

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: VALERIE A. FRENCH, DEPUTY CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL AT THE MEETING HELD ON MONDAY, DECEMBER 4, 2017, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR BLALOCK, ASSISTANT MAYOR SPLAINE, COUNCILORS PERKINS, DWYER (Arrived at 8:40 p.m.), LOWN, PEARSON, SPEAR, CYR AND DENTON

1. Public Dialogue Regarding McIntyre Project– at 5:45 p.m. a Public Dialogue Session was held regarding the McIntyre Project.
2. Non Public Session – at 6:45 p.m. - **voted** on a 7-0 roll call vote to enter into a Non Public Session in accordance with RSA 91-A:2, I (a), regarding Strategy or Negotiations with Respect to Collective Bargaining – School District’s Non-Supervisory Cafeteria Personnel – AFSCME Local 1386 (*Councilors Perkins and Dwyer not in attendance*)
3. Presentation – Strategic Planning Committee for Vaughan-Worth-Bridge Revitalization – A presentation was given by Bob Uhlig of Halvorson Design Partnership and Ted Touloukian of Touloukian Touloukian Architecture and Urban Design. **Voted** to suspend the rules to take up Item XI.D.1. on the Agenda for action.
4. Adoption of Final Report and Vision of the Strategic Planning Committee for Vaughan-Worth-Bridge Revitalization – **Voted** to adopt the final report and vision of the Strategic Planning Committee for Vaughan-Worth-Bridge Revitalization.
5. Acceptance of Minutes – October 16, 2017 and November 9, 2017– **Voted** to approve the minutes of the October 16, 2017 and November 9, 2017 City Council meetings.
6. Public Dialogue Summary – A brief Summary was given of discussions held at Tables A and B regarding the McIntyre Project.
7. Second Reading Re: Zoning Ordinance Amendments – Off Street Parking – Chapter 10, Article 11 – Site Development Standards; Article 15 – Terms of General Applicability and Article 8 – Supplemental Use Standards
 - 1) **Voted** to adopt the proposed amendments to first reading as prescribed in the memorandum from Planning Director Juliet Walker, dated November 29, 2017.
 - 2) **Voted** to pass second reading on the proposed amendments to Articles 8, 11 and 15 regarding off-street parking regulations as amended.
 - 3) **Voted** on a 7-0 roll call to suspend the rules to conduct third and final reading of ordinance as amended. (*Assistant Mayor Splaine was away from the dais*).
 - 4) **Voted to pass third and final reading** on the proposed amendments to Articles, 8, 11 and 15 regarding off-street parking regulations.

8. Second Reading Re: - Gateway Mixed Use District Zoning Amendments – Chapter 10, Article 5B – Gateway Mixed Use Districts; Article 5A – Character-Based Zoning; and Article 4 – Zoning Districts and Use Regulations

- 1) **Moved** to adopt the proposed amendments to first reading as prescribed in the memorandum from Planning Director Juliet Walker, dated November 29, 2017.
- 2) **Voted** to amend Title of Chapter 10, Article 5B by adding “Neighborhood” to read as follows: **Gateway/Neighborhood Mixed Use Zoning Districts.**
- 3) **Voted** to adopt the proposed amendments to first reading as prescribed in the memorandum from Planning Director Juliet Walker, dated November 29, 2017, as amended.
- 4) **Voted** to pass second reading on the proposed amendments to Articles 4, 5A and 7 and to adopt a new Article 5B Gateway/Neighborhood Mixed Use Zoning districts as amended.
- 5) **Voted** on an 8-0 roll call to suspend the rules to conduct third and final reading of ordinance as amended.
- 6) **Voted to pass third and final reading** on the proposed amendments to Articles, 4, 5A and 7 and to adopt a new Article 5B Gateway/Neighborhood Mixed Use Zoning Districts as amended.

9. Second Reading to Amend Chapter 5, Fire Department and Prevention Regulation which includes Adoption of 2015 International Fire Code to Replace the Existing 2006 International Fire Code –

- 1) **Voted** to amend the form of the ordinance amending Chapter 5 that went to first reading as set forth in the memorandum from Fire Chief Steven Achilles to the City Manager dated November 28, 2017.
- 2) **Voted** on an 8-0 roll call vote to suspend the rules to conduct third and final reading.
- 3) **Voted to pass third and final reading** of Chapter 5 as amended.
NOTE: This ordinance change will take effect January 1, 2018.

10. Third and final reading to Amend Chapter 12 by Adopting the 2009 International Building Code and 2009 International Residential Code to Replace the Existing 2006 Versions and to Amend Chapter 15 by Adopting the 2009 International Plumbing and Mechanical codes to Replace the Existing 2006 Version. This also includes local amendments to the 2014 National Electrical Code –

- 1) **Voted to pass third and final reading for Chapter 12** as amended at the November 20, 2017 City Council meeting.
- 2) **Voted to pass third and final reading for Chapter 15** as amended at the November 20, 2017 City Council meeting.
NOTE: These ordinance changes will take effect January 1, 2018.

