

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON DECEMBER 5, 2011, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR FERRINI, ASSISTANT MAYOR NOVELLINE CLAYBURGH, COUNCILORS LISTER, SPEAR, DWYER, COVIELLO, KENNEDY AND SMITH

ABSENT: COUNCILOR HEJTMANEK

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1. Presentation – Army Reserve Center Presentation – Col. Loretta Deaner, Lt. Col. Mark Burton and Project Manager Betty Beck provided the City Council with a brief update on the construction of the Army Reserve Center.
2. Acceptance of Minutes – November 10, 2011 and November 21, 2011 – Voted to approve and accept the minutes of the November 10<sup>th</sup> and November 21<sup>st</sup> City Council meetings.
3. Public Comment Session – There were eleven speakers: Susanne Delaney (Portsmouth Criterium); Alan Gordon, Donald Koleman, Francesca Marconi Fernald (Pumping Station); Doug Bates, Steve Alie, Erik Anderson, Bill St. Laurent, Sam Winebaum, Peter Somssich and Peg O’Neil (Parking Garage).
4. Public Hearing - Ordinance Amending Chapter 7, Article IV - Off-Street Parking, Section 7.402 - Areas Established and Described by the addition of Middle School – Library Parking Lot Off-Street Parking Area. The Proposed Ordinance sets Hourly Limits on Parking in the Lot, Delineates certain Parking Spaces for Library Use and Prohibits Overnight Parking in the Lot – Held a public hearing. Moved to pass second reading and schedule third and final reading of the proposed Ordinance, as presented, at the December 19, 2011 City Council meeting.  
  
Voted to postpone the Ordinance until the December 19, 2011 City Council meeting. At the suggestion of City Manager Bohenko the City Council by consensus agreed to consider an amendment to the Ordinance that would have the effect to allow a certain amount of overnight parking.
5. First reading of Proposed Zoning Ordinance Amendment to Chapter 10 – Zoning Ordinance – Office Research District – Moved to pass first reading and schedule a public hearing and second reading of the proposed Ordinance amendment at the December 19, 2011 City Council meeting.

On a roll call 6-2, voted to amend the motion to postpone this ordinance for the new City Council. Assistant Mayor Novelline Clayburgh, Councilors Lister, Spear, Coviello, Kennedy and Smith voted in favor. Councilor Dwyer and Mayor Ferrini voted opposed.

6. Adoption of Resolution Authorizing a Bond Issue of up to Twelve Million Dollars (\$12,000,000.00) for the Construction of a New Parking Facility – Voted to continue to table the Resolution.
7. Third and final reading of Ordinance Amendment to Chapter 7, Article III – Traffic Ordinance – No Through Traffic by the deletion of Broad Street; Commercial Alley, between Penhallow Street and Market Street; and Vaughan Street, between Congress Street and Hanover Street – Voted to pass third and final reading on the proposed Ordinance, as presented.
8. Third and final reading of Ordinance Amendment to Chapter 7, Article XI, Section 7.1100 - Speed Limits – sub-section C 15 MPH by the addition of Bow Street, Chapel Street, and Penhallow Street – Voted to postpone the Ordinance to refer back to the Traffic & Safety Committee.
9. Consent Agenda – Voted to adopt the Consent Agenda.
  - A. Acceptance of Donation for USS Virginia
    - Second Christian Church Coffee House - \$449.00  
***(Anticipated action – move to approve and accept the donation for the USS Virginia, as presented)***
  - B. Letter from Susanne Delaney, Catherine Keenan & Ryan Fleming, Race Directors, Portsmouth Criterium, requesting permission to hold the Portsmouth Criterium bike race on Sunday, September 9, 2012 ***(Anticipated action – move to refer to the City Manager with power)***
  - C. Request for a License from Michelle Galvin owner of Pretty Little Things for property located at 21 Vaughan Mall 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 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***

