

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, COUNCIL CHAMBERS
DATE: MONDAY, APRIL 4, 2005

PORTSMOUTH, NH
TIME 7:00 PM

6:15 PM – ANTICIPATED “NON-MEETING” WITH COUNSEL RE: LITIGATION – RSA 91-A:2, I (c)

AGENDA

- I. CALL TO ORDER
- II. ROLL CALL
- III. INVOCATION
- IV. PLEDGE OF ALLEGIANCE

PROCLAMATION

- 1. Poet Laureate (*announcement to be made during the Council meeting*)

V. ACCEPTANCE OF MINUTES – MARCH 21, 2005

VI. PUBLIC COMMENT SESSION

VII. PUBLIC HEARINGS

- A. RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM UNDESIGNATED FUND BALANCE TO IMPLEMENT THE GUARANTEED MAXIMUM PRICE (GMP) FOR THE CONSTRUCTION OF THE PUBLIC LIBRARY IN THE AMOUNT OF ONE MILLION (\$1,000,000) DOLLARS
- B. ORDINANCE AMENDING CHAPTER 7, ARTICLE III, SECTION 7.330 – NO PARKING SUB-SECTION A – ISLINGTON STREET: SOUTHERLY SIDE FROM ESSEX AVENUE TO A POINT 180 FEET WESTERLY

VIII. APPROVAL OF GRANTS AND DONATIONS

- A. Acceptance of Donations to the New Library Building Fund from two anonymous donors in the amount of \$150.00
- B. Acceptance of NHSCA Mini-Grant

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Adoption of Resolution Authorizing a Supplemental Appropriation from Undesignated Fund Balance to Implement the Guaranteed Maximum Price (GMP) for the Construction of the Public Library in the amount of One Million (\$1,000,000) Dollars (***Please note: a two-thirds vote is required for passage***)

- B. Second reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking sub-section A – Islington Street: southerly side from Essex Avenue to a point 180 feet westerly
- C. Third and final reading of Ordinance amending Chapter 10, Article VII – Flood Plain Development - Proposed Amendment to the City’s 1995 Zoning Ordinance Regarding the Adoption of Flood Insurance Study and Rate Maps
- D. Third and final reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – sub-section A – *Crescent Way*: south side from Kearsarge Way to 40’ west of Saratoga Way, south side from Porpoise Way to end of street, north side from Kearsarge Way to 80’ west of Porpoise Way; and *Preble Way*: south side from Ranger Way to Kearsarge Way, north side 20 feet east of Ranger Way to Kearsarge Way

X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Renewal Requests for Sidewalk Obstruction Licenses from the following businesses with no changes from last year
 - Ambrosia Gardens, Inc. – 1 A-frame sign
 - The One Hundred Restaurant – 1 A-frame sign
- B. Letter from John Kelley, Chairman of Police Commission, inviting the City Council to participate in a thorough review of the Police Department, its various programs and activities
- C. Letter from Jennifer Slade, Attrezzi Fine Kitchen Accessories, requesting permission to close the small 16-car parking lot on the corner of Market and Hanover Streets on May 15th between Noon and 6 PM to hold the Downtown Spring Tag Sale Event (with a rain date of June 5th)
- D. Letter from Charles Doleac, The Japan-America Society of New Hampshire, requesting permission to borrow two portraits from City Hall Chambers

XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

Items which require Action under other sections of the Agenda

- 1. Public Hearing/Second Reading of Proposed Resolution and Ordinance Amendments:
 - 1.1 Public Hearing/Adoption of Resolution Authorizing a Supplemental Appropriation from Undesignated Fund Balance to Implement the Guaranteed Maximum Price (GMP) for the Construction of the Public Library in the amount of One Million (\$1,000,000) Dollars (**Action on this matter will take place under Section IX of the Agenda**)

- 1.2 Public Hearing/Second reading of Amendment to Chapter 7, Article III, Section 7.330 – No Parking sub-section A – Islington Street: southerly side from Essex Avenue to a point 180 feet westerly (**Action on this matter will take place under Section IX of the Agenda**)
2. Consideration of Third and Final Reading of Proposed Ordinance Amendments:
 - 2.1 Third and Final Reading of Amendment to Chapter 10, Article VII – Flood Plain Development - Proposed Amendment to the City’s 1995 Zoning Ordinance Regarding the Adoption of Flood Insurance Study and Rate Maps (**Action on this matter will take place under Section IX of the Agenda**)
 - 2.2 Third and Final Reading of Amendment to Chapter 7, Article III, Section 7.330 – No Parking (**Action on this matter will take place under Section IX of the Agenda**)
3. Request to Borrow Two Portraits from City Hall Chambers (**Action on this matter will take place under Section X of the Agenda**)

City Manager’s Items Which Require Action

1. Request to Adopt the Capital Plan (CIP) FY 2006-2011
2. Proposed Acceptance of Various Deeds and Easements
 - Mark Odiorne – Easement
 - David Bohne – Easement
 - Ferrari Remodeling & Design, Inc. – Easement
 - Quitclaim Deed from John Ahlgren
3. Report Back Re: Avanti Development Request for Purchase of City Owned Land
4. Newcastle Avenue Roadway and Seawall Reconstruction Project Burying Overhead Utilities-Cost Sharing Proposal

Informational Items

1. Art-Speak Press Release Re: Overnight Art!
2. Educational Update

B. MAYOR SIRRELL

1. Appointment
2. Reappointment of Ken Smith as the Planning Board Representative to the Historic District Commission
3. *Reports

C. COUNCILOR PANTELAKOS

1. Bill of Rights Resolution
2. Proposed Animal Control Ordinance (*Request to have first reading at the April 18, 2005 City Council meeting*)

XII. MISCELLANEOUS/UNFINISHED BUSINESS

XIII. ADJOURNMENT

**KELLI L. BARNABY
CITY CLERK**

(*Indicates verbal report)

INFORMATIONAL ITEMS

1. Site Review Technical Advisory Committee minutes of the March 1, 2005 meeting
2. Planning Board minutes of the February 17, 2005 meeting
3. Recreation Board minutes of the March 8, 2005 meeting
4. Prepared Remarks of Attorney General Alberto Gonzales Address to National Association of Counties Legislative Conference, Washington, DC on March 7, 2005
5. Executive Council minutes of the March 23, 2005 meeting
6. Letter from Police Chief Michael Magnant regarding the proposed Bill of Rights Resolution
7. Various letters regarding the Lower Court Street Renovation Project listed in the Capital Improvement Plan
8. Copy of letters from Mayor Sirrell to US Senator Judd Gregg, US Senator John Sununu, US Representative Jeb Bradley, and US Representation Charlie Bass regarding the important of CDBG funding to the City of Portsmouth

NOTICE TO THE PUBLIC WHO ARE HEARING IMPAIRED: Please contact Dianna Fogarty at 603-610-7270 one-week prior to the meeting for assistance.