

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON SEPTEMBER 18, 2006 COUNCIL CHAMBER, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR MARCHAND, ASSISTANT MAYOR FERRINI, COUNCILORS GRASSO, DWYER, RAYNOLDS, PANTELAKOS, WHITEHOUSE, SMITH AND HYNES

1. Acceptance of Minutes – August 7, 2006 – Voted to approve and accept the minutes of the August 7, 2006 City Council meeting.
2. Public Comment Session – There were 13 speakers: Rebecca Domoracki (Cleanliness of Market Square); Frank Roth, Dennett Page, Esther Kennedy, Neil Cohn, Bob Pollard (Dogs/Peirce Island); Malcolm McNeill, Tom Keene (Rezoning); Jane James, Russ Grazier, Jr., Ellen Fineberg (Public Art Ordinance); Peter Bresciano (City Cultural Commission); and Doug Macdonald (62 Deer Street).
3. Public Hearing – Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking sub-section A – Jenkins Avenue: Northerly and Southerly sides. Westerly end between the hours of 7:00 a.m. – 3:00 p.m. Monday through Friday – Held a public hearing. Voted to pass second reading and hold third and final reading at the October 5, 2006 City Council meeting.
4. Public Hearing – Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Livermore Street: the easterly side from Pleasant Street to the dead end – Held a public hearing. Voted to pass second reading of the amended ordinance, as submitted, and hold third and final reading at the October 5, 2006 City Council meeting.
5. Acceptance of Donation to the New Library Building Fund from M. Kevin MacLeod & Kristen Sweet in the amount of \$25,000.00 for the naming of the Board Room on the second floor in honor of their parents – Voted to approve and accept the donation to the New Library Building Fund as listed.
6. Acceptance of Donation to the New Library Building Fund from Salvatore and Joanne Grasso in the amount of \$1,000.00 – Voted to approve and accept the donation to the New Library Building Fund as listed.
7. Acceptance of Police Department Grants - NH Highway Safety “Portsmouth Red Light Running” Grant in the amount of \$3,089.40 - NH Highway Safety for “Portsmouth Regional DWI Saturation Patrols” Grant in the amount of \$3,707.28 - NH Highway Safety for “Portsmouth Route 1 Corridor Enforcement Patrols” Grant in the amount of \$2,757.00 - Voted to approve and accept the grants to the Portsmouth Police Department as listed.

8. Acceptance of Fire Department Donations

- Greenwood Emergency Vehicles, Inc. - \$250.00
- Joni N Esperian in honor of son, Ian Esperian - \$500.00
- Robert L & Nackey E Scagliotti - \$1,000.00
- Granite State Minerals, Inc. - \$3,000.00

Voted to approve and accept the donations to the Fire Department for the Firefighter's Monument, as listed.

9. Acceptance of Donation to the New Library Building Fund in memory of Ida Belostock in the amount of \$686.00

- Ethylyne Golub, Laurie Smith and Robert Golub
- Chujen W. & J. Haywood Davis
- Sheldon L. & Renee F. Goodman
- Marc Keller
- Morris W. & Elaine R. Larkin
- Florence L. & Peter Pastor
- Renee Silverman
- Helen K. Sweeney
- Elizabeth A. Tober
- Marilyn & George Zaslaw

Voted to approve and accept the donation to the New Library Building Fund as listed.

10. First reading of Ordinance amending Chapter 10, Article II, Section 10-208 (35) – Uses in Business Districts – On a unanimous roll call 9-0, voted to pass first reading of the amended ordinance, as submitted, and hold a public hearing and second reading at the October 5, 2006 City Council meeting.

11. First reading of Ordinance amending Chapter 7, Article III, Section 7.327 – Limited Parking – Two Hours – Islington Street:

- Northerly side from Tanner Street to Parker Street
- Northerly side from Pearl Street to a point westerly 335'
- Northerly side from Cabot Street to a point easterly 515'

Voted to pass first reading of the amended ordinance, as submitted, and hold a public hearing and second reading at the October 5, 2006 City Council meeting.

12. First reading of Ordinance amending Chapter 7, Article III, Section 7.325 – Limited Parking – Thirty Minutes – Islington Street:

- Northerly side from the corner of Brewster Street easterly 110'
- Northerly side easterly 70' from Dover Street to a point 82' westerly from Salem Street
- Northerly side from Pearl Street to Parker Street

Voted to pass first reading of the amended ordinance, as submitted and hold a public hearing and second reading at the October 5, 2006 City Council meeting.

13. First reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking - Adding to the Ordinance (with appropriate deletions):

- Brewster Street: easterly side, from Hanover Street southerly to Islington Street
- Hanover Street: (Hanover Street Extension) southerly side from Brewster Street easterly 40'
- Islington Street: northerly side from the corner of Congress Street/Maplewood Avenue/Middle Street running westerly to the easterly corner of Tanner Street
- Islington Street: northerly side – easterly from a point 145' from Salem Street to a point 73' westerly of Cabot Street
- Rock Street: deletion of easterly side from Islington Street to Hanover Street

Voted to pass first reading of the amended ordinance, as submitted, and hold a public hearing and second reading at the October 5, 2006 City Council meeting.

