

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MONDAY, AUGUST 7, 2017 MEETING, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR BLALOCK, ASSISTANT MAYOR SPLAINE, COUNCILORS PERKINS, LOWN, PEARSON, CYR AND DENTON

ABSENT: COUNCILORS DWYER AND SPEAR

1. At 6:30 p.m., a Non Public Session was held in accordance with RSA 91-A:3, II (a) regarding Negotiations – School Custodial AFSCME.
2. Presentation – Prescott Park Sound Management Plan Update – Eric Reuter – Mr. Reuter provided a presentation regarding the project goals for understanding the issues as they relate to Prescott Park. He reviewed the three areas for the Scope of Work:
 - Continuous sound level monitoring
 - Review of sound system
 - Calibrated offsite measurements
3. Presentation – Combined Sewer Overflows – Terry Desmarais, City Engineer; and Suzanne Woodland, Deputy City Attorney – City Engineer Desmarais and Deputy City Attorney Woodland provided a presentation on the 120 miles of collection system with 20% combined, the 3 permitted active Combined Sewer Overflows and 20 pumping stations. Deputy City Attorney Woodland presented information for clarifications regarding North Mill Pond from Maplewood Avenue, Marcy Street drain outfall at Prescott Park, the South Mill Pond from Junkins Avenue and Deer Street looking toward Piscataqua River. She indicated that bacteria of all kinds is common in urban water bodies, particularly at drainage pipe outfalls and there are no designated swimming areas in Portsmouth.
4. Acceptance of Minutes – June 19, 2017 and July 10, 2017 – Moved to amend the minutes of June 19, 2017 on Page 9 to include the following: that part of City Attorney Sullivan’s rationale of the amendments the Council was making narrowed the scope of the Charter provision and that is why the City Attorney and the Council felt they were non substantive because a wider audience had already been noticed and so the Council was narrowing the action they were taking. **Voted** to pass the June 19, 2017 minutes as amended and the July 10, 2017 minutes.
5. Public Comment Session: There were 13 speakers: Peter Whelan (Portsmouth WWTP); Representative Cali-Pitts, Mark Brighton, Cliff Lazenby, Zelita Morgan, Rick Becksted, Dixie Tarbell, Jane Zill (Public Comment Session); Paige Trace (CSO’s); Wes Tator (Climate Solutions); Susan Alex (Affordable Housing); Arthur Clough (Transparency); and Mike Conaboy (Mechanic Street Parking).

6. Public Hearing – Resolution Authorizing the Borrowing of up to Three Million Dollars (\$3,000,000.00) through the Issue of Bonds and/or Notes for Additional Costs for the Construction of a New Parking Facility – Held a Public Hearing. On a unanimous roll call 7-0, **voted** to adopt the proposed Resolution Authorizing the Borrowing of up to Three Million Dollars (\$3,000,000.00) through the Issue of Bonds and/or Notes for Additional Costs for the Construction of a New Parking Facility, as presented.
7. Acceptance of Donation to the Coalition Legal Fund – Town of Carroll - \$2,000.00 – **Voted** to approve and accept the donation, as listed to be placed in the Coalition Legal Fund.
8. Acceptance of Donation to the Police Department from the Estate of Geraldine Webber - \$188,129.88 – **Voted** to approve and accept the donation to the Portsmouth Police Department, as presented.
9. Acceptance of Donation to the Fire Department from the Estate of Geraldine Webber - \$188,129.99 – **Voted** to approve and accept the donation to the Portsmouth Fire Department, as presented.
10. Third and Final Reading of Proposed Ordinance Amendments to the Annual Omnibus Ordinances:
 - Amending Chapter 7, Article III, Section 7.326 – Limited Parking – Fifteen Minutes
 - Amending Chapter 7, Article III, Section 7.330 – No Parking
 - Amending Chapter 7, Article III, Section 7.336 – One Way Streets
 - Amending Chapter 7, Article VII, Section 7.702 – Truck Traffic Prohibited

Voted to pass third and final reading of the proposed Ordinances, as presented.
11. Consent Agenda – **Voted** to adopt the Consent Agenda.
 - A. Request for License to Install Projecting Sign from Mark Sullivan owner of Paul Mitchell the School for property located at 140 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***)

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 from Peter Mocklis owner of Look Fine Eyewear/Sol Sunwear for property located at 68 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***)

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***
12. Request to Establish First Reading on Proposed Ordinance Amendments to Chapter 4 Pertaining to the City's Food Licensing and Regulations – **Voted** to authorize the City Manager to bring back the first of three Code updates, Food Licensing and Regulations, to the City Council for first reading at the August 21, 2017 City Council meeting.
13. Report Back Re: Oak Street Paper Street Request – **Voted** to accept the Planning Board's recommendation and vote that the City release any interest it may have in the paper street known as Oak Street.
14. Acceptance of Traffic Signal and Sidewalk Easement Re: 1574 Woodbury Avenue – **Voted** to accept the Planning Board's recommendation for the acceptance of a traffic signal and sidewalk easement from Richard Fusegni relative to property at 1574 Woodbury Avenue.
15. Request for Public Hearing Re: Acceptance of SB38 Funding (Highway Aid) – **Voted** to establish a public hearing on Monday, August 21, 2017 regarding the acceptance of SB38 funding (highway aid).
16. Acceptance of Easements Required for Andrew Jarvis Drive Intersection Improvement Project – **Voted** to authorize the City Manager to accept the sidewalk easements in a form substantially similar to the documents in the City Council packet for the purpose of constructing improvements to the Lafayette Road and Andrew Jarvis Drive intersection.
17. McIntyre Property Retreat – September 9th – **Voted** to establish a Work Session for Saturday, September 9, 2017 from 9:00 a.m. to 1:00 p.m. regarding the McIntyre property reuse.
18. Keno (City Manager's Informational Item) – Councilor Lown indicated he would have Keno item under his name for the August 21, 2017 City Council meeting.

19. Zagster Bike Share May/June 2017 Snapshot (City Manager's Informational Item) – Councilor Cyr requested additional information regarding the revenue we are receiving and the amount of use that Zagster is getting beyond the first two hours.
20. Appointments to be Considered – Reappointment of Marylou McElwain to the Parking & Traffic Safety Committee – The City Council considered the reappointment of Marylou McElwain to the Parking & Traffic Safety Committee to be voted on at the August 21, 2017 City Council meeting.
21. Appointments to the Rockingham Planning Commission – **Voted** to appoint Jody Record as the Planning Board Representative and Peter Britz as the Alternate to the Rockingham Planning Commission.
22. City Manager's Evaluation (Informational Only) – No action required.
23. Thoughts on Reuse of the McIntyre Federal Building – No action required.
24. Parking and Traffic Safety Committee Action Sheet and Minutes of the July 6, 2017 meeting – **Voted** to approve and accept the action sheet and minutes of the July 6, 2017 Parking and Traffic Safety Committee meeting.
25. Rule 43 – Public Comment – Action on this matter will take place at the August 21, 2017 City Council meeting.
26. Carbon Free and Dividend Resolution – Councilor Denton indicated he would have this item on under his name for the August 21, 2017 City Council meeting. Councilor Cyr requested that Councilor Denton provide the list of communities that have adopted the Carbon Free and Dividend Resolution for the next City Council meeting.
27. Adjournment – At 10:30 p.m., **voted** to adjourn.

Respectfully submitted by:

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