

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, APRIL 1, 2013

PORTSMOUTH, NH
TIME: 6:00PM [or thereafter]

At 6:00 p.m., an Anticipated “Non-Meeting” with Counsel regarding Litigation – RSA 91-A:2 I (c).

At 6:30 p.m., a Work Session was held on a Zoning Ordinance Amendment regarding Neighborhood Commercial Uses.

I. CALL TO ORDER [7:00PM or thereafter]

Mayor Spear called the meeting to order at 7:40 p.m.

II. ROLL CALL

Present: Mayor Spear, Assistant Mayor Lister, Councilors Coviello, Kennedy, Novelline Clayburgh, Lown, Dwyer, Smith and Thorsen

III. INVOCATION

Mayor Spear asked everyone to join in a moment of Silent Prayer.

IV. PLEDGE OF ALLEGIANCE

Councilor Thorsen led the Pledge of Allegiance to the Flag.

PRESENTATIONS

1. Ben Anderson, Executive Director of Prescott Park Arts Festival Re: Update on New Pavilion Building in Prescott Park

Ben spoke to the Capital Campaign for site & performance improvements to Prescott Park, with a goal of \$1,300,000.00. He stated all events are provided free of charge and spoke to the positive impact on local communities. Mr. Anderson reported in the last 5 years there have been 22 new partnerships created and new annual events.

Councilor Novelline Clayburgh thanked Ben for his years of service to Prescott Park Arts Festival and expressed her appreciation for all of the work he has invested into the park.

2. Memorial Bridge Site Improvements in and around Scott Avenue and Daniel Street including Memorial Park

Deputy City Manager Allen reviewed the design for the New Memorial Park Concept Plan. He introduced Mr. Teetzel of Wilcox Industries Corp., who donated funds for the creation of the Park.

Mr. Teetzel discussed reclaimed granite from the bridge that will be used in the Memorial Park and Ms. Woodburn of Woodburn & Co., discussed the design features for the park. Mr. Teetzel also spoke regarding a fundraising effort for the bridge lighting project, to sell commemorative bricks to be placed in the Veteran's Memorial Circle. He requested a consensus from the Council to move forward with this fundraising proposal. The City Council thanked Mr. Teetzel and his family for his generosity.

City Manager Bohenko informed the Council that a trust has been set up and the proceeds from the brick fundraiser would be put into the trust.

V. ACCEPTANCE OF MINUTES – MARCH 18, 2013

Councilor Novelline Clayburgh moved to approve and accept the minutes of the March 18, 2013 City Council meeting. Seconded by Assistant Mayor Lister and voted.

VI. PUBLIC COMMENT SESSION

Neil Depaoli addressed a parking garage being constructed at the Worth Lot and his opposition. He stated that he is disappointed this matter is back before the City Council and said he has never found there to be a parking problem downtown. Mr. Depaoli expressed his support of Councilor Smith's idea of distributed parking.

Ralph DiBernardo urged the City Council to respect neighborhoods and his opposition to the proposed amendment to the zoning ordinance regarding neighborhood commercial uses. He also stated that 2,000 square feet for a neighborhood store is not small and would impact neighborhoods.

Michael Frandzel spoke opposed to another parking garage and that the Worth Lot is not a good location.

Natalie Roman-Nelson thanked Councilor Smith and the Parking Traffic & Safety Committee for their work on the parking issues. She expressed support for the distributed parking plan. She stated she feels that some councilors are catering to developers.

Harold Whitehouse stated that the Parking Traffic & Safety Committee has spent a great deal of time in the last few weeks on the parking garage issue. He expressed his frustration with road blocks being placed in front of the PTS Committee.

ZelitA Morgan stated the historic character of the City is being lost. She suggested that a parking garage be constructed at the Pease Tradeport. She expressed her opposition to the amount of development taking place downtown and its affect on the skyline.

Jim Noucas and Representatives of Portsmouth Listens, stated parking is a major issue in the City and a dialogue is needed. He suggested the study circle method be used to assist in the decision making process regarding transportation. He indicated that a proposal will be made at the April 15th City Council meeting by Portsmouth Listens on the process of study circles regarding transportation.

Nancy Pearson, Board of Directors of Art-Speak urged the City Council to move forward with the proposed \$3.3 million Bond Resolution for the Middle School. She discussed the percent for arts ordinance and its benefits. Ms. Pearson reported on the quantitative benefits of arts and its impact on economic development in the community.

Susan Denenberg stated that the City Council voted to put aside the Worth Lot as a site for a new parking garage in December and now the matter is back before the Council. She said there is no good reason to go back and expressed support for the PTS Committee and their work on parking.

Bob Shouse said the City Council is going in circles on the Worth Lot matter and the need for parking which affects growth.

