

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, OCTOBER 1, 2012 TIME: 7:00PM

AGENDA

- 6:00PM – ANTICIPATED “NON-MEETING” WITH COUNSEL RE: NEGOTIATIONS AND PERSONNEL MATTER - RSA: 91-A:2, I (b-c), AND LITIGATION RSA: 91-a:2 I (C)

- I. CALL TO ORDER [7:00PM or thereafter]
- II. ROLL CALL
- III. INVOCATION
- IV. PLEDGE OF ALLEGIANCE

PRESENTATION

1. Presentation to Retiring Welfare Director, Keith Bates

V. ACCEPTANCE OF MINUTES – AUGUST 20, 2012

VI. PUBLIC COMMENT SESSION

VII. PUBLIC HEARINGS

- A. RESOLUTION AUTHORIZING A BOND ISSUE OF UP TO TWO MILLION TWO HUNDRED SIXTY SEVEN THOUSAND DOLLARS (\$2,267,000.00) FOR FY13 CITYWIDE, BRIDGE, STREET, AND SIDEWALK IMPROVEMENTS
- B. RESOLUTION AUTHORIZING A BOND ISSUE OF UP TO FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) FOR FY13 SCHOOL FACILITIES IMPROVEMENT
- C. VARIOUS HOUSEKEEPING AMENDMENTS TO THE CITY’S CODE OF ORDINANCES
 - CHAPTER 1, ARTICLE VI – RESIDENCY REQUIREMENTS – DELETE IN ITS ENTIRETY
 - CHAPTER 3, ARTICLE I, SECTION 3.111 – HOGS – DELETE IN ITS ENTIRETY
 - CHAPTER 5, ARTICLE I, SECTION 5.102 – RESIDENTS OF THE CITY – DELETE IN ITS ENTIRETY

- CHAPTER 5, ARTICLE I, SECTION 5.103 – AGE LIMIT – DELETE IN ITS ENTIRETY
 - CHAPTER 6, ARTICLE VI – DANCING – DELETE IN ITS ENTIRETY
 - CHAPTER 9, ARTICLE II – SUNDAY ORDINANCES – DELETE IN ITS ENTIRETY
- D. ORDINANCE AMENDING CHAPTER 7, ARTICLE I, SECTION 7.102 – PARKING METER ZONES
- DOWNTOWN HIGH OCCUPANCY ZONE: PARKING SHALL BE AT THE RATE OF ONE DOLLAR FIFTY CENTS (\$1.50) PER HOUR IN THE FOLLOWING AREAS:
 1. DANIEL STREET, STARTING AT CHAPEL STREET THROUGH TO MARKET SQUARE
 2. BOW STREET, STARTING AT CHAPEL STREET THROUGH TO MARKET STREET
 3. CONGRESS STREET, STARTING AT MARKET SQUARE THROUGH TO CHESTNUT STREET
 4. PLEASANT STREET, STARTING FROM COURT STREET THROUGH TO MARKET SQUARE
 5. MARKET STREET, STARTING FROM MOFFATT-LADD HOUSE THROUGH TO MARKET SQUARE
 - PARKING IN ALL OTHER PARKING METER ZONES SHALL BE AT THE RATE OF ONE DOLLAR (\$1.00 PER HOUR)

VIII. APPROVAL OF GRANTS/DONATIONS

A. *Acceptance of Donations to Fire Department Re: Kearsarge Project

- Anonymous - \$40.00
- William B. Hart - \$100.00
- The Sharon R. Berger Trust \$100.00
- Carla Fletcher Johnson - \$250.00
- Donald E. & Ann F. Hare - \$500.00
- Northeast Auctions
by Ronald Bourgeault LLC - \$5,000.00

(Sample motion – move to approve and accept the donations to the Portsmouth Fire Department, as listed)

