

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, COUNCIL CHAMBERS  
DATE: MONDAY, FEBRUARY 12, 2007

PORTSMOUTH, NH  
TIME: 7:00PM

- 6:30PM – ANTICIPATED “NON-MEETING” WITH COUNSEL RE: NEGOTIATIONS – RSA: 91-A:2, I (b-c)

## AGENDA

- I. CALL TO ORDER [7:00PM or thereafter]
- II. ROLL CALL
- III. INVOCATION
- IV. PLEDGE OF ALLEGIANCE

### PROCLAMATIONS

1. Read Across Portsmouth Day
2. American Red Cross Month

### PRESENTATION

1. Mimi White, Poet Laureate – What Is Home

### V. ACCEPTANCE OF MINUTES – JANUARY 22, 2007

### VI. PUBLIC COMMENT SESSION

### VII. APPROVAL OF GRANTS AND DONATIONS

- A. Acceptance of Phase II Regional Influenza Pandemic Planning Grant (***Sample motion – move to authorize the City Manager to apply for, accept, and expend a grant from the New Hampshire Department of Health and Human Services for the purposes of developing regional public health emergency plans, which includes plans for key capabilities that will be necessary to respond to an influenza pandemic***)
- B. Acceptance of Donations to the New Library Building Fund
  - Laurinda L. Hill and David M. Holden - \$800.00
  - Peter B. and Shirley A. Holden - \$1,000.00
  - Kristin and Silas Beane - \$1,000.00
  - Portsmouth Garden Club - \$1,000.00
  - John R. and Skye Maher - \$2,000.00
  - Phyllis Eldridge - \$7,000.00

***(Sample motion – move to approve and accept the donations to the New Library Building Fund as listed)***

## VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Elderly Real Estate Tax Exemption to \$30,600.00 for single and \$37,740.00 for married and total assets may not exceed \$102,000.00 whether single or married
- B. First reading of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Disabled Real Estate Tax Exemption to \$30,600.00 for single and \$37,740.00 for married and total assets may not exceed \$102,000.00 whether single or married
- C. First reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Maplewood Avenue by the addition from the US Route 1 Bypass northbound off ramp to Prospect Street
- D. First reading of Ordinance amending Chapter 7, Article III, Section 7.321 (G) – Snow Emergency Parking Ban; Section 7.324 – Limited Parking – One Hour by the deletion of Chatham Street: southerly side from Summer Street to Winter Street; Section 7.326 – Limited Parking – 15 Minutes by the addition of Hanover Street: northerly side, first two spaces east of High Street; northerly side, two spaces 246 feet west from the intersection of High Street; Section 7.327 – Limited Parking – Two Hours – by the addition of Church Street: easterly side, two spaces 26 feet south of State Street; Section 7.330 – No Parking – Hanover Street by the addition of the southerly side from Market Street to a point 285 feet east of Fleet Street; and Section 7.403 to be entitled Length of Vehicles – Vehicles Parking in Off-Street Parking Areas shall not exceed 19 feet in length
- E. First reading of Ordinance amending Chapter 10, Section 10-102 – Definition: Floor Area Ratio; Section 10-304 (A) Business – Table 10 Dimensional Requirements; and Section 10-304 – New (E) and (F) for Central Business A District (CBA)

## IX. CONSENT AGENDA

### ***A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA***

- A. Acceptance of Donations to the Coalition Legal Fund
  - Town of Hebron - \$1,000.00
  - Town of Grantham - \$1,000.00
  - Town of Bridgewater - \$1,250.00
  - Town of Tuftonboro - \$5,000.00

***(Anticipated action – move to approve and accept the donations as listed, to be placed in the Coalition Legal Fund)***