11. Third and final reading of Proposed Ordinance Amendments to Chapter 4 Pertaining to the City’s Food Licensing and Regulations by Striking Articles I-V in entirety and replace with new language – Voted to pass third and final reading of the proposed Ordinance as amended at the November 20, 2017 City Council meeting.

12. Acceptance of Moose License Plate Conservation Grant - \$9,966.00 – **Voted** to accept and approve the grant award, as presented.
13. CONSENT AGENDA – **Voted** to adopt the Consent Agenda as presented.
 - A. Letter from Matthew McFarland, Saint Patrick Academy requesting permission to hold the 5th annual 5k Road Race on Saturday, March 17, 2018 at 10:30 a.m. (**Anticipated action – move to refer to the City Manager with power**)
 - B. Letter from Donald Allison, Eastern States 20 Mile requesting permission to hold the Eastern States 20 Mile Road Race on Sunday, March 25, 2018 (**Anticipated action – move to refer to the City Manager with power**)
 - C. Acceptance of Fire Department Donation – Elizabeth Kler - \$25.00 (**Anticipated action – move to accept and approve the donation to the Portsmouth Fire Department, as presented**)
14. Written Communications – E-mail Correspondence- **Voted** to accept and place on file.
15. Request to Establish a Public Hearing Re: Resolution Appropriating from Bond Premium the Sum of One Million Two Hundred Sixty-Nine Thousand One Hundred Forty-eight Dollars and forty-three Cents (\$1,269,148.43) to be applied to Municipal Complex Improvements – **Voted** to authorize the City Manager to bring back for public hearing and adoption at the December 18, 2017 City Council meeting the aforementioned proposed resolution.
16. Request to Establish a Public Hearing Re: Resolution Authorizing the Application of Unexpended Proceeds of the Borrowing for the Hobbs Hill Landing Water Tank Replacement Project, in the amount of Five Hundred Eighty Five Thousand, Eight Hundred Ninety-Six Dollars and Seventy-five Cents (\$585,896.75), to pay costs of Water Main Replacement Projects. **Voted** to authorize the City Manager to bring back for public hearing and adoption at the December 18, 2017 City Council meeting the aforementioned proposed resolution.
17. Request to Establish a Public Hearing Re: Supplemental Appropriation for the School Department Collective Bargaining Agreements – **Voted** to schedule a public hearing for the December 18, 2017 City Council meeting.
18. Report Back from Planning Board Re: Request for Restoration of Involuntarily Merged Lots at 737 Woodbury Avenue – **Voted** to accept the Planning Board's recommendation that 737 Woodbury Avenue be restored to its premerger status as two lots, and municipal zoning and tax maps be updated to identify the premerger status of the lots as described in deeds recorded at the Rockingham County Registry of Deeds and shown on the Standard Property Survey prepared by Easterly Survey dated 10/4/2017).

19. Mayor Blalock – Appointments to be Considered: The following applications were considered and will be voted at the December 18, 2017 City Council meeting.

- Appointment of Mary Lou McElwain (current alternate) as a regular member to the Parking and Traffic Safety Committee
- Appointment of Ralph DiBernardo as an Alternate to the Parking and Traffic Safety Committee
- Reappointment of Jody Record to the Planning Board

20. Mayor Blalock – Appointments to be Voted:

Voted to:

- a. Appoint Adrienne Harrison (Current alternate) as a Regular member to the Conservation Commission – Term to expire April 1, 2018 (filling unexpired term)
- b. Appoint Nathalie Morison as an Alternate member to the Conservation Commission – Term to expire 04/01/2020
- c. Reappoint Jim Lee to the Zoning Board of Adjustment – Term to expire 12/01/2022
- d. Appoint Peter McDonnell (current Alternate) as a Regular Member to the Zoning Board of Adjustment – Term to expire 12/01/2022, (filling expired term of Charles Lemay)

21. McIntyre Project Next Steps – Voted on a 7-2 roll call vote to establish a special meeting on December 20, 2017 (time to be determined) to select a development partner for the McIntyre Project. *Assistant Mayor Splaine and Mayor Blalock voted opposed.*

22. McIntyre Project Next Steps - Voted to have a first draft creating the public process to follow, prepared by city staff, to be presented for council review at the December 18, 2017 City Council meeting, possibly during a Work Session prior to Regular meeting.

23. Assistant Mayor Splaine – “Of Flags and Tools” – Assistant Mayor Splaine requested City Manager to report back at some date in the future on the possible purchase of all-weather flags to be hung on light poles on a 24/7 year round basis. He also requested that a Tool Lending Area be looked into being established, possibly at the recycling center.

24. Councilor Denton – Volkswagen Settlement – **Voted** to adopt the draft letter to Governor Sununu with the addition of 2 individuals to be copied the letter, Robert Scott, Commissioner, Environmental Services Department and Jared Chicoine, Agency Director of the Office of Energy Planning.

25. Adjournment – **At 9:55 p.m., voted to adjourn.**

Respectfully submitted by:

Valerie A. French
Deputy City Clerk