

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, JANUARY 3, 2011

PORTSMOUTH, NH
TIME: 7:00 PM [or thereafter]

I. CALL TO ORDER [7:00PM or thereafter]

Mayor Ferrini called the meeting to order at 7:00 p.m.

II. ROLL CALL

Present: Mayor Ferrini, Assistant Mayor Novelline Clayburgh, Councilors Lister, Hejtmanek, Spear, Dwyer, Coviello, Kennedy and Smith.

III. INVOCATION

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

IV. PLEDGE OF ALLEGIANCE

Councilor Smith led the Pledge of Allegiance.

PRESENTATIONS

1. Single Stream Recycling

Peter Britz, Environmental Planner, briefly updated the Council on the new Single Stream Recycling program which allows recyclables to be placed in one container and allows for more categories of plastics to be included.

2. Public Undeveloped Land Assessment

Peter Britz, Environmental Planner, introduced Conservation Commission Chairman Steve Miller in the audience.

Mr. Britz stated that there were 91 properties inventoried for the Public Undeveloped Land Assessment which was conducted by Mark West of West Environmental. He stated that the natural resource inventory features mapped for each site included; wildlife corridor, invasive species, access, parking access, historical feature, rare plant, rare animal, dumping, watercraft access, non-point source discharge site, and wetlands restoration site. He continued with highlights of the findings which included that a majority of the sites included at least one type of invasive species and a significant amount of the sites include rare plant communities. Also, several sites have non-point source discharge locations and only a few sites have dedicated parking access. Next, he discussed the PULA Resource Inventory Data Sheet which is a two-sided form used to collect data for each site and is used to input into the GIS mapping system. He explained that this allows for easier updating of the data in the future. He then showed various maps, pictures and examples of data that will be available when clicking on specific sites. He continued by reviewing the management suggestions which include; Access – Land/Water, Recreation – Passive, Wildlife Habitat – Protection/Management, Storm Water Management, Invasive Species Control, Wetland Restoration, Education Potential, Forest

Management, Alternative Energy – Wind/Solar, Community Garden and Stewardship Clean-up. Mr. Britz stated that there will be 5 copies of the report available at the library as well as on-line and will show the specifics of each property similar to the projects map that is on-line currently.

Councilor Kennedy asked if there was any potential for trail guides to be available. Mr. Britz stated yes, there will be stewardships formed that will clean up various trails and then possibly provide guides. Councilor Kennedy stated she is referring more to the trails that already exist. Mr. Britz stated the trail will show up as a trail and maybe they can add some more information to it.

Councilor Spear thanked them for this information stating that the clickable map is a good start. He stated he feels that the bigger picture is making more information available on-line as more people use electronics to get information than paper copies. He stated he understands that there are not enough internal resources to distribute the information but suggested using private companies to interface it. Mr. Britz stated that is the point of doing this as it will get the information off of the shelf and allow people to click on the site and get all of the information pertaining to it.

Councilor Spear asked about the presentation to the public last month and was it well received. Councilor Dwyer stated it was very well attended and people were very enthused. She stated that people wanted to start stewardships and friends groups and feels this is a great thing to seize upon. She stated that people came out who had specific areas they were interested in and wasn't just the usual people. She stated there were also technology volunteers as well.

Mayor Ferrini stated that with the next report back they can give the Council direction in how to assist to move this forward.

Deputy City Manager Hayden stated the Conservation Commission will take their time as to the next step in the process and forming stewardships. Mr. Britz stated they are looking at the Creek Farm to start the first stewardship.

Assistant Mayor Novelline Clayburgh asked Mr. Britz about the first report regarding single stream recycling and if recycling has increased since this began. Mr. Britz replied that he doesn't have those figures, but will get them for future reference. Secondly, Assistant Mayor Novelline Clayburgh stated she sees that rare plants were addressed in the report but didn't see any animals mentioned and asked if there were any rare animal species found during the land assessment. Conservation Commission Chair Miller stated there is a lot of information compiled on these areas but animals have not yet been documented. He stated they will be documenting them in the future and have seen several different species of note.

