

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON FEBRUARY 1, 2010, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR FERRINI, ASSISTANT MAYOR NOVELLINE CLAYBURGH, COUNCILORS LISTER, HEJTMANEK, SPEAR, DWYER, COVIELLO AND SMITH

ABSENT: COUNCILOR KENNEDY

1. At 5:45 p.m., an Anticipated "Non-Meeting" with Counsel was held regarding Negotiations – RSA 91-A:2 I (b-c).
2. At 6:15 p.m., a Work Session was held with the Sustainable Practices Blue Ribbon Committee to receive their recommendations.
3. Presentation - Comprehensive Annual Financial Report (CAFR) - Melanson, Heath & Company, P. C. Auditors' Financial Report for the Year Ending June 30, 2009 (Annual Audit) – Scott McIntyre of Melanson, Heath & Company reviewed the City of Portsmouth Financial Report for the Year Ending June 30, 2009.
4. Voted to suspend the rules in order to take up Item XII. A. Informational Item 3 – News Release Re: Kelli Barnaby, City Clerk.
5. Informational Item 3 – News Release Re: Kelli Barnaby, City Clerk – Mayor Ferrini and City Manager Bohenko announced that Kelli Barnaby, CMC, City Clerk, has been included in the Presidential Who's Who 2010 Edition for the level of success she has reached as a City Clerk. Mayor Ferrini presented the Presidential Who's Who plaque to City Clerk Barnaby who was joined by her family.
6. Acceptance of Minutes – January 4, 2010 and January 19, 2010 – Voted to approve and accept the minutes of the January 4, 2010 and January 19, 2010 City Council meetings.
7. Public Comment Session – There were two speakers: Martin Cameron (WW I Grave Markers) and Heather Hurtt (Indoor Recreation).
8. Voted to suspend the rules in order to take up Item XII. A.1. - Approval of Employment Agreement for Assistant Fire Chief Steve Achilles.
9. Approval of Employment Agreement for Assistant Fire Chief Steve Achilles – Voted to approve the employment agreement between the Portsmouth Fire Commission and Assistant Fire Chief Steve Achilles.

10. Public Hearing - Ordinance amending Chapter 7 – Vehicles, Traffic Parking Omnibus Ordinances (First Ordinance) – Held a public hearing. Voted to pass second reading and schedule third and final reading of the proposed Ordinance Amending Chapter 7 – Vehicles, Traffic Parking Omnibus Ordinance at the February 16, 2010 City Council meeting
11. Public Hearing - Ordinance amending Chapter 7 – Vehicles, Traffic Parking Omnibus Ordinances (Second Ordinance) – Held a public hearing. Voted to pass second reading and schedule third and final reading of the proposed Ordinance amending Chapter 7, Vehicles, Traffic Parking Omnibus Ordinance at the February 16, 2010 City Council meeting
12. Public Hearing - Ordinance amending Chapter 6, Article XIII, Section 6.1307 – Prohibited Conduct – Vendor from Motor Vehicle – Held a public hearing. Voted to pass second reading and schedule third and final reading of the proposed ordinance amendments to Chapter 6, Article XIII at the February 16, 2010 City Council meeting.
13. Acceptance of Wellness Grant from Health Trust's Health Program - \$3,754.00 – Voted to accept the Wellness Grant in the amount of \$3,754.00 from the Trust's Health Promotion WELLDollars Grant Program.
14. Acceptance of Grant to the Portsmouth Police Department from the Office of Justice – Violence Against Women and Victim/Witness Advocate Position - \$28,000.00 – Voted to approve and accept the grant to the Portsmouth Police Department, as listed.
15. Acceptance of Grant to the Portsmouth Police Department from the Office of Justice – Violence Against Women Act for specialized officer training - \$7,860.00 – Voted to approve and accept the grant to the Portsmouth Police Department, as listed.
16. First reading of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Elderly Real Estate Tax Exemption to \$33,182.00 for single and \$40,933.00 for married and total assets may not exceed \$110,611.00 whether single or married – Voted to pass first reading and schedule a public hearing and adoption of the Resolution for Elderly Exemptions, as submitted, at the February 16, 2010 City Council meeting.
17. First reading of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Disabled Real Estate Tax Exemption to \$33,182.00 for single and \$40,933.00 for married and total assets may not exceed \$110,611.00 whether single or married – Voted to pass first reading and schedule a public hearing and adoption of the Resolution for Disabled Exemptions, as submitted, at the February 16, 2010 City Council meeting.

