

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, APRIL 16, 2018, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

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

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1. Acceptance of Minutes – April 2, 2018 – **Voted** to accept and approve the minutes of the April 2, 2018 City Council meeting.
2. Public Comment Session – There were **13** speakers: Yasmin Dmytruk, Alex Ferris, Taylor Nault, Sophia and Lucas Dmytruk, Dmitri Dmytruk, Stacey Taylor (Portsmouth Indoor Pool); Roy Helsel (Developers and Taxpayers); Merle White (Taxis); Esther Kennedy (Limits); Paige Trace (Pease Expansion); Erik Anderson (Contracts); David Calkins (Swett Avenue)
3. **Voted** to suspend the rules to bring forward Item XI.E.1. – Public Art at Foundry Place.
4. Public Art at Foundry Place – Presentations were given by Artists Seth Palmiter and Terrence Parker who were unanimously recommended by the Project Planning Committee Foundry Place. **Voted** to accept the recommendation of the Foundry Place Project Planning Committee and authorize the expenditure for the public art project from the Public Art Trust in accordance with Provision Three of the Public Art Trust.
5. Public Hearing on Resolution Authorizing Borrowing of Up to One Hundred Eight Thousand Dollars (\$180,000.00) for the Acquisition of a Fire Boat – Held a public hearing with 2 speakers. On a roll call 8-1, **voted** to adopt the Resolution, as presented. Assistant Mayor Lazenby, Councilors Roberts, Pearson, Dwyer, Denton, Raynolds, Becksted and Mayor Blalock voted in favor. Councilor Perkins voted opposed.
6. Recess/Reconvened 9:15 – 9:25 p.m.
7. Public Hearing on Resolution Authorizing a Bond Issue and/or Notes of Up to Five Million Dollars (\$5,000,000.00) for Costs related to Elementary School Facility Improvements – Held a public hearing with 2 speakers. On a roll call 9-0 **voted** to adopt the Resolution, as presented.
8. Third and Final Reading of Ordinance Amendment Chapter 1, Article IX, Section 1.9 Conflict of Interest/Election Candidate Financial Disclosure – Charter Amendment #1 (Tabled from March 19, 2018 City Council meeting) – **Voted** to remove the Ordinance from the table. **Voted on a 6-3 roll call vote** to substitute the body of the ordinance with the amendment proposed by Councilors Denton and Roberts. Councilors Pearson, Perkins and Mayor Blalock voted opposed.

- Voted** to amend Line 19 by removing “political committee” and adding “person or groups of people” and Line 49 by deleting the word “candidate”. **Voted** to pass third and final reading of ordinance as amended.
9. **Voted** to suspend the rules to bring forward Item XI.C.1. – Report Back Re: EPA Meeting regarding Coakley Landfill – Asst. Mayor Lazenby and Environmental Planner Peter Britz gave a brief update on the recent meeting held at the Bethany Church in Greenland on April 5, 2018.
  10. **Voted** to suspend the rules to move forward 2 Items from City Manager Informational Items; Presentation Re: Senior Transportation and Presentation Re: Foundry Garage.
  11. Brinn Sullivan, Senior Services, gave a brief presentation regarding the City’s Senior Transportation which will be provided by COAST beginning October 1st and allow for expanded services.
  12. **Voted** to suspend the rules to allow the meeting to go past 10:30 p.m.
  13. Dave Allen, Project Manager for the Foundry Garage, gave an update of the progress and time line for the Foundry Garage project.
  14. Councilor Dwyer requested a **report back** regarding the details of having the Parking Clerk’s Office at the garage and the cost involved with spaces, etc.
  15. Consent Agenda – **Voted** to adopt the Consent Agenda.
    - A. Letter from Mike Young and Matt Gladu, Babe Ruth Baseball, requesting permission to place up to 20 outfield signs on the outer perimeter fence facing inwards towards Leary Field (**Anticipated action – move to refer to the City Manager with power**)
    - B. Letter from Allan Scholtz, Portsmouth Professional Firefighters Local 1313, requesting permission to hold 2 boot drives one on Saturday, June 30<sup>th</sup> and second on Saturday, August 11<sup>th</sup> from 8:00 a.m. to 4:00 p.m. in Market Square (**Anticipated action – move to refer to the City Manager with power**)
    - C. Request for License to Install Projecting Sign from Brendan Carney, owner of Acupuncture North for property located at 406 Deer Street (400 The Hill) (**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**)
    - D. Request for License to Install Projecting Sign from Anthony Thompson, owner of Fatface for property located at 62 Congress 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**)