Councilor Coviello stated that it is good that Creek Farm is first in line for a stewardship, but asked what if people want to get started on another area and is there a ranked order. Mr. Miller stated that there have been no management decisions made yet as this is the starting point. He stated the Conservation Commission needs to decide how to move forward and develop the framework for long term goals.

Councilor Smith stated he was going to mention this under Miscellaneous but as it is on a similar track he has been approached by landscaping companies to “adopt a park” instead of just one “adopt a spot” and would like to look into expanding the program to allow for this donation of services by businesses.

Councilor Dwyer asked if there are any regulations for “bad dog” behavior on these properties as she had witnesses some on Peirce Island recently. City Attorney Sullivan stated that very few of the properties have specific rules.

V. ACCEPTANCE OF MINUTES – DECEMBER 20, 2010

Councilor Smith moved to accept the Minutes of the December 20, 2010 City Council Meeting. Seconded by Councilor Lister and voted.

VI. PUBLIC COMMENT SESSION

There were no speakers.

VII. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Donations to the Coalition Legal Fund
- Town of Hebron - \$1,500.00
 - Town of Carroll - \$1,000.00
 - Town of Waterville Valley - \$1,000.00

Councilor Kennedy moved to approve and accept the donations, as listed, to be placed in the Coalition Legal Fund. Seconded by Councilor Smith and voted.

- B. Acceptance of Donations to the USS Virginia Fund
- Harold Whitehouse - \$20.00
 - Jay S. & Jean L. Smith \$100.00

Councilor Lister moved to approve and accept the donations, as listed, to be placed in the USS Virginia Fund. Seconded by Councilor Kennedy and voted.

Councilor Lister announced that the Party for the USS Virginia will be held Friday, January 21, 2011.

- C. Acceptance of Donation to Art-Speak for H(ART) Program in Portsmouth Middle School.
- Brian Gregg - \$100.00

Councilor Smith moved to accept and approve the donation to Art-Speak for the H(ART) Program at the Portsmouth Middle School, as presented. Seconded by Councilor Dwyer and voted.

- D. Acceptance of African Burying Ground Project Grants
- Geoffrey E. Clark and Martha Fuller Clark Fund - \$1,000.00
 - Otto Haas Charitable Trust 2 Fund - \$2,000.00

Mayor Ferrini clarified that these donations are not a part of the Trust Fund approved at the last meeting, but will be used for soft costs, i.e. advertising, printing, etc.

Councilor Smith moved to accept and expend a total of \$3,000 in grants from the New Hampshire Charitable Foundation for fundraising costs associated with the African Burying Ground Memorial Park Project. Seconded by Assistant Mayor Novelline Clayburgh and voted.

VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First Reading of Proposed Bonding Resolution for up to \$3,000,000 for Treatment Plant Engineering and Equipment Performance Testing and Long-Term Control Plan Implementation.

Councilor Coviello moved to pass first reading and schedule a public hearing and adoption of a proposed Bonding Resolution for up to \$3,000,000 for treatment plant engineering and equipment performance testing and Long-Term control Plan Implementation, as presented, at the January 18, 2011 City Council meeting, seconded by Assistant Mayor Novelline Clayburgh.

Councilor Kennedy stated she is still not in favor of this until we have the information from the EPA and DES and will not vote in favor until she has the answers.

Councilor Coviello stated he has the same concerns but will vote to move this to the second reading and public hearing.

Deputy City Manager Hayden stated they are aware of these concerns and have been advised that they will get the answers from the EPA by the next meeting on January 18th.

Motion voted on an 8-1 roll call vote. Councilor Kennedy voted opposed.

