

iCITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, OCTOBER 3, 2011

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

At 6:30 p.m., an Anticipated "Non-Meeting" with Counsel was held regarding Negotiations – RSA: 91-A:2, I (b-c)

I. CALL TO ORDER

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

II. ROLL CALL

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

III. INVOCATION

Councilor Dwyer asked everyone to join in a moment of silent prayer in memory of Jim Horrigan who recently passed away.

IV. PLEDGE OF ALLEGIANCE

Councilor Dwyer led the Pledge of Allegiance.

V. ACCEPTANCE OF MINUTES – SEPTEMBER 19, 2011

Councilor Smith moved to approve and accept the minutes of the September 19, 2011 City Council meeting. Seconded by Councilor Lister and voted.

VI. PUBLIC COMMENT SESSION

Ralph DiBernardo spoke regarding the Local Government Center (LGC) and the violations they are facing. He stated that the City needs to authorize the City Manager to cease business with them.

Peter Somssich said he agrees with the comments made by Mr. DiBernardo relative to the LGC. He said it is important that the City is returned the money that it is owed by LGC.

City Manager Bohenko requested to speak under personal privilege and asked that Planning Director Taintor to come forward to discuss the recent award the City has received.

Planning Director Taintor announced that the City of Portsmouth, specifically Market Square, has been recognized by the American Planning Association. He said that Market Street and Market Square have been designated as one of the Great Places in America 2011: Streets. Planning Director Taintor outlined the components for receiving the award and stated a Press Release will be issued tomorrow. He also, indicated that more than 100 places were considered for this award.

VII. PUBLIC HEARINGS

- A. 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

Mayor Ferrini read the legal notice, declared the public hearing open and called for speakers.

Planning Director Taintor provided a brief presentation on the Rezoning Ordinance request for Bartlett/Cate Street to change from Industrial (I) to Business (B) District.

Councilor Coviello said that he will recuse himself and stepped down from the dais.

Planning Director Taintor stated that Industrial (I) has not worked well in the area and adjacent to this there is a large area that is zoned Business (B). He said that there is no proposal in front of the Planning Board at this time however, the maximum allowable residential units would be 41. Planning Director Taintor spoke regarding a brief analysis of traffic impacts based on 41 units. He also indicated that a review of office use for the area would generate 15% more traffic and that would increase to 33% during peak hours. He informed the City Council that residential development has a more stable impact and the Planning Board feels that the proposed rezoning is correct for the area. He said that the Planning Board unanimously approved of the rezoning.

Rebecca Emerson, Portsmouth resident, congratulated the City on the award for Market Street and Market Square. In terms of the rezoning request she is not opposed to the land being developed but is concerned regarding the traffic impact. She thanked Planning Director Taintor for the work he has done on this request. Ms. Emerson said that traffic intensity needs to be looked at before granting the rezoning request. She also indicated that she is in favor of linking Cate Street to Borthwick Avenue as a connector. She spoke from the Master Plan and said that the City needs to look beyond this parcel and work on making the area safe.

Paul Mandle, Portsmouth resident, agreed with the comments made by Ms. Emerson. He said we need to look at the thoroughfare. He stated that no public hearing was held by the Planning Board on this rezoning request and the Planning Department should hold a public hearing.

Nancy Johnson said the entire area needs to be looked at and a plan developed with the residents. She expressed concern with truck traffic in the area. Ms. Johnson said that a work session should be held with the involvement of the residents.

Brian Devellis, Landscaper for Rezoning Request, said that the Planning Director suggested that the land be changed to Business (B) and that is the request he made on behalf of his client. He said the Planning Board does a great deal of work and follows a process which allows for public input. Mr. Devellis stated that the surrounding abutters agree to the rezoning request.

Mayor Ferrini declared the public hearing closed with no further speakers.

- B. RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE SUM OF ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) FOR NECESSARY EXPENDITURES FOR THE OPERATION OF THE INDOOR POOL FISCAL YEAR ENDING JUNE 30, 2012

Mayor Ferrini read the legal notice, declared the public hearing open and called for speakers.

