

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MONDAY, FEBRUARY 5, 2018 MEETING, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR BLALOCK, ASSISTANT MAYOR LAZENBY, COUNCILORS ROBERTS, PEARSON, DWYER, DENTON, RAYNOLDS AND BECKSTED

ABSENT: COUNCILOR PERKINS

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1. At 5:00 p.m. the Public Dialogue Session was held.
2. At 5:45 p.m. a Non Public Session was held in accordance with RSA 91-A:2, I (a) regarding Strategy or Negotiations with respect to Collective Bargaining – Supervisory Management Alliance.
3. At 6:00 p.m. a Work Session was held regarding Residential Parking.
4. Presentations – Award of Merit – New England Water Works Association – Brian Goetz – Mayor Blalock presented Deputy Public Works Director Brian Goetz with an Award of Merit from the New England Water Works Association. Deputy Public Works Director Goetz accepted the award with thanks and appreciation.
5. Coakley Landfill – City Attorney Sullivan, Environmental Planner Britz and Michael Deyling of CES, Inc., provided a detailed and comprehensive presentation regarding the Coakley Landfill.

**Voted** to hold a meeting with what City Attorney Sullivan has offered regarding Coakley Landfill with all involved communities, the public and our Representatives.

Councilor Dwyer requested we send a tape of this meeting to all communities involved for their review in advance of the meeting to be held.

City Manager Bohenko indicated he would instruct staff to post this meeting and highlight it on the front page of the website for review by the public.

6. At 9:15 p.m., Mayor Blalock declared a brief recess. At 9:25 p.m., Mayor Blalock called the meeting back to order.
7. Councilor Pearson moved to suspend the rules in order to take up Item XI. A.2. – Extension of Agreement Re: Creek Athletic Club.
8. Extension of Agreement Re: Creek Athletic Club – **Voted** to extend the Lease Agreement with the Creek Athletic Club for 251 Bartlett Street for a period of eight years from March 31, 2021 through March 31, 2029, as presented.

9. Acceptance of Minutes – January 16, 2018 – **Voted** to accept and approve the minutes of the January 16, 2018 City Council meeting.
10. Public Dialogue Summary – Assistant Mayor Lazenby and Councilor Dwyer provided a brief synopsis of the people who spoke during the Public Dialogue. Peter Whalen spoke on a meeting scheduled with Dover, Rochester and Portsmouth and the EPA on Tuesday, February 6, 2018 regarding concerns about potential regulatory changes pertaining to nitrogen discharge into the Great Bay estuary; Robert Lister spoke regarding the implementation of a volunteer Destination Fee; Erik Anderson spoke regarding Collective Bargaining, Peter Whalen suggested providing lump sums for increases in pay rather than percentages for employees; Paige Trace spoke regarding the nitrogen levels and whether we would have to use methanol to reach the 3 milligrams of nitrogen per liter of wastewater versus 8 mg/l for the Wastewater Treatment Plant; Roy Hesel asked if the wastewater treatment plant would have the capacity to handle all the development in the City; and Esther Kennedy would like the Public Dialogue to start at 6:00 p.m. to allow more residents to attend.
11. Public Dialogue Rule #43B (Not on Agenda) – **Voted** to have the City Attorney report back with a rule change to the Public Dialogue to take place after Non Public Sessions or a Work Session but prior to the City Council meeting.
12. Public Hearing – Resolution Authorizing a Supplemental Appropriation from Water Fund Unrestricted Net Position for Bellamy Reservoir Source Water Protection Land Conservation Easement for the sum of up to Two Hundred Twenty-Three Thousand, One Hundred Thirty (\$223,130.00) Dollars – On a unanimous roll call 8-0, **voted** to adopt the proposed Resolution to authorize a supplemental appropriation from the Water Fund Unrestricted Net Position for the Bellamy Reservoir Source Water Protection Land Conservation Easement for the Sum of up to Two Hundred Twenty-Three Thousand, One Hundred Thirty (\$223,130,00.00), as presented.
13. First reading of Ordinance amending Chapter 1, Article IX, Section 1.9 Conflict of Interest/Election Candidate Financial Disclosure – Charter Amendment #1 – **Voted** to pass first reading and schedule a public hearing and second reading of the proposed Ordinance at the February 20, 2018 City Council meeting.
14. First reading of Ordinance amending Chapter 1, Article IX, Section 1.901 – Conflict of Interest/Municipal Officials Disclosure – Charter Amendment #2 – **Voted** to pass first reading and schedule a public hearing and second reading of the proposed Ordinance at the February 20, 2018 City Council meeting.
15. Acceptance of Fire Department Donation – Newburyport Five Cents Savings Bank - \$500.00 – **Voted** to accept and approve the donation to the Portsmouth Fire Department, as presented.
16. Acceptance of Wellness Reward - \$2,000.00 – **Voted** to accept and approve the Wellness Reward, as presented.