- E. Request for License to Install Projecting Sign from TD Ameritrade, owner of TD Ameritrade for property located at 226 State 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)***
16. Email Correspondence – **Voted** to accept and place on file.
17. Letter from Jim Splaine regarding Coakley Landfill and Coakley Landfill Group/N.H. Right-to-Know Law – **Voted** to accept and place on file.
18. City Manager’s Consent Agenda – Councilor Perkins requested to remove Item XI. A.6. and Councilor Becksted Requested Items XI.A.8, 9 and 10 be removed from the City Manager’s Consent Agenda.
19. **Voted** to adopt the City Manager’s Consent Agenda.
1. Request for Approval of a One-Year Extension of the Current Collective Bargaining Agreement between the Portsmouth School District and the Clerical Employees Portsmouth School District ***(Sample motion – move to accept the proposed One-Year Agreement between the Portsmouth School District and the Clerical Employees Portsmouth School District, as presented.)***
  2. Request for Approval of a One-Year Extension of the Current Collective Bargaining Agreement between the Portsmouth Police Commissioners and the Portsmouth Ranking Officers Association ***(Sample motion – move to accept the proposed One-Year Agreement between the Portsmouth Police Commission and the Portsmouth Ranking Officers Association, as presented)***
  3. Request for Approval of a One-Year Extension of the Current Collective Bargaining Agreement between the Portsmouth Police Commission and the Portsmouth Police Civilian Employees Association ***(Sample motion – move to accept the proposed One-Year Agreement between the Portsmouth Police Commission and the Portsmouth Police Civilian Employees Association, as presented)***
  4. Request for Approval of a One-Year Extension of the Current Collective Bargaining Agreement between the Portsmouth Police Commission and Portsmouth Police Patrolman’s Union, NEPBA Local #11 ***(Sample motion – move to accept the proposed One-Year Agreement between the Police Commission and Portsmouth Police Patrolman’s Union, NEPBA Local #11, as presented)***
  5. Request for Approval of Lease Renewal Re: Connect Community Church ***(Sample motion – move to approve the Lease Renewal, as presented, and further, authorize the City Manager to execute the document)***

7. Annual Renewal of Boarding House Permits
  - a) 278 Cabot Street (**Sample motion – move to approve the Boarding House permit for 278 Cabot Street for a one year permit to expire April 16, 2019**)
  - b) 350-352 Hanover Street (**Sample motion – move to approve the Boarding House permit for 350-352 Hanover Street for a one year permit to expire April 16, 2019.**)
11. License Request Re: 75 Congress Street (**Sample motion – move to authorize the City Manager to negotiate and enter into a license with Michael de la Cruz to facilitate work at the Franklin Block Building, 75 Congress Street**)
20. Proposed Policy Re: Fees for Encumbrances during Private Construction (e.g. Sidewalks, Streets, Parking Spaces) – **Voted 8-1** to provisionally authorize the City Manager to charge the rates quoted in the policy, changing the .22 cents per square foot per day to .15 cents per square foot per day, pending the determination of the final fee schedule set by the Fee Committee in June. Councilor Becksted voted opposed.
21. Applications for Sidewalk Cafés providing Alcohol Service - **Voted** to authorize the City Manager to enter into Area Service Agreements with Popovers on the Square, RiRa Irish Pub, The District, Feziwig’s Food and Fountain, and Raleigh Wine Bar and Market, for outdoor Alcohol Service on City Land for the 2018 season subject to City Council Policy No. 2012-02. (*Councilor Becksted out of Chambers at time of vote.*)
22. Applications for Sidewalk Cafés providing Alcohol Service-private sidewalks - **Voted** to authorize the City Manager to enter into Area Service Agreements with British Beer Company, the BRGR Bar, and Row 34 for outdoor alcohol service on City land for the 2018 season subject to City operating conditions contained in City Council Policy No. 2012-02. (*Councilor Becksted out of Chambers at time of vote.*)
23. Access Easement for Lot 243-26 Off Woodworth Avenue and Swett Avenue – **Voted** that the City Manager be authorized to negotiate, execute, deliver and record the deeds regarding Lot 243-26 as presented)
24. Resignation of Jennifer Zorn from the Economic Development Commission – **Voted** to accept the resignation of Jennifer Zorn from the Economic Development Commission with thanks and appreciation of service.
25. Appointment to be Considered – The City Council considered the appointment of Katelyn Kwoka to the Economic Development Commission which will be acted upon at the May 7, 2018 City Council meeting.
26. Appointments to be Voted – Voted to appoint and reappoint the following:
  - Reappointment of Adrienne Harrison to the Conservation Commission
  - Appointment of Thaddeus Jankowski to the Conservation Commission as a Regular Member
  - Reappointment of Carl Diemer to the Recreation Board
  - Reappointment of Kathryn Lynch to the Recreation Board

27. Policy Re: Public Use of City Hall – At the request of Councilor Roberts, City Manager Bohenko and City Attorney Sullivan will review the policy with Councilor Roberts.
28. Legislative Process Policy Proposals (NHMA Advocacy) – **Voted** to submit the following five policy proposals to NHMA:
  - Short-term rentals
  - Updated Codes
  - Meals and Rooms Tax distribution
  - Regulatory legislation
  - Enforcement of Motor Vehicle Registration
29. McIntyre Update – Councilor Dwyer discussed the upcoming time-line necessary to meet the deadline to submit the application as follows:
  - May 7<sup>th</sup> Council meeting - Endorsement (or not) of the redevelopment plan to allow time to go through Historic District Commission process
  - June 4<sup>th</sup> Council meeting – Work Session on formal aspects; contracts, Memorandum of Understand and partnership agreements
  - July 9<sup>th</sup> Council meeting – Final date to act prior to application submission
30. Volkswagen Settlement Update – Councilor Denton gave an update of the recent settlement and draft mitigation plan. He requested that staff attend an upcoming public hearing to be held at Pease (date TBD) regarding applying for funding of vehicle charging stations.
31. Referral to EDC – explore ways to streamline land use permitting, through case management or otherwise – **Voted** to refer the issue of exploring streamlining of land use permitting through case management or otherwise to the Economic Development Commission.
32. Adjournment – At 11:40 p.m., **voted** to adjourn.

Respectfully submitted by:

Valerie A. French, CNHMC  
Deputy City Clerk