

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON OCTOBER 19, 2009, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR FERRINI, ASSISTANT MAYOR BLALOCK, COUNCILORS NOVELLINE CLAYBURGH, DWYER, SMITH, KENNEDY, SPEAR, AND PANTELAKOS

ABSENT: COUNCILOR HEJTMANEK

1. At 6:00 p.m., an Anticipated "Non-Meeting" with Counsel was held regarding Personnel.
2. At 6:30 p.m., a Work Session was held with the Trustees of the Trust Funds.
3. Proclamation – Share the Road – Seacoast Area Bicycle Routes – Councilor Spear read the Proclamation in recognition of the City of Portsmouth support for the idea of "Sharing the Road" between bicyclists and motor vehicles, and encouraging all citizens to work together to create a positive environment between drivers and bicyclists. Mayor Ferrini presented the Proclamation to Josh Pierce, of Seacoast Area Bicycle Routes who accepted it with thanks and appreciation.
4. Proclamation – Amedisys Home Health and Hospice – Councilor Smith read the Proclamation declaring November as National Home Care and Hospice Month. Mayor Ferrini presented the Proclamation to members of Amedisys who accepted it with thanks and appreciation.
5. Presentation – Fishing Fleet Blue Ribbon Committee Update – Erik Anderson, Chair, reviewed the summary of the Committees activities with the City Council.
6. Presentation – Cultural Exchange – Jeffrey Cooper, NH Furniture Masters requested that the City Council consider the authorization of a \$2,500.00 expenditure from the Ambassador Trust for the NH Furniture Masters Cultural Exchange in order to promote cross cultural exchange between American and Japanese woodworkers with a traveling exhibition in both the US and Japan.
7. Voted to suspend the rules in order to take up Item X.B. – Letter from Jeffrey Cooper requesting the authorization of the expenditure of \$2,500.00 from the Ambassador Trust for NH Furniture Masters Cultural Exchange.
8. Letter from Jeffrey Cooper requesting the authorization of the expenditure of \$2,500.00 from the Ambassador Trust for NH Furniture Masters Cultural Exchange – Voted to authorize the expenditure of \$2,500.00 from the Ambassador Trust for NH Furniture Masters Cultural Exchange.

9. Public Comment Session – There were 4 speakers: Barbara Newton (Players' Ring Lease); Lee Frank, Harold Whitehouse (Renaming Chestnut Street); and Bill St. Laurent (Campaign Signs).
10. Voted to suspend the rules in order to take up Item XI. A.6. – Request of Players' Ring, Inc. to Renew Their Lease with the City for 105 Marcy Street.
11. Request of Players' Ring, Inc. to Renew Their Lease with the City for 105 Marcy Street – Voted to authorize the City Manager to execute a proposed three year lease renewal between Players' Ring, Inc. and the City of Portsmouth for the use of 105 Marcy Street.
12. Acceptance of Donation to the Coalition Legal Fund -Town of Holderness - \$350.00 – Voted to approve and accept the donation, as listed, to be placed in the Coalition Legal Fund.
13. Acceptance of Public Emergency Response Grant for H1N1 Planning – Voted to authorize the City Manager to accept and expend two grants from the New Hampshire Department of Health and Human Services for the purpose of funding the ongoing H1N1 planning and preparedness activities of the Greater Portsmouth Public Health Network (GPPHN). These two grants which total \$83,456.00 include Phase 2 of the Public Health Emergency Response grant in the amount of \$50,000.00 and Phase 3 of the Public Health Emergency Response grant in the amount of \$33,456.00.
14. Acceptance of Grant from Primex – Voted to approve and accept the grant to the City of Portsmouth.
15. First reading of Ordinance amending Chapter 7, Article III, Section 7.336 – One Way Streets – Parker Street – Northerly from Tanner Court to Hanover Street – Voted to pass first reading of the Ordinance and schedule a public hearing and second reading at the November 16, 2009 City Council meeting.
16. Third and final reading of Ordinance amending Chapter 7, Article II – Taxicabs - Section 7.210 – Permits and Inspections Required by the addition of Item C – Each taxi permitted in the City shall be inspected in the month of June each year for compliance with the requirements in this Ordinance – Voted to pass third and final reading of the proposed Ordinance, as submitted.
17. Third and final reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Washington Street – both sides from Hancock Street to Howard Street – Voted to pass third and final reading of the proposed Ordinance, as submitted.
18. Third and final reading of Ordinance amending Chapter 5, International Fire Code; Chapter 12, Part I - International Building Code and Part II – International Residential Code; Chapter 15, Part I – International Plumbing Code and Part II – International Mechanical Code – Voted to pass third and final reading of the proposed amendments to the Fire Code, Commercial Building Code, Residential Building Code and Plumbing/Mechanical Code Ordinances, as submitted.

