

TO: JOHN P. BOHENKO, CITY MANAGER
FROM: KELLI L. BARNABY, CITY CLERK
RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MONDAY, JULY 15, 2019 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, PERKINS, RAYNOLDS AND BECKSTED

1. At 5:30 p.m. an Anticipated Non-Public Session was held in Accordance with RSA 91-A:II (a) regarding Collective Bargaining.
2. Acceptance of Minutes – June 17, 2019 – **Voted** to accept and approve the minutes of the June 17, 2019 City Council meeting.
3. Public Dialogue Summary - Assistant Mayor Lazenby gave a brief summary of the topic discussed during Public Dialogue, the McIntyre Building. Councilor Denton gave a brief summary of the topics discussed for the second group which, included Neighborhood Parking Plan and the Indoor Pool.
4. **Voted** to suspend the rules in order to take up Item XIII. A.9. – Request for Public Hearing Re: McIntyre Petition, Items XI. B.1. – Resolution/Certificate of Authority to Apply to Acquire the Thomas J. McIntyre property for Historic Monument Purposes and XI. B.2. – Vote to Authorize the City Manager to Enter into a Development Agreement with SoBow Square, LLC.
5. Request for Public Hearing Re: McIntyre Petition – On a unanimous roll call 9-0, **voted** to schedule a Public Hearing and City Council vote regarding the Initiative Petition on Wednesday, July 31, 2019 at 6:30 p.m.
6. Resolution/Certificate of Authority to Apply to Acquire the Thomas J. McIntyre property for Historic Monument Purposes – **Voted** to take action on the Resolution/Certificate of Authority and Application to the National Park Service at the August 12, 2019 City Council meeting.
7. Vote to Authorize the City Manager to Enter into a Development Agreement with SoBow Square, LLC. – **Voted** to schedule a vote to enter into the Development Agreement at the August 12, 2019 City Council meeting.

8. Public Hearing on Resolution Authorizing a Bond Issue and/or Notes of up to Ten Million Five Hundred Fifty Thousand Dollars (\$10,550,000.00) for Costs related to City Street, Sidewalk, Bridges and Facility Improvements – Held a public hearing. On a unanimous roll call 9-0, **voted** to adopt the Resolution, as presented.
9. Public Hearing on Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Fund (SRF) Loan of up to Seven Million One Hundred Forty-Five Thousand Dollars (\$7,145,000.00) for Costs related to Annual Sewer Line Replacements, Consent Decree Mitigation, Pleasant Street Sewers, and Maplewood Avenue Area Reconstruction – Held a public hearing. On a roll call 8-1, **voted** to adopt the Resolution, as presented. Assistant Mayor Lazenby, Councilors Roberts, Pearson, Dwyer, Denton, Perkins, Raynolds and Mayor Blalock voted in favor. Councilor Becksted voted opposed.
10. Public Hearing on Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Fund (SRF) Loan of up to Four Million Six Hundred Twenty-Three Thousand Dollars (\$4,623,000.00) related to Water Line Replacements, Reservoir Management Madbury Wells, Water Transmission Main Replacements, Pleasant Street Water Mains, and Maplewood Avenue Area Construction – Held a public hearing. On a unanimous roll call 9-0, **voted** to adopt the Resolution, as presented.
11. Public Hearing on Proposed Parking & Traffic Omnibus Ordinance – Held a public hearing. Moved to pass second reading of the annual omnibus set of ordinances recommended by the Parking and Traffic Safety Committee, and hold third and final reading at the August 12, 2019 City Council meeting.

Voted to amend Chapter 7, Article III, Section 7:330 – No Parking by removing Hill Street: Both sides, entire length between Bridge Street and Autumn Street.

Voted to pass the main motion, as amended.
12. **Voted** to suspend the rules in order to take up Item XIII. A.1. – Request for Approval of Employment Agreement for Fire Chief, Todd Germain.
13. Request for Approval of Employment Agreement for Fire Chief, Todd Germain – **Voted** to approve the three (3) year Fire Chief Employment Agreement, to expire on June 30, 2022, between the City and Todd Germain.
14. **Voted** to suspend the rules in order to take up Item XV. B. – Presentation – CALEA Team Leader Re: Critical On-Site Review of Portsmouth Police Department Accreditation Process – Chief Sam Farina, Fairport, New York.