- B. Acceptance of Donations to the New Library Building Fund
- Heather E. Armitage - \$20.00
  - RB Cole - \$25.00
  - Henry A. Gill - \$35.00
  - Marsha J. Richelli - \$50.00
  - IMHOFF Consulting Project LLC - \$100.00
  - William, Susan and Alexandra Manfull - \$100.00
  - Nicholas and Lea H. Aeschliman - \$100.00
  - Richard Katz - \$100.00
  - Albert B. Glassenberg - \$500.00
  - Edith Gipstein Revocable Trust and Edward Gipstein Trustee - \$500.00

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

- C. Acceptance of Wellness Grant - \$3,754.00 ***(Anticipated action – move to accept the Wellness Grant in the amount of \$3,754.00 from the Trust’s Health Promotion WELLDollars Grant Program)***
- D. Acceptance of Anonymous Donation to the Portsmouth Police K-9 Unit in the amount of \$10.00 ***(Anticipated action – move to approve and accept the donation to the Portsmouth Police Department as listed)***
- E. Letter from Marjorie Hubbard, Greater Portsmouth Chamber of Commerce, requesting permission to hang Portsmouth Harbour Trail flags at 26 key sites for the 2007 season ***(Anticipated action – move to refer to the City Manager with power)***
- F. Letter from Christine Groleau, The Children’s Museum of Portsmouth, requesting permission to hold the Annual 5k Road Race and Kid’s Fun Run on Saturday, May 5, 2007 at 9:00 a.m. ***(Anticipated action – move to refer to the City Manager with power)***

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

- A. Letter from Kathie Lynch, Portsmouth Little League, Inc., requesting permission to place temporary signage at the Plains and Hislop Park baseball fields during the 2007 baseball season as well as permission to maintain signage to the rear of the Plains scoreboard
- B. Letter from Barbara Massar, Pro Portsmouth Inc., requesting permission to close Pleasant Street from Porter Street to Market Square to hold “Summer in the Street” on the following dates: June 23<sup>rd</sup>, June 30<sup>th</sup>, July 7<sup>th</sup>, July 14<sup>th</sup>, July 28<sup>th</sup>, and August 4<sup>th</sup> (rain date August 11<sup>th</sup>)
- C. Letter from Ina Peiffer, Portsmouth Percussive Dance Festival, requesting permission to hold a street dance on Saturday, June 30, 2007 at 12:00 p.m.

- D. Letter from Petra Barstow, PHS “100 Voices Choir”, requesting a donation toward the PHS Students performance at the Riverside Church in New York City in April
- E. Letter from Joanne Grasso, Co-Chair and Kent LaPage, Co-Chair, Joint Building Committee for the High School Renovations/Construction Project, requesting that the City Council accept the final report of the Joint Building Committee pursuant to RSA 199:4-a
- F. Letter from Deer Street merchants’ requesting permission to hang “Deer Street Open” flags at each of their locations
- G. Request from Upscale Nails to place one A-frame sign in front of their establishment located at 59B Deer Street

## XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

### A. CITY MANAGER

#### Items which require Action under other sections of the Agenda

- 1. Consideration of First Reading of Proposed Resolutions and Ordinances:
  - 1.1 First Reading of Resolution Amending Elderly Exemption Income and Asset Limits (**Action on this matter should take place under Section VIII of the Agenda**)
  - 1.2 First Reading of Resolution Amending Disabled Exemption Income and Asset Limits (**Action on this matter should take place under Section VIII of the Agenda**)
  - 1.3 First Reading Amending Chapter 7, Article III, Section 7.330 – No Parking – Maplewood Avenue (**Action on this matter should take place under Section VIII of the Agenda**)
  - 1.4. First Reading Amending Chapter 7, Article III, Sections 7.321 (G) – Snow Emergency Parking Ban; Section 7.324 – Limited Parking – One Hour – Chatham Street; Section 7.326 – Limited Parking – 15 Minutes – Hanover Street; Section 7.327 – Limited Parking – Two Hours – Church Street; Section 7.330 – No Parking – Hanover Street; and Section 7.403 to be entitled Length of Vehicles (**Action on this matter should take place under Section VIII of the Agenda**)
  - 1.5 First Reading Amending Chapter 10, Section 10-102 – Definition: Floor Area Ratio; Section 10-304 (A) Business – Table 10 Dimensional Requirements; and Section 10-304 – New (E) and (F) for Central Business A District (CBA) (**Action on this matter should take place under Section VIII of the Agenda**)

