

TO: JOHN P. BOHENKO, CITY MANAGER
FROM: KELLI L. BARNABY, CITY CLERK
RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MONDAY, DECEMBER 2, 2019 MEETING, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE
PRESENT: MAYOR BLALOCK, ASSISTANT MAYOR LAZENBY, COUNCILORS ROBERTS, PEARSON, DENTON, RAYNOLDS, PERKINS AND BECKSTED

1. At 6:00 p.m., a Work Session was held to Update the City Council regarding Prescott Park Master Plan.
2. Presentation – Report and Recommendations on Scholarship Funds Policies from Trustee of the Trust – Thomas Watson, Trustee – Mr. Watson provided a report with recommendations on the scholarship funds policies of Trustee of the Trust.

Voted to adopt the Trustees of the Trust recommendations regarding this report.

Recommendations:

- *Adopt New Guidelines Governing the Creation of New Scholarship Funds*
 - *Create Five New Community Scholarship Funds*
 - *Merge Existing Small Scholarship Funds into Community Funds*
3. Acceptance of Minutes – September 16, 2019, October 7, 2019 and October 28, 2019 – **Voted** to approve and accept the September 16, 2019, October 7, 2019 and October 28, 2019 City Council minutes.
 4. Public Comment Session – There were no speakers.
 5. Public Hearing/Second Reading of Ordinance amending Chapter 10 – Zoning Ordinance, Article 6 – Overlay Districts and Article 15 – Definitions – Flood Plain District (**Public Hearing continues from November 12, 2019 Council meeting**) – Held the public hearing. **Voted** to accept the amendments as contained in the City Council packet of December 2, 2019. Councilor Becksted voted opposed.

Voted to pass second reading on the proposed amendments as revised to the Flood Plain District sections of the Zoning Ordinance and schedule a third and final reading for the December 16, 2019 City Council meeting, as amended. Councilor Becksted voted opposed.

6. **Voted** to suspend the rules in order to take up Item XV. B. – Letter from Rabbi Ira Korinow, Temple Israel Board of Directors regarding Request to display a Hanukkah menorah in Market Square.
7. Letter from Rabbi Ira Korinow, Temple Israel Board of Directors regarding Request to display a Hanukkah menorah in Market Square – **Voted** to accept the Temple Israel recommendation for a menorah in Market Square.
8. The City Council agreed to take up Item XV. C. - Letter from Hannah of Seacoast Chabad Jewish Center requesting to place a nine-foot menorah in Market Square (*See attached Memorandum from City Attorney Sullivan*) as discussion ensued regarding this request in conjunction with the Letter from Rabbi Ira Korinow, Temple Israel Board of Directors.
9. Letter from Hannah of Seacoast Chabad Jewish Center requesting to place a nine-foot menorah in Market Square (See attached Memorandum from City Attorney Sullivan) – **Voted** to accept and place the letter on file.
10. Third and Final Reading of Ordinance amending Chapter 4, Article I, Sections 4.103 – Adoption of Specific Parts HE-P 2300, and Section 4.105 – License – **Voted** to pass third and final reading of amendments to Chapter 4 (Food Code).
11. Third and Final Reading of Ordinance amending Chapter 5, Article VIII – Alarm Systems and Article IX – Adopted Fire Codes – **Voted** to pass third and final reading of amendments to Chapter 5 (Fire Code).
12. Third and Final Reading of Ordinance amending Chapter 12, Part I – International Building Code, and Part II – International Residential Code & Chapter 15, Part I – International Plumbing Code, Part II – International Mechanical Code, Part III – Fuel Gas Installations, and Part IV – National Electrical Code – **Voted** to pass third and final reading of the amendments to Chapter 12 and Chapter 15 (Building Codes).
13. Third and Final Reading of Ordinance amending Chapter 8, Article V – Conservation Ordinance – **Voted** to pass third and final reading of the proposed amendments to Chapter 8, Article V, as presented.
14. Third and Final Reading of Ordinance amending Chapter 10 – Zoning Ordinance, Article 10 – Environmental Protection Standards, Section 10.1010 – Wetlands Protection – **Voted** to pass third and final reading to the Wetlands Protection section of the Zoning Ordinance, as presented.

