

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, COUNCIL CHAMBERS  
DATE: MONDAY, MAY 16, 2005

PORTSMOUTH, NH  
TIME 7:00 PM

## AGENDA

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

### MAYOR'S AWARDS

- 1. NH State Champions in Destination ImagiNation
- 2. Representatives from Portsmouth High School Band and Choir – Eric Gagnon, Band Director; Gwen Baker, Choir Director; and band members
- 3. Representatives from Portsmouth High School Environmental Club

### PROCLAMATION

- 1. Bike to Work Week

### PRESENTATION

- 1. Participants of Japan Trip

## V. ACCEPTANCE OF MINUTES – MAY 2, 2005 & MAY 3, 2005

## VI. PUBLIC COMMENT SESSION

## VII. PUBLIC HEARING

- A. ORDINANCE AMENDING CHAPTER 10, ARTICLE II, SECTION 10.202 – LOCATION – TO REZONE THE PROPERTIES LOCATED OFF MIRONA ROAD AT ASSESSORS MAP 252, LOT 3 AND MAP 253, LOT 4 FROM INDUSTRIAL (I) TO GENERAL BUSINESS (GB)

## VIII. APPROVAL OF GRANTS AND DONATIONS

- A. Acceptance of Greater Piscataqua Community Foundation (GPCF) Grant for Cemetery signs - \$5,000.00
- B. Acceptance of Greater Piscataqua Community Foundation (GPCF) Grant for Art-Speak Coordinator - \$21,733.00
- C. Acceptance of Donations to the New Library Building Fund
  - Youth Basketball Clinic Sponsorship - \$55.00

## **IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES**

- A. Second reading of Ordinance amending Chapter 10, Article II, Section 10.202 – Location – to rezone the properties located off Mirona Road at Assessors Map 252, Lot 3 and Map 253, Lot 4 from Industrial (I) to General Business (GB)
- B. Third and final reading of Ordinance amending Chapter 6, Article VII, – Dog Ordinance be deleted in its entirety and replaced with new Sections 6.701 - 6.715; Chapter 8, Article II, Section 8.202(D) – Dogs in Parks; Chapter 9, Article IV – Removal of Dog Excrement deleted in its entirety

## **X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS**

- A. Renewal Requests for Sidewalk Obstruction Licenses from the following business with no changes from last year
  - Cobble Hill
- B. Letter from Michael and Jacqui Bryan regarding permission to hold the 2005 New Hampshire Seacoast Run Pedal Paddle on Saturday, September 17, 2005
- C. Letter from Gail Bradbard, Cabot House, requesting permission to use the adjacent street to the Cabot House Parking Lot for the 12<sup>th</sup> annual Tent Sale from June 17, 2005 to June 19, 2005
- D. Request for Sidewalk Obstruction License from Roger Elkus, Me & Ollies Café to place 6 tables, 18 chairs and 1 A-frame sign in front of establishment
- E. Request for Sidewalk Obstruction License from William Thorpe, Seacoast African American Cultural Center Association, Inc., to place 1 A-frame sign in front of establishment
- F. Letter from Kenneth & Deborah Smith requesting a license for land use beside and in back of their property located at 298 Myrtle Avenue
- G. Letter from Tracy Heine expressing her opposition to the Proposed Dog Ordinance
- H. Letter from John Zwalley requesting that dogs using Goodwin Park be leashed
- I. Letter from Ken Linscott, Maine Maritime Academy Alumni Association, requesting permission to hold tours of Schooner Bowdoin at the Prescott Park dock on July 6, 2005 – July 7, 2005
- J. Letter from Josh Pierce, Seacoast Area Bicycle Routes, requesting permission to hold a “commuter breakfast” from 7:00 a.m. – 9:00 a.m. in Market Square in front of Breaking New Grounds

## 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 Ordinance Amendment:
  - 1.1 Public Hearing/Second reading of Ordinance amending Chapter 10, Article II, Section 10.202 – Location – to rezone the properties located off Mirona Road at Assessors Map 252, Lot 3 and Map 253, Lot 4 from Industrial (I) to General Business (GB) (**Action on this matter will take place under Section IX of the Agenda**)
2. Consideration of Third and Final Reading of Proposed Ordinance Amendment:
  - 2.1 Third and Final Reading of Ordinance amending Chapter 6, Article VII, – Dog Ordinance be deleted in its entirety and replaced with new Sections 6.701 - 6.715; Chapter 8, Article II, Section 8.202(D) – Dogs in Parks; Chapter 9, Article IV – Removal of Dog Excrement deleted in its entirety (**Action on this matter will take place under Section IX of the Agenda**)

#### City Manager's Items Which Require Action

1. Newcastle Avenue Roadway and Seawall Reconstruction Project Burying Overhead Utilities-Cost Sharing Proposal
2. Proposed Landscape & Drainage Easement Deeds Re: Changing Places, LLC/Development on Michael Succi Drive
3. Proposed Pedestrian Walkway Connecting Johnson Court and Junkins Avenue Along the South Mill Pond
4. Request to Waive Pease Airport Terminal/Municipal Services Fee
5. Report Back Re: Request from Portsmouth Babe Ruth for Temporary Signage at Leary Field
6. EDC Recommendation Re: Chamber Partnership and Guide to the Seacoast
7. Request to Establish Additional Budget Work Session

#### Informational Items

1. Quarterly Report on Chamber/City Partnership
2. School Budget Work Session Agenda

**B. MAYOR SIRRELL**

1. Donation to the Coalition Legal Fund
2. \*Reports
  - Central Veterans Council – Memorial Day Parade

**XII. MISCELLANEOUS/UNFINISHED BUSINESS**

**XIII. ADJOURNMENT**

**KELLI L. BARNABY  
CITY CLERK**

(\*Indicates verbal report)

**INFORMATIONAL ITEMS**

1. Historic District Commission minutes of the March 30, 2005 & April 6, 2005 meetings
2. Site Review Technical Advisory Committee minutes of the November 2, 2004, November 30, 2004, January 4, 2005 and February 1, 2005 meetings
3. Conservation Commission minutes of November 10, 2004 & December 8, 2004 meetings
4. Executive Council minutes of May 4, 2005 meeting
5. Letter from State Representatives Rockingham District 16, Portsmouth and Newington

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