

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: DIANNE M. KIRBY, DEPUTY CITY CLERK II

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MARCH 21, 2011, 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, KENNEDY AND SMITH

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1. Presentation – Discover Portsmouth Center Re: Lease – Voted to bring the proposed Lease between the City of Portsmouth and Portsmouth Historical Society back for action at it's April 4, 2011 City Council meeting. Councilor Kennedy abstained.
2. Presentation – Fire Commission Re: Staffing – Voted on an 8-1 roll call to instruct the City Manager to fund the second ambulance for the next two weeks from the contingency fund and hold a Public Hearing on April 4, 2011 to vote on a supplemental appropriation. Councilor Coviello voted opposed.
3. Acceptance of Minutes – March 7, 2011 – Voted to approve and accept the minutes of the March 7, 2011 City Council Meeting.
4. Public Comment – There were 5 speakers. Mark Herrholz (Fire Department Staffing), Shaun Rafferty (Budget), Bill St. Laurent, Brian Wazlaw and Mary Lou McElwain (Youth Recreation Facility)
5. Public Hearing - Ordinance Amendment To Chapter 7, Article III, Section 7.321, Sub-Section G – Snow Emergency Parking Ban – Held a public hearing. Voted to pass second reading and schedule a third and final reading of the proposed ordinance amendment to Chapter 7, Article III, Section 7.321, as presented, for the April 4<sup>th</sup> City Council meeting.
6. First Reading of Proposed Ordinance Amendment to Chapter 7, Article IX, Section 7.901 – Penalties, Forfeitures and Separability. Voted to accept the Parking Committee's recommendation and pass first reading and schedule a public hearing and second reading on the proposed Ordinance, as presented, for the April 4<sup>th</sup> City Council meeting.
7. Proposed Resolutions Appropriating Funds For The Construction Of A Youth Recreation Facility: Voted on a 9-0 roll call to postpone action until the April 18, 2011 City Council meeting.
  - Resolution Appropriating The Sum Of Five Hundred Twelve Thousand, Seven Hundred Dollars And Fifty-Eight Cents (\$512,700.58) From The Premium The City Received From The Sale Of Its \$17,300,000.00 General

Obligation Capital Improvement Bonds For Expenses Relating To The Construction Of A Youth Recreation Facility

- Resolution Authorizing A Supplemental Appropriation From Undesignated Fund Balance For Necessary Expenditures For The Construction Of A Youth Recreation Facility. The City Council Has Determined That The Sum Of One Million Eight Hundred Thousand (\$1,800,000.00) Dollars Be Appropriated To Pay A Portion Of The Costs Of The Construction Of The Youth Recreation Facility

8. Consent Agenda – Voted to adopt the Consent Agenda.

A. Acceptance of Donations to the USS Virginia Fund

- Jean M. Bell and Margaret J. Dewever - \$25.00
- Margaret J. Ibscher & Margaret J. Dewever - \$25.00

***(Anticipated action – move to approve and accept the donations for the USS Virginia, as presented)***

B. Letter from Doug Bates, President, Greater Portsmouth Chamber of Commerce requesting permission to hang Portsmouth Harbour Trail Flags at 24 key sites for the 2011 season ***(Anticipated action – move to refer to the City Manager with power)***

C. Letter from Robert L. Sutherland Jr., St. John's Lodge #1, requesting permission to hold the annual 5K "Out of Hibernation" Road Race to be held on Saturday, April 23, 2011 ***(Anticipated action – move to refer to the City Manager with power)***

9. Letter from Rodney D. Rowland, Director of Facilities, Strawberry Banke requesting permission to use Haven Park for a brief ceremony to mark the 125 anniversary of Fitz John Porter's vindication from his court martial. – Voted to refer to the City Manager with power.

10. Letter from Robert L. Sutherland, St. John's Lodge #1, requesting permission to hold a parade to celebrate St. John's Sunday, on Sunday, June 26, 2011 – Voted to refer to the City Manager with power.

11. Adoption of CIP FY 2012 – FY 2017 – Voted to amend the Capital Improvement Plan for FY 2012 – FY 2017 by reducing the Police Department Information Technology by \$99,000.00. Voted to amend the Capital Improvement Plan for FY 2012 – FY 2017 to move the funding for the Bridge Street lot paving (\$50,000.00) to the Parrot Avenue lot. Voted to adopt the Capital Improvement Plan for FY 2012 – FY 2017 with any appropriate amendments.