15. Appointment to be Considered – Beth Moreau appointment to the Rockingham Planning Commission as the Planning Board Representative – The City Council considered the appointment of Beth Moreau to the Rockingham Planning Commission as the Planning Board Representative which will be voted on at the December 16, 2019 City Council meeting.
16. Appointments to be Voted – John Formella and Arthur Parrott reappointments to the Zoning Board of Adjustment – **Voted** to reappoint John Formella and Arthur Parrott to the Zoning Board of Adjustment until December 1, 2024. Councilor Becksted voted opposed.
17. **Voted** to reappoint Dana Levenson to the Trustees of the Trust Fund until January 1, 2023.
18. **Voted** to appoint Jonathan Sandberg as a regular member to the Parking & Traffic Safety Committee filling the unexpired term of Ralph DiBernardo until September 17, 2021. Councilor Becksted voted opposed.
19. **Voted** to appoint Erica Wygonik as an Alternate to the Parking & Traffic Safety Committee filling the unexpired term of Jonathan Sandberg until August 4, 2020.
20. Market Street Gateway Park – **Voted** to suspend the rules to suspend Council Rule 44 – Naming of Municipal Buildings, Parks and Facilities referring to holding a Work Session.

Voted to unseal the Non-Public Session minutes of October 28, 2019 regarding Naming of the Park.

Voted to name the Market Street Gateway Park as the Bohenko Gateway Park.
21. Thank you letter from Michael Griffin & Marga Coulp regarding George R. Laderbush Bridge Opening – **Voted** to accept and place on file.
22. Parking and Traffic Safety Committee Action Sheet and Minutes of the November 7, 2019 meeting – **Voted** to approve and accept the Action Sheet and Minutes of the November 7, 2019 Parking and Traffic Safety Committee.
23. Request for the Portsmouth High School Eco Club to receive additional City of Portsmouth reusable tote bags to help raise funds at their Craft Fair for their permaculture greenhouse project – City Manager Bohenko said he would check with the Public Works Department to see if we have any bags available. No action required.

24. Acceptance of Donation to the Coalition Fund – Town of Moultonborough - \$5,000.00 – **Voted** to approve and accept the donation, as listed, to be placed in the Coalition Fund.
25. 3 Pleasant Street Community Space Easements – **Voted** to grant authority for the City Manager to release the existing rights retained by the City in 3 Pleasant Street in the 1910 Deed.
- Voted** to grant authority for the City Manager to accept the Easement Deeds in a form similar to those attached.
26. Market Street Property – Recommendation for Acceptance of Sewer Line Easement – **Voted** that the City Manager be authorized to negotiate, execute and accept a sewer easement from Port Harbor Land LLC. Assistant Mayor Lazenby recused from voting on this matter.
27. Lafayette Road Sewer Extension Into Rye – **Voted** to bring forward for consideration at the December 16, 2019 City Council meeting an Intermunicipal Agreement between the City of Portsmouth and Town of Rye to extend sewer service at no cost to the City along a portion of Lafayette Road / Route 1 in Rye.
28. Consent Agenda – **Voted** to adopt the Consent Agenda.

- A. Request for License to Install Projecting Sign for owner Donald N. Gorvett of Piscataqua Fine Arts for property located at 123 Market 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***

- B. Letter from Lilia Potter-Schwartz, Education For All Children (EFAC) requesting to hold the 5th annual Race to Educate on Sunday, May 24, 2020 at 12:30 p.m. (**Anticipated action – move to refer to the City Manager with power**)
29. Email Correspondence – **Voted** to accept and place on file.
30. Letter from Attorney Derek Durbin regarding Release of Interest in Tax Map 206, Lot 1 (Off Brackett Lane) – **Voted** to refer to the Planning Board for report back.
31. City Manager’s Informational Item – Board / Committee Input to the Guiding Parking Principles – City Manager Bohenko provided the report back to the City Council on the Board / Committee Input to the Guiding Parking Principles. No action required.
32. Miscellaneous Business Including Business Remaining Unfinished at Previous Meeting – City Manager Bohenko read some parting remarks to the City Council on his upcoming retirement after 22 years with the City of Portsmouth.
33. Adjournment – At 9:05 p.m., **voted** to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, MMC, CNHMC
City Clerk