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

1. Approval of Tentative Five (5) Year Agreement for Police Chief Michael Magnant
2. Request for Approval of Joint Use Agreement with PSNH
3. Seacoast Growers' Association (Farmers' Market) Proposed 2007 License Agreement
4. Establish a Public Hearing Re: Re-use of Doble Reserve Center
5. Disposal of Library Surplus Property

### **Informational Items**

1. Notice Regarding Presidents' Day Re: City Offices and Curbside Collection of Rubbish and Recyclables
2. Letter Re: New Castle Avenue Seawall Project – Utility Poles

### **B. MAYOR MARCHAND**

1. Appointments to be Voted:
  - Appointment of Elizabeth A. Shepard-Rabadam – Citywide Neighborhood Association
  - Appointment of Sandra Dika – Historic District Commission from Alternate to Regular Member
  - Reappointment of Duncan MacCallum – Zoning Board of Adjustment (*tabled from the January 8, 2007 City Council meeting*)
2. Acceptance of Resignation
  - John Rice - Historic District Commission Effective March 7, 2007
3. \*Reports

### **XII. MISCELLANEOUS/UNFINISHED BUSINESS**

### **XIII. ADJOURNMENT [AT 10:00PM OR EARLIER]**

**KELLI L. BARNABY, CMC  
CITY CLERK**

(\*Indicates verbal report)

### **INFORMATIONAL ITEMS**

1. Planning Board minutes of the December 7, 2006 and December 21, 2006 meetings
2. Site Review Technical Advisory Committee minutes of the January 2, 2007 meeting

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

**CITY OF PORTSMOUTH  
PORTSMOUTH, NH 03801**

**Office of the City Manager**

**Date:** February 9, 2007  
**To:** Honorable Mayor Steve Marchand and City Council Members  
**From:** John P. Bohenko, City Manager  
**Re:** City Manager's Comments on February 12, 2007 City Council Agenda

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**6:30 p.m. – Non-meeting with counsel.**

For details on this matter, please refer to the confidential envelope inserted in the inside pocket of your binder.

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***Acceptance of Grants/Donations:***

1. **Phase II Regional Influenza Pandemic Planning Grant.** As you know, the Portsmouth Area Emergency Planning Team under the direction of Fire Chief Christopher LeClaire, was awarded \$21,632.00 for Phase I to prepare regions in the State for a possible influenza pandemic by preparing a Regional Public Health Emergency and Response Plan. A Memorandum of Understanding was signed by all towns in the region; New Castle, Rye, North Hampton, Greenland, Newington, and the City of Portsmouth, with the City of Portsmouth serving as the fiscal agent for these funds.

The State of New Hampshire, Division of Public Health Services, is presently allocating Phase II funding to the 19 planning regions in the State of New Hampshire to complete additional activities directly related to all-hazards planning and emergency response. The Portsmouth Area Emergency Planning Team proposal would be for funds up to \$35,000. The Division of Public Health Services expects Governor and Council approval by April 1, 2007.

The Portsmouth All-Hazards Health Region is asked to complete the following by December 31, 2007:

- Continue to convene a Regional Coordinating Committee as described in the previous MOU to oversee the development of regional public health emergency plans and monitor progress under this agreement.

