

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MONDAY, OCTOBER 7, 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 6:15 p.m., a Public Dialogue Session was held between the residents and City Council.
2. Acceptance of Minutes – September 3, 2019 – **Voted** to approve and accept the minutes of the September 3, 2019 City Council meeting.
3. Public Dialogue Session – Assistant Mayor Lazenby gave a brief summary of the topics discussed during Public Dialogue at Table A; Sagamore Creek Sewer Project. Councilor Denton reported at Table B the discussion was regarding Pan Am Railroad, PDA Resolution and Single-Use Disposable Ordinance.
4. Public Hearing regarding KENO within the City of Portsmouth – A public hearing was held. No action required.
5. **Voted** to suspend the rules in order to take up Item XIII. A.6. – Sagamore Avenue Area Low Pressure Sewer System – Cost Apportionment.
6. Sagamore Avenue Area Low Pressure Sewer System – Cost Apportionment – **Voted** to postpone taking action on this matter.
7. **Voted** to suspend the rules in order to take up Item XI. C.1. – Distribution of Single Use Disposables Policy. Councilor Becksted voted opposed.
8. Distribution of Single Use Disposables Policy – **Voted** to adopt the Distribution of Single Use Disposables Policy, as presented.

Assistant Mayor Lazenby requested that any organization requesting to use City property or an event be advised of the Single Use Disposable Policy.

9. Third and Final Reading of Ordinance amending Chapter 3, Article IX – Distribution of Single-Use Disposables – On a roll call 8-1, **voted** to suspend the rules in connection with third and final reading of the proposed ordinance regarding Chapter 3, Article IX, Distribution of Single Use Disposables to allow that ordinance to be amended and divided at third reading. Assistant Mayor Lazenby, Councilors Roberts, Pearson, Dwyer, Denton, Perkins, Raynolds and Mayor Blalock voted in favor. Councilor Becksted voted opposed.

Voted that the definition of the “composting facility” contained in the Ordinance be amended by deleting the existing definition and replacing it with the definition that a composting facility is, “any solid waste compost facility certified to properly perform that function by the Director of Public Works of the City of Portsmouth.” Councilor Becksted voted opposed.

Voted that the ordinance be amended and divided into two ordinances, the first of which will regulate distribution of single-use disposables on City property and the second of which will address the distribution of single-use disposables City-wide, each of which was presented in the memorandum dated October 7, 2019 from the City Attorney. Councilor Becksted voted opposed.

Voted to pass third and final reading of the ordinance regarding distribution of single-use disposables on City property. Councilor Becksted voted opposed. Ordinance becomes effective December 31, 2020.

Voted to pass third and final regarding of the ordinance regulating distribution of polystyrene cups and containers City-wide. Councilor Becksted stepped down from the dais and was not present for this vote. Ordinance becomes effective December 31, 2020.

10. Appointment to be Considered – Jessica Blasko as a Regular member of the Conservation Commission – The City Council considered the appointment of Jessica Blasko as a Regular member to the Conservation Commission to be voted on at the next City Council meeting.
11. Appointment of Brian Goetz to the Drinking Water Commission – **Voted** to appoint Brian Goetz, Deputy Public Works Director to the Drinking Water Commission.
12. Resignation of Nathalie Morison from the Conservation Commission, effective immediately – Mayor Blalock announced that Nathalie Morison has resigned from the Conservation Commission, effective immediately.
13. Contact Information – Councilor Pearson suggested allowing residents and members of Board and Commissions to opt out of making their addresses public. No action required as this is not a written policy or rule.

14. Update Re: Transition for the 400th – Councilor Dwyer provided an update on the transition for the 400th and reported that the governance will now be with the Library. No action required.
15. Variances to allow dogs on a restaurant's patio or deck – Councilor Denton requested a report back on this matter at a future City Council meeting.
16. Pease International Tradeport – Strategic Planning Process – **Voted** to table discussion until the next City Council meeting on October 28, 2019.
17. Request for Analysis and Report Back on Middle Street Bike Lane – Councilor Reynolds requested a report back with a map on the number of accidents and incidents that have occurred on Middle Street due to the bike lanes. Councilor Roberts requested that the report back include the rates of speed and bike counts.
18. City Manager Consent Agenda Items – **Voted** to adopt the City Manager's Consent Agenda as outlined with Anticipated Actions.
 - Request for First Reading Re: Amendments to Building, Life Safety and Health Codes – **Anticipated action: a) move to authorize the City to Manager to schedule first reading of amendments to Chapter 4, (Food Code) for the October 28, 2019 City Council meeting; b) move to authorize the City Manager to schedule first reading of amendments to Chapter 5 (Fire Code) for the October 28, 2019 City Council meeting; and c) move to authorize the City Manager to schedule first reading of amendments to Chapter 12 and Chapter 15 (Building Codes) for the October 28, 2019 City Council meeting.**
 - Request for First Reading of a Minor Ordinance Change to Conservation Ordinance – **Anticipated action: move to schedule first reading of the proposed amendments to Chapter 8, Article V at the October 28, 2019 City Council meeting.**
 - 2219 Lafayette Road Bicycle and Pedestrian Easement – **Anticipated action: move to accept a bicycle and pedestrian easement for 2219 Lafayette Road.**
 - 299 Vaughan Street Request for License Term Extension – **Anticipated action: move to authorize the City Manager to negotiate and enter into a temporary construction license with Vaughan Street Hotel, LLC as submitted to facilitate construction at 299 Vaughan Street.**

- Sale of Surplus Vehicles and Equipment – **Anticipated action – move to authorize the City Manager to dispose of surplus vehicles and equipment through a sealed bid process in which the inventory is sold to the highest bidder.**
19. Request for First Reading of Floodplain Overlay District Zoning Amendments – **Voted** to schedule first reading on the proposed amendments to the Floodplain Overlay District for the October 28, 2019 City Council meeting.
 20. Request for First Reading on Wetlands Regulations Zoning Amendments – **Voted** to schedule first reading on the proposed amendments to the Wetlands Protection section of the Zoning Ordinance for the October 28, 2019 City Council meeting.
 21. Request by Residents that Properties along Chase Drive and Cutts Avenue be Re-Zoned from Gateway Neighborhood Mixed Use Center (G2) to Single Residence B (SRB) – **Voted** to place on file the citizen request to re-zone the properties along Chase Drive and Cutts Avenue from Gateway Neighborhood Mixed Use Center (G2) to Single Residence B (SRB) and, furthermore, to request that the Planning Board move forward with drafting a zoning amendment to bring back to the City Council for consideration that would create a Gateway 3 (G3) Zoning District.
 22. Consent Agenda – **Voted** to adopt the Consent Agenda.
 - Letter from Matt Junkin, Seacoast Rotary requesting permission to hold the 11th Annual Turkey Trot 5k on Thanksgiving, November 28, 2019 at 7:00 a.m. – **(Anticipated action – move to refer to the City Manager with power)**
 23. Report Back Re: Railroad Operations – Councilor Denton suggested writing a letter to our Legislative Delegation outlining the concerns regarding railroad operations.
 24. Email Correspondence – **Voted** to accept and place on file.
 25. Letter from Edward W. Richards regarding Bethel Assembly of God property, 200 Chase Drive – **Voted** to accept and place on file.
 26. Adjournment – At 9:45 p.m., **voted** to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, MMC, CNHMC
City Clerk