18. First reading of Resolution Authorizing a Bond Issue of up to One Million Eight Hundred Thousand Dollars (\$1,800,000.00) for FY10 Citywide Facilities, Streets, Sidewalks and Bridge Improvements – Voted to pass first reading and schedule a public hearing and adoption of the proposed Bond Resolution for Citywide Improvements in the amount of up to \$1,800,000.00 at the February 16, 2010 City Council meeting.
19. First reading of Resolution Authorizing a Bond Issue of up to Five Hundred Thousand Dollars (\$500,000.00) for FY10 School Facilities Improvements – Voted to pass first reading and schedule a public hearing and adoption of the proposed Bond Resolution for School Facilities Improvements in the amount of up to \$500,000.00 at the February 16, 2010 City Council meeting.
20. Consent Agenda – Voted to adopt the Consent Agenda.
- A. Letter from Jeanine Sylvester, Redhook Brewery, requesting permission to hold the 13th Annual Runner’s Alley/Redhook Brewery on May 30, 2010 at 11:00 a.m. ***(Anticipated action – move to refer to the City Manager with power)***
- B. Letter from Barbara Massar, Pro Portsmouth, Inc., requesting permission to hold the following events:
- Children’s Day, Sunday, May 2, 2010, Noon – 4:00 p.m.
 - 33rd Annual Market Square Day Festival & 10k Road Race, Saturday, June 12, 2010
 - 8th Annual Summer in the Street Music Series, Saturday evenings from 5:00 – 9:30 p.m. on June 26th, July 10th, July 17th, July 24th, July 31st and August 7th (rain date August 14th)
- (Anticipated action – move to refer to the City Manager with power)***
- C. Letter from Robert Sutherland Jr., St. John’s Lodge, requesting permission to hold the 5k “Out of Hibernation” Road Race on Saturday, April 24, 2010 at 9:00 a.m. ***(Anticipated action – move to refer to the City Manager with power)***
- D. Letter from Robert Sutherland Jr., St. John’s Lodge, requesting permission to march in observance of St. John’s Sunday at (Queen Chapel) St. John’s Church on Sunday, June 27, 2010 at 9:00 a.m. ***(Anticipated action – move to refer to the City Manager with power)***
21. Letter from Peter G. Weeks, PGW Real Estate Consulting, on behalf of property owners on Sagamore Grove requesting consideration of the rezoning of the following lots on Map 201 Lots 3, 4, 5, 6, 7, 8 to Mixed Residential Business (MRB) or Single Residence B (SRB) – Voted to refer to the Planning Board for report back.
22. Letter from Bill St. Laurent regarding the relocation of monuments in dedication to veterans that died in battle during WW I – Voted to accept and place the letter on file and to refer the matter to the Veteran Organization.

23. Proposed Adoption of Flag Policy #2010-01 – Voted to adopt proposed Flag Policy #2010-01 as recommended by the Economic Development Commission. Councilor Smith abstained.
24. Resolution Re: Rescission of the Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) Borrowing Authorization for an Underground Parking Facility – Voted to approve the Resolution rescinding certain borrowing authority with regard to Resolution #19-2007 adopted by the City Council on December 17, 2007.
25. Martingale Wharf LP, Request to Participate in Compactor Agreement – Voted to authorize the City Manager to negotiate a License Agreement and add Martingale Wharf, LP to the use of the compactor on Ceres Street. Councilor Coviello abstained.
26. Proposed Parking Lease and Management Agreement for Portwalk Project Lot 3 – Voted to authorize the City Manager to negotiate and execute a Lease Agreement with Portwalk for a municipal surface parking lot. Councilor Dwyer abstained.

Councilor Dwyer requested City Manager Bohenko that she would like to know if there is a change of use issue as it relates to this matter as well as when the issue is before the Site Review Technical Advisory Committee, they consider adding bicycle racks and additional landscaping for screening.

27. Joint Building Committee Report – Councilor Dwyer provided a status update on the Joint Building Committee which addressed the following areas: Building Design, Construction Management, Phasing of Construction, Communication/Operations and Upcoming Key Milestones.
28. Adjournment – At 8:45 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC/CNHMC
City Clerk