

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MONDAY, NOVEMBER 19, 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, PERKINS, RAYNOLDS AND BECKSTED

1. The City Council held a Non Public Session - RSA 91-A:3 II (e) – Litigation Regarding James G. Boyle As Trustee, et. als.
2. On a unanimous roll call 9-0, **voted** to seal the minutes of the Non Public Session regarding Litigation – James G. Boyle As Trustee, et. als.
3. Presentation – McIntyre Property – Deputy City Manager Colbert Puff and Steve Purdue of Redgate provided a brief presentation on the conceptual design of the McIntyre project.
4. Acceptance of Minutes – September 4, 2018 – Move to accept and approve the minutes of the September 4, 2018 City Council meeting. **Voted** to amend page 7 of the minutes by deleting paragraph 4. **Voted** to pass main motion, as amended.
5. Public Comment Session – There were five speakers: Roy Helsel (Jay Walking); Esther Kennedy (Water); James Boyle (Doubling Down); Pat Bagley (Conference Room A) and Paige Trace (City Government & Private Individuals).
6. **Voted** to suspend the rules to bring forward the Fee Committee Item XI. E.1. Report back relative to resident discount at on-street parking meters in conjunction with expansion of the meter rates in High Occupancy Zones.
7. Public Hearing – Ordinance amending Chapter 7, Article I, Section 7.102 – Parking Meter Zones, Subsection A, Downtown High Occupancy Zone (Voted to postpone second reading and reopen the public hearing at the November 19, 2018 City Council meeting) – **Voted** to reopen the Public Hearing. Held a Public Hearing. Move to pass second reading and schedule a third and final reading of the proposed Ordinance, as amended, at the December 3, 2018 City Council meeting. **Voted** to pass second reading amending the ordinance to make it effective February 15, 2019.

On a roll call 8-1, **voted** to pass main motion, as amended. Assistant Mayor Lazenby, Councilors Roberts, Pearson, Dwyer, Denton, Perkins, Raynolds and Mayor Blalock voted in favor. Councilor Becksted voted opposed.

8. Public Hearing – Ordinance amending Chapter 10 – Zoning Ordinance by deleting the existing Article 12 – Signs, and inserting in its place in a new Article 12 – Signs as Presented in the Document Titled “Proposed Amendments to the Portsmouth Zoning Ordinance: Article 12 – Signs”, dated September 25, 2018 – Held a Public Hearing. Moved to pass second reading and schedule third and final reading of the proposed Ordinance at the December 3, 2018 City Council meeting to amend the Zoning Ordinance by deleting the existing Article 12 – Signs and inserting in its place a new Article 12 – Signs as presented in the Document titled “Proposed Amendments to the Portsmouth Zoning Ordinance: Article 12 - Signs”, dated September 25, 2018. **Voted** to postpone second reading until the December 3, 2018 City Council meeting.
9. Third and final reading of Ordinance amending Chapter 7, Article XIX, Section 7.1901 – 7.1905 – Shared Active Transportation – **Voted** to pass third and final reading of the proposed Ordinance.
10. Third and final reading of Ordinance amending Chapter 14, Article II, Section 14.2 – Demolition Ordinance – **Voted** to pass third and final reading of the proposed Ordinance.
11. Acceptance of Donations Re: USS New Hampshire
 - Wilcox Industries Corp - \$500.00
 - Renee Plummer d/b/a/ Two International Marketing - \$500.00
 - Piscataqua Savings Bank - \$500.00
 - Sean Mahoney - \$500.00
 - Propeller Club of the United States 06/92 - \$500.00

Voted to accept and approve the donations for the USS New Hampshire, as presented.
12. Acceptance of Grant for Household Hazardous Waste Collection – **Voted** to accept and expend a \$4,287.00 DES grant for the purpose of household hazardous waste collection events and authorize the City Manager to execute any documents which may be necessary for this grant contract.

13. Acceptance of Grants and Donation – Portsmouth Police Department
- Bulletproof Vest Grant - \$5,817.50
 - FY 2018 Internet Crimes Against Children Task Force Funding Grant - \$274,854.00
 - Highway Safety Grants - \$31,930.00
 - Lonza Biologics Corporation - \$4,000.00

Voted to accept and approve the grants and donation to the Portsmouth Police Department, as presented.

14. Acceptance of Donation – Portsmouth Fire Department - \$2,000.00 from Oreen M. Audette, “In Memory of Our Loved Ones” from, the Audette Family – Voted to accept and approve the donation to the Portsmouth Fire Department, as presented.

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

- A. Request for License to Install Projecting Sign for Regina Piantedosi owner of Regina Piantedosi for property located at 46 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)***
- B. Letter from Donald Allison, Eastern States 20 Mile Road Race requesting permission to hold the race on Sunday, March 24, 2019 (***Anticipated action – move to refer to the City Manager with power***)
- C. Letter from Lilia Potter-Schwartz, Race to Educate requesting permission to hold their annual race on Sunday, May 26, 2019 at 12:30 p.m. (***Anticipated action – move to refer to the City Manager with power***)

D. Letter from Emily Christian, National Multiple Sclerosis requesting permission to hold the 2019 Walk MS: Portsmouth on Saturday, April 13, 2019 from 10:00 a.m. until 2:00 p.m. (**Anticipated action – move to refer to the City Manager with power**)

16. Email Correspondence – **Voted** to accept and place on file.
17. Letter from Jim Splaine regarding Coakley Landfill & Coakley Landfill Group – **Voted** to accept and place on file.
18. Petition from Residents of Pinehurst Road requesting to change the zoning for the properties on Pinehurst Road from General Resident A (GRA) to Single Resident B – **Voted** to refer to the Planning Board for report back.

