

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, APRIL 17, 2006

PORTSMOUTH, NH
TIME: 6:45PM [or thereafter]

I. CALL TO ORDER

Mayor Marchand called the meeting to order at 6:50 p.m.

II. ROLL CALL

Present: Mayor Marchand, Assistant Mayor Ferrini, Councilors Grasso, Dwyer, Raynolds, Pantelakos, Whitehouse, Smith and Hynes

III. INVOCATION

Mayor Marchand asked everyone to join in a moment of silent prayer.

IV. PLEDGE OF ALLEGIANCE

Councilor Dwyer led in the Pledge of Allegiance to the Flag.

PRESENTATION

1. Proposed Legal Settlement Re: Packard Development – Suzanne Woodland, Assistant City Attorney and David Allen, Deputy Public Works Director

Assistant City Attorney Woodland provided the City Council with the history surrounding this project. She discussed the concerns the City had relative to the development, which include traffic and safety as well as environmental issues. She spoke to the City staff involvement with the regulatory boards in the Town of Greenland. Assistant City Attorney Woodland outlined the various traffic and safety improvements that would be made to the area including a new entrance at the truck stop on Route 33. She also addressed the sewer connection in which Packard Development would contribute \$1,000,000,00 over 10 years. Assistant City Attorney Woodland also referred to Councilor Whitehouse's concern about an approved septic system if no sewer connection is approved. Assistant City Attorney Woodland assured Councilor Whitehouse that approvals from all agencies have been given to Packard Development.

Deputy Public Works Director Allen reported that the back flow projected is 14,500 gallons per day. He said that the sewer connection is the environmentally preferred method. He advised the City Council that Packard Development would pay all costs of connection as well as a sewer rate for usage. He also advised the City Council that over 100,000 gallons per day are leaking into the sewer from Borthwick Avenue. He said that the City would be fixing the line to stop the leaking.

Assistant Mayor Ferrini moved to suspend the rules in order to take up Item VI – Public Comment Session. Seconded by Councilor Grasso and voted.

VI. PUBLIC COMMENT SESSION

Ralph DiBernardo expressed his opposition with the City Council accepting this deal with Packard Development. He said that the road improvements would not help with the traffic issues created from this project. He said that the improvements may well do the opposite, by creating and attracting more traffic. He urged the City Council to consider the issues the City will be facing relative to water and sewer. He said that this settlement is not a benefit to the City.

Harold Ecker said all funds received from Packard Development should be placed in an account for sewer improvements. He asked the City to allow for an increase each year for the usage fee. He said that the agreement should prohibit any future development at the site.

City Manager Bohenko said that the staff protected the City's interest in this matter. He said it is important to remember that this development is in the Town of Greenland and not the City of Portsmouth.

Walter Allen spoke opposed to the settlement agreement with Packard Development. He expressed concern with setting a precedent with other communities by agreeing to the settlement.

Gary Lowe spoke to storm drain separation from the sewer. He said that this is a logical place for the development of a mall. He said that with secondary treatment the City would need to haul away large amount of sewerage and the trucks would not be able to make the turns on the narrow streets near Peirce Island. He suggested the City assess development on the impact to the infrastructure. He urged the City Council to plan for the future of the sewer disposal.

Deborah Terreson spoke opposed to the settlement agreement with Packard Development.

Bill St. Laurent said that the settlement agreement is a good deal for Packard Development. He said that all of the benefits go to Packard Development and not the City of Portsmouth. He addressed the increase in traffic from this development and its impact on the neighborhoods in the area. He said if Packard Development is allowed to connect to the City sewer lines the sewerage should be directed to the Pease Sewer Treatment Plant and not the Peirce Island Treatment Plant.

Martin Cameron spoke to a report from CMA Engineering retained by the City of Portsmouth to provide an engineering review of the project documents submitted to the Greenland Planning Board in August 2003. He also addressed the storm water and sewer plan.

