

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MAY 3, 2004 COUNCIL CHAMBER, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR SIRRELL, ASSISTANT MAYOR HANSON, COUNCILORS GRASSO, FERRINI, MARCHAND, PANTELAKOS, HYNES, RAYNOLDS, AND WHITEHOUSE

1. Proclamation – The Shaw Brothers 45th year in the entertainment business – Councilor Grasso read the proclamation in recognition of The Shaw Brothers 45 years in the entertainment business. Mayor Sirrell presented the proclamation to The Shaw Brothers.
2. Proclamation – National Police Week & Peace Officers’ Memorial Day – Councilor Pantelakos read the proclamation declaring May 9, 2004 – May 15, 2004 as National Police Week as well as declaring May 15, 2004 as Peace Officers’ Memorial Day. Mayor Sirrell presented the proclamation to Police Chief Magnant.
3. Acceptance of Minutes – April 12, 2004 – Voted to accept and approve the City Council minutes of the April 12, 2004 meeting.
4. Public Comment Session – There were six speakers: Bill St. Laurent (Raising Parking Meter Fines & Rates); Harold Ecker (JFK Building); Bob Hassold (Graffiti downtown); Larry Trager (Mobile Food Vendors); Dennis Bobilya and Linda Harvey (Echo Hill Condominiums).
5. Public Hearing – Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Hancock Street: northerly side of Hancock from Marcy Street a distance of 115 feet – Held a public hearing. Voted to pass second reading of the amended ordinance, as submitted and hold a third and final reading at the May 17, 2004 City Council meeting.
6. First reading of Ordinance amending Chapter 7, Article III, Section 7.327 – Limited Parking – Two Hours – Washington Street: northerly side between State Street and Court Street – Voted to pass first reading of amended ordinance, as submitted, and schedule a public hearing and second reading at the May 17, 2004 City Council meeting.
7. Acceptance of Donation to City Cultural Commission (a/k/a Art-Speak) from Art’s Rochester in the amount of \$500.00 – Voted to accept the \$500 contribution from Art’s Rochester to be placed in the City Cultural Commission budget.

8. Acceptance of Community Development Block Grant from the U.S. Housing and Urban Development in the amount of \$789,000.00 – Voted to accept a Community Development Block Grant (CDBG) in the amount of \$789,000 from the U.S. Department of Housing and Urban Development.
9. Acceptance of Donation from Robert & Nackey Scagliotti in the amount of \$1,000.00 for the Pleasant Street Cemetery – Voted to accept the \$1,000 donation from Robert and Nackey Scagliotti to be utilized for the Pleasant Street Cemetery.
10. Renewal Requests for Sidewalk Obstruction Licenses from the following businesses with no changes from last year:
 - Starbucks Coffee – 4 tables and 8 chairs
 - The One Hundred Restaurant – 1 A-frame sign
 - Portsmouth Provisions – 1 A-frame sign

Voted to refer to the City Manager with power.

11. Request for Sidewalk Obstruction License from Helen Marks, Spiritual Reading by Duchess, to place 1 A-frame sign in front of establishment – Voted to refer to the City Manager with power.
12. Request for Sidewalk Obstruction License from Michelle Luzuaway, Saucygrace, to place 1 A-frame sign in front of establishment – Voted to refer to the City Manager with power.
13. Request for Sidewalk Obstruction License from Angelica Guimond, Bliss by the Sea Salon, to place 1 A-frame sign in front of establishment – Voted to refer to the City Manager with power.
14. Request for Sidewalk Obstruction License from Jay Friedlander, O'Naturals, to place 1 additional A-frame sign at second entrance to building (Currently have a license for 1 A-frame sign at other entrance) – Voted to refer to the City Manager with power.
15. Letter from Larry Trager regarding policy for mobile food vendors – Voted to refer to the Vendor's Committee for a report back as soon as possible.
16. Letter from Mario Giberti requesting to purchase city owned land on Barberrry Lane – Voted to refer to the Planning Board for a report back.
17. Letter from Janice Mellian, Portsmouth Garden Club, requesting to be involved in planning the garden at the new library – Voted to refer to the Library Director and the Library Building Committee.

