

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: VALERIE A. FRENCH, DEPUTY CITY CLERK I

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON APRIL 4, 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 (arrived at 7:55 p.m.) AND SMITH

1. At 6:00 p.m. a "Non-Meeting" with Counsel was held regarding Litigation RSA 91-A:2 I (c)
2. Acceptance of Minutes – March 21, 2011 – Voted to approve and accept the minutes of the March 21, 2011 City Council Meeting.
3. Public Comment – There were 8 speakers; Richard Smith, Laura Pantelakos, Ralph DiBernardo, Donald Coker, Mary Lou McElwain, Karen McCormack, Carol Jule and Brian Wazlaw. (Parking).
4. Proposed Resolution Appropriating Funds in the Sum of Seventy-Seven Thousand Dollars (\$77,000) Dollars for the Operation of the Fire Department. - A Public Hearing was held with 16 speakers. Voted to suspend the rules to move this item up on the Agenda for Council action. Voted on an 8-1 roll call to adopt the Resolution for the sum of Seventy-Seven Thousand Dollars in accordance with the Resolution. Councilor Coviello voted opposed.
5. Ordinance amending Chapter 7, Article IX, Section 7.901 – Penalties, Forfeitures and Separability. A Public Hearing was held and there were no speakers. Voted to pass second reading and schedule a third and final reading on the proposed Ordinance, as presented, for the April 18, 2011 City Council meeting.
6. Discover Portsmouth Center Re: Lease – Voted to suspend the rules to move item up on the Agenda for Council action. Voted 8-0 to approve a long-term Lease between the City of Portsmouth and Portsmouth Historical Society, and further authorize the City Manager to execute the lease. Councilor Kennedy abstained.
7. Acceptance of Police Department Grant in the amount of \$7,000.00 from the Working Dog Foundation. - Voted to approve and accept the grant to the Portsmouth Police Department, as listed.
8. First reading of Proposed Ordinance Amendment to Chapter 7, Article I, Section 7.1 – Parking Meters (Downtown Parking Omnibus) - Voted to pass first reading and schedule a public hearing and second reading on the proposed Ordinance, as presented, for the April 18th City Council meeting.

9. First reading of Proposed Ordinance Amendment to Chapter 7, Article IV, Section 7.402 – Off-Street Parking Areas – Parrott Avenue Parking Lot (Downtown Parking Omnibus) - Voted to pass first reading and schedule a public hearing and second reading on the proposed Ordinance, as presented, for the April 18th City Council meeting.
10. First reading of Proposed Ordinance Amendment to Chapter 7, Various Limited Time Parking Sections – Sunday Hours (Downtown Parking Omnibus) - Voted to pass first reading and schedule a public hearing and second reading on the proposed Ordinance, as presented, for the April 18th City Council meeting.
11. First reading of Proposed Ordinance Amendment to Chapter 7, Section 7.101 – Definitions and Section 7.105 – Variable Parking Rates (Downtown Parking Omnibus) - Voted to pass first reading and schedule a public hearing and second reading on the proposed Ordinance, as presented, for the April 18th City Council meeting.
12. Third and Final Reading of Proposed Ordinance Amendment to Chapter 7, Article IX, Section 7.901 – Penalties, Forfeitures and Separability – Voted to pass third and final reading of the proposed ordinance, as presented.
13. Consent Agenda – Voted to adopt the Consent Agenda.
 - A. Letter from Josh Pierce, Seacoast Area Bicycle Routes, requesting to hold the Seacoast Bike/Walk to Work Day on May 20, 2011 (***Anticipated Action – move to refer to the City Manager with power***)
 - B. 2011 Omnibus Sidewalk Obstruction Renewals – See Attached Listing (***Anticipated Action – move to refer to the City Manager with power***)
 - C. Letter from Stu Simon, Great Bay Services, requesting to hold Great Bay Resolution 5K on January 1, 2012. (***Anticipated Action – move to refer to the City Manager with power***)
 - D. Acceptance of Donations for USS Virginia.