Gate Jones asked the City Council not to be bought for \$1,000,000.00 by Packard Development. She said that there are concerns with sewer issues and traffic impacts to the area. She said that this is about the quality of life taxpayers deserve in the City of Portsmouth. She urged the City Council not to accept the agreement because there are no benefits to the City.

Peter Bresciano said that he was looking for an answer to his letter regarding the public art ordinance that he submitted to the City Council. He expressed concerns relative to various sections of the ordinance. He also addressed concerns relative to a two-thirds vote required rather than a simple majority of the City Council to reduce the funding. He urged the City Council to scrap the ordinance.

Peter Whelan spoke to the EPA denying the sewer waiver. He said that the City would need to make a large capital investment for secondary treatment. He asked the City Council to consider placing a moratorium on developments that may impact the sewer. He urged the City Council to pass a sewer impact fee. He urged all members of the City Council to take an active role on this matter. He said that all sewer projects should be reevaluated.

Everett Eaton, Economic Development Commission Vice Chair, spoke in support of the City's continued partnership with the Chamber of Commerce. He addressed the benefits of this partnership and that the City could not duplicate the efforts of the Chamber of Commerce for the \$35,000.00 appropriation.

Councilor Whitehouse moved to suspend the rules in order to take up Item XII. D.1. – Packard Development. Seconded by Councilor Pantelakos and voted.

D. COUNCILOR PANTELAKOS

1. Packard Development

Councilor Pantelakos moved to authorize the City Manager to negotiate and execute a settlement agreement with Packard Development as outlined in the letter from Attorney William C. Tucker dated March 9, 2006. Seconded by Assistant Mayor Ferrini.

City Manager Bohenko outlined the amount of funds the City would receive relative to the settlement agreement and the traffic improvements.

Councilor Pantelakos said it is important for the City Council to remember that this development is in the Town of Greenland and we have no control over it. She said that the project would move forward and the traffic will come whether or not the City Council approves this settlement. She also said that the only reason the City got involved in this matter was to protect the interest of the City of Portsmouth. She addressed the numerous public hearings held regarding the development by the Town of Greenland. She advised the City Council that Packard Development has addressed all of the concerns expressed by the City of Portsmouth and it is time to move forward on this matter.

Councilor Whitehouse provided the City Council with a handout regarding the proposed municipal sewer. He addressed the various projects that have not tied into the City sewer as of yet but are intended to in the future. He expressed concern regarding continued development and its effect on the City sewer system. He said that connection if allowed should be rerouted to the Pease Treatment Plant. He said that this matter should be tabled to receive a response from the developer on rerouting the line.

Assistant Mayor Ferrini thanked Councilor Whitehouse for the time he spent preparing this presentation. He spoke in favor of the comments made by Councilor Pantelakos. He asked Deputy Public Works Director Allen what the flow from the development would be. Deputy Public Works Director Allen reported that the development is expected to create 14,500 gallons per day. He advised the City Council that the capacity of the Peirce Island Treatment Plant is 4.8 million gallons per day and our current flow is 3 million gallons per day. He also reported that 2 million gallons per day have been removed from the system over the last few years.

Councilor Hynes spoke to the traffic impacts from the development. He said that the increase in traffic would spill into the surrounding neighborhoods. He asked the City Council to hold a public hearing in order to receive input from residents relative to the development and proposed settlement agreement.

Councilor Dwyer asked if a tie into the Pease Treatment Plant was considered. Deputy Public Works Director said that the flow could be rerouted to the Pease Treatment Plant however, this could not be cost effective. He advised the City Council that it is environmentally better for Packard Development to connect to the City system.

Councilor Grasso said that the DES has accepted the plan for the proposed septic system at the Packard Development site whether we agree to this development. She said that the development would move forward with or without the City's acceptance of this settlement. She said it is important to realize that the traffic will happen whether we accept this settlement as well.

Councilor Smith asked if the agreement addresses future development of the site. Assistant City Attorney Woodland said that the agreement would outline the amount of flow we will accept. Councilor Smith asked when the line is fixed at Borthwick Avenue what will happen to the wetlands. Deputy Public Works Director Allen responded that it is an isolated area and it is a bowl with no housing abutting the site. Councilor Smith said that there are more issues that have come forward and he would like the City Council to hold a public hearing for further discussion.