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Report Back from Planning Board and First Reading of Proposed Ordinance which would amend the Zoning Ordinance, Chapter 10, to Rezone 143 Daniel Street (former Connie Bean Property) from Municipal to Central Business B (CBB) and also, to place that property in the Downtown Overlay District (DOD)
- B. Adoption of Resolution Authorizing a Bond Issue of up to Two Million Two Hundred Sixty Seven Thousand Dollars (\$2,267,000.00) for FY13 Citywide, Bridge, Street, and Sidewalk Improvements
- C. Adoption of Resolution Authorizing a Bond Issue of up to Five Hundred Thousand Dollars (\$500,000.00) for FY13 School Facilities Improvements
- D. Second reading of Various Housekeeping Amendments to the City's Code of Ordinances.
 - Chapter 1, Article VI – RESIDENCY REQUIREMENTS – delete in its entirety
 - Chapter 3, Article I, Section 3.111 – HOGS – delete in its entirety
 - Chapter 5, Article I, Section 5.102 – RESIDENTS OF THE CITY – delete in its entirety
 - Chapter 5, Article I, Section 5.103 – AGE LIMIT – delete in its entirety
 - Chapter 6, Article VI – DANCING – delete in its entirety
 - Chapter 9, Article II – SUNDAY ORDINANCES – delete in its entirety
- E. Second reading of Ordinance Amendment to Chapter 7, Article I, Section 7.102 – Parking Meter Zones
 - Downtown High Occupancy Zone: Parking shall be at the rate of one dollar fifty cents (\$1.50) per hour in the following areas:
 1. Daniel Street, starting at Chapel Street through to Market Square
 2. Bow Street, starting at Chapel Street through to Market Street
 3. Congress Street, starting at Market Square through to Chestnut Street
 4. Pleasant Street, starting from Court Street through to Market Square
 5. Market Street, starting from Moffatt-Ladd House through to Market Square
 - Parking in all other parking meter zones shall be at the rate of one dollar (\$1.00 per hour)

X. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. Request from Trevor Bartlett, Portsmouth Halloween Parade to hold the annual parade on Wednesday, October 31, 2012 ***(Anticipated action – move to refer to the City Manager with power)***
- B. Letter from Patti Maccabe, Arthritis Foundation, requesting permission to hold the 19th Annual Jingle Bell 10k Run and Walk on Saturday, December 1, 2012 ***(Anticipated action – move to refer to the City Manager with power)***
- C. Acceptance of Police Department Donations:
- St. Andrew's Lodge #56 in support of the Portsmouth Police Honor Guard - \$500.00
 - Dr. & Mrs. David Ferland in support of the Portsmouth Police Explorer Cadets - \$48.00
 - Mr. Frank Mastan in support of the Portsmouth Police Honor Guard - \$45.00
- (Anticipated action – move to approve and accept the donations to the Portsmouth Police Department, as listed)***
- D. Request for Approval of Pole License to install/replace 6 poles located on Gosling Road ***(Anticipated action – move to approve the aforementioned Pole License Agreement as recommended by the Public Works Department with the approval conditioned upon amendment of the license to allow for the collection of any lawfully assessed real estate taxes)***
- E. Request for License from Paul Ambrose, owner of Grain Surfboards Wood Shop for property located at 74 Congress 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 Paul Ambrose, owner of Grain Surfboards Wood Shop for a projecting sign at property located at 74 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***

- F. Request for License from Hans and Linda Van der Does, owner of Toko Indo, Inc. for property located at 111 Market 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 Hans and Linda Van der Does, owner of Toko Indo, Inc. for a projecting sign at property located at 111 Market 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**

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Kelly and Jake Weinstein of property located at 809 State Street requesting the City keep brick sidewalks where they currently exists along the front of their home rather than replacing them with concrete
- B. Letter from James Ritzo, Attorney representing Leonard McAuliffe regarding Request for Restoration of Involuntarily Merged Lots 452-460 Richards Avenue – McAuliffe Realty Trust **(Sample motion – move to refer to the Legal Department for report back)**
- C. Letter from Shaun Rafferty requesting the City Council ask the residents and voters of Portsmouth if they want a second municipal garage
- D. Letter from Linda Harvey regarding her opposition to a second parking garage at the Worth Lot but supporting a second garage at the Parrott Avenue Lot
- E. Letter D. Allan Kerr, Thresher Memorial Project Group, requesting the City of Portsmouth support and endorse the project to install a 129' flagpole and monument in Kittery's Memorial Circle on Sunday, April 7, 2013 as a permanent memorial **(Sample motion – move to refer to the Veterans Organization Committee for a recommendation and report back)**