▪ The American Legion Frank E. Booma Post. No 6	\$ 25.00
▪ People’s Bank	\$250.00

(Anticipated Action – move to accept the donations for the USS Virginia, as listed)
14. Request for Renewal of Boarding House Permit for G. Edward Gowen Jr., 350-352 Hanover Street – Voted to authorize the City Manager to issue the Boarding House Permit for G. Edward Gowen Jr., 350-352 Hanover Street.

15. Request for Renewal of Boarding House Permit for Paul H. White & Janet White-Nay, 278 Cabot Street – Voted to authorize the City Manager to issue the Boarding House permit for Paul H. White and Janet White-Nay, 278 Cabot Street *with condition of a weekly cleaning schedule of common areas be submitted to the Health Officer.*
16. Request for Renewal of Boarding House Permit for Bach Realty, 21 Brewster Street - Voted to approve and authorize the City Manager to issue the annual Boarding House permit for 21 Brewster Street with the following conditions:
 - a) *Quarterly inspections of the entire building instead of annual inspections.*
 - b) *Continued Pest Control Management as directed by the Health Department; and*
 - c) *No un-registered/non-inspected vehicles stored on the property.*
17. Letter from Dyanna L. Smith, President, Red Eft Project, requesting permission to locate a small series of temporary art sculptures on city property as part of an exhibit of environmental art scheduled during the Whaleback Environmental Film and Art Festival in May. – Voted to refer to Art Speak for a report back.
18. Letter from Attorney Robert Ciandella, on behalf of Maplewood & Vaughan Holdings, LLC seeking a Zoning Amendment to Section 10.440, 19.40 to allow, by Special Exception, Drive-Through Facilities as an accessory use to a permitted principal use in the Central Business A (“CBA”) Zone – Voted 8-0 to refer to the Planning Board for a report back. Councilor Coviello abstained.
19. Letter from John R. Chagnon of Ambit Engineering, Inc. regarding Subdivision Application for property located off Kearsarge Way, Tax Map 212, Lots 118, 119 and 122 – Voted 8-0 to refer to the Planning Board for a report back. Mayor Ferrini abstained.
20. Letter from Stephen R. Alie regarding Downtown Parking Fees. – Voted to accept and place on file.
21. Letter from Ed McDonough, Superintendent of Schools requesting approval to hold a 5K “Run for the Sol” Road Race in collaboration with Great Bay Community College on May 14, 2011 (NOT ON THE AGENDA)– Voted to refer to the City Manager with power.
22. Request for a Parking Lot Agreement Re: Middle Street Baptist Church – Voted to approve a License Agreement between the Middle Street Baptist Church and the City of Portsmouth, as presented, and further authorize the City Manager to execute this Agreement.

23. Report Back Re: Bike Racks –

- Voted to approve the alternative option, to install 8-10 inverted-U bike racks on State Street sidewalks, as presented.
- Motion made to approve the first option, install a 14 bicycle rack, utilizing one parking space on Market Street in the Gas Light or Fat Belly's area.
- Voted on a 6-3 roll call to amend first option of installing a 14 bicycle rack, in a visible location but not utilizing a parking space, upon recommendation by the staff. Councilors Spear, Coviello and Mayor Ferrini voted opposed.
- Voted 7-2 to approve main motion as amended. Councilors Spear and Coviello voted opposed.

24. Request for a License from Bryan Trudel, owner of Zahtar Mediterranean Sandwich Bar, property located at 148 Fleet Street to install a projecting sign. – Voted to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Bryan Trudel, owner of Zahtar Mediterranean Sandwich Bar to install a projecting sign on an existing bracket at 148 Fleet Street and further authorize the City Manager to execute a License Agreement for this request.

Stipulations:

1. *The license shall be approved by the Legal Department as to content and form;*
2. *Any removal or relocation of the projecting sign, for any reason, shall be done at no cost to the City; and*
3. *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.*

25. Request for Work Session Re: Update of Census Information and Affordable Housing – At the request of Assistant Mayor Novelline Clayburgh, this subject will be scheduled for a future work session.

26. Letter from Thomas P. Clairmont, MD regarding State based single-payer health care (NOT ON THE AGENDA) - Item will be placed under Council Lister's name on the April 18th City Council Agenda.

27. Adjournment – At 9:50 p.m., voted to adjourn.

Respectfully submitted by:

Valerie A. French
Deputy City Clerk I