18. Letter from Carl Walton requesting the City Council participation in the Memorial Day Parade and Services on Monday, May 31, 2004 – Voted to accept and place the letter on file.
19. Letter from John Donohue requesting upgrades to the basketball courts at the Lafayette Playground – Voted to refer to the City Manager with power.
20. Letter from Robert and Mary Lou McElwain requesting that the City Council establish term limits for Boards and Commissions & Letter from Anthony Coviello requesting that the City Council establish term limits for Boards and Commissions – On a unanimous roll call 9-0, voted to hold a public hearing in the future on this matter.
21. Letter from Police Chief Magnant requesting that the City Hall flag be flown at half-staff in recognition of Peace Officers Memorial Day on Saturday, May 15, 2004 – Voted to refer to the City Manager with power.
22. Letter from Attorney Malcolm McNeill regarding proposed rezoning of the Portsmouth Circle Business Center – Voted to refer to the Planning Board for a report back.
23. Request for Approval of Pole License Agreements #63-404 and #63-405 – Voted to approve the request from PSNH for both pole license agreements #63-404 and #63-405 as recommended by the Public Works Department.
24. Proposed Peirce Estate Recreational and Environmental Charitable Trust – On a roll call 8-1, voted to authorize the City Manager to execute the Peirce Estate Recreational and Environmental Charitable Trust. Assistant Mayor Hanson, Councilors Grasso, Ferrini, Marchand, Pantelakos, Hynes, Raynolds and Mayor Sirrell voted in favor. Councilor Whitehouse voted opposed.
25. Proposed License Agreement Re: Cianbro Corporation – Voted to authorize the City Manager to enter into this license agreement with Cianbro Corporation as presented.
26. Proposed Amendment to the 1995 Zoning Ordinance Requiring Nonresidential Uses in Ground Floor Areas within the Central Business A and B Districts – On a roll call 6-3, voted to authorize the City Manager to bring back on May 17, 2004 a proposed first reading to amend the 1995 Zoning Ordinance to address the concerns outlined as a result of the Master Plan process and to hold a joint work session with the Planning Board on June 14, 2004 to discuss the Master Plan process. Councilors Ferrini, Marchand, Pantelakos, Hynes, Raynolds and Mayor Sirrell voted in favor. Assistant Mayor Hanson, Councilors Grasso and Whitehouse voted opposed.
27. Request for Approval of Proposed Easements – Tyroch Realty Easement – Voted to authorize the City Manager to accept an easement from Tyroch Realty for sidewalks and utilities.

28. Request for Approval of Proposed Easements – Ocean National Bank – Voted to authorize the City Manager to accept an easement from Ocean National Bank for sidewalks. Assistant Mayor Hanson abstained from voting.
29. Final Budget Review Work Session – May 20, 2004 (not on agenda) – The City Council agreed to cancel the Final Budget Review Work Session scheduled for May 20, 2004 to be rescheduled for another time.
30. Consideration of Appointment – The City Council considered the appointment of Jeffrey Levine to the Peirce Island Committee. This appointment will be voted on at the May 17, 2004 City Council meeting.
31. Acceptance of Resignation – Voted to accept with regret the resignation of Robert and Nackey Scagliotti from the Blue Ribbon Committee on Cemeteries.
32. Correspondence Policy – Mayor Sirrell announced effective today no mail will be accepted by the Mayor's Office without proper identification.
33. Traffic & Safety Committee Action Sheet and Minutes of the April 15, 2004 meeting – Voted to accept and approve the Traffic & Safety Committee action sheet and minutes of the April 15, 2004 meeting.
34. Parking Committee Action Sheet and Minutes of the April 15, 2004 meeting – Voted to accept and approve the Parking Committee action sheet and minutes of the April 15, 2004 meeting.
35. Adjournment – At 9:10 p.m., voted to adjourn.

Respectfully submitted by:
Kelli L. Barnaby, City Clerk