- F. Letter from Attorney Peter Loughlin regarding Parking Spaces in front of Portwalk Hanover Street Garage Entrance (***Sample motion – move to refer to the Legal Department for report back***)

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

Items Which Require Action Under Other Sections of the Agenda

1. First Reading of Proposed Resolution and Ordinance Amendments:
 - 1.1 Report Back from Planning Board and First Reading of Proposed Ordinance which would amend the Zoning Ordinance, Chapter 10, to Rezone 143 Daniel Street (former Connie Bean Property) from Municipal to Central Business B (CBB) and also, to place that property in the Downtown Overly District (DOD) (***Action on this item should take place under Section IX of the Agenda***)
2. Public Hearings of Proposed Ordinances and Resolutions:
 - 2.1 Public Hearing and Adoption of Proposed Bonding Resolutions Re: Citywide and School Facilities Improvements:
 - a) Resolution for Bond Authorization of up to \$2,267,000.00 for FY13 Citywide, Bridge, Street and Sidewalk Improvements
 - Downtown Sidewalk Replacement Program - \$700,000.00
 - Sagamore Creek Bridge Replacement - \$367,000.00
 - McDonough Street Area Improvements Project - \$400,000.00
 - Aldrich Road Traffic Safety Improvements - \$300,000.00
 - Pease International Tradeport Roadway Rehabilitation - \$500,000.00
 - b) Resolution for Bond Authorization of up to \$500,000.00 for FY13 School Facilities Improvements:
 - Replacement of the older sections of the high school roof, not replaced under previous projects, which are now leaking
 - Elementary school computer lab building infrastructure improvements to keep pace with newer technology upgrades
 - Replacement of the existing boiler at New Franklin School with a new energy efficient model providing a healthier student environment and energy savings

(Action on this item should take place under Section IX of the Agenda)

2.2 Public Hearing/Second Reading of Various Housekeeping Amendments to the City's Code of Ordinances

- Chapter 1, Article VI – RESIDENCY REQUIREMENTS – delete in its entirety
- Chapter 3, Article I, Section 3.111 – HOGS – delete in its entirety
- Chapter 5, Article I, Section 5.102 – RESIDENTS OF THE CITY – delete in its entirety
- Chapter 5, Article I, Section 5.103 – AGE LIMIT – delete in its entirety
- Chapter 6, Article VI – DANCING – delete in its entirety
- Chapter 9, Article II – SUNDAY ORDINANCES – delete in its entirety

(Action on this item should take place under Section IX of the Agenda)

2.3 Public Hearing/Second Reading of Proposed Ordinance Amendment to Chapter 7, Article I, Section 7.102 – Parking Meter Zones

- A. Downtown High Occupancy Zone: Parking shall be at the rate of one dollar fifty cents (\$1.50) per hour in the following areas:
1. Daniel Street, starting at Chapel Street through to Market Square
 2. Bow Street, starting at Chapel Street through to Market Street
 3. Congress Street, starting at Market Square through to Chestnut Street
 4. Pleasant Street, starting from Court Street through to Market Square
 5. Market Street, starting from Moffatt-Ladd House through to Market Square
- B. Parking in all other parking meter zones shall be at the rate of one dollar (\$1.00 per hour)

(Action on this item should take place under Section IX of the Agenda)

City Manager's Items Which Require Action

1. Proposed Work Session Re: Report Back on Parking Garage Site Selection Committee

Informational Items

1. Events Listing
2. Draft of City Council Retreat Agenda
3. Report Back Re: Voter ID/Reporting Times
4. Report Back Re: Request by Steven Kelm for an Easement over the Connie Bean Parking Lot
5. Fall 2012 Household Hazardous Waste Collection Notice

B. MAYOR SPEAR

1. Appointments to be Considered:
 - Appointment of Francesca Marconi Fernald to the Peirce Island Committee
 - Appointment of George Melchior to the Historic District Commission as a regular member (*currently an alternate*)

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

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

**KELLI L. BARNABY, CMC/CNHMC
CITY CLERK**

**Indicates Verbal Report*


INFORMATIONAL ITEMS

1. Notification that the Conservation Commission Minutes of the August 8, 2012 meeting are available on the City's website for your review
2. Notification that the Board of Adjustment Minutes of the May 22, 2012 meeting are available on the City's website for your review

NOTICE TO THE PUBLIC WHO ARE HEARING IMPAIRED: Please contact Dianna Fogarty at 603-610-7270 one-week prior to the meeting for assistance.

