

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON DECEMBER 20, 2004 COUNCIL CHAMBER, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR SIRRELL, ASSISTANT MAYOR GRASSO, COUNCILORS FERRINI, MARCHAND, PANTELAKOS, HYNES, RAYNOLDS, AND ST. LAURENT

ABSENT: COUNCILOR WHITEHOUSE

1. At 6:15 p.m., a Non-Meeting with counsel was held regarding Negotiations
2. Mayor's Award – Cool Jewels - Mayor Sirrell presented George Russell and Barb Bradford with a Mayor's Award in recognition of their generosity during the Thanksgiving Dinner held at the Metro Restaurant by providing the needy, elderly, and homeless with hand knitted mittens.
3. Mayor's Award – Patricia Hersey (not on agenda) – Mayor Sirrell presented Patricia Hersey with a Mayor's Award in recognition of her impending retirement and 34 years of service to the United States Post Office and serving as the Post Master for the last 12 years in the City of Portsmouth.
4. Presentation – Melanson, Heath and Company, P.C. Auditors' Financial Report for the Year Ending June 30, 2004 – Scott McIntyre reviewed the financial report and its highlights with the City Council.
5. Acceptance of Minutes – December 6, 2004 – Voted to accept and approve the minutes of the December 6, 2004 City Council meeting.
6. On a roll call vote 5-3 motion to suspend the rules to lengthen the Public Comment Session to 45 minutes failed to pass. Councilors Ferrini, Marchand, Pantelakos. Raynolds and St. Laurent voted in favor. Assistant Mayor Grasso, Councilor Hynes and Mayor Sirrell voted opposed. A two-thirds vote is required for passage.
7. Public Comment Session – There were 15 speakers: Tom Carroll (Scrap Metal Debris on Market Street); Jeffrey Cooper, Rick Horowitz, Leah Caswell, Ralph DiBernardo, Dave Mikolaities, Peter Egelston, Robert Padian, Allen Hawthorne, Joanne Henderson, Boyd Morrison, Paul Sorli, Jack Kelley, and Marilyn Kelley (Library); and Peter Bresciano (Pease Noise Meeting).
8. Public Hearing – Ordinance amending Chapter 10, Article XII, Section 10-1202 – Off-Street Parking Innovation: Inter Modal Transportation Credit for Central Business A and Central Business B Districts – Impact Fee – Held a public hearing. Voted to pass second reading of the amended ordinance, as submitted, and hold third and final reading at the first Council meeting in January.
9. Acceptance of Grant for Wastewater Reuse Study – Voted to accept a grant in the amount of \$10,000 and enter into a contract with the New Hampshire Department of Environmental Services, New Hampshire Estuaries project and that the City Council authorize the City Manager to sign and execute documents which may be necessary for this contract.

10. Letter from Donald Allison, Eastern States 20 Mile Road Race, requesting permission to hold the annual Eastern States 20 Mile Road Race on Saturday, March 26, 2005 – Voted to refer to the City Manager with power.
11. Letter from Dante Angelucci, Cathartes Investments, request for Licenses and Easements for the Hilton Garden Inn and Harbour Hill Condominiums – Voted to refer to the Planning Board for report back.
12. Letter from Faith Linsky, American Diabetes Association, requesting permission to hold the annual Tour de Cure on Sunday, May 1, 2005 – Voted to refer to the City Manager with power.
13. Letter from Kathryn Gill, Cross Roads House Board of Directors, regarding sheltering the homeless – Voted to accept and place the letter on file.
14. Reschedule City Council Meeting – Voted to reschedule the January 3, 2005 meeting to Monday, January 10, 2005.
15. Request Renewal of Cable Television Franchise Agreement between the City of Portsmouth and Comcast of Maine/NH, Inc. – Voted to authorize the City Manager to enter into a cable television franchise renewal agreement between the City of Portsmouth and Comcast of Maine/NH, Inc. for a period commencing on December 31, 2004 through December 31, 2007.
16. Health Department Staffing – Voted to authorize the City Manager to create a position of Sanitarian, Grade 14 within the Professional Management Association Salary Schedule, and further, authorize the City Manager to use up to \$20,000 from the FY05 Contingency to fund this position for the remainder of the fiscal year.
17. Request for Approval of the Collective Bargaining Agreement between the City of Portsmouth and AFSCME Local #1386 – Voted to approve the five-year agreement commencing July 1, 2003 through June 30, 2008 between the City of Portsmouth and AFSCME Local #1386. Councilor Raynolds abstained from voting.
18. Request to Renew Lease of 251 Bartlett Street by the Creek Athletic Club – Voted to authorize the City Manager to extend the Lease with the Creek Athletic Club for the property at 251 Bartlett Street for a period of April 1, 2005 through March 31, 2006.
19. Request for Approval of Pole License Agreements #63-413 and #63-414 – Voted to approve the requests from PSNH for pole license agreements #63-413 and #63-414 as recommended by the Public Works Department.
20. Donation to the Coalition Legal Fund – Voted to accept the \$3,000 contribution from the Town of Sandwich to be placed in the Coalition Legal Fund.
21. Consideration of Appointments – The City Council considered the appointment of Kathleen Brown to the Recreation Board and Lea Aeschliman to the Trustees of the Trust Fund. These appointments will be voted on at the next City Council meeting.

22. Proposed Guidelines for FY06 Budget – On a roll call vote 7-1, motion to set a budget guideline for FY06 of no increases higher than the Consumer Price Index (CPI) failed to pass. Assistant Mayor Grasso, Councilors Ferrini, Marchand, Pantelakos, Hynes, Reynolds and Mayor Sirrell voted opposed. Councilor St. Laurent voted in favor.
23. Temporary Hold on Demolition of Armory – City Attorney Sullivan advised the Mayor to rule the motion to put a temporary hold of three months on the demolition of the armory out of order. The basis of the ruling was that the Council had already voted on the matter on November 8, 2004. City Attorney Sullivan also advised the Mayor to rule the motion to amend to have the City suspend progress on the demolition of the JFK site pending a report back from the City Manager on the likely market purchase price of the Portsmouth Herald site when it becomes available out of order for the same reason. On a roll vote 5-3 motion to suspend the rules to allow the original motion failed to pass. Assistant Mayor Grasso, Councilors Ferrini, Pantelakos, Hynes and Mayor Sirrell voted opposed. Councilors Marchand, Reynolds and St. Laurent voted in favor. A two-thirds vote is required for passage.
24. Miscellaneous/Unfinished Business - Councilor St. Laurent requested that City Manager Bohenko send a copy of the report regarding the costs associated with the construction of a new Library be sent to the Association of Portsmouth Taxpayers.
25. Adjournment – At 9:30 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, City Clerk