- Engage municipal and county governments in the regional planning process to the greatest possible extent and enter into Memorandum of Understanding that describes the roles and responsibilities of each party to prepare for and respond to public health emergencies.
- Continue to refine and update regional public health emergency plans and functional annexes based on guidance and templates provided by the NH Department of Health and Human Services and the Department of Safety. Such plans and annexes shall include, at a minimum, provisions for:
  1. Mounting a regional response to large-scale public health emergencies.
  2. Developing detailed plans describing how key capabilities will be achieved in the AHHR including: community medical surge; mass prophylaxis and vaccination; provision of services to individuals and households under quarantine; fatality management; and risk communications.
  3. Assuring that the regional public health preparedness and response plan and annexes for key capabilities are linked to municipal and county emergency operations plans and are compliant with the National Incident Management System.
  4. Conducting at least two tabletop exercises, or other types of exercises or drills as defined by the U. S. Department of Homeland Security's Exercise and Evaluation Program (HSEEP) to evaluate components of at least two of the key capabilities listed above.

*I would recommend the City Council vote to authorize the City Manager to apply for, accept, and expend a grant from the New Hampshire Department of Health and Human Services for the purposes of developing regional public health emergency plans, which includes plans for key capabilities that will be necessary to respond to an influenza pandemic. Action on this matter should take place under Section VII of the Agenda.*

2. **Acceptance of Donations to the New Library Building Fund.** Attached are copies of checks donating funds to the New Library Building Fund.

- Laurinda L. Hill & David M. Holden for \$800.00
- Peter B. & Shirley A. Holden for \$1,000.00
- Kristin & Silas Beane for \$1,000.00
- Portsmouth Garden Club for \$1,000.00
- John R. & Skye Maher for \$2,000.00
- Phyllis Eldridge for \$7,000.00

*I would recommend that the City Council approve and accept the donations to the New Library Building Fund as listed. Action on this matter should take place under Section VII of the Agenda.*

## ***Items Which Require Action Under Other Sections of the Agenda:***

### **1. Consideration of First Reading of Proposed Ordinance Amendments:**

- 1.1 **First Reading of Resolution Amending Elderly Exemption Income and Asset Limits.** As a result of the January 22<sup>nd</sup> City Council meeting, under Section VIII of the agenda, I am bringing back for first reading the proposed attached resolution for amending Elderly Exemption Income and Asset Limits. Also, attached is a spreadsheet provided by the City Assessor's Office outlining the tax impact of the elderly exemption for FY07.

Last year, the City Council took the following actions as it relates to elderly and disabled exemptions:

1. Resolution #8-2006, adopted April 3, 2006, increased income limits for Elderly Exemptions from property tax to \$30,000 for a single taxpayer and \$37,000 for married taxpayers, maintaining asset limit at \$100,000.

As you recall, at your April 3, 2006 City Council meeting, discussions took place which resulted in a request by the City Council to review this issue on an annual basis including both the income and asset limitations.

For your information, the Assessor's office mails a notification annually to all elderly persons who currently receive this exemption to update their application. By law, all new applicants must submit an application and required documentation by April 15<sup>th</sup>. This would be for assessments as of April 1, 2007, for the 2007 tax year or FY08.

It would be my suggestion that the City Council adjust these exemptions by 2% including asset limitations, which is the annual inflation rate from November 2005 through November 2006.

*I would recommend the City Council move to pass first reading and schedule a public hearing and adoption at the March 5, 2007 City Council meeting. (Resolution requires two readings and a majority vote.) Action on this matter should take place under Section VIII of the agenda.*

- 1.2 **First Reading of Resolution Amending Disabled Exemption Income and Asset Limits.** As a result of the January 22<sup>nd</sup> City Council meeting, under Section VIII of the agenda, I am bringing back for first reading the proposed attached resolution for amending Disabled Exemption Income and Asset Limits.

Last year, the City Council took the following actions as it relates to disabled exemptions:

1. Resolution #9-2006, adopted May 1, 2006, increased income limits for Disabled Persons Exemption from property tax to \$30,000 for a single taxpayer and \$37,000 for married taxpayers, maintaining asset limit at \$100,000.

As you recall, at your April 3, 2006 City Council meeting, discussions took place which resulted in a request by the City Council to review this issue on an annual basis including both the income and asset limitations.