17. Acceptance of Drinking Water and Groundwater Trust Fund – Breakfast Hill Area Water Main Improvements Grant Agreement - \$200,000.00 – **Voted** to enter into a Grant Agreement to accept \$200,000.00 from the State of New Hampshire’s Drinking Water and Groundwater Trust Fund grant funds and to enter into a grant agreement with the Department of Environmental Services for the purpose of a water system improvement project.
18. Consent Agenda – Councilor Becksted requested to remove Item IX. B. from the Consent Agenda because he serves on the Little League Board of Directors and will need to abstain from voting on the request.

**Voted** to adopt the Consent Agenda.

- A. Letter from Caroline Piper, Friends of the South End, requesting permission to hold the annual Fairy House Tour event on Saturday, September 22, 2018 and Sunday, September 23, 2018 from 11:00 a.m. – 3:00 p.m. (**Anticipated action – move to refer to the City Manager with power**)
  - C. Letter from Chris Vlangas, Cystic Fibrosis Foundation, requesting permission to hold the CF Cycle for Life on Saturday, July 14, 2018 (**Anticipated action – move to refer to the City Manager with power**)
  - D. Letter from Kate Corriveau, Alzheimer’s Association, requesting permission to hold the 2018 Annual Seacoast Walk to End Alzheimer’s on Sunday, September 23, 2018 at 10:00 a.m. (**Anticipated action – move to refer to the City Manager with power**)
  - E. Letter from Ken La Valley, American Foundation for Suicide Prevention, requesting permission to hold the Out of the Darkness Walk on Saturday, September 15, 2018 at 10:00 a.m. (**Anticipated action – move to refer to the City Manager with power**)
  - F. Letter from Molly Bolster and Matt Glenn, Gundalow Company, requesting permission to hold the 8<sup>th</sup> Annual Round Island Regatta on Saturday, August 11, 2018 (**Anticipated action – move to refer to the City Manager with power**)
19. Letter from Kathie Lynch, Portsmouth Little League, Inc., requesting permission for temporary signage to be located at the Plains and Hislop Park baseball fields during the 2018 baseball season and requesting permission to maintain signage to the rear of the Plains scoreboard - **Voted** to refer to the City Manager with power. Councilor Becksted abstained from the vote.

20. Presentation & Consideration of Written Communications & Petitions – **Voted** to accept and place the letters on file.
- (See E-mail Correspondence)
  - Letter from Robert J. Lister regarding implementing a destination fee
  - Letter from Gerald Zelin regarding Proposed Election Finance Ordinance
  - Letter from Town of Hampton Selectmen regarding Coakley Landfill Group
  - Letter from Jim Splaine Re: Coakley Landfill Presentation and Request for Information
21. City Manager's Consent Agenda – Councilor Roberts requested to remove Item XI. A.6. – Purchase & Sale Agreement for property owned by Ferrari Remodeling & Design Inc. for Map 283, Lot 19 – Banfield Road from the City Manager's Consent Agenda.