Jennifer Zorn, SIPP Representative, indicated that she is here to give a statement on behalf of SIPP. She thanked Recreation Director Wilson, Public Works Director Parkinson, City Manager Bohenko and those that have helped with this issue. She stated that SIPP is committed to a long term relationship of shared responsibility. She said they are committed to fiscal responsibility as well. Ms. Zorn spoke regarding the number of volunteers helping with the pool in many capacities and recapped some of the shared accomplishments made. She said there has been an increase in membership, a reduction in operating expenses by 60% and added programs. Ms. Zorn said that SIPP will raise a minimum of \$750,000.00 in the next 5 years for capital improvements.

Tom Conneen, SIPP Chief Financial Officer, said it is fiscally responsible to approve the appropriation of \$150,000.00. He said previously the cost to operate the pool was going to be \$536,000.00 now it will cost the City \$150,000.00 which equates to a 72% reduction. He also addressed the \$750,000.00 SIPP will be donating for capital improvements to the pool. He urged the City Council to approve the appropriation.

Mark Brighton, President of Association of Portsmouth Taxpayers, said 18 months ago when the deal was made to let SIPP operate the pool self sufficiently he did not believe it would happen but it has. He said he is pleased with the work of SIPP and urged the City Council to approve the appropriation.

Mayor Ferrini declared the public hearing closed with no further speakers.

Assistant Mayor Novelline Clayburgh moved to suspend the rules in order to take up Item IX. C – Adoption of Proposed Resolution Authorizing a Supplemental Appropriation in the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) for Necessary Expenditures for the Operation of the Indoor Pool Fiscal Year ending June 30, 2012. Seconded by Councilor Coviello and voted.

IX. C. Adoption of Proposed Resolution Authorizing a Supplemental Appropriation in the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) for Necessary Expenditures for the Operation of the Indoor Pool Fiscal Year ending June 30, 2012

Councilor Lister moved to adopt the Resolution authorizing a Supplemental Appropriation in the amount of \$150,000.00 for Necessary Expenditures for the Operation of the Indoor Pool for the Fiscal Year Ending June 30, 2012. Seconded by Councilor Kennedy.

Councilor Spear said that there will also be a lease coming forward on a future agenda regarding this facility.

City Manager Bohenko said the City Council needs to decide if they want to fund the pool and then the lease will be brought forward at the October 17, 2011 City Council meeting.

Councilor Coviello said he is in favor of the Resolution.

On a unanimous roll call 9-0, voted to adopt the Resolution authorizing a Supplemental Appropriation in the amount of \$150,000.00 for Necessary Expenditures for the Operation of the Indoor Pool for the Fiscal Year Ending June 30, 2012.

At 7:40 p.m., Mayor Ferrini declared a brief recess. At 7:45 p.m., Mayor Ferrini called the meeting back to order.

Assistant Mayor Novelline Clayburgh moved to suspend the rules in order to take up Item IX. B. - Second 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. Seconded by Councilor Kennedy and voted.

Assistant Mayor Novelline Clayburgh moved to pass second reading and hold third and final reading on the proposed Ordinance, as presented at the October 17, 2011 City Council meeting. Seconded by Councilor Lister.

Councilor Dwyer said she is in favor of the zoning change but would like some clarification on transportation issues raised. She inquired as to the status of the work on Jewell Court.

Councilor Kennedy asked if the Planning Department has met with the residents. She said she cannot approve this without looking at the entire area and what is best for the area.

Councilor Kennedy moved to amend the motion by requiring City staff to meet with the neighborhood to review the whole area. Seconded by Councilor Lister.

City Manager Bohenko stated that the Council has an ordinance before them and they would need to table the ordinance and ask the staff to go out and have a meeting with the neighborhood.

Councilor Kennedy withdrew her motion and Councilor Lister his second to the motion.

Councilor Kennedy moved to table the Ordinance. Seconded by Councilor Lister.

City Manager Bohenko said he feels that staff needs to discuss this and provide a report back to the City Council and following that the ordinance could be brought forward.

Councilor Spear said if we don't get the ordinance off the table before the end of the year would we have to start the process over. City Manager Bohenko said yes, the process would need to start over.

Assistant Mayor Novelline Clayburgh inquired as to the traffic study. Planning Director Taintor said that visual quality issues were part of the traffic study.

Councilor Smith requested a report back on the lining up of Bartlett Street with Jewell Court.

Councilor Dwyer said that neighborhood input is a good idea.

Councilor Kennedy requested that a meeting with the neighborhood group, Planning Director Taintor and staff be held to look at the whole area.

On a roll call vote 8-0, voted to table the Ordinance. Councilor Coviello abstained from voting on this matter.

VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance Amending Chapter 7, Article I, Section 7.103, 7.104, and further amend Chapter 1, Article IV, Section 1.412 entitled the Parking and Traffic Safety Committee

Councilor Smith moved to pass first reading and establish a public hearing and second reading on the proposed Ordinance, as presented at the October 17, 2011 City Council meeting. Seconded by Councilor Dwyer and voted.

X. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. Acceptance of Donations to the Coalition Legal Fund
- Town of Hampton - \$1,500.00
 - Town of Grantham - \$1,000.00
- (Anticipated action – move to approve and accept the donations, as listed, to be placed in the Coalition Legal Fund)**
- B. Request from Deborah Bouchard-Smith, Scarecrows of the Port, requesting permission to mount approximately 30 scarecrows in the downtown from Friday, October 14, 2011 through Tuesday, November 1, 2011 **(Anticipated action – move to refer to the City Manager with power)**
- C. Request from Trevor Bartlett, Portsmouth Halloween Parade, seeking permission to hold the annual Halloween Parade on Monday, October 31, 2011 **(Anticipated action – move to refer to the City Manager with power)**
- D. Request for a License from Roy Bovell, owner of UBS for property located at 40 Congress Street to install a projecting sign **(Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning Director 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;**
- **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.**

- E. *Acceptance of Donations to Art-Speak
- Robin Albert Lehman & Wayne Leman - \$50.00
 - Valerie Cunningham, African American Resource Center - \$25.00
 - M. Christine Dwyer - \$250.00
 - John Gregg - \$50.00
 - Mary Ann List - \$25.00
 - Paul McEachern - \$50.00
 - Steve McHenry, McHenry Architecture - \$100.00
 - Dennis Moulton & Maureen Gallagher - \$50.00
 - Elisabeth & Jeffrey Robinson - \$25.00
 - Valerie & Jonathan Sobel - \$100.00
 - Jay Gibson, Piscataqua Savings Bank - \$500.00
- (Anticipated action – move to approve and accept the donations, as listed, to Art-Speak for its Americans for the Arts: Arts & Economic Prosperity Study)***

Councilor Smith requested to remove Item B from the Consent Agenda - Request from Deborah Bouchard-Smith, Scarecrows of the Port, requesting permission to mount approximately 30 scarecrows in the downtown from Friday, October 14, 2011 through Tuesday, November 1, 2011.

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

- B. Request from Deborah Bouchard-Smith, Scarecrows of the Port, requesting permission to mount approximately 30 scarecrows in the downtown from Friday, October 14, 2011 through Tuesday, November 1, 2011

Councilor Kennedy moved to refer to the City Manager with power. Seconded by Councilor Coviello and voted. Councilor Smith abstained from voting on this matter.

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Daniel Schwarz, Tidewatch Condominium Association, requesting that the City modify the existing ordinances so that residential condominium owners can participate in separate water meters for irrigation

Councilor Smith moved to refer to the City Manager with power. Seconded by Assistant Mayor Novelline Clayburgh.

Councilor Coviello was asked by a constituent why condominium associations are metered at the business level rather than individual. Deputy Public Works Director Allen said that they are billed at the same rate with the tier structure. He stated that some condominiums have different meters in terms of numbers.

Councilor Coviello said the question was from a Spinnaker Point resident. Deputy Public Works Director Allen said that area is metered per building.

Councilor Dwyer asked about the system used for Tidewatch. Deputy Public Works Director Allen said they are metered per building.

City Manager Bohenko said that there would be a need for multiple meters and we will evaluate businesses as well and provide the City Council with options. He said it is a policy issue.

Motion passed.

- B. Letter from Linda Smith, NH Department of Transportation, regarding an offer for the acquisition of parcel as required for the reconstruction of US Route 1 Bypass

Councilor Smith moved to refer to the Planning Board for report back. Seconded by Councilor Lister.

Councilor Smith asked if this is where we have a pump station. Deputy Public Works Director Allen said yes. Councilor Smith asked if the property was sold, would the pump station go away. City Manager Bohenko said that is why the matter is being referred to the Planning Board for report back. He said the matter would be reviewed by the Planning Board and staff. Councilor Smith said he would like the report back to include what would happen with the pump station.

Assistant Mayor Novelline Clayburgh asked what the DOT is planning for the area. City Manager Bohenko said a new interchange is being proposed with a fly over.