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: September 27, 2012
To: Honorable Mayor Eric Spear and City Council Members
From: John P. Bohenko, City Manager 
Re: City Manager's Comments on October 1, 2012 City Council Agenda

6:00 p.m. – Non-meeting with counsel.

For details on this matter, please refer to the confidential envelope inserted in the inside pocket of your binder.

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Presentation:

1. **Presentation to Retiring Welfare Director Keith Bates.** Keith Bates has decided to retire from the City after nineteen (19) years as the City's Welfare Director. He will start a new chapter in his life as the Community Services Director at Rockingham Community Action. During his 19 years with the City, Keith has done an outstanding job in the role of Welfare Director, staying within his budget every year. He also has been very active in the New Hampshire Local Welfare Administrator's Association serving as the President for nine (9) years. He was appointed by NH Governor John Lynch to serve as a Member for the NH Interagency Council on Homelessness from 2003 to 2009 and as a member for the Governor's TANF (Temporary Assistance to Needy Families) Council from 2006 - 2008 just to name a few. I would like to present him with a chair from the City Council and fellow employees in gratitude for his years of dedicated service and wish him the best of luck in his new position.

Acceptance of Grants and Donations:

1. **Acceptance of Donations to Fire Department Re: Kearsarge Project.** The Fire Department has received the following donations totaling \$5,990.00 for the Kearsarge Project:

• Anonymous	\$ 40.00
• William B. Hart	\$ 100.00
• The Sharon R. Berger Trust	\$ 100.00
• Carla Fletcher Johnson	\$ 250.00
• Donald E. & Ann F. Hare	\$ 500.00
• Northeast Auctions By Ronald Bourgeault LLC	\$5,000.00

I would recommend that the City Council move to approve and accept the donations to the Portsmouth Fire Department, as listed. Action on this matter should take place under Section VIII of the Agenda.

Items Which Require Action Under Other Sections of the Agenda:

1. **First Reading of Proposed Resolution and Ordinance Amendments:**

- 1.1 **Report Back from Planning Board and First Reading of Proposed Ordinance which would amend the Zoning Ordinance, Chapter 10, to Rezone 143 Daniel Street (former Connie Bean Property) from Municipal to Central Business B (CBB) and also, to place that property in the Downtown Overlay District (DOD).** Attached under Section IX of the Agenda is a proposed Ordinance and map which would amend Zoning Ordinance, Chapter 10, to rezone 143 Daniel Street (former Connie Bean property) from Municipal to Central Business B (CBB) and also, to place that property in the Downtown Overlay District (DOD).

As you will recall, at the August 20, 2012 City Council meeting, the Council referred a proposed rezoning from Municipal to Central Business B (CBB), and also that it be included with the Downtown Overlay District (DOD) to the Planning Board for report back. Attached is a memorandum from Rick Taintor, Planning Director, regarding this matter. At its September 20, 2012 meeting, the Planning Board voted to recommend the rezoning of this property.

I would recommend the City Council move to pass first reading and schedule a public hearing and second reading of the proposed Ordinance Amendments, as presented, at the October 22, 2012 City Council meeting. Action on this item should take place under Section IX of the Agenda.

2. **Public Hearings of Proposed Ordinances and Resolutions:**

2.1 **Public Hearing and Adoption of Proposed Bonding Resolutions Re: Citywide and School Facilities Improvements.** As a result of the September 17th City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and adoption **the attached Bonding Resolutions** of up to Two Million Seven Hundred Sixty-Seven Thousand Dollars (\$2,767,000) for the FY 2013 – 2018 Capital Improvement Projects. The following list identifies two separate resolutions:

a) **Resolution for Bond Authorization of up to \$2,267,000 for FY13 Citywide, Bridge, Street and Sidewalk Improvements.**

- **Downtown Sidewalk Replacement Program** **\$700,000.00**

This project involves the replacement of the sidewalks on Daniel Street from Market Square to the Wright Avenue Parking Lot. The existing sidewalks are made of concrete, asphalt and brick in some locations and are in poor condition due to wear and tear and age. Work will include resetting of granite curbing, new brick walking surface, period lighting and landscaping where appropriate. This project will tie together similar work previously completed on adjoining streets.

