the donation to the Police Department, as presented.
5. First reading of proposed Ordinance amending Chapter 3, Article II, Section 3.208 – Regulation of Single Use Carryout Plastic Bags – **Voted** to table first reading until the March 20, 2017 City Council meeting.
6. Third and final reading of proposed Ordinance amending Chapter 7, Article I, Section 7.115 – Sign Permit Required for Private Parking Lot – **Voted** to pass third and final reading of the proposed ordinance, as presented.
7. Consent Agenda – **Voted** to adopt the Consent Agenda.
 - A. Letter from Mike St. Laurent, LOCO Sports, LLC, requesting permission to hold a half marathon road race on Sunday, April 23, 2017 at 8:00 a.m. (**Anticipated action – move to refer to the City Manager with power**)
 - B. Letter from Molly Bolster and Matt Glenn, Gundalow Company, requesting permission to hold the 7th annual Round Island Regatta on Saturday, August 19, 2017 (**Anticipated action – move to refer to the City Manager with power**)

C. Letter from Ken La Valley, American Foundation of Suicide Prevention, requesting permission to hold the Out of the Darkness Community Walk on Saturday, September 16, 2017 at 10:00 a.m. (**Anticipated action – move to refer to the City Manager with power**)

D. Request for License to Install Projecting Sign:

Elaine Miller owner of Ceres Gallery for property located at 23 Ceres Street (**Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreement 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 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**

8. Adoption of Proposed Capital Improvement Plan (CIP) FY2018 – 2023 – Move to adopt the Capital Improvement Plan (CIP) FY2018 – 2023.

Voted to amend Enterprise Funds – Sewer Item 162 – Regional Digester Facility at Pease Waste Water Treatment Facility by moving up the funding for FY'19 of \$50,000.00 to FY'18, FY'21 of \$1,500,000.00 to FY'20 and FY'23 of \$16,500,000.00 to FY'22.

Main motion passed, as amended.

9. Voted to suspend the rules in order to take up Item XI. A.5. – Sewer Easement for relocated Brick Box Sewer.

10. Sewer Easement for Relocated Brick Box Sewer – **Voted** to refer this issue to the Planning Board for a report back to the City Council on this proposed land transaction.

11. Report Back from Planning Board regarding Involuntarily Merged Lots at 630 Middle Road and Sylvester Street – **Voted** to accept the Planning Board's recommendation, as presented.

Planning Board's Recommendation:

That the parcel at 630 Middle Road and Sylvester Street be restored to its premerger status as three lots. The effect of this action would be to separate lots 203 and 204 as shown on the 1903 plan of Prospect Park as two individual lots, leaving the remaining five original lots as a single voluntarily merged lot

12. Report Back from Planning Board Re: Request for Release of Paper Streets Pursuant to RSA 231:51 and 231:52 – 26 Moffat Street (Tax Map 243, Lot 69) and Swett Avenue (Tax Map 243, Lot 23) – Voted to accept the Planning Board's recommendation, as presented.

Planning Board's Recommendation:

That the City Council release all right, title and interest, if any, in the paper streets abutting the parcels shown as Assessors Map 243 Lots 69 and 23

13. Request for First Reading a Proposed Ordinance amending Chapter 7, Article VII, Section 7.703 and 7.704 to clarify the Prohibition of Truck Traffic on Banfield Road – **Voted** to authorize the City Manager to bring back an Ordinance for first reading at the March 20, 2017 City Council meeting to address the issues outlined in his memorandum.
14. Pilot Program for Late Night Food Vending – **Voted** to refer this matter to the Parking and Traffic Safety Committee for consideration of a proposed pilot program to allow late night food truck vending in a select area around the High Hanover garage.
15. Appointments to be Considered – The City Council considered the following appointments which will be voted on at the next City Council meeting:
- Reappointment of Dana Levenson to the Trustee of the Trust Funds
 - Appointment of Jeffery Kisiel as regular member to the Planning Board
 - Appointment of Corey Clark as an Alternate member to the Planning Board
 - Appointment of Marie Cowgill to the Citizens Advisory Committee
16. Consideration of draft of a City of Portsmouth Welcoming and Diversity Resolution – Assistant Mayor Splaine said he would bring the Resolution back for a vote at the April 3, 2017 City Council meeting.
17. Update: Reviewing and weighing evidence, seeking and interpreting expert consultation, Council preparation – Councilor Dwyer said she will bring something for the City Council to consider at a future meeting.
18. Parking & Traffic Safety Committee Action Sheet and Minutes of the February 2, 2017 meeting – **Voted** to accept and approve the action sheet and minutes of the February 2, 2017 Parking & Traffic Safety Committee meeting.

19. Downtown Employee Parking for Parrott Avenue Lot – **Voted** to refer the parking concepts for employees and residents to Parking & Traffic Safety Committee for report back with a work session in the future.

Councilor Dwyer suggested holding a Joint Work Session between the City Council and the Parking & Traffic Safety Committee on these matters.

20. Section 1.902: Election Candidate Financial Disclosure – Move to direct the City Attorney to draft an amendment to Section 1.902 – ELECTION CANDIDATE FINANCIAL DISCLOSURE to require entities that raise and spend money on candidates to abide by the same requirements as candidates themselves.

Voted to amend the motion by adding the words after on to “*group lists of*”.

On a roll call 7-2, **voted** to direct the City Attorney to draft an amendment to Section 1.902 – ELECTION CANDIDATE FINANCIAL DISCLOSURE to require entities that raise and spend money on group lists of candidates to abide by the same requirements as candidates themselves. Assistant Mayor Splaine, Councilors Dwyer, Lown, Pearson, Spear, Cyr and Denton voted in favor. Councilors Perkins and Mayor Blalock voted opposed.

21. Miscellaneous/Unfinished Business – Councilor Pearson announced that a Public Input Session will be held on Tuesday, March 7, 2017 at 6:30 p.m. in the Levenson Room of the Library regarding Public Art for the new Parking Garage. She also stated she would provide a report for the Council regarding the session at the March 20, 2017 City Council meeting.

Assistant Mayor Splaine requested that City Attorney Sullivan provide the Council with a copy of a memorandum he prepared for former Councilor Thorsen regarding public media.

22. Adjournment – At 9:35 p.m., **voted** to adjourn.

Respectfully submitted by:

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