Motion passed.

- C. Letter from Deborah Peretz, Susan G. Komen Cure, requesting permission to hold the Susan G. Komen NH Race for the Cure 5k on May 12, 2012 at 9:00 a.m.

Councilor Kennedy moved to approve with the provision that the route be satisfactory to City staff. Seconded by Councilor Coviello and voted.

- D. Request from Delmira Morse, Sons of Italy, Lodge 2303, seeking permission to place a temporary sign at the apex of Woodbury and Maplewood Avenues to advertise the Italian Festival on Sunday, October 9, 2012 from Noon to 2:00 p.m.

Assistant Mayor Novelline Clayburgh moved to refer to the City Manager with power. Seconded by Councilor Dwyer and voted.

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

1. Installation of a Little Harbor Road Loop Trail

City Manager Bohenko asked Environmental Planner Britz to speak on the request.

Environmental Planner Britz reported that the process was started approximately one year ago. He said the project is a joint effort of city officials, the Society for the Protection of New Hampshire Forests, and the State of New Hampshire for the Wentworth-Coolidge Mansion. He indicated that it will be a loop trail and ideal for the area. He informed the City Council that the work would be done in the fall.

Councilor Kennedy moved to give the City Manager power to authorize the installation of a trail on City property along Little Harbor Road. Seconded by Assistant Mayor Novelline Clayburgh.

Councilor Coviello inquired as to the length of the trail. Environmental Planner Britz responded that the loop trail is 1 ½ miles and would be for walking.

Councilor Kennedy asked who would do the upkeep of the trail. Environmental Planner Britz said that the property owners would be responsible for the upkeep of the property.

Councilor Dwyer asked if dogs would be allowed on the trail. Environmental Planner Britz said dogs would be allowed only on the portion of the trail owned by the City.

Assistant Mayor Novelline Clayburgh asked if the trail was paved or dirt. Environmental Planner Britz said the trail is dirt and will be for passive recreation only. No bicycles or horses would be allowed.

Councilor Lister asked about access and parking. Environmental Planner Britz said the Creek Point and Wentworth Coolidge property would be parking areas.

Councilor Kennedy asked if cross country skiing and snow shoeing would be allowed. Environmental Planner Britz said it would be allowed.

Motion passed.

2. Report Back Re: Island in Sagamore Creek

City Manager Bohenko asked Environmental Planner Britz to speak on this matter.

Environmental Planner Britz said David Linn is offering the sale of a small island in Sagamore Creek to the City as conservation land. He informed the City Council that the Planning Board considered this request at its meeting on September 15, 2011, and voted unanimously to recommend that the City acquire the island on such terms as the City Council may determine appropriate.

City Manager Bohenko said because the Conservation Commission has not yet voted on a recommended purchase price, he is recommending that the City Council accept the Planning Board's report and refer the matter to the Conservation Commission for its concurrence.

Councilor Kennedy moved to accept the Planning Board's report back and refer this matter to the Conservation Commission for its concurrence. Seconded by Councilor Smith.

Assistant Mayor Novelline Clayburgh asked if taxes are being paid on the property. City Manager Bohenko said yes and Mr. Linn requested an abatement and the taxes were reduced. He reported the taxes are \$357.00 per year.

Councilor Kennedy spoke in support of the request and said it is a great conservation area. She encouraged the City Council to move forward with this request.

Motion passed.

3. Report Back Re: Purchase of City Property

City Manager Bohenko requested Planning Director Taintor to speak to the issue.

Planning Director Taintor said Mr. and Mrs. Rex Van Aken asked to purchase from the City a small piece of land at the intersection of Myrtle Avenue and the Route 1 Bypass. He informed the City Council that the Planning Board considered this request at its meeting on September 15, 2011, and voted unanimously to recommend that the land not be conveyed. Planning Director Taintor reported that the intersection was reconfigured to discourage turns into Myrtle Avenue. He further indicated that this would go against the standards of the Planning Board.

Mayor Ferrini passed the gavel to Assistant Mayor Novelline Clayburgh.

Mayor Ferrini stated he would be abstaining from voting on this matter.

Councilor Spear moved to accept the Planning Board's recommendation that the land not be conveyed. Seconded by Councilor Dwyer and voted. Mayor Ferrini abstained from voting on this matter.

Assistant Mayor Novelline Clayburgh returned the gavel to Mayor Ferrini.