Catherine Reddington spoke opposed to the Worth Lot for a parking garage site and said it is beginning to feel like some businesses are not wanted to remain in the downtown.

Councilor Smith moved to suspend the rules in order to allow an additional speaker. Seconded by Councilor Novelline Clayburgh and voted.

David Nord spoke regarding the definition of conflict of interest for a City Council member. City Attorney Sullivan explained that the line is drawn if a Councilor stands to make money from a vote, which results in a direct pecuniary interest.

VII. PUBLIC HEARINGS

- A. PROPOSED AMENDMENTS TO CHAPTER 10 – ZONING ORDINANCE – ARTICLE 12 – SIGNS, SECTION 10.1230 – SIGN DISTRICTS, SECTION 10.1240 – PERMITTED SIGN TYPES, SECTION 10.1250 – SIGN DIMENSIONAL STANDARDS, SECTION 10.1290 – SIGN DEFINITIONS, AND SECTION 10.1270 – ADDITIONAL SIGN REGULATION

Mayor Spear read the legal notice, declared the public hearing and asked for speakers.

Planning Director Taintor reviewed the 7 proposed changes to the zoning ordinance, outlined the sign districts and stated District 4 would now include business. He also spoke to the allowable sign area being expanded and that projecting signs shall project no closer than 1 foot to the edge of the vehicular travel way. In addition, Planning Director Taintor addressed the amendment for one parapet sign, or one wall sign above the first floor, may be allowed for each street façade, provided that the use is primarily above the first floor.

The parapet sign or wall sign shall not be placed on a floor higher than the highest floor occupied by the applicable use.

With no speakers coming forward, Mayor Spear declared the public hearing closed.

B. PROPOSED AMENDMENTS TO CHAPTER 10 – ZONING ORDINANCE – ARTICLE 5 – DIMENSIONAL AND INTENSITY STANDARDS, SECTION 10.515 – MEASUREMENT RULES, SECTION 10.516 – EXCEPTIONS TO YARD REQUIREMENTS AND ARTICLE 15 – DEFINITIONS, AND SECTION 10.1530 – TERM OF GENERAL APPLICABILITY

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

Planning Director Taintor reviewed the ordinance amendments and addressed the addition in Building Coverage and Yards to include mechanical systems that are less than 36 inches above the ground level with a mounting pad not exceeding 10 square feet; are set back at least 10 feet from a property line; and are not located closer to the street than the front of the principal structure. He also spoke to the addition of a Portico which is a small porch composed of a roof supported by columns, often found in front of a doorway.

With no speakers coming forward, Mayor Spear declared the public hearing closed.

C. PROPOSED AMENDMENTS TO CHAPTER 10 – ZONING ORDINANCE – ARTICLE 6 – OVERLAY DISTRICTS, SECTION 10.630 – HISTORIC DISTRICT AND SECTION 10.635.20 – WORK SESSIONS

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

Planning Director Taintor explained there are no current requirements during a Historic District Commission Work Session to have an applicant provide any conceptual site plan or conceptual level information which makes it difficult for the HDC. This proposed amendment addresses this matter by stating upon receipt of a written request (containing a conceptual site plan and conceptual level information listed under section 10.634.20) by a potential applicant for a work session, either prior to or after the submission of an application for a Certification, the Commission shall at a regularly scheduled public hearing or other authorized time, convene into a work session.

With no speakers coming forward, Mayor Spear declared the public hearing closed.

Councilor Smith moved to suspend the rules in order to bring forward Item XII. A. 2. – Request from Memorial Bridge Illumination Committee Re: Ratification of Loan Request. Seconded by Councilor Coviello and voted.

XII. A.2. Request from Memorial Bridge Illumination Committee Re: Ratification of Loan Request

Assistant Mayor Lister moved to authorize the City Manager to enter into a Loan Agreement with the Memorial Bridge Illumination Committee, as presented. Seconded by Councilor Coviello and voted.

At 9:10 p.m., Mayor Spear declared a brief recessed. At 9:25 p.m., Mayor Spear called the meeting back to order.

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First Reading of Resolution Authorizing the Borrowing of up to Three Million Three Hundred Thousand Dollars (\$3,300,000.00) Through the Issue of Bonds and Notes for Additional Costs for the Construction, Expansion and Renovation of the Portsmouth Middle School

Assistant Mayor Lister moved to approve first reading on a \$3.3 Million Dollar Bond Authorization and schedule a public hearing and adoption at the April 15, 2013 City Council meeting. Seconded by Councilor Novelline Clayburgh.

Councilor Kennedy expressed concern passing this motion with outstanding unanswered questions. She asked if the Resolution is not approved, what would happen, and where does the State stand on reimbursement.

