

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON SEPTEMBER 19, 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. A "Non-Meeting" with Counsel was held regarding Negotiations RSA 91-A:2, I (b-c).
2. Acceptance of Minutes – September 6, 2011 – Voted to approve and accept the minutes of the September 6, 2011 City Council meeting.

Councilor Coviello requested to amend page 2 third paragraph to read as follows:  
*Councilor Coviello stated that a person made a significant donation for the purchase of the artwork.*

The City Council agreed to the change and the main motion passed.

3. Public Comment Session – There were 10 speakers: Rebecca Emerson (First Reading of Rezoning Bartlett St); Martin Cameron, Norm Olsen, Tim Myles, Rick Horowitz; Jeff Purtell, Erik Crago, David Kish and Peter Somssich (Police Contract); and Jennifer Hawkins (Service Transportation).
4. Voted to suspend the rules in order to take up Item XI. A.2. – Proposed Agreement Re: Senior Transportation.
5. Proposed Agreement Re: Senior Transportation – Voted to authorize the City Manager to enter into an Agreement between the Mark Wentworth Home d/b/a/ Wentworth Connections and the City of Portsmouth from July 1, 2011 through June 30, 2012.
6. Voted to suspend the rules in order to take up Item XI. A.1. - Proposed Agreement between the Police Commission and the Portsmouth Police Patrolman's Union, NEPBA Local #11.
7. Proposed Agreement between the Police Commission and the Portsmouth Police Patrolman's Union, NEPBA Local #11 – On a roll call 4-5, motion to accept the contract as presented **failed** to pass. Councilors Hejtmanek, Spear, Coviello, Kennedy and Assistant Mayor Novelline Clayburgh voted opposed. Councilors Lister, Dwyer, Smith and Mayor Ferrini voted in favor.

8. Grant Application for African Burying Ground – Voted to authorize the City Manager to apply for, accept and expend a grant of up to \$5,000.00 from the Rosamond Thaxter Foundation for the construction of the African Burying Ground Memorial Park – We Stand in Honor of Those Forgotten.
9. Acceptance of Donation to the Coalition Legal Fund - Town of Tuftonboro- \$5,000.00 – Voted to approve and accept the donation, as listed, to be placed in the Coalition Legal Fund.
10. First reading of Ordinance Amending Chapter 10, Article 4, Section 10.421.10 – District Location and Boundaries of the zoning ordinance of the City of Portsmouth and the City of Portsmouth Zoning Map be amended by rezoning the property located off Bartlett Street/Cate Street at Assessors Map 165, Lot 1 from Industrial (I) to Business (B) District – Voted to pass first reading and schedule a public hearing and second reading on the proposed Ordinance, as presented at the October 3, 2011 City Council meeting. Councilor Kennedy voted opposed and Councilor Coviello abstained from voting on this matter.
11. Consent Agenda – Voted to adopt the Consent Agenda.

***A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA***

- A. Request for a License from Philip McLaughlin, owner of McLaughlin Law Offices for property located at 75 Court Street to install a projecting sign on an existing bracket (***Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Philip McLaughlin, owner of McLaughlin Law Offices to install a projecting sign on an existing bracket and, further, authorize the City Manager to execute a License Agreement for this request***)

***Planning Director's Stipulations:***

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

- B. Letter from Peter Somssich, Parade Coordinator, advising the City Council that the September 25, 2011 Portsmouth Peace Treaty parade has been canceled and they would instead like to request permission to hold a Concert & Rally to Celebrate Labor Day and the Portsmouth Peace Treaty in Market Square (close Porter Street to Market Square) on September 25, 2011 at 2:00 p.m.  
***(Anticipated action – move to refer to the City Manager with power)***

12. Letter from John Tinios, Popovers on the Square, requesting permission to extend outdoor seating through Veterans Day Weekend Sunday, November 13, 2011 at no additional cost to the Licensee - Voted to refer to the City Manager with power with the requirement that the Licensee pay pro-rata share (previous daily rate extended until the end of the term) to extend the outdoor seating through Veterans Day Weekend Sunday, November 13, 2011.
13. Letter from Dexter Legg requesting a license for a new driveway at 4 Moebus Terrace – Voted to move to the Planning Board for report back.
14. Establish Public Hearing Re: Supplemental Appropriation for Indoor Pool for FY12 – Voted to establish a public hearing for Monday, October 3, 2011 for the purpose of a supplemental appropriation of \$150,000.00 for the operation of the indoor pool for FY12.
15. Request to Accept Sewer Easement off of Spring Street – Voted to authorize the City Manager to accept a Sewer Easement from Frank W. Getman, Jr. and Ingrid C. Getman.
16. Appointments to be Considered – The City Council considered the appointments listed below and will vote on the appointments at the October 3, 2011 meeting.
  - Joseph Couture – Reappointment to the Portsmouth Housing Endowment Fund Advisory Board
  - Brian Groth – Appointment as an Alternate to the Planning Board
  - John Weaver – Appointment to the Board of Library Trustees
  - Peter Vandermark – Appointment to the Conservation Commission
  - Jennifer Wilhelm – Appointment to the Conservation Commission
17. Appointments to be Voted – Voted to appoint William Gladhill as a Regular member to the Planning Board filling the unexpired term of Donald Coker until December 31, 2011. Voted to appoint John Crist to the Board of Library Trustees until October 1, 2014. Mr. Crist is filling the expired term of Betsy Shultis.
18. Resignation of James Horrigan from the Conservation Commission – Voted to accept Mr. Horrigan's resignation with regret. Councilor Smith requested that a letter be sent to Mr. Horrigan thanking him for his years of service to the City.
19. Report Back Re: Transportation Governance Committee Voted to request Mayor Ferrini to establish a Blue Ribbon Committee on Transportation. Voted to instruct the City Attorney to draft an ordinance for first reading at the October 3, 2011 City Council meeting combining the functions of the Traffic & Safety Committee and Parking Committee.

## 20. Miscellaneous/Unfinished Business

- Councilor Kennedy announced that the Portsmouth Maritime Folk Festival will be held on Saturday, September 24<sup>th</sup> – Sunday, September 25<sup>th</sup>. She also announced that the Fishtival will be held at Prescott Park on Saturday, September 24<sup>th</sup>.
- Councilor Dwyer reported on the location of plaques referenced in Portsmouth Herald Article of September 17<sup>th</sup>.
  - Carl Anania Plaque – The Anania family approached the Recreation Board (meeting of June 23, 2010) and requested that the 30-year old wooden sign be replicated due to its poor condition and placed at the Alumni-Wentworth Field. The Recreation Board approved that request.
  - Chrome Flagpole Plaque – This plaque, which is dedicated to the boys of Portsmouth High School who served in World War II, was removed from the flagpole by City staff prior to construction and is in the possession of the project manager.
  - Connie Bean Plaque – This bronze plaque in honor of Connie Bean was removed from the small playground at the Middle School prior to construction and is in the possession of the Department of Public Works.
  - Workman Plaque – This granite stone dedicated to John and Mary Workman was removed from the Wentworth School site prior to the start of construction and is in the possession of the Department of Public Works.
  - George Washington Plaque – This bronze plaque embedded in stone in honor of George Washington from the Daughters of the American Revolution in 1932 is being protected on site during construction at the Middle School due to its significant weight.
  - Water Tower Plaques – Councilor Dwyer reported if information is needed on water tower plaques it would be provided upon request.
- Councilor Coviello requested that the Parking Committee consider the removal of parking meters located along 111 Maplewood Avenue.

21. Adjournment – At 9:30 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC/CNHMC  
City Clerk