

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON AUGUST 20, 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, SMITH AND THORSEN

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1. At 6:15 p.m., an Anticipated “Non-Meeting” with Counsel was held regarding Negotiations RSA: 91-A:2, I (b-c).
2. Presentation – To Retiring Deputy City Manager Cindy Hayden – City Manager Bohenko presented Deputy City Manager Cindy Hayden with a City of Portsmouth Chair in recognition of her 20 years of service to the City and her upcoming retirement. Deputy City Manager Hayden accepted the Chair with thanks and appreciation.
3. Presentation – Report Back Re: Senior Services in Portsmouth and Various Recommendations for Interim Programming – Staff Committee members Recreation Director Wilson, Library Director List, Community Development Director Moore and Assistant Project Manager Cannon presented the Report of the Senior Services and various recommendations. The report recommends that the City of Portsmouth, through the Recreation Department, use the 24-month interim period to facilitate various senior activities and programs, including communicating about the availability of these programs, and that the City take additional steps to support existing programs to ensure they meet the needs of Portsmouth Seniors.
4. Acceptance of Minutes – August 6, 2012 – Voted to approve and accept the minutes of the August 6, 2012 City Council meeting.
5. Public Comment Session – There were 8 speakers: Angela Star (Senior Transportation); Barbara DeStefano, Blair McCracken (Parking – New Garage); Martin Cameron (Connie Bean Funds); Bob Hassold, Natalie Hassold, Ron Zolla (Parking); and Susan Denenberg (Parking – No Garage).

6. Public Hearing – To Receive Public Comment on the Petition of Commerce Way LLC for a Conditional Layout of the Existing, Privately owned Commerce Way, a Complete Reconstruction of the Road and a Betterment Assessment, based upon Linear Feet of Road Frontage, to be Charged Against Certain Properties Abutting or Served by the Reconstructed Road in Accordance with RSA 231:28-33. Said Property is Shown on Assessor Plan 216 and Lies within the Office Research District. At the hearing, the applicant will present to the Council, the Details of the Proposed Construction, and Estimated costs thereof, and the Anticipated Betterment Assessment to be Charged to each Affected Owner – Held a public hearing. During the public hearing Councilor Coviello recused himself and stepped down from the Dias.
7. First reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Tanner Court – Voted to pass first reading and schedule a public hearing and second reading of the proposed Ordinance amendment, as presented, at the September 4, 2012 City Council meeting.
8. Consolidated Parking Supply and Demand Omnibus Ordinances:
  - A. Third and final reading of Ordinance 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. Third and final 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 this ordinance would allow the City Council to set the parking rate in the parking garage by vote of the Council. It is anticipated that the Council would then set the rate 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. Third and final 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. (Adoption of this ordinance would consolidate the ordinance provisions relating to the rate for parking in on-street and off-street lots.)

Moved to pass third and final reading on the consolidated Parking Supply and Demand Ordinance A thru C, as presented and that the City Council hereby establishes the parking fee at the High Hanover Parking Facility to be at the rate of \$0.75 per hour, except, however, there shall be no fee for the first hour in which any vehicle shall park in the facility.

Voted to suspend the rules in order to allow for an amendment at third reading. Councilor Kennedy voted opposed.

Moved to amend the Omnibus Ordinances to delay the implementation until January 2, 2013. On a roll call 5-4, voted to pass the amendment. Councilors Coviello, Novelline Clayburgh, Lown, Dwyer and Mayor Spear voted in favor. Assistant Mayor Lister, Councilors Kennedy, Smith and Thorsen voted opposed.

Moved to suspend the rules in order to allow for an amendment at third reading. On a roll call vote 5-4, motion to suspend the rules in order to allow for further amendments at third reading ***failed*** to pass due to a ***lack of 6 votes (two-thirds vote required)***. Assistant Mayor Lister, Councilors Kennedy, Lown, Smith and Thorsen voted in favor. Councilors Coviello, Novelline Clayburgh, Dwyer and Mayor Spear voted opposed.

On a roll call 5-4, voted to pass third and final reading on the consolidated Parking Supply and Demand Ordinances A thru C, as amended. Councilors Coviello, Novelline Clayburgh, Lown, Dwyer and Mayor Spear voted in favor. Assistant Mayor Lister, Councilors Kennedy, Smith and Thorsen voted opposed.