- **Sagamore Creek Bridge Replacement** **\$367,000.00**

This project involves funding the construction of the replacement of the Sagamore Creek Bridge on Rte 1A. Included with the bridge replacement is the reconstruction of the roadway approaches from Shaw Road to Rte 1B/Rte 1A intersection. Current schedule has project bidding in May-June 2013 with actual construction starting August 2013 through November 2014. Funding requested is for matching funds for federal/state grants.

- **McDonough Street Area Improvements Project** **\$400,000.00**

This project is at the request of the Neighborhood Association to have new sidewalks and traffic calming measures installed throughout the McDonough Street Area, and it provides funding for Phase 3 of the project. The main purpose of this project is to enhance safety for the residents and others who travel through this area on foot, by bicycle or motor vehicle. The work includes water, sewer, storm drainage, paving, curbing, sidewalks and associated landscaping.

- **Aldrich Road Traffic Safety Improvements** **\$300,000.00**

Aldrich Road has been identified as a high traffic connector between Middle Street and Islington Street which are both major arterial streets.

This project is to construct traffic calming methods such as curbing, reduction of travel widths and intersection realignment. These improvements will slow traffic speeds, discourage through traffic and increase pedestrian safety in the corridor.

- Pease International Tradeport Roadway Rehabilitation \$500,000.00

Per the Municipal Services Agreement between the City and the Pease Development Authority, the City shall provide Public Works services in the non-airfield area of the Tradeport. These services include maintaining and repairing roads, streets and sidewalks. These funds will provide for rehabilitation of roadway infrastructure within the Tradeport similar to the program conducted upon the roadway system in the remaining sections of the City.

- b) **Resolution for Bond Authorization of up to \$500,000 for FY13 for School Facilities Improvements:** The School Department has maintenance responsibilities for seven buildings with over 600,000 square feet of space. These funds will be utilized for the following facility upgrades:

- Replacement of the older sections of the high school roof, not replaced under previous projects, which are now leaking.
- Elementary school computer lab building infrastructure improvements to keep pace with newer technology upgrades.
- Replacement of the existing boiler at New Franklin School with a new energy efficient model providing a healthier student environment and energy savings.

On Monday evening, Steve Parkinson, Public Works Director and Steve Bartlett, School Business Administrator, will make presentations regarding this matter.

I would recommend that the City Council move the following motions:

- 1) *Move to adopt the proposed Bond Resolution for Citywide Improvements in the amount up to \$2,267,000 as submitted.*
- 2) *Move to adopt the proposed Bond Resolution for School Facilities Improvements in the amount of up to \$500,000 as submitted.*

Please note that Bonding Resolutions require two readings and a public hearing and two-thirds vote of the City Council. Action on this item should take place under Section IX of the Agenda.

2.2 **Public Hearing/Second Reading of Various Housekeeping Amendments to the City's Code of Ordinances.** As a result of the September 17th City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and second reading the **attached Ordinance** with various housekeeping amendments to the City's Code of Ordinances as follows:

- A. That Chapter 1, Article VI - RESIDENCY REQUIREMENTS of the Ordinances of the City of Portsmouth be deleted in its entirety;

(Explanation not part of ordinance: Passage of this ordinance would delete department head residency requirement which was ruled unconstitutional by the Court in the early 1980s.)

- B. That Chapter 3, Article I, Section 3.111 - HOGS of the Ordinances of the City of Portsmouth be deleted in its entirety;

(Explanation not part of ordinance: Passage of this ordinance would eliminate a provision which allowed the Health Officer to issue permits for the keeping of hogs, "within the compact part of the City".)