For your information, the Assessor's office mails a notification annually to all disabled persons who currently receive this exemption to update their application. By law, all new applicants must submit an application and required documentation by April 15<sup>th</sup>. This would be for assessments as of April 1, 2007, for the 2007 tax year or FY08.

It would be my suggestion that the City Council adjust these exemptions by 2% including asset limitations, which is the annual inflation rate from November 2005 through November 2006.

*I would recommend the City Council move to pass first reading and schedule a public hearing and adoption at the March 5, 2007 City Council meeting. (Resolution requires two readings and a majority vote.) Action on this matter should take place under Section VIII of the agenda.*

- 1.3 **First Reading Amending Chapter 7, Article III, Section 7.330 – NO PARKING -Maplewood Avenue.** Attached under section VIII of the agenda is a proposed amendment to Chapter 7, Article III, Section 7.330 – No Parking – Maplewood Avenue pursuant to the Traffic and Safety Action Sheet dated January 12, 2007.

*I would recommend the City Council move to pass first reading and schedule a public hearing and second reading at the March 5<sup>th</sup> City Council meeting as presented. Action on this matter should take place under Section VIII of the agenda.*

- 1.4 **First Reading Amending Chapter 7, Article III, Section 7.321 (G) – Snow Emergency Parking Ban; Section 7.324 – Limited Parking – One hour – Chatham Street; Section 7.326 – Limited Parking – 15 Minutes – Hanover Street; Section 7.327 – Limited Parking – Two Hours – Church Street; Section 7.330 – No Parking – Hanover Street; and Section 7.403 to be entitled Length of Vehicles.** As a result of the January 22, 2007 City Council meeting, under Section VIII of the agenda, I am bringing back for first reading the attached proposed ordinance amending Chapter 7, Article III, various sections as outlined.

*I would recommend the City Council move to pass first reading and schedule a public hearing and second reading at the March 5<sup>th</sup> City Council meeting as presented. Action on this matter should take place under Section VIII of the agenda.*

- 1.5 **First Reading Amending Chapter 10, Section 10-102 – Definition: Floor Area Ratio; Section 10-304 (A) Business - Table 10 Dimensional Requirements; and Section 10-304 – New (E) and (F) for Central Business A District (CBA).** As you recall, on October 23, 2006, the City Council met in a work session with the Planning Board to discuss various land use issues related to the implementation of the City's Master Plan. As a result of that discussion, Assistant Mayor Ferrini and

Councilor Smith requested that City staff provide a zoning ordinance amendment that would have the effect of reducing the maximum building height in the Central Business A District from 50 feet to 40 feet. On November 13, 2006, the City Council voted to amend the ordinance to pass first reading on the change to maximum building height within the CBA District from a 50-foot maximum to a 40-foot maximum; schedule a public hearing and second reading on the proposed ordinance to the January 8, 2007 City Council meeting; and refer the matter to the Planning Board for a report back. Subsequently, the Planning Board held work sessions on this matter on December 7, 2006 and December 21, 2006. An Interim Report on this matter was submitted to the Council for their January meeting. In this report, among other suggestions, the Board requested a joint work session with the Council.

At their meeting on January 8, 2007, the City Council voted to continue the public hearing on the ordinance amendment, table second reading and schedule a joint work session with the Planning Board, which was held on February 1, 2007. At the joint work session, design regulation alternatives to a reduction in maximum height within the Central Business District A were discussed. Specific options were considered regarding minimum open space requirements, floor area ratio requirements, and upper-story step-backs within the Central Business A District. As a result of the discussion between the City Council and Planning Board at the February 1<sup>st</sup> work session, the attached proposed amendments to the Central Business A District dimensional regulations were developed by Taintor and Associates in conjunction with City staff.