Councilor Reynolds spoke in support of the motion. He said that the project is in the Town of Greenland and the City does not have veto power over the development. He said that the City of Portsmouth through City staff and the City Attorney's Office interjected to become a partner in the lawsuit to protect the interests of the City. He said that our concerns and issues raised have all been addressed by Packard Development. He said that the settlement has been presented to the City Council several times and the City Council did not accept it prematurely. He also said that it would be irresponsible to not accept the settlement without the limitation issues being addressed.

Councilor Whitehouse reported that the Fox Run Crossing Mall has 475,000 square feet. He said that the Packard Development project would be 375,000 square feet. He advised the City Council that 3.7 million gallons per year go through the Newington Treatment Plant for the Fox Run Crossing Mall.

Mayor Marchand passed the gavel to Assistant Mayor Ferrini.

Mayor Marchand said that this issue has been going on for many years and that he would vote in favor of the settlement agreement. He also said because we vote in favor of the agreement it does not mean that the City Council likes it. He addressed the Town of Greenland approval process. He said all of the hurdles have been cleared and this development will happen. He said we do not want to see the development happen but it is the Town of Greenland and not the City of Portsmouth.

Assistant Mayor Ferrini returned the gavel to Mayor Marchand.

Councilor Smith said he understands that this project will move forward and the City has done a great job protecting our interests however, he feels that a public hearing should be held to allow public input on this matter.

Councilor Smith moved to table this matter until a public hearing is held. Seconded by Councilor Whitehouse.

Councilor Pantelakos said that there have been numerous public hearings on the development with the Town of Greenland. She said that there is only one resident from the area here this evening and she has received no phone calls on this issue.

Councilor Whitehouse said that we should wait another few weeks to allow for a public hearing on this matter.

Councilor Hynes said he has received numerous calls on this matter.

On a roll call vote 3-6, motion to table this matter until a public hearing is held failed to pass. Councilors Whitehouse, Smith and Hynes voted in favor. Assistant Mayor Ferrini, Councilors Grasso, Dwyer, Raynolds, Pantelakos and Mayor Marchand voted opposed.

On a roll call 6-3, voted to authorize the City Manager to negotiate and execute a settlement agreement with Packard Development as outlined in the letter from Attorney William C. Tucker dated March 9, 2006. Assistant Mayor Ferrini, Councilors Grasso, Dwyer, Raynolds, Pantelakos and Mayor Marchand voted in favor. Councilors Whitehouse, Smith and Hynes voted opposed.

At 8:35 p.m., Mayor Marchand declared a brief recess. Assistant Mayor Ferrini left the meeting at 8:35 p.m. Mayor Marchand called the meeting back to order at 8:50 p.m.

PROCLAMATION

1. Community Development Block Grant Week – April 17, 2006 – April 21, 2006

Mayor Marchand presented the Proclamation declaring April 17, 2006 – April 21, 2006 as Community Development Block Grant Week to David Moore, Community Development Department. David accepted the Proclamation on behalf of the department with thanks and appreciation.

V. ACCEPTANCE OF MINUTES – APRIL 3, 2006

Councilor Smith moved to approve and accept the minutes of the April 3, 2006 City Council meeting. Seconded by Councilor Whitehouse and voted.

VII. PUBLIC HEARINGS

- A. ORDINANCE AMENDING CHAPTER 7, ARTICLE XVI, SECTION 7.1602 – LOCATIONS – RESIDENT ONLY PARKING BY THE ADDITION OF PEARL STREET – EASTERLY SIDE OF PEARL STREET, FROM A POINT NINETY FEET (90') NORTH OF ISLINGTON STREET TO THE CORNER OF PEARL STREET AND HANOVER STREET

Mayor Marchand read the legal notice, declared the public hearing open and called for speakers. After three calls and no speakers, Mayor Marchand declared the public hearing closed.