- C. That Chapter 5, Article I, Section 5.102 - RESIDENTS OF THE CITY of the Ordinances of the City of Portsmouth be deleted in its entirety;

(Explanation not part of ordinance: Passage of this ordinance would remove from the ordinances a requirement that members of the Fire Department, "establish residence anywhere within a ten mile direct line radius of the Central Fire Station" as well as other requirements, all of which have been superseded by collective bargaining.)

- D. That Chapter 5, Article I, Section 5.103 -AGE LIMIT of the Ordinances of the City of Portsmouth be deleted in its entirety;

(Explanation not part of ordinance: Passage of this ordinance would remove an unused provision which would prevent persons under the age of 21 or over the age of 35 from being, "appointed a permanent fireman" as well as remove an age limitation on the now non-existent call Fire Department.)

- E. That Chapter 6, Article VI - DANCING of the Ordinances of the City of Portsmouth be deleted in its entirety;

(Explanation not part of ordinance: Passage of this ordinance would eliminate an obsolete licensing provision regarding public dances in the City which requires a license; requires a fee; requires the City Manager approve the location of the dance; calls for police attendance at each dance; requires a matron to be, "in charge of the ladies parlor and toilet" and establishes hours when dances are allowed.)

- F. That Chapter 9, Article II - SUNDAY ORDINANCES of the Ordinances of the City of Portsmouth be deleted in its entirety;

(Explanation not part of ordinance: Passage of this ordinance would eliminate a series of unenforced ordinances which prohibit or limit amateur or professional sports, "moving pictures and theatricals" and certain retail trades on Sunday.)

At the City Council meeting of September 17, 2012, the Council indicated an interest in retaining certain ordinances which have been deleted from the ordinance book for historical reference purposes. The Council is interested in developing a method which would allow for easy review of selected ordinances which illustrate the changing circumstances of life in the City (for example, an ordinance which allows hogs to be kept in the downtown area with a permit from the Health Officer).

As a preliminary point, it should be noted that all repealed ordinances are kept on permanent record in the office of the City Clerk. However, that permanent file does not allow for easy review. Secondly, it is the City Attorney's operating assumption that most ordinances which are repealed by the Council such as traffic ordinances and zoning ordinances do not have historical interest and do not need to be kept available for ready review.

With those thoughts in mind, it is the City Attorney's recommendation that the Council by motion request that an appendix be added to the City's ordinance book. The appendix might be entitled, "Repealed Ordinances of Historical Interest". The City Council could then decide on a case by case basis whether to put any particular repealed ordinance into the appendix.

There would be no particularly formalities involved in the establishment of such an appendix, a motion passed by the Council directing that it be prepared would be sufficient authority for the action to be taken.

I would recommend the City Council move the following motions:

- 1) Move to pass second reading and schedule a third and final reading of the proposed Ordinance Amendments, as presented, at the October 22, 2012 City Council meeting, and,*
- 2) Move to add an appendix to the City's Ordinance Book.*

Action on this item should take place under Section IX of the Agenda.

2.3 **Public Hearing/Second Reading of Proposed Ordinance Amendment to Chapter 7, Article I, Section 7.102 – Parking Meter Zones.** As a result of the September 17th City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and second reading the **attached proposed Ordinance amendment** to Chapter 7, Article I, Section 7.102 – Parking Meter Zones. Also, **attached is a map**, regarding the following proposed amendment:

Section 7.102: PARKING METER ZONES

All of those streets, parts of streets and off-street parking lots, the time for parking upon which is limited by any ordinance of the City of Portsmouth, and any such areas the time for parking upon which may at any time hereafter be limited by any ordinance of the City or any amendment thereto are designated as parking meter zones. Parking **in parking meter zones at metered spots upon streets or in off-street metered lots** shall be at the rate of \$1.50 per hour with the **for a** maximum time permitted **for of** parking of three (3) **consecutive** hours, unless otherwise established by ordinance. **The rate for such parking shall be:**

A. DOWNTOWN HIGH OCCUPANCY ZONE:

Parking shall be at the rate of one dollar fifty cents (\$1.50) per hour in the following areas:

- 1. Daniel Street, starting at Chapel Street through to Market Square**
- 2. Bow Street, starting at Chapel Street through to Market Street**
- 3. Congress Street, starting at Market Square through to Chestnut Street**
- 4. Pleasant Street, starting from Court Street through to Market Square**
- 5. Market Street, starting from Moffatt-Ladd House through to Market Square.**

B. Parking in all other parking meter zones shall be at the rate of one dollar (\$1.00) per hour.

On Monday evening before the public hearing, Steve Parkinson, Public Works Director, will give a brief presentation regarding this matter. Also, I have **attached** an **economic impact sheet** regarding this matter. Please note that I have included what additional revenue would be received in the event the City Council increased the fines from \$10.00 to \$15.00.

