

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: VALERIE A. FRENCH, DEPUTY CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON JULY 16, 2012, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

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

ABSENT: COUNCILOR THORSEN

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1. Acceptance of Minutes – June 11, 2012 and June 25, 2012 – **Voted to approve and accept the minutes of the June 11, 2012 and June 25, 2012 City Council meetings.**
2. Public Comment Session – There were four speakers: Steve Alie, Marylou McElwain and Peter Somssich (Parking Fees); and Emile Bussiere (Alzheimer Association Walk).
3. Public Hearing - Ordinance amending Chapter 10 – Zoning Ordinance, Article 11, Section 10.1115 - Off-Street Parking Provisions in the Downtown Overlay District. The recommended amendment would make the following changes to the Zoning Ordinance:
  - Change the Residential Parking Requirement to 1.5 Parking Spaces Per Dwelling Unit
  - Change the Hotel or Motel Parking Requirements to Require .75 Parking Spaces per Guest Room
  - Eliminate Off-Street Parking Requirement for All other Non-residential Uses
  - Eliminate the Option to Make a Payment in Lieu of Providing Required Off-Street Parking

Held a public hearing with 2 speakers. **Moved to amend** the Ordinance regarding Hotel or Motel Parking Requirements to Require 1 Parking Space per Guest Room. Motion **failed** on a 2-6 roll call vote, Councilors Kennedy and Novelline Clayburgh voted in favor. **Moved to amend** to keep the restaurant parking requirement at the current 1 space per 100 sq. feet. Motion **failed** on a 2-6 roll call vote, Councilors Kennedy and Novelline Clayburgh voted in favor. **Main motion to pass second reading and schedule third and final reading for August 6, 2012 City Council Meeting passed on an 8-0 roll call vote.**

4. Public Input Session on the Disposition of Property at 143 Daniel Street (Connie Bean Center) by Sale or Long-Term Ground Lease. Held a public hearing with 4 speakers. **Voted to TABLE to the August 6, 2012 City Council Meeting.**
5. Letter from Caitlyn Mosher Ellis, Alzheimer's Association, requesting permission to hold the 2012 Walk to End Alzheimer's on Sunday, September 23<sup>rd</sup> or Sunday, October 7<sup>th</sup>. – Voted to suspend the rules to take up Item XI.A.. **Voted to grant request to hold the 2012 Walk to End Alzheimer's on September 23, 2012.**

6. Acceptance of Police Department Grant and Donations:– **Voted to approve and accept the Grant and Donations to the Portsmouth Police Department, as presented.**
- New Hampshire Highway Safety for Sobriety Checkpoints Grant - \$9,900.00
  - Donation to the Portsmouth Explorer Cadet Academy from Mr. & Mrs. David Brown - \$270.00
  - Donation of Magnum Boots for Designated Police Personnel from Magnum Boot Company
7. Acceptance of Donations Re: Welcome Home, Iraq Veterans Parade – **Voted to accept the donations for the Welcome Home, Iraq Veterans Parade, as presented.**
- William M. Lyons & Janet L. Polasky - \$25.00
  - Sarah M. Baker & James W. Holly - \$25.00
  - Brendan McNamara Inc. - \$25.00
  - Sarah H. Baker & Christopher Rose - \$25.00
  - Atinuke Abiola Cahill - \$25.00
  - South Street and Vine, LLC - \$25.00
  - Fairpoint Communications - \$1,000.00
8. First Reading Re: Parking Supply and Demand Omnibus Ordinances: – **Voted on a 7-1 roll call to consolidate for first reading Parking Supply and Demand Ordinances A thru C and establish a consolidated public hearing on Ordinances A thru C for the August 6, 2012 City Council meeting.** Councilor Smith voted opposed.
- A. First reading of Ordinance amending Chapter 7, Article I, Section 7.102 – Parking Meter Zones – Increase the rate for parking at all metered spots on City streets and in off-street lots to \$1.50 per hour and increase the maximum time at which an automobile could remain at a metered spot on the street or in a metered lot from two (2) to three (3) hours
  - B. First reading of Ordinance amending Chapter 7, Article IV, Section 7.402 – Off-Street Parking Areas – Areas Established, Designated and Described – Allows the City Council to set the fee for parking in the High Hanover Garage either by means of the budget process as is currently done, or by vote of the City Council at any time. (Adoption of the ordinance would set the parking rate in the parking garage at \$0.75 per hour, “except, however, there shall be no fee for the first hour in which any vehicle shall park in the facility”
  - C. First reading of Ordinance amending Chapter 7, Article I, Section 7.105 – Parking - Deletion of existing language “*All on street metered parking shall be at the rate of \$1.00 per hour for a maximum of two hours. This rate*”; remaining language unchanged from existing