**Voted** to adopt the City Manager's Consent Agenda.

- A.1. Request for Approval of the One-Year Extension of the Current Collective Bargaining Agreement between the Portsmouth School Board and the Association of Portsmouth Teachers – ***(Anticipated action – move to accept the proposed One-Year Agreement between the Portsmouth School Board and the Association of Portsmouth Teachers, as presented)***
- A.3. Woodlands Homeowners Association for License to Install Sign – FW Hartford Drive and Adams Avenue – ***(Anticipated action – move to approve the aforementioned revocable municipal license as recommended by the Planning Director in the memorandum dated January 17, 2018, and further, authorize the City Manager to execute this License Agreement for this request)***
- A.4. Woodlands Homeowners Association for License to Install Sign – FW Hartford Drive and Taft Road - ***(Anticipated action – move to approve the aforementioned revocable municipal license as recommended by the Planning Director in the memorandum dated January 17, 2018, and further, authorize the City Manager to execute this License Agreement for this request)***
- A.5. Easements Re: Islington Street Project – ***(Anticipated action – move to accept the Planning Board's recommendation to approve the easements identified in the Memorandum from Deputy City Attorney Suzanne Woodland, dated January 11, 2018 to accomplish the Islington Street project)***

22. Purchase & Sale Agreement for property owned by Ferrari Remodeling & Design Inc. for Map 283, Lot 19 – **Voted** to refer this potential acquisition of property located off of Banfield Road to the Planning Board for a recommendation.
23. Discussion Re: Work Session on Per- and Polyfluoroalkyl Substances (PFAS) – Mayor Blalock said he would work with City Manager Bohenko on scheduling a Work Session in the future and invite all interested parties.
24. Appointments to be Considered – The City Council considered the appointments which will be voted upon at the February 20, 2018 City Council meeting.
  - Appointment of Janet Phelps to the Citizens Advisory Committee
  - Appointment of Thomas Watson to the Economic Development Commission
  - Appointment of Phyllis Eldridge to the Zoning Board of Adjustment Alternate
25. Appointments to be Voted – **Voted** to reappoint Jeffrey Kisiel to the Planning Board until December 31, 2020; reappointment of Jay Leduc to the Planning Board until December 31, 2020; appointment of Steve Gray to the Cable Television & Communications Commission until April 1, 2020; and the appointment of Peter Weeks to the Trustee of the Trust Funds until January 1, 2021.
26. Appointments to Citywide Neighborhood Steering Blue Ribbon Committee – Voted to appoint Kathleen Boduch, Chase Hagaman, Kelly Weinstein and reappoint Lawrence Cataldo and Paul Mannle to the Citywide Neighborhood Steering Blue Ribbon Committee until December 31, 2019.
27. Resignation of John Pratt from the Economic Development Commission – **Voted** to accept with regret along with thanks for his service to the City.
28. **Voted** to suspend the rules in order to continue the meeting beyond 10:30 p.m.
29. Legislative Subcommittee Update – Principles for Legislative Position Request for Ratification – **Voted** to adopt the amendment to the City Council Principles for Legislative Positions with an addition to #7 to read as follows: *Support incentives for sustainability and increasing energy efficiency and increasing renewable energy production.*

Councilor Dwyer requested that the City Manager work on developing a subset of principles for water/sewer and storm water legislation.
30. Fundraising Ideas for Prescott Park – Councilor Pearson suggested fundraising ideas for Prescott Park that could be established for this season. No action required.
31. Responsible Policy Marking – Councilor Dwyer suggested that Mayor Blalock appoint a standing panel of neutral people that have expertise in research methods and research interpretation for issues coming before the City Council. She indicated 3 to 4 residents could be appointed. No action taken.
32. Renewable Energy Committee Final Report and Recommendations – Councilor Denton suggested that the City Council adopt the City Council Renewable Energy Policy and that he would bring back the policy at a future meeting for action to take place.

33. Adjournment – At 11:15 p.m., **voted** to adjourn.

Respectfully submitted by:

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