- D. Request for a License from Mark McNabb owner of National Block II 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 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. Request for a License from Lucy Bloomfield owner of Tanden Massage & Bodyworks for property located at 18 Ladd 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 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***

- F. Request for a License from Don Gorvett owner of Piscataqua Fine Arts for property located at 123 Market Street to install a projecting sign (***Anticipated action – move to approve the aforementioned Projection Sign License as recommended by the Planning Director and, further, authorize the City Manager to execute a License Agreement for this request***)

**Planning Director 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***

10. Letter from J. Dennis Robinson requesting to provide a presentation to the City Council regarding writing a book entitled The Portsmouth Story – Voted to schedule a Presentation to the City Council by J. Dennis Robinson that will be televised.
11. Request to Establish Public Hearing Re: Supplemental Appropriation of up to \$600,000.00 to Fund the Relocation of School Administrative Offices at the Municipal Complex (City Hall) – Voted to establish a public hearing on December 19, 2011 for the purposes of appropriating a sum of up to \$600,000.00 from undesignated fund balance for the renovations to the Municipal Complex for the relocation of the School Administrative Offices.
12. Adoption of 2012 Schedule of City Council Meetings and Work Sessions – Voted to approve the 2012 Schedule.
13. Approval of Sale Price Re: New Hampshire Department of Transportation's Offer for the Acquisition of Land as required for the Reconstruction of the US Route 1 Bypass – Voted to approve the sale price for the aforementioned land, and further, authorize the City Manager to proceed with the execution of the necessary documents.
14. Request for Approval of Inter-Municipal Sewer Agreement Re: Town of Rye to extend to Foyes Corner – Voted to authorize the City Manager to bring back for a vote at the December 19, 2011 City Council meeting the aforementioned proposed Agreement.
15. Appointments to be Considered - The City Council considered the following appointments to be voted on by the City Council at the December 19, 2011 City Council meeting.
  - Rich DiPentima – Appointment to the Conservation Commission
  - Ronald Cypher – Appointment to the Parking & Traffic Safety Committee
  - Frederick (Ted) Gray – Appointment to the Parking & Traffic Safety Committee
  - Harold Whitehouse – Appointment to the Parking & Traffic Safety Committee
  - Thomas R. Watson – Appointment to the Trustees of the Trust Funds

16. Appointments to be Voted - Voted to reappoint John Rice and William Gladhill to the Planning Board until December 31, 2014; reappointment of Chris Hubbard and Stephen Philp to the Peirce Island Committee until December 13, 2013; appointment of Elisabeth Blaisdell to the Sustainable Practices Blue Ribbon Committee; reappointment of Susan Chamberlin and Arthur Parrott to the Zoning Board of Adjustment until December 1, 2014.

17. Resignations – Voted to accept with regret the resignation of Catherine Ennis from the Conservation Commission and Bradley Lown from the Trustees of Trust Fund.

Councilor Smith requested that a letter of thanks and appreciation be sent to Ms. Ennis and Mr. Lown for their service to the City of Portsmouth.

18. Traffic & Safety Committee Action Sheet and Minutes of the November 10, 2011 meeting – Voted to approve and accept the action sheet and minutes of the November 10, 2011 Traffic & Safety Committee meeting with the removal of Item #2 regarding Portwalk Lot 3 from the action sheet. Councilor Kennedy voted opposed.

Voted to table Item 2 regarding Portwalk Lot 3 from the Traffic & Safety action sheet.

19. Parking Committee Action Sheet and Minutes of the November 10, 2011 meeting – Voted to approve and accept the action sheet and minutes of the November 10, 2011 Parking Committee meeting with the removal of Item #5 regarding Portwalk Lot 3 from the action sheet. Councilor Kennedy voted opposed.

Voted to table Item 5 regarding Portwalk Lot 3 from the Parking Committee action sheet.

20. Adjournment – At 9:15 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC/CNHMC  
City Clerk