19. Consent Agenda - Voted to adopt the Consent Agenda.

- A. Letter from Barbara Massar, Pro Portsmouth, Inc., requesting permission to hold First Night Portsmouth 2010 on Thursday, December 31, 2009 (***Anticipated action – move to refer to the City Manager with power***)

20. Letter from Karen Morton-Clark, Dare Mighty Things, requesting permission to set up in front of the North Church for Todd and Racing for Recovery on Saturday, November 7, 2009 from 10:00 a.m. – 2:00 p.m. – Voted to refer to the City Manager with power and to authorize the event to take place in the Vaughan Mall.

21. Proposed Schedule Re: Zoning Ordinance and Zoning Map and Amendments to Chapter 11 of City Ordinances – Moved that the Council schedule first reading of the proposed Zoning Ordinance, as well as the proposed amendments to Chapter 11 of the City Ordinances, for November 16, 2009.

On a roll call vote 3-5, motion to remove Section 10.730 – Continuing Care Retirement Community in order to consider that section separately in January, 2010 ***failed*** to pass. Councilor Kennedy, Spear and Pantelakos voted in favor. Assistant Mayor Blalock, Councilors Novelline Clayburgh, Dwyer, Smith and Mayor Ferrini voted opposed.

Main Motion passed to schedule first reading of the proposed Zoning Ordinance, as well as the proposed amendments to Chapter 11 of the City Ordinances, for November 16, 2009.

22. Proposed Resolutions Requesting Appropriation of Bond Premium – Voted to authorize the City Manager to bring forward the two Resolutions for first reading at the November 16, 2009 City Council meeting.

23. Report Back from Planning Board Re: Request of The Music Hall to Rename Chestnut Street – On a roll call vote 2-6, motion to accept the Planning Board's recommendation that the section of Chestnut Street between Congress Street and Porter Street be renamed Music Hall Way ***failed*** to pass. Councilor Dwyer and Mayor Ferrini voted in favor. Assistant Mayor Blalock, Councilors Novelline Clayburgh, Smith, Kennedy, Spear and Pantelakos voted opposed.

24. Proposed Extension of Parking Lot Agreement with St. John's Masonic Association – Voted to authorize the City Manager to enter into a Parking Lot Usage/Maintenance Agreement with St. John's Masonic Association for the period January 1, 2010 through December 31, 2010. Further to compensate St. John's Masonic Association in the amount of \$21,210.00 which shall be taken from the Parking Impact Fee Fund.

25. Proposed Parking Lot Agreement with Bethel Assembly of God – Voted to authorize the City Manager to enter into a Parking Lot/Usage Maintenance Agreement with the Bethel Assembly of God for a period of July 1, 2009 through June 30, 2019.

26. Southgate Plaza Water Valve Easement – Voted to authorize the City Manager to accept an easement from 2422 Lafayette Road Associates LLC for purpose of facilitating the City's access to certain water valves and related infrastructure.

27. Appointment to be Considered – John F. McVay – Peirce Island Committee – The City Council considered the appointment of John F. McVay to the Peirce Island Committee. This appointment will be voted on by the City Council at the November 16, 2009 meeting.
28. Resignation – Christine Casa from Safe Routes to School Committee – Voted to accept with regret the resignation of Christine Casa from the Safe Routes to School Committee.

Councilor Smith requested a letter of thanks and appreciation be sent to Ms. Casa for her service to the Safe Routes to School Committee.
29. Report Back Re: Proposed Blue Ribbon Committee on Downtown Events – Mayor Ferrini announced that individuals serving on the Blue Ribbon Committee on Downtown Events will be appointed at the November 16, 2009 City Council meeting.
30. City Manager’s Evaluation – Assistant Mayor Blalock reported that the City Council finds that the City Manager’s overall performance continues to be “excellent to exceptional” in all categories.
31. Miscellaneous/Unfinished Business – City Clerk Barnaby announced that absentee ballots are currently available for the Municipal Election.
32. Public Announcement/Press Conference from the Portsmouth Five Year Sustainability Plan Steering Committee – Councilor Dwyer announced on October 22, 2009, from 7:00 p.m. – 8:00 p.m., in the Eileen Dondero Foley Council Chambers the Portsmouth Five Year Sustainability Planning Steering Committee will host the first public announcement/press conference of this community-based process.
33. Adjournment – At 8:50 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC/CNHMC
City Clerk