Councilor Roberts requested the Planning Board to be careful on limiting the density to just Single Resident B.
19. Letter from Colette Foley regarding Middle Street and Lafayette Road Bicycle Lanes – **Voted** to accept and place on file.
20. Acceptance of Doble Deed – **Voted** to accept the deed for the property at 125 Cottage Street in Portsmouth, New Hampshire and further authorize the City Manager to execute all necessary documentation to affect the same subject to a title search.
21. Report Back Re: Quitclaim Deed – Property located of Lafayette Road – Tax Map 296, Lot 2 – **Voted** to accept a quitclaim deed from Ms. Herbert for property located at Tax Map 296, Lot 2, for land-locked property located off of Lafayette Road on the border of Greenland and Rye.
22. 299 Vaughan Temporary Construction License – **Voted** to authorize the City Manager to execute and accept the temporary construction license regarding 299 Vaughan Street as submitted and that the City Manager may adjust the fee if the License Fee for Encumbrance of City Property Policy is amended by City Council during the term of the license. Councilor Becksted voted opposed.
23. 135 Congress Street Temporary Construct License – **Voted** to authorize the City Manager to execute and accept the temporary construction license regarding 135 Congress Street as submitted and that the City Manager may adjust the fee if the License Fee for Encumbrance of City Property Policy is amended by City Council during the term of the license. Councilor Becksted voted opposed.
24. 46-64 Maplewood Avenue Amended Fee for Approved Temporary Construction License – **Voted** to authorize the City Manager to execute and accept an amendment to the temporary construction license for 46-64 Maplewood Avenue as approved by the Council on October 1, 2018 by adding the following:

In the event that the City Council amends and reduces the License Fee for Encumbrance of City Property Policy during the term of this License, the City will reimburse Licensee a portion of its License Fee on a pro rata basis consistent with the amended policy without the need of further vote of the Council.
Councilor Becksted voted opposed.

25. 90 & 110 Brewery Lane License for Street Lights on Public Property – Councilor Denton recused himself from this matter as he is a resident of 110 Brewery Lane.

Voted to authorize the City Manager to execute and accept a license agreement with Brewery Lane Portsmouth, LLC for street lights associated with the project located at 90 & 110 Brewery Lane. Councilor Denton recused from voting on this matter.

26. Request for First Reading Re: Zoning Ordinance Amendments to Article 11 Off-Street Parking – City Manager Bohenko withdrew this item and will bring it forward at a later date.

27. 2019 Schedule of City Council Meetings and Work Sessions – **Voted** to approve the 2019 Schedule.

28. Next Steps Re: Mayor's Blue Ribbon Committee on Sister Cities and Citizen Diplomacy – **Voted** to accept the report.

29. Holiday Parking – **Voted** to authorize the City Manager to implement a free holiday parking period from December 16, 2018 through December 25, 2018.

30. Banfield Road Improvements – **Voted** to refer to the Conservation Commission the proposed roadway drainage impacts to conservation property identified as parcel 0294-0009-0000 for a review and report back.

31. Appointment to be Considered – Chase Hagaman reappointment to the Zoning Board of Adjustment – City Council considered the reappointment of Chase Hagaman to the Zoning Board of Adjustment to be voted on at the December 3, 2018 City Council meeting.

32. Parking and Traffic Safety Committee Action Sheet and Minutes of the November 1, 2018 meeting – **Voted** to accept and approve the action sheet and minutes of the November 1, 2018 Parking and Traffic Safety Committee meeting.

33. Proposed Demolition of St. Patrick School – **Voted** to send a respectful communication to Bishop Labasci expressing the City Council’s support for the Church engaging in a dialogue with community members regarding the St. Patrick’s School building that would meet the needs of the Church and the community.
34. Update on Foundry Garage Art – Councilor Pearson provided an update on the Foundry Garage Art. (No action required).
35. Proposed amendment to City Policy 2018-02 – License Fee for Encumbrance of City Property – On a roll call 8-1, **voted** to accept the proposed amendment to City Policy 2018-02 License Fee for Encumbrance of City Property. Assistant Mayor Lazenby, Councilors Roberts, Pearson, Dwyer, Denton, Perkins, Raynolds and Mayor Blalock voted in favor. Councilor Becksted voted opposed.
36. Request the City Complete a Capital Improvement Form for a Level 3 480 Direct Current Fast Charger to be placed in Market Square – Councilor Denton requested to have a Capital Improvement Plan Form completed to place a Level 3 480 Fast Charger in the downtown and discuss this item during the Capital Improvement Plan process.
37. Adjournment – At 10:15 p.m., **voted** to adjourn.

Respectfully submitted by:

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