*I would recommend the City Council move to approve First Reading on the ordinance as presented, schedule a public hearing and Second Reading for March 19, 2007 and refer to the Planning Board for a report back; with the request that the Planning Board also report back on the previous amendment that was referred to them that had the effect of changing maximum building height from 50 feet to 40 feet within the Central Business A District prior to the March 19<sup>th</sup> meeting of the Council. Action on this matter should take place under Section VIII of the agenda.*

### ***Consent Agenda:***

1. **Donations to the Coalition Legal Fund.** Attached are copies of the following checks donating funds to the Coalition Legal Fund, which will be utilized to continue our fight to eliminate the statewide property tax.
  - Town of Hebron for \$1,000.00
  - Town of Grantham for \$1,000.00
  - Town of Bridgewater for \$1,250.00
  - Town of Tuftonboro for \$5,000.00

*I would recommend the City Council move to approve and accept the donations as listed, to be placed in the Coalition Legal Fund. Action on this item should take place under Section IX of the agenda.*

2. **Acceptance of Donations to the New Library Building Fund.** Attached are copies of checks donating funds to the New Library Building Fund:

- Heather E. Armitage for \$20.00
- R B Cole for \$25.00
- Henry A. Gill for \$35.00
- Marsha J. Richelli for \$50.00
- IMHOFF Consulting Project, LLC for \$100.00
- William, Susan & Alexandra Manfull for \$100.00
- Nicholas & Lea H. Aeschliman for \$100.00
- Richard Katz for \$100.00
- Albert B. Glassenberg for \$500.00
- Edith Gipstein Revocable Trust for \$500.00

*I would recommend that the City Council approve and accept the donations to the New Library Building Fund as listed. Action on this matter should take place under Section IX of the Agenda.*

3. **Acceptance of Wellness Grant.** The City of Portsmouth has been awarded a \$3,754.00 grant from the Trust's Health Promotion WELLDollars Grant Program to be used towards the City's wellness efforts. By implementing a wellness program for City employees (and their families), it is our goal to reduce health risk factors and create a healthier lifestyle for our employees. To realize this goal, the City, through its Wellness Program, will provide health and safety programs to its employees in an effort to improve the quality of their lives. The City also feels that, with the rising cost of health care, as well as the financial implications to the Community, of lost time on the job, a comprehensive wellness program is our best chance of reducing cost to the Community and having a physically fit work force through proactive injury prevention.

*I would recommend the City Council move to accept the Wellness Grant in the amount of \$3,754.00 from the Trust's Health Promotion WELLDollars Grant Program. Action on this matter should take place under Section IX of the Agenda.*

4. **Acceptance of Police Department Donation.** Attached under Section VIII of the Agenda is a memorandum from John D. Kelley, Chairman of the Portsmouth Police Commissioners, and Michael J. Magnant, Police Chief, requesting that the City Council approve the following donation:

1. A donation in the amount of \$10.00 has been received anonymously for the Police K-9 Unit.

The Police Commission is submitting this information pursuant to City Policy Memorandum #94-35 for City Council approval and acceptance.

*I would recommend that the City Council approve and accept the donation to the Portsmouth Police Department as listed. Action on this matter should take place under Section IX of the Agenda.*

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

1. **Approval of Tentative Five (5) Year Agreement for Police Chief Michael Magnant.** Subsequent, to the non-meeting with counsel, I am requesting that the City Council act on the Tentative Five (5) Year Agreement for Police Chief Michael J. Magnant. *Therefore, I would recommend that the City Council approve this five (5) year agreement to expire on January 3, 2013 with Michael J. Magnant, Police Chief, as presented.*
2. **Request for Approval of Joint Use Agreement with PSNH.** On December 18, 2006, the City Council authorized the City Manager to accept easements from multiple property owners, including PSNH, to facilitate re-construction of the Borthwick Avenue sewer line. Subsequent to receipt of the authorization, the City and PSNH determined that they would also need to enter into a Joint Use Agreement relative to a certain portion of land through which the sewer line will be reconstructed. (See attached map and joint use agreement area plan.)

The Joint Use Agreement is atypical because it includes a provision related to potential future costs. The provision provides that if PSNH needs to construct additional transmission lines or upgrade current lines within the Joint Use Area, the City will cover the reasonable increased costs to PSNH as a result of the City's use of the area. The most likely scenario to trigger this provision would be PSNH setting new poles. If new poles were set in close proximity to the sewer line, the excavation costs might be slightly higher than typical costs associated with such work.