I would recommend the City Council move to pass second reading and schedule a third and final reading of the proposed Ordinance Amendments, as presented, at the October 22, 2012 City Council meeting. Action on this item should take place under Section IX of the Agenda.

Consent Agenda:

1. **Acceptance of Police Department Donations.** Attached under Section VIII of the Agenda is a memorandum, dated September 19, 2012, from John F. Golumb, Chairman of the Portsmouth Police Commissioners, and Police Chief Stephen J. DuBois, requesting that the City Council approve the following donations:
 - a) A donation in the amount of \$500.00 from St. Andrew's Lodge #56 in support of the Portsmouth Police Honor Guard.
 - b) A donation in the amount of \$48.00 from Dr. and Mrs. David Ferland in support of the Portsmouth Police Explorer Cadets.
 - c) A donation in the amount of \$45.00 from Mr. Frank Mastan in support of the Portsmouth Police Honor Guard.

The Police Commission is submitting this information pursuant to City Policy Memorandum #94-36 for City Council approval and acceptance.

I would recommend that the City Council move to approve and accept the donations to the Portsmouth Police Department, as listed. Action on this matter should take place under Section VIII of the Agenda.

2. **Request for Licenses to install Projecting Signs.** Attached under Section X of the Agenda are the following requests for projecting sign licenses (see attached memorandums from Rick Taintor, Planning Director):
 - Paul Ambrose, owner of Grain Surfboards Wood Shop for property located at 74 Congress Street
 - Hans and Linda Van der Does, owners of Toko Indo, Inc. for property located at 111 Market Street

I would recommend the City Council move to approve the aforementioned Projecting Sign Licenses as recommended by the Planning Director and, further, authorize the City Manager to execute License Agreements for these requests. Action on this matter should take place under Section X of the Agenda.

City Manager's Items Which Require Action:

1. **Proposed Work Session Re: Report Back on Parking Garage Site Selection Committee.**
On Tuesday, September 25th, the Parking Garage Site Selection Committee met and reviewed a draft of its final report to the City Council. As a result, it is anticipated the Committee will have its report ready next week. The Committee is requesting that the City Council establish a work session on Monday, October 15, 2012, at 6:30 p.m., in City Council Chambers to review and present this report.

I would recommend the City Council move to establish a Work Session on Monday, October 15, 2012 at 6:30 p.m. in City Council Chambers regarding a review and presentation of the final report from the Parking Garage Site Selection Committee.

Informational Items:

1. **Events Listing.** For your information, **attached is a copy of the Events Listing** updated after the last City Council meeting on October 1, 2012. In addition, this now can be found on the City's website.
2. **Draft City Council Retreat Agenda.** For your information, **attached is a draft agenda for the City Council Retreat**
3. **Report Back Re: Voter ID/Reporting Times.** As requested by the City Council, **attached is a memorandum from Kelli Barnaby, City Clerk,** regarding Voter ID and election reporting times. If you have any questions regarding the report back, Kelli Barnaby will be available at Monday's meeting to answer them.
4. **Report Back Re: Request by Steven Kelm for an Easement over the Connie Bean Parking Lot.** As you may recall, at its May 21, 2012 meeting, the City Council referred the aforementioned matter to the Planning Board for report back to the City Council. **Attached is a memorandum from Rick Taintor, Planning Director,** regarding this matter. On September 20, 2012, the Planning Board voted to recommend that no action be taken on the request for an easement.
5. **Fall 2012 Household Hazardous Waste Collection Notice.** For your information, **attached is a notice regarding the Fall 2012 Household Hazardous Waste Collection Day** scheduled for Saturday, October 27, 2012.