- B. ORDINANCE AMENDING CHAPTER 7, ARTICLE III, SECTION 7.330 – NO PARKING SUB-SECTION A BY THE ADDITION OF PEARL STREET – WESTERLY SIDE OF PEARL STREET AFTER 8:00 A.M. AND BEFORE 5:00 P.M.

Mayor Marchand read the legal notice, declared the public hearing open and called for speakers. After three calls and no speakers, Mayor Marchand declared the public hearing closed.

- C. ORDINANCE AMENDING CHAPTER 7, ARTICLE VI, SECTION 7.601 – TRUCK LOADING/UNLOADING BY THE ADDITION OF PEARL STREET – EASTERLY SIDE FROM A POINT THIRTY FEET (30') NORTH OF ISLINGTON STREET TO A POINT SEVENTY FEET (70') NORTH OF ISLINGTON STREET

Mayor Marchand read the legal notice, declared the public hearing open and called for speakers. After three calls and no speakers, Mayor Marchand declared the public hearing closed.

- D. RESOLUTION TO ADOPT NEW HAMPSHIRE RSA 162-K AUTHORIZING THE ESTABLISHMENT OF ONE OR MORE TAX INCREMENT FINANCING DEVELOPMENT DISTRICTS

Mayor Marchand read the legal notice, declared the public hearing open and called for speakers.

Nancy Carmer, Economic Development Program Manager, provided a presentation to the City Council explaining that Tax Increment Financing (TIF) is an economic development tool created by law RSA 162:K. It allows the City to target specific area (district) in need of public improvement. She advised the City Council that it also allows the City to target tax revenue in district to finance eligible improvements or acquisitions. In accordance with the development plan TIF projects can include:

- Acquire land or easements
- Build or improve roads, bridges
- Construct transportation systems linking commercial areas
- Extend or improve water, sewer or utilities to area
- Install lighting, street signs, landscaping, and/or pedestrian ways
- Construct parking structures
- Construct plazas, or other traffic and parking control features
- Planning or engineering for public improvements or projects

Nancy advised the City Council that this is an initial step to move forward with TIF Development Districts. She explained how a TIF works. She said that TIF revenue is set aside to either:

- a) pay a bond issued by the City for improvements in the TIF District
- b) complete the improvements in the development plan in phases, or
- c) be saved until sufficient annual increment available to support bond for entire project

She said it is important to note that bonds issued in this manner do not count against City's debt capacity. She advised the City Council of the next steps:

- City Council adopts RSA: 162-K as amended at least 15 days after legally advertised public hearing (May 15th)
- If desired, define and map a TIF District
- Appoint TIF Advisory Board and District Administrator
- Establish Financing Plan, Development Plan and Schedule, and Tax increment

City Manager Bohenko advised the City Council that they would need to authorize him to bring back this resolution for adoption at the May 15, 2006 City Council meeting. He said that the City is not obligated to create districts if this resolution is adopted.

After three calls and no speakers, Mayor Marchand declared the public hearing closed.

Councilor Whitehouse moved to authorize the City Manager to bring back for final action a proposed resolution to adopt New Hampshire RSA 162-K authorizing the establishment of one or more Tax Increment Financing Development Districts at the May 15, 2006 City Council meeting. Seconded by Councilor Smith.

Councilor Smith asked how a district is removed after it is created. City Manager Bohenko advised the City Council that the district would expire after 5 years. He advised the City Council that you do not have to set aside all the funds in the TIF you can put half in the general fund and half on a project. He also said that a percentage of the funds could be set aside. Councilor Smith asked if you could change the formula each year. Economic Development Program Manager Carmer responded that a financing plan must be established to address those types of items.

Councilor Dwyer asked how the bonding would work with a 5-year term for a district. City Manager Bohenko said you would enter into a detailed agreement with the developers in the area and create an estimate on the new captured values. The new revenue could be used to pay down the bond and the remainder would go to reduce the general fund.

Motion passed.