4. Letter Re: Redistricting

City Manager Bohenko requested that City Clerk Barnaby address this matter.

City Clerk Barnaby stated that she and City Attorney Sullivan attended the hearing last week before the House Special Committee on Redistricting regarding HB 656. She continued that during our testimony, the Committee requested we amend the Ward Boundaries between Wards 3 and 4 to reduce the overall deviation encompassing a minimum of 233 individuals. Following a review of the boundaries and based on the Committee's request, 267 individuals were moved from Ward 4 and added to Ward 3. The streets that have been relocated are as follows:

- Lois Street, Marjorie Street, Sylvester Street, Swett Avenue, Wentworth Avenue, Leavitt Avenue, a section of Peverly Hill Road, McClintock Avenue and Moffat Street

She indicated that our new proposal was presented and accepted by the House Special Subcommittee on Tuesday, September 27, 2011. She stated based on the foregoing, the City Council will need to vote to authorize the City Manager to submit the adjusted ward lines on behalf of the City Council to the Legislature requesting a session law change to act upon the reflected new boundaries in January 2012. She concluded that the House Special Committee is expected to take action on this matter at their meeting on Wednesday, October 12, 2011.

Councilor Spear moved to authorize the City Manager to submit the adjusted ward lines on behalf of the City Council to the Legislature requesting a session law change to act upon the reflected new boundaries in January 2012. Seconded by Councilor Smith and voted.

City Manager's Informational Items

1. *Events Listing*
2. *Report Back Re: Private Mosquito Spray Operations*
3. *Trustees of Trust Funds Annual Report*
4. *Economic Development Commission Meeting Agenda and Draft Minutes*
5. *African Burying Ground Trust Donations*
6. *News Release Re: Fall Prescription/Household Hazardous Waste Day*

City Manager Bohenko brought to the City Council's attention the Trustees of Trust Funds Annual Report.

City Manager Bohenko said that City Attorney Sullivan and Legal Intern Angstadt have provided a memorandum regarding private mosquito spray operations for Council review.

City Manager Bohenko announced that the annual fall Household Hazardous Waste/Unwanted Prescription Collection Day will be held on Saturday, October 15th, for residents of Portsmouth, Greenland and Newington.

Assistant Mayor Novelline Clayburgh requested that the Trustees of the Trust Funds attend a future City Council meeting to present the Annual Report.

B. MAYOR FERRINI

1. Appointment to be Considered:
 - John O'Leary – Reappointment to the Board of Library Trustees
 - Grace Lessner – Reappointment to the Board of Library Trustees

The City Council considered the reappointment of John O'Leary and Grace Lessner to the Board of Library Trustees. The City Council will vote on these appointments at the October 17, 2011 City Council meeting.

2. Appointments to be Voted:
 - 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

Councilor Spear moved to reappoint Joseph Couture to the Portsmouth Housing Endowment Fund Advisory Board until June 1, 2014; Voted to appoint Brian Groth as an Alternate to the Planning Board until December 31, 2012. Mr. Groth is filling the unexpired term of William Gladhill; Voted to appoint John Weaver to the Board of Library Trustees until October 1, 2014. Mr. Weaver is filling the expired term of Valerie Cunningham; Voted to appoint Peter Vandermark to the Conservation Commission until April 1, 2012. Mr. Vandermark is filling the unexpired term of James Horrigan; and Voted to appoint Jennifer Wilhelm as an Alternate to the Conservation Commission until April 1, 2013. Ms. Wilhelm is filling the unexpired term of Elissa Stone who is now serving as a regular member. Seconded by Councilor Coviello and voted.

3. Report - Blue Ribbon Committee on Transportation (not on agenda)

Mayor Ferrini advised the City Council that the appointments to the Blue Ribbon Committee on Transportation will be reported on in the City Manager's Weekly Informational Packet.

C. COUNCILOR DWYER

1. *Middle School Joint Building Committee Update

Councilor Dwyer reported that the Joint Building Committee has accepted the Guaranteed Maximum Price of \$28,644,000.00 for the Middle School as well as a Guaranteed Maximum Price of \$1,888,000.00 for the Youth Recreational Facility. In addition, Councilor Dwyer announced that the City should be accepting the Alumni-Wentworth Field by the end of the month.

2. *Subsurface Preservation

Councilor Dwyer requested that the Planning Department and Planning Board review whether and what type of Subsurface Preservation would be appropriate as part of Site Review.