12. PSNH Easement for Middle School Project – Voted to authorize the City Manager to execute an easement to PSNH across property owned by the City of Portsmouth along

Parrott Avenue for the purpose of providing utility service to the renovated and expanded Portsmouth Middle School.

13. Report Back Re: Letter from Peter J. Loughlin, Esquire, regarding an offer by Service Credit Union to give Land to the City for a Connector Roadway between Lang Road and Longmeadow Road. – Voted to accept the Planning Board’s recommendation to accept the land as shown on the Site Plans, on such terms and conditions as the Council may deem appropriate.
14. Report Back Re: Tom Hammer Construction, LLC for 138 Congress Street – Voted to authorize the City Manager to negotiate and enter into a License Agreement with Tom Hammer Construction, LLC to facilitate construction activities at 138 Congress Street.
15. Request for License Re: Letter from the Retail Committee of the Greater Portsmouth Chamber of Commerce requesting that the City Council and Planning Board review the Projecting Sign Application Process for Streamlining – Voted to accept the Planning Board’s recommendation to amend its existing Projecting Sign Policy to require review and recommendation by the Planning Director rather than the Planning Board.
16. Request for Comcast for Two Easements Over Municipal Property on Hanover Street and Vaughan Mall – Voted to accept the Planning Board’s recommendation to grant the two easements and authorize the City Manager to execute the necessary documents.
17. Request for a License from Assiah Russell, owner of Putting’ on the Glitz for property located at 40 Market Street to install a projecting sign. – Voted to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Assiah Russell, owner of Putting’ on the Glitz to install a projecting sign on an existing bracket (re-facing the existing sign) at 40 Market Street and further authorize the City Manager to execute a License Agreement for this request.

*Planning Board stipulations:*

- a) *The license shall be approved by the Legal Department as to content and form;*
- b) *Any removal or relocation of the projecting sign, for any reason, will be done at no cost to the City; and*
- c) *Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.*

18. Request for a License from Donna Kelly, owner of Tera Afina for property located at 23 Ceres Street to install a projecting sign – Voted to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Donna Kelly, owner of Tera Afina to install a projecting sign on an existing bracket at 23 Ceres Street and further authorize the City Manager to execute a License Agreement for this request.

*Planning Board stipulations:*

- a) *The license shall be approved by the Legal Department as to content and form;*
- b) *Any removal or relocation of the projecting sign, for any reason, will be done at no cost to the City; and*
- c) *Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.*

19. Request for a License from Helen Brosseau, owner of Cheap Chique for property located at 195 State Street to install a projecting sign – Voted to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Helen Brosseau, owner of Cheap Chique to install a projecting sign from an existing sign on an existing bracket at 195 State Street and further authorize the City Manager to execute a License Agreement for this request

*Planning Board stipulations:*

- a) *The license shall be approved by the Legal Department as to content and form;*
- b) *Any removal or relocation of the projecting sign, for any reason, will be done at no cost to the City; and*
- c) *Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.*

20. Request for a License from Edward T. Connolly, Jr., owner of Portsmouth Baking Company for property located at 121 Congress Street to install a projecting sign – Voted to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Edward T. Connolly, Jr., owner of Portsmouth Baking Company to install a projecting sign on a new bracket at 121 Congress Street and further authorize the City Manager to execute a License Agreement for this request.

*Planning Board stipulations:*

- a) *The license shall be approved by the Legal Department as to content and form;*
- b) *Any removal or relocation of the projecting sign, for any reason, will be done at no cost to the City; and*
- c) *Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.*

21. Traffic & Safety Committee Action Sheet and Minutes of the March 10, 2011 meeting – Voted to approve and accept the action sheet and minutes of the March 10, 2011 Traffic & Safety Committee meeting. Councilor Kennedy voted opposed.

22. Voted to suspend the rules in order to continue the meeting beyond 10:00 p.m.

23. Parking Committee Action Sheet and Minutes of the March 10, 2011 meeting – Voted to approve and accept the action sheet and minutes of the March 10, 2011 Parking Committee meeting. Councilor Kennedy voted opposed.
24. Bike Racks – Councilor Spear requested the City Manager come back for either the next meeting or the April 18, 2011 meeting with a proposed location for a bike rack in a parking space as a pilot program.
25. 2010 Attendance Records for various Boards & Commissions – Councilor Coviello requested that a letter be sent to any member with a 60% or lower attendance rate requesting if they are still interested in serving on the Committee.
26. Adjournment – At 10:15 p.m., voted to adjourn.

Respectfully submitted by:

Dianne M. Kirby  
Deputy City Clerk II