VIII. APPROVAL OF GRANTS AND DONATIONS

- A. Acceptance of Donation to the New Library Building Fund for the Naming of the Reference Center in the amount of \$15,000.00

Councilor Grasso moved to accept a donation to the New Library Building Fund in the amount of \$15,000.00 for the naming of the Reference Center. Seconded by Councilor Pantelakos and voted.

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Disabled Real Estate Tax Exemption to \$30,000.00 for single and \$37,000.00 for married

Councilor Pantelakos moved to pass first reading and schedule a public hearing and adoption at the May 1, 2006 City Council meeting. Seconded by Councilor Whitehouse and voted.

- B. Ordinance amending Chapter 7, Article XVI, Section 7.1602 – Locations – Resident Only Parking by the addition of Pearl Street – Easterly side of Pearl Street, from a point ninety feet (90') north of Islington Street to the corner of Pearl Street and Hanover Street

Councilor Grasso moved to pass second reading of amended ordinance, as submitted, and hold a third and final reading at the May 1, 2006 City Council meeting. Seconded by Councilor Pantelakos.

Councilor Smith advised the City Council that the three ordinances relative to Pearl Street were recommended by the Traffic & Safety Committee. He thanked Traffic Engineer Deb Finnegan for her hard work and efforts on this matter.

Motion passed.

- C. Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking subsection A by the addition of Pearl Street – Westerly side of Pearl Street after 8:00 a.m. and before 5:00 p.m.

Councilor Pantelakos moved to pass second reading of amended ordinance, as submitted, and hold a third and final reading at the May 1, 2006 City Council meeting. Seconded by Councilor Grasso and voted.

- D. Ordinance amending Chapter 7, Article VI, Section 7.601 - Truck Loading/Unloading by the addition of Pearl Street – Easterly side from a point thirty feet (30') north of Islington Street to a point seventy feet (70') north of Islington Street

Councilor Smith moved to pass second reading of amended ordinance, as submitted, and hold a third and final reading at the May 1, 2006 City Council meeting. Seconded by Councilor Hynes and voted.

X. CONSENT AGENDA

Councilor Reynolds requested that Item G - Letter from David O'Connor regarding street performers be removed from the Consent Agenda.

Councilor Reynolds moved to adopt the remainder of the Consent Agenda as presented. Seconded by Councilor Whitehouse and voted.

- A. Acceptance of Donations to the New Library Building Fund
- Virginia H. Eshoo - \$50.00
 - Hugo E. Riciputi - \$150.00

(Anticipated action – move to approve and accept the donations to the New Library Building Fund a listed)

- B. Acceptance of Donations to the Cemetery Committee/Programs
- Anonymous - \$15.00
 - Lowell W. & Gloria A. Berry - \$20.00
 - Joseph A. & Margery W. Melville - \$20.00
 - George & Priscilla Metalious - \$20.00
 - Eugene & Donna Peaker Ritzo - \$20.00
 - June Ann Rogers - \$20.00
 - June Ann Rogers - \$21.00
 - Cynthia Kent - \$25.00
 - Syphers Monument Co., Roger A. Syphers - \$26.00
 - John P. Bohenko & Nancy K. London - \$30.00
 - John Goyette - \$38.00
 - Alexandra E. Barbehenn - \$39.50
 - Bruce A. & Nancy A. Bierhans - \$40.00
 - Richard David Grossman - \$40.00
 - John A. Howes - \$40.00
 - Susan Long - \$40.00
 - G. Patrick & M. Judy Nerbonne - \$40.00

- Barrie Paster, M.D. & Barbara Ann Paster - \$40.00
- Mary S. & John D. Rauh - \$40.00
- New England Lock & Safe - \$70.00
- Paul J. & Deborah J. Jancewicz - \$85.00
- Barrie Paster, M.D. & Barbara Ann Paster - \$90.00
- John W. & Sharon C. Churchill - \$304.00

(Anticipated action – move to approve and accept the donations to the Cemetery Committee/Programs as listed)

- C. Acceptance of Donation to the Cemetery Committee
- Anonymous - \$714.00

(Anticipated action – move to approve and accept the donation to the Cemetery Committee as listed)