9. Consent Agenda – **Voted to adopt the Consent Agenda.**

- A. Letter from Chris Curtis, The Music Hall, requesting permission to hold the Annual Telluride by the Sea Weekend Celebration on Friday, September 14, 2012 – Sunday, September 16, 2012 (***Anticipated action – move to refer to the City Manager with power***)
- B. Request for License from John Tanner, owner of V2 Strategic Advisors for property located at 51 Islington Street for a projecting sign on a new bracket (***Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of John Tanner, owner of V2 Strategic Advisors for 1 projecting sign at property located at 51 Islington Street and, further, authorize the City Manager to execute License Agreements for this request***)

Planning Director's Stipulations:

- *The licenses shall be approved by the Legal Department as to content and form;*
- *Any removal or relocation of the projecting signs, for any reason, will 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 signs, 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*

- C. Request for License from Janette Desmond, owner of Kilwin's for property located at 20 Congress Street for a projecting sign on a new bracket (***Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Janette Desmond, owner of Kilwin's for 1 projecting sign at property located at 20 Congress Street and, further, authorize the City Manager to execute License Agreements for this request***)

Planning Director's Stipulations:

- *The licenses shall be approved by the Legal Department as to content and form;*
- *Any removal or relocation of the projecting signs, for any reason, will 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 signs, 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. \*Acceptance of Donation to the Coalition Legal Fund
- Town of Carroll - \$1,000.00
- (Anticipated action – move to approve and accept the donation, as listed, to be placed in the Coalition Legal Fund)***

10. Approval of Proposed Employment Agreement for Police Chief Designee Stephen J. DuBois – **Voted to approve the Employment Agreement between Stephen J. DuBois and the Portsmouth Board of Police Commissioners for a 5-year term commencing on September 1, 2012 and ending on August 31, 2017.**
11. Establish Public Hearing on Conditional Layout and Betterment Assessment District in accordance with RSA 231:28-33– **Voted to proceed with the Conditional Road Layout and Betterment Assessment process and establish a public hearing on August 20, 2012 in accordance with RSA 231:28-33.** Councilor Coviello abstained.
12. Request for First Reading to Expand Downtown Overlay District – **Voted on a 6-1 roll call to authorize the City Manager to bring back for first reading the proposed ordinance amendment at the August 6, 2012 City Council meeting as presented.** Councilor Kennedy voted opposed and Councilor Coviello abstained.
13. Request to Establish City Council Retreat – **Voted to establish a Council Retreat on October 27, 2012.**
14. Appointments to be Considered – The City Council considered the reappointments of Lisa DeStefano and Jeff Landry to the Building Code Board of Appeals and Carl Diemer to the Recreation Board. The Council also considered the appointment of Nathan Alger to the Committee on Sustainable Practices. These appointments will be voted on by the Council at the August 6, 2012 meeting.
15. Appointments to be Voted – **Voted the appointments of Paul Ambrose** (term to expire 04/01/14) **and Shelley Saunders** (term to expire 04/01/2013) **to the Conservation Commission as Alternate members and the appointment of Aaron Lawson to the Taxi Commission** (term to expire 12/31/2013).
16. Resignation of Jeff McLean from the Portsmouth Economic Development Loan Program (PEDLP) Effective July 16, 2012 – **Voted to accept the resignation of Jeff McLean from PEDLP with letter of thanks and appreciation to be sent.**
17. Report Back Bicycle Rack in Downtown – **Motion to place a bike rack in the original Council recommended location in front of the Portsmouth Brewery as a pilot program with a report back in the fall, FAILED on a 3-5 roll call vote.** Councilors Coviello, Lown and Mayor Spear voted in favor.
18. Adjournment – **Voted to adjourn at 9:40 p.m.**

Respectfully submitted by:

Valerie A. French,  
Deputy City Clerk