14. First reading of Ordinance amending Chapter 7, Article III, Section 7.324 – Limited Parking – One Hour subsection A – deletion of Islington Street: northerly side from the west side of Bridge Street westerly for a distance of 131 feet to the east side of Tanner Street – Voted to pass first reading of the amended ordinance, as submitted, and hold a public hearing and second reading at the October 5, 2006 City Council meeting.

15. Voted to suspend the rules in order to take up Item XI. E. - Letter from Philip Pettis and Jameson French, Market Square Steeple Fund, requesting use of UDAG Funds for North Church Steeple Improvements.

16. Letter from Philip Pettis and Jameson French, Market Square Steeple Fund, requesting use of UDAG Funds for North Church Steeple Improvements – Voted to approve and authorize the City Manager to implement a North Church Steeple Restoration Challenge Grant Program of providing a one dollar UDAG fund match for every two private dollars donated up to a total of \$100,000.00 in UDAG funds.

17. Third and final reading of Ordinance amending Chapter 1, by the creation of Article XVII – Funding of Public Art – On a roll call 6-3, voted to pass third reading of the public art ordinance and authorize the creation of the public art trust to implement the provisions of that ordinance.

18. Consent Agenda – Voted to adopt the Consent Agenda as presented.

- A. Acceptance of Donations to the New Library Building Fund
- Rachel L. Hopkins - \$50.00
 - Frances Allen - \$100.00
 - Bottomline Technologies, Inc. - \$500.00
 - Greenwood Heinemann Publishing Group - \$500.00
 - HighLiner Foods - \$500.00

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

- B. Acceptance of Donations to the Cemetery Committee
- Anonymous - \$30.00
 - Anonymous - \$112.26
 - Saint Andrew's Lodge No. 56 - \$200.00
 - New Hampshire Humanities Council - \$200.00

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

- C. Letter from Peter Bresciano, Seacoast Adult Baseball League, thanking the City of Portsmouth and various Municipal Departments for their outstanding support over the summer months ***(Anticipated action – move to accept and place the letter on file)***
19. Letter from Attorney Douglas Macdonald, Keane & Macdonald, Re: Driveway Permit Application – 62 Deer Street - Motion for Rehearing of the City Council's August 7, 2006 decision (See attached memorandum from City Attorney Sullivan) – Voted to deny the Motion for Rehearing for a driveway at 62 Deer Street to place the Motion for Rehearing on file.
20. Letter from Attorney John Ryan, Casassa and Ryan, Re: Dover Realty Trust / HarborCorp Re-Zoning – Motion for Reconsideration and Rehearing pursuant to RSA Chapter 677:2 (Proposed Conference Center) (See attached memorandum from City Attorney Sullivan) – Voted to deny the Motion for Rehearing and place on file.
21. Letter from Attorney Thomas Keane, Keane & Macdonald, Re: Nine Seventy Six Realty Trust, 1000 Market Street Corporation, Trustee, Vs. City of Portsmouth – Motion for Reconsideration of Rehearing Re: HarborCorp Re-Zoning Pursuant to NH RSA 677:2 (Proposed Conference Center) (See attached memorandum from City Attorney Sullivan) – Voted to deny the Motion for Rehearing and place on file.
22. Letter from Zhana Morris, The Music Hall, requesting parking meter bags for the Music Hall's 2006-2007 Season – Voted to approve the aforementioned request from the Music Hall.
23. Letter from Tim Veilleux, The Stone Pigeon, requesting permission to use the space in front of Breaking New Grounds, in Market Square for a poetry reading event and the use of a small-scale sound amplification system on October 9, 2006 from 7:00 p.m. – 9:00 p.m. – Voted to refer to the City Manager with power.
24. Request for First Reading on Bonding Resolution – Voted to authorize the City Manager to bring back for first reading of a bond resolution in the amount of \$4,450,000.00 for the October 5, 2006 City Council meeting.
25. Report Back and Requested Action Re: Dogs on Peirce Island – Voted to direct the City Manager to return Peirce Island to an off-leash area and to establish a temporary committee to work with the City staff to develop recommendations for signage on Peirce Island and rescind the previous vote of the City Council.

26. Disposal of (8 Islington Street) Old Library Building – Voted to refer to the Planning Board to begin the process of looking at the old library building for disposal or reuse under the City ordinance.

27. Miscellaneous/Unfinished Business – Mayor Marchand announced that the next City Council meeting will be held on Thursday, October 5, 2006.

28. Adjournment – At 9:00 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC
City Clerk