- D. Acceptance of Community Development Block Grant - \$672,674.00 ***(Anticipated action – move to accept a Community Development Block Grant (CDBG) in the amount of \$672,674.00 from the U.S. Department of Housing and Urban Development)***
- E. Renewal Requests for Sidewalk Obstruction Licenses from the following businesses with no changes from last year
- Madd Matt's Ice Cream – 1 A-frame sign
 - Market Street Tub Shop – 1 A-frame sign
 - Portsmouth Gas Light – 2 A-frame signs

(Anticipated action – move to refer to the City Manager with power)

- F. Letter from Drika Overton, Portsmouth Percussive Dance Festival, requesting permission to close off Pleasant Street between Market Square and Porter Street for street performances on Friday, June 30th from 7:30 p.m. – 8:30 p.m.
(Anticipated action – move to refer to the City Manager with power)
- G. Letter from David O'Connor regarding street performers

Councilor Raynolds moved to accept and place the letter on file. Seconded by Councilor Grasso.

Councilor Raynolds said he would like the City Council to receive copies of the information provided by Mr. O'Connor during the public comment session at the last City Council meeting.

Councilor Pantelakos said it was a courtesy that Mr. O'Connor was allowed to address the City Council during the public comment session because he was not a resident.

Councilor Raynolds said that he would visit the City Clerk's Office to receive a copy of Mr. O'Connor's information. He said that street performers are discouraged to come to the City.

Motion passed.

XI. PRESENTATION AND CONSIDERATION OF WRITTEN COMMUNICATIONS AND PETITIONS

- A. Letter and Petition from Islington Creek Neighborhood requesting a review of traffic and safety signage in neighborhood

Councilor Whitehouse moved to refer to the Traffic & Safety Committee for report back. Seconded by Councilor Pantelakos.

Councilor Grasso requested to refer this matter to the Planning Board for informational purposes.

Motion passed.

- B. Letter from Michael Edwards requesting permission to place a storage container in front of property located at 64 Brackett Road

Councilor Pantelakos moved to approve this request with the provision that the Public Works Department and Police Department assure that there are no safety issues. Seconded by Councilor Whitehouse and voted.

- C. Letter from Geoffrey Wilson, Northeast Wetland Restoration, requesting permission to harvest above ground biomass, on 25 acres in the Great Bog Area

Councilor Whitehouse moved to refer to the Conservation Commission for report back. Seconded by Councilor Pantelakos and voted.

- D. Letter from Bill St. Laurent requesting that the new library be named after Dorothy Vaughn

Councilor Grasso moved to accept and place the letter on file. Seconded by Councilor Pantelakos.

Councilor Whitehouse requested that a copy of the letter be sent to the New Library Building Committee for information.

Motion passed.

- E. Letter from Evelyn Sirrell regarding Packard Development

Councilor Pantelakos moved to accept and place the letter on file. Seconded by Councilor Grasso and voted.

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

1. EDC Recommendation Re: Chamber Partnership and Guide to the Seacoast

City Manager Bohenko said that this would continue the funding and partnership the City has with the Chamber of Commerce. He said that the funding would be allocated as follows: \$5,000 for production of the Guide to the Seacoast brochure, \$15,000 to support the Tourism Manager and programming, and \$15,000 to support the Business Development Manager and programming. He advised the City Council that the funds for the partnership investment would come from the UDAG budget and not from local tax dollars.

Councilor Hynes moved to approve the appropriation of \$35,000.00 for UDAG funds to continue the economic development partnership between the City and the Greater Portsmouth Chamber of Commerce. Seconded by Councilor Smith.

Councilor Dwyer asked if it has been the goal of this partnership or if it resides somewhere else to actually do economic development of this type that attracts high wage businesses to the area.

City Manager Bohenko recommended that Dick Ingram, President of the Chamber of Commerce be allowed to answer Councilor Dwyer's question.

Councilor Raynolds moved to suspend the rules to allow Dick Ingram to address the City Council. Seconded by Councilor Hynes and voted.