- B. Third and Final reading of Amendments to Chapter 7 – Vehicles, Traffic Parking Omnibus Ordinances

Councilor Smith moved to pass third and final reading for the proposed changes to Chapter 7 of the Vehicles, Traffic Parking Omnibus Ordinances, as recommended by the Parking Committee, seconded by Assistant Mayor Novelline Clayburgh.

Councilor Kennedy stated she will vote opposed to this as she feels this is taking away parking spaces and time from downtown customers.

Motion passed on an 8-1 vote. Councilor Kennedy voted opposed.

- C. Third and Final reading of Ordinance amending Chapter 7, Article II, Taxicabs – of the Ordinances of the City of Portsmouth be stricken in its entirety and replaced

Councilor Smith moved to pass third and final reading for the Taxi Ordinance, as recommended by the Taxi Commission. Seconded by Assistant Mayor Novelline Clayburgh and voted.

IX. CONSENT AGENDA

- A. Acceptance of Donations for Art-Speak Annual Appeal 2010:

| | |
|-----------------------------------------------------------------------|-------|
| • Robert Lambert & Debbie Needleman | \$ 25 |
| • Richard Candee | \$ 25 |
| • John & Joan Rice | \$ 25 |
| • Peter & Kathleen Somssich | \$ 25 |
| • Gregg Wool & Maria Sillari | \$ 25 |
| • Robin Read | \$ 50 |
| • John Gregg | \$ 50 |
| • Sarah & Blair Hundertmark | \$ 50 |
| • Mike Kenslea | \$ 50 |
| • Atlantic Media, LLC | \$100 |
| • Jeff Hyland & Donna Jensen | \$100 |
| • NH Charitable Foundation: Geoffrey E. & Martha Fuller Clark Fund | \$500 |

(Anticipated action – move to accept and approve the donations to Art-Speak for operations, as presented)

Councilor Smith moved to adopt the Consent Agenda. Seconded by Councilor Dwyer and voted.

X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

(There were no items under this section of the Agenda)

XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

City Manager's Items Which Require Action

(There were no items under this section of the agenda this evening)

Informational Items

1. Events Listing
2. Economic Development Commission:
 - Agenda and Minutes

- 2010 EDC Action Plan – Year in Review
 - 2010 EDC Presentations – Year in Review
3. African Burying Ground Donations

Deputy City Manager Hayden clarified that the donations listed under this section for the African Burying Ground will go into the previously established Trust Fund.

B. MAYOR FERRINI

1. Charter Committee Appointments

Mayor Ferrini stated he has spoken with Peter Loughlin and John O'Leary who have both agreed to serve on the Charter Committee which will be chaired by Assistant Mayor Novelline Clayburgh. He stated that he is looking for another Councilor to serve as well as another citizen and asked that anyone interested to please contact him. He stated that it is his intention to conclude this by June so that if there are any referendum questions recommended, they will be able to make it on the November ballot.

XII. MISCELLANEOUS/UNFINISHED BUSINESS

Mayor Ferrini reiterated Councilor Smiths' earlier comment regarding expanding the Adopt a Spot program to include larger areas such as parks.

Councilor Dwyer stated that the Economic Development Committee recently received a report that listed 25 metropolitan statistical areas with the lowest unemployment and the City of Portsmouth was number 5. Mayor Ferrini stated that they measure 369 statistical areas so this is very good news.

Councilor Coviello stated that last year around this time the Council was asked to get questions regarding the budget to the City Manager and wonders if that is something they should be doing now as well.

Mayor Ferrini stated that last year they wanted the questions well in advance so that the department heads could address them in their budget presentations in April. He stated that we will be working on the CIP sooner with the first hearing to be held on March 7th. He stated that the deadline for questions will be March 1st. He stated he will ask that a reminder be added to the end of each meeting until then. He stated this allows Councilors to ask carefully thought out questions and not be redundant.

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

Assistant Mayor Novelline Clayburgh moved to adjourn at 7:45 p.m. Seconded by Councilor Lister and voted.

Respectfully submitted:

Valerie A. French
Deputy City Clerk I