15. Presentation – CALEA Team Leader Re: Critical On-Site Review of Portsmouth Police Department Accreditation Process – Chief Sam Farina, Fairport, New York – Police Chief Sam Farina of Fairport, New York provided a detailed presentation of the CALEA Process and announced that Portsmouth Police is the 14th department in NH to receive its accreditation and ranks the highest.
16. First Reading of Ordinance Amending Chapter 7, Article III, Section 7.328 – Limited Parking – Three Hours sub-section A – Raynes Avenue: entire street, both sides and Vaughan Street: entire street, both sides – **Voted** to pass first reading and schedule a public hearing and second reading at the August 12, 2019 City Council meeting.
17. **Voted** to suspend the rules in order to take up Item XIII. A.8. – Neighborhood Parking Program Request for Waiver to Proceed with Pilot Program.
18. Neighborhood Parking Program Request for Waiver to Proceed with Pilot Program – **Voted** to postpone the vote on the waiver and refer the matter to the Parking and Traffic Safety Committee.
19. Appointments to be Voted – **Voted** to appoint Stephen Pesci as a regular member to the Parking & Traffic Safety Committee filling the unexpired term of Shari Donnermeyer until September 17, 2021 and appoint Jonathan Sandberg as an Alternate to the Parking & Traffic Safety Committee filling the unexpired term of Stephen Pesci until August 4, 2020.
20. Acceptance of Resignation of Joan Walker from the Trees and Greenery Committee – **Voted** to accept with regret the resignation of Joan Walker from the Trees and Greenery Committee with thanks for her service to the City.
21. Placement of Bench downtown in memory of Charles Howard – No action required as City Manager Bohenko will work with the Public Works Department for the installation of the bench.
22. Resolution Re: Energy Innovation and Carbon Dividend Act of 2019 – **Voted** to adopt the Resolution regarding the Energy Innovation and Carbon Dividend Act of 2019.
23. City Manager Search Subcommittee – Approval of City Manager Recruitment Materials – **Voted** to approve the recruitment materials, as presented.
24. Parking and Traffic Safety Committee Action Sheet and Minutes of the June 6, 2019 meeting – **Voted** to accept and approve the Action Sheet and Minutes of the June 6, 2019 Parking and Traffic Safety Committee meeting.

25. Downtown Streets Proposal – Share the Square – **Voted** that the City Council accept the Open Streets Temporary Demonstration Project taking place on September 29, 2019 and October 6, 2019. Councilor Becksted voted opposed.
26. Request that Bridge Street Lot be made available on Sunday, September 15th, for this year's Drive Electric Week's Second Annual Portsmouth Electric Vehicle Show AND that one of the Electric Vehicle chargers at the Foundry Place Garage be reserved for several hours in the late afternoon of Monday, September 16th, for the Drive Electric NH's Electric Vehicle Charge Forward Relay Finale – **Voted** to authorize the City Manager to work with Councilor Denton on selecting a lot to hold the event.
27. **Voted** to suspend the rules in order to continue the meeting beyond 10:30 p.m.
28. Request for Approval of Agreement between the Portsmouth School Board and the Portsmouth Association of Clericals in Education – **Voted** to approve the three (3) year Collective Bargaining Agreement between the Portsmouth School Board and the Portsmouth Association of Clericals in Education to expire on June 30, 2022.
29. Request for Approval of Agreement between the Portsmouth School Board and the American Federation of State, County and Municipal (AFSCME) Council 93, AFL-CIO School Custodial Supervisors – **Voted** to approve the three (3) year Collective Bargaining Agreement between the Portsmouth School Board and the American Federation of State, County and Municipal (AFSCME) Council 93, AFL-CIO School Custodial Supervisors to expire on June 30, 2022.
30. Request for Approval of Portsmouth Supervisory Management Alliance – **Voted** to approve the three (3) year Collective Bargaining Agreement with the Portsmouth Supervisory Management Alliance to expire on June 30, 2022.
31. Proposed Funding from Contingency FY20 for Indoor Pool – Moved to authorize the City Manager to expend an additional \$15,000.00 from contingency for the FY20 indoor pool budget with two stipulations: 1) the additional funds are for operations at the pool; and 2) the City Council amend the current contract with SIPP to provide all fees charged at the pool will be proposed by the Recreation Department and come through the Fee Committee and the City Council.

Voted to table this matter until SIPP can come into address the City.
32. Cate Street Land Swap – **Voted** to schedule to vote on the Proposed Cate Street Land Swap and Cate Street Connector Road Development Agreement at the August 12, 2019 City Council meeting.

Councilor Denton requested that we work into the deal funding an initial study for day lighting Hodgdon Brook.

33. Request for License for Bluestone Properties of Rye, LLC for Property Located at 135 Congress Street – **Voted** to authorize the City Manager to negotiate and enter into a temporary construction license with Bluestone Properties of Rye, LLC, as submitted to facilitate construction activities at 135 Congress Street.

34. Consent Agenda – **Voted** to adopt the Consent Agenda.

A. Request for License to Install Projecting Sign for owner Matthew Parker of Danforth Pewter for property located at 65 Congress Street Unit 107 (***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***

B. Request for License to Install Projecting Sign for Partners Bank owner of Partners Bank for property located at 501 Islington 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***

35. Email Correspondence – **Voted** to accept and place on file.
36. Report on Pontine Theatre – **Voted** to accept the report and place on file.
37. Letter from Eleanor Bird regarding the McIntyre Site - **Voted** to accept and place on file.
38. Letter from Peter Somssich and Kathleen Pohlman-Somssich regarding the McIntyre Project - **Voted** to accept and place on file.
39. Letter from Jim Splaine regarding Revisit McIntyre - **Voted** to accept and place on file.
40. Report Back Re: Distribution of Single-Use Disposables Ordinance – **Voted** to bring first reading of the ordinance forward at the August 12, 2019 City Council meeting.
41. Adjournment – At 11:05, **voted** to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, MMC, CNHMC
City Clerk