Moved that the parking fee at the High Hanover parking facility be at no cost for any time in which a vehicle has been parked in the facility on a Sunday when it is demonstrated to the garage attendant in accordance with standards to be promulgated by the City Manager that either the driver or the owner of the vehicle is a resident of the City of Portsmouth to take effect on January 2, 2013. On a unanimous roll call vote 9-0, motion passed.

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

- A. Request for License from Kenneth Hooper, owner of National Electrical Manufacturers for property located at 22-28 Deer Street for 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 Kenneth Hooper, owner of National Electrical Manufacturers for a projecting sign at property located at 22-28 Deer 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***

- B. Request for License from Federal Savings Bank, for property located at 1 Market Square for 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 Federal Savings Bank, for a projecting sign at property located at 1 Market Square 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. \*Acceptance of Donations to the Coalition Legal Fund
- Town of Hebron - \$1,000.00
  - 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)***

10. Letter from Martin Cameron requesting \$3,000.00 - \$5,000.00 to support the World War 1 Marker Site with funding from the Connie Bean Center Fund Distribution – Voted to place the letter on file. Councilors Smith and Thorsen voted opposed.

11. Rezoning of 143 Daniel Street (Connie Bean Center) – Voted to refer the proposed Zoning Map amendments to the Planning Board for report back to the City Council.
12. Request to Approve City Manager’s Designee to Planning Board – Voted to approve the City Manager’s recommendation to designate incoming Deputy City Manager David Allen as the City Manager’s designee to the Planning Board effective September 1, 2012.
13. Report Back Regarding Workforce Housing Coalition’s Rock Street Garage Design Charrette Proposal – Voted to authorize the City Manager to work with the Workforce Housing Coalition on a design charrette for the Rock Street garage and appropriate \$500.00 in UDAG funding to support the Workforce Housing Coalition’s Rock Street Garage design charrette.
14. Funding for Implementation of Interim Senior Services Programming – Voted to authorize the aforementioned request for supplemental funding of senior services for FY2013.

Expenditure of Funds as follows:

- *Authorize the City Manager to expend funds from the General Fund Contingency in the amount of \$29,054.00 for hiring of a part-time senior services coordinator and \$10,000.00 to provide for other programs as outlined in the report.*
  - *Authorize the City Manager to expend \$43,500.00 from the Parking and Transportation Fund for the expansion of senior transportation by one day and the purchase of a new senior van at a 50% cost which will be cost-shared with Wentworth Connections.*
15. Appointment to be Considered - The City Council considered the appointment of Dennis Souto to the Trees and Public Greenery Blue Ribbon Committee which will be voted on at the September 4, 2012 City Council meeting.
  16. Appointments to be Voted – Voted to appoint Andrew (Drew) Stadterman to the Committee on Sustainable Practices.
  17. Resignation – Voted to accept with regret the resignation of June Rogers from the Trees and Greenery Blue Ribbon Committee.

Councilor Smith requested that a thank you letter be sent to June Rogers for her service to the City.

18. Reauthorization of the Blue Ribbon Committee on Transportation Policy – Mayor Spear announced the re-establishment of the Blue Ribbon Committee on Transportation Policy with a sunset date of April 15, 2013 and charge it with developing policies, principles and positions for the City’s approach to transportation, including but not limited to:

- Public transportation options
- Access for bicycle and pedestrian travel
- Parking availability and access
- Control/management of traffic
- Travel routes through the City
- “Complete” streets (sustainable design)

The Committee will be comprised of the following individuals: Councilor Brad Lown, Bill Lyons, Rick Chellman, Paige Roberts, Cliff Sinnott, Eric Gregg and Councilor Ken Smith, to serve as Chair Pro-Tem until a vote is taken by the Committee for the position of Chair.

19. Parking and Traffic Safety Committee – Michael Coffey – Voted to have Mayor Spear bring back Michael Coffey for appointment to the Parking and Traffic Safety Committee. Mayor Spear voted opposed.

20. Adjournment – At 10:50 p.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, CMC/CNHMC  
City Clerk