Councilor Dwyer indicated that the community is concerned with preserving artifacts. She also indicated that Senator Stiles has expressed interest in this matter as well.

City Manager Bohenko said if the City Council agrees with Councilor Dwyer we can start the process and have staff look at what other parts of the country are doing in terms of this. He said the staff would like time to review this and how the Planning Board would like to approach it. He indicated that he would proceed with having the staff review this matter.

D. COUNCILOR COVIELLO

1. *Purchase of Bike Racks at Schools

Councilor Coviello reported that parents are concerns that New Franklin School was not on the list to receive bike racks and he would like to have money appropriated for a couple more bike racks. He said he would like the City Council to allow for funding the bike racks for the New Franklin and Dondero Schools.

City Manager Bohenko said a third bike rack has been set aside for the Middle School and he would ask the School Board if they would be interested in a bike rack at New Franklin and Dondero Schools. He further indicated that the funds would come from capital contingency and it would not be more than \$4,000.00.

Councilor Smith reported when the process started there was only one person at the State to handle these requests. He reported that New Franklin School was not on the list because they were doing construction and thought money could go for the purchase of a bike rack. He further stated that this is a Federal program and not a State program.

Councilor Lister said he was involved with the first grant for the Safe Routes to School as Superintendent and it was a very frustrating process. He further added that doors were opened because of City Manager Bohenko and Public Works Director Parkinson.

Councilor Kennedy said we need to go to the School Board on this matter. City Manager Bohenko said he would send a letter or e-mail to Superintendent McDonough to make money available to New Franklin and Dondero Schools for funding the bike racks.

The City Council agreed to have the City Manager contact the School Board to see if they would like a bike rack with concrete pad to be installed at the New Franklin and Dondero Schools. The cost would be no more than \$4,000.00 with funding to come from Capital Contingency.

E. COUNCILOR SMITH

1. Traffic & Safety Committee Action Sheet and Minutes of the September 8, 2011 Meeting

Councilor Smith moved to approve and accept the Traffic & Safety Committee action sheet and minutes of the September 8, 2011 meeting. Seconded by Assistant Mayor Novelline Clayburgh.

Councilor Smith reported that Item 2 regarding Broad Street and Item 7 regarding Bow, Chapel and Penhallow Streets would require ordinance changes.

Councilor Dwyer said she appreciates the concerns in the adjacent area of Broad Street. She indicated that the Broad Street issue is because it is a wide street. She expressed concern because there are many children on the street which use the street because it is a no through traffic area.

Councilor Smith said the Traffic & Safety Committee has a great deal of discussion on this matter. He said the ordinance lists many streets and there needed to be some house cleaning in the ordinance. He further indicated that there is a neighborhood business using Broad Street to cut out the lights on Sagamore Avenue. Councilor Smith said they are considering making it a no truck traffic street as well.

Motion passed. Councilor Kennedy voted opposed.

2. Parking Committee Action Sheet and Minutes of the September 8, 2011 Meeting

Councilor Smith moved to approve and accept the Parking Committee action sheet and minutes of the September 8, 2011 meeting. Seconded by Assistant Mayor Novelline Clayburgh.

Councilor Smith said a question was raised on Item 3 regarding Library – Middle School Parking Lot Enforcement. He stated that the Parking Committee is just looking at the Middle School spaces.

Councilor Smith also spoke to a new permitting process on Peirce Island to parking overnight. He stated that the fee will be removed because it was becoming cumbersome.

Councilor Spear said he is concerned with the parking at the Middle School once the construction is completed. He indicated that we will need to re-evaluate the parking in the area. Councilor Smith said the matter has been tabled because it is a School Board issue.

Motion passed. Councilor Kennedy voted opposed.

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

Councilor Coviello requested that the City Council schedule a Work Session to discuss hotel construction downtown and our goals. Councilor Dwyer suggested that this be a Joint Work Session with the Planning Board and Economic Development Commission. Mayor Ferrini stated that he would review the calendar to establish a date for a Work Session on this matter.

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

At 9:00 p.m., Assistant Mayor Novelline Clayburgh moved to adjourn. Seconded by Councilor Lister and voted.

A handwritten signature in black ink that reads "Kelli L. Barnaby". The signature is written in a cursive, flowing style.

Kelli L. Barnaby, CMC/CNHMC
City Clerk