The Department of Public Works worked closely with PSNH's engineers during the design phase and believes that there is little likelihood that PSNH will incur such costs should PSNH upgrade its facilities in the area. The placement of the sewer line within this PSNH right of way avoided wetland impacts and had design value. The Department of Public Works believes the benefit of the location outweighs the burden of this provision. *I would recommend the City Council authorize the City Manager to enter into a Joint Use Agreement with PSNH for purposes of facilitating the construction of the Borthwick sewer line.*

3. **Seacoast Growers' Association (Farmers' Market) Proposed 2007 License Agreement.** Attached is a draft of the proposed 2007 license agreement with the Seacoast Growers' Association to allow a Farmers' Market at the municipal complex. The Seacoast Growers' Association has been conducting their Farmers' Market at the municipal complex over the past five years.

If this draft agreement meets with the approval of City Council, I would ask that you authorize me to enter into the proposed agreement between the Seacoast Growers' Association and the City of Portsmouth for a license agreement to conduct their farmers market for 2007. I've requested that Abigail Wiggin, President, of the Seacoast Growers' Association be in attendance on Monday evening to answer any questions you may have regarding this matter. *I would recommend the City Council move to authorize the City Manager to enter into a License Agreement with the Seacoast Growers' Association as presented.*

4. **Establish Public Hearing Re: Re-use Doble Reserve Center.** As a result of the work session on February 5<sup>th</sup>, I am requesting the City Council establish a public hearing at its regular meeting on Wednesday, April 4, 2007, at 7:00 p.m., regarding the aforementioned matter. *Therefore, I am requesting the City Council move to establish a public hearing on Wednesday, April 4, 2007, at 7:00 p.m., regarding the Re-use of the Doble Reserve Center.*
5. **Disposal of Library Surplus Property.** Following the City's relocation of its library services to Parrott Avenue, there was surplus property at the former public library location. City Departments have already removed to their respective departments old library property which they could re-use. The bulk of the used furniture in good condition was put to use by other departments including the School Department.

The remaining property consists principally of metal shelving of various sizes. The used shelving does not have a significant resale value. It may be possible to sell the shelving in small lots (several sections at a time) for about \$50 per section. Nonprofits and local libraries are sometimes in need of extra shelving. There also remains some miscellaneous furniture (most in very poor condition) consisting principally of chairs, study carrels and a few tables. The value of this miscellaneous furniture is minimal.

The aggregate value of the shelving and miscellaneous furniture may exceed \$500, but only if sold in small lots. Engaging an auctioneer would not be economically feasible. The City is considering other means of selling what has value without significant cost or staff involvement given the minimum value.

It may be that there is little or no interest in the remaining property and the goal will be dispose of it in a sustainable and cost effective manner. It is in the City's interest to get as much of the surplus property out of the library as soon as possible so that historical documentation can be completed in advance of consideration of re-use options. *I would recommend the City Council move to authorize the City Manager to dispose by any effective means surplus furniture and shelving from the old public library.*

### ***Informational Items:***

1. **Notice Regarding Presidents' Day Re: City Offices and Curbside Collection of Rubbish and Recyclables.** For your information, attached is notice regarding City Offices will be closed on Monday, February 19, 2007 in recognition of Presidents' Day. Also, on Monday, February 19<sup>th</sup>, curbside collection of rubbish and recyclables is unaffected. Monday's and Monday evening's business district's collection of rubbish and recyclables will be collected as usual on Monday, February 19<sup>th</sup>.
2. **Letter Re: New Castle Avenue Seawall Project – Utility Poles.** For your information, attached is a letter from Deborah Finnigan, City Transportation Engineer, to residents regarding the relocation of utility poles on New Castle Avenue from approximately Marcy Street to 320 New Castle Avenue.