Mr. Ingram said that they try to balance the businesses here and support new businesses to locate in the City. He said that the Chamber works with the City and the Pease Development Authority to bring businesses here.

Motion passed.

2. Proposed Easement and License to PSNH

City Manager Bohenko advised the City Council that Pike Industries is making improvements to its property abutting the Public Works Department. He said in order to bring power to the facilities being constructed by Pike, PSNH needs to install a new underground conduit to serve the Pike property.

Councilor Hynes moved to grant an easement and license to PSNH at 680 Peverly Hill Road and further, to authorize the City Manager to execute any appropriate documents to execute this easement. Seconded by Councilor Whitehouse and voted.

3. Paul Dobles Army Reserve Center

City Manager Bohenko said as you may recall, in early fall 2005, then Mayor Sirrell contacted Senator Gregg to express interest in City acquisition of the Paul Dobles Army Reserve Center located on Cottage Street. In response, Senator Gregg contacted the Office of the Chief, Army Reserve (OCAR) to let him know of the City's interest in this property. Subsequently, as you likely know, the Reserve Center was identified for closure by the Base Realignment and Closure Commission. The Secretary of Defense has made a recommendation to relocate units to a new Armed Forces Reserve Center adjacent to the Pease Air National Guard Base if the Army is able to acquire suitable land for the construction of facilities.

As a result, the City now has an opportunity to acquire this property from the federal government as a public benefit conveyance and redevelop it, with the future use of the property to be determined through a public process that would be initiated by the City later this year. The steps in this acquisition process were outlined by a representative of the Office of Economic Adjustment (OEA) at a meeting with City staff on April 12th. At that meeting, the OEA project manager indicated that the first step is for the City to designate, if it desires, an entity to serve as the Local Redevelopment Authority (LRA). The LRA would serve as the redevelopment planning entity for the Paul Dobles Army Reserve Center, be responsible for creating a comprehensive redevelopment plan for this site, and serve as the single point of contact for OEA.

If the City does not designate a Local Redevelopment Authority, the federal Office of Economic Adjustment serves in that role. Clearly, designating the City to serve as the LRA provides us with far greater ability to effectively plan, manage and set the direction for the future of this site. Designating the City as the Local Redevelopment Authority does not involve the expenditure of any local funds or commit the City to any particular use of the property.

The Office of Economic Adjustment has informed us that LRAs must be recognized by no later than May 9th. In order to meet this timeline we need to immediately establish the LRA. Pending a vote of the City Council establishing the LRA, the OEA requested that the highest elected official provide a letter to OEA.

For your information, the Dobles Reserve Center parcel on Cottage Street is located one-half block off the Route One Bypass. According to information from the Assessor's Office, there are currently two structures on the 3.39-acre parcel – a 11,500 square foot low-rise office building circa 1958 and a 2,500 square foot garage. In addition, there is an asphalt parking lot with 120 spaces. The current assessed value of the land and buildings is \$1.6 million. As City staff gather additional information regarding the acquisition and redevelopment processes, we will provide that to you.

Councilor Pantelakos moved to establish the City of Portsmouth, NH as the entity to serve as the Local Redevelopment Authority (LRA) to create a comprehensive redevelopment plan for the Paul Dobles Army Reserve Center; request the Office of Economic Adjustment to recognize the Portsmouth LRA as the redevelopment planning entity for the Paul Dobles Army Reserve Center; and designate the City Manager as the point of contact for the Portsmouth LRA. Seconded by Councilor Smith.

Councilor Dwyer said that if a committee is established to review the reuse of City owned buildings and we acquire this property she would like the committee to consider this property as part of the process.

Motion passed.

4. Request to Reschedule May 1st Work Session Re: Political Contributions

City Manager Bohenko said that this work session is being requested to be rescheduled due to on May 1st, we will be having four public hearings and on May 2nd, we will be having the public hearing on the budget. He said if the City Council agrees we could always reschedule the political contributions work session until after the budget. With the budget review, the City Council will be meeting at least seven times in May.

He said that the City Council might want to consider having the Legislative Delegation come in at 6:30 p.m. on May 1st.

The City Council agreed to reschedule the May 1, 2006 Work Session Re: Political Contributions to sometime in the future.

The City Council agreed to hold a Work Session on May 1, 2006 Re: Legislative Delegation at 6:15 p.m. in the City Council Chambers.

City Manager Bohenko reminded the City Council that they will be meeting in a Work Session on April 24, 2006 with Matrix Consulting to receive the Overtime Audit Report at 6:30 p.m. in the Council Chambers.

City Manager Bohenko also reminded the City Council that Student Government Day is scheduled for Tuesday, April 18th at 8:30 a.m. in City Council Chambers.

City Manager Bohenko announced that Household Hazardous Waste Collection Day is being held on Saturday, May 6, 2006 from 8:00 a.m. to Noon at the Department of Public Works. Councilor Smith requested that this information be provided to Boards and Commissions to announce that televises their meetings.

B. MAYOR MARCHAND

1. Appointments

The City Council considered the reappointment of Charles Cormier to the Conservation Commission. The appointment of MaryAnn Blanchard as an alternate to the Conservation Commission filling the expired term of Skye Maher. The appointment of Brian Gregg as a regular member of the Cable Television and Communications Commission filling the expired term of Jeffrey Landry. The appointment of Timothy Fortier as an alternate to the Planning Board filling the unexpired term of Anthony Coviello. The reappointment of Angelo Pappas to the Portsmouth Housing Authority. The City Council will vote on these appointments at the May 1, 2006 City Council meeting.

Councilor Whitehouse moved to reappoint Carl Diemer to the Recreation Board until April 1, 2009. Seconded by Councilor Smith and voted.

Councilor Smith moved to reappoint Patrick McCartney to the Recreation Board until April 1, 2009. Seconded by Councilor Hynes and voted.

Councilor Hynes moved to reappoint Paul Houlares to the Recreation Board until April 1, 2009. Seconded by Councilor Smith and voted.

Councilor Whitehouse moved to appoint Barbara McMillan as a regular member to the Conservation Commission filling the unexpired term of Donald Green until April 1, 2008. Barbara previously served as an alternate to the Conservation Commission.

Councilor Hynes moved to appoint Skye Maher as a regular member to the Conservation Commission until April 1, 2009, Skye is filling the expired term of J. Lyn Walters. Seconded by Councilor Grasso and voted. Skye previously served as an alternate to the Conservation Commission.

Councilor Grasso moved to reappoint Eva Powers to the Conservation Commission until April 1, 2009. Seconded by Councilor Pantelakos and voted.

C. COUNCILOR RAYNOLDS

1. Global Warming – Local Action

Councilor Raynolds moved to refer to the Blue Ribbon Committee on Sustainable Practices for report back and recommended action. Seconded by Councilor Grasso and voted.

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

Councilor Pantelakos asked the status of the request by John and Skye Maher regarding the City establishing a City Sister Relationship with Bay St. Louis, Mississippi. Mayor Marchand said that we need to work with agencies that could play a leadership role. He said that this would be a long term commitment and we need to work on it further.

Councilor Whitehouse asked about the replacement of the Powder House roof. City Manager Bohenko said we are continuing to look for a local contractor. He said that we received one bid for the project and it was extremely expensive.

Councilor Dwyer announced that the Northeast Regional Preservation Leadership Meeting is being held at the Wentworth Hotel in New Caste, NH on April 23, 2006 – April 25, 2006.

The City Council suggested holding a Work Session with the School Board on May 8th at 6:00 p.m. in the City Council Chambers to discuss the Portsmouth Middle School. City Manager Bohenko said he would forward the request and suggested date to the School Board and Superintendent Dr. Lister.

XIV. ADJOURNMENT

At 10:10 p.m., Councilor Pantelakos moved to adjourn. Seconded and voted.

A handwritten signature in black ink that reads "Kelli L. Barnaby". The signature is written in a cursive, flowing style.

Kelli L. Barnaby, CMC
City Clerk