City Manager Bohenko referred to the letter in the Council packet from School Business Administrator Bartlett with a response from the NH Department of Education regarding reimbursement of funds. The response states the Middle School Project would be reimbursed using the same methodology as the two previous bonds totaling \$37.5 million. It has been confirmed that the reimbursement will apply to an additional bond, as long as the total of all three bonds does not exceed the original approved amount of \$40,855,000.00.

Councilor Dwyer said the JBC has asked Jim LaPosta, JCJ Architects what the building would look like if the plan was not completed. She advised the City Council that a third of the building would not be completed and it is the part of the project that connects the building. She reported that the architect would provide some renderings for the JBC to review.

Assistant Mayor Lister stated that if the project is not completed it would be taking quality education from the students.

Councilor Novelline Clayburgh thanked Councilor Dwyer and Dexter Legg, Co-Chairs of the JBC for all the extra time and effort they have put into this project.

Councilor Kennedy stated that it is important that the Council look at all of the options available and what that would look like.

Councilor Dwyer said that a public presentation would be held at the public hearing on the Bond Resolution. She stated that Jim LaPosta, JCJ Architects would answer some of these questions.

Discussion followed regarding the percent for arts ordinance and how that impacts the project. Councilor Thorsen stated that the dollars for the percent for arts should remain local because this is local money from the Portsmouth taxpayers.

Motion passed.

- B. Second Reading of Proposed Amendments to Chapter 10 – Zoning Ordinance – Article 12 – Signs, Section 10.1230 – Sign Districts, Section 10.1240 – Permitted Sign Types; Section 10.1250 – Sign Dimensional Standards, Section 10.1290 – Sign Definitions, and Section 10.1270 – Additional Sign Regulation

Councilor Coviello moved to pass second reading and schedule a third and final reading on the proposed Ordinance, at the April 15, 2013 City Council meeting. Seconded by Councilor Lown.

Councilor Kennedy asked if the signs could be internally or externally lighted. Planning Director Taintor stated signs could be internally or externally lit.

Councilor Smith stated that he would abstain from voting, as he has a business downtown and he may be putting in a new sign.

Councilor Kennedy stated that she would need to abstain from voting as well as she has a business in the City.

Motion passed with Councilors Kennedy and Smith abstaining from voting on this matter.

- C. Second Reading of Proposed Amendments to Chapter 10 – Zoning Ordinance – Article 5 – Dimensional and Intensity Standards, Section 10.515 – Measurement Rules, Section 10.516 – Exceptions to Yard Requirements and Article 15 – Definitions, Section 10.1530 – Term of General Applicability

Councilor Novelline Clayburgh moved to pass second reading and schedule a third and final reading on the proposed Ordinance, at the April 15, 2013 City Council meeting. Seconded by Councilor Coviello.

Councilor Kennedy stated she would not support the ordinance because she is concerned with the noise impact when a device could be placed 10 feet from the home.

Councilor Coviello asked Planning Director Taintor if this would apply to projects not going to the Planning Board. Planning Director Taintor said largely projects going before the Board of Adjustment.

Councilor Dwyer said her outside air conditioning unit was not within 10 feet but in a residential setting you need to consider if the noise would be too much for the neighbors.

Motion passed with Councilor Kennedy opposed.

- D. Second Reading of Proposed Amendments to Chapter 10 – Zoning Ordinance – Article 6 – Overlay Districts, Section 10.630 - Historic District and Section 10.635.20 – Work Sessions

Councilor Novelline Clayburgh moved to pass second reading and schedule a third and final reading on the proposed Ordinance, at the April 15, 2013 City Council meeting. Seconded by Councilor Coviello.

Councilor Smith asked Planning Director Taintor what a conceptual plan would be. Planning Director Taintor stated for the location of the lot and scale of design.

Discussion followed on the need for consistency with the materials submitted for the work session.

Motion passed.

X. CONSENT AGENDA

- A. Request for Approval of Pole License to install 2 poles, 1 located on Sagamore Avenue and 1 located on Austin Street that are in need of replacement ***(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)***
- B. Request for Approval of Pole License to install 1 pole and 110 feet of Underground Conduit and 1 pad mounted transformer located on Daniel Street. The transformer and conduit system are associated with the Memorial Bridge construction ***(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)***
- C. Letter from Doug Bates, Greater Portsmouth Chamber of Commerce, requesting permission to hang Harbour Trail Flags at 24 key sites for the 2013 season ***(Anticipated action – move to refer to the City Manager with power)***
- D. Letter from Alyssa Salmon, Big Brothers Big Sisters of the Greater Seacoast, requesting permission to hold the 4th Annual Stiletto Race on Saturday, June 15, 2013 from 3:30 p.m. – 5:30 p.m. and to close Pleasant Street (rain date Sunday, June 16, 2013) ***(Combined with Summer in the Streets Program through Pro Portsmouth) (Anticipated action – move to refer to the City Manager with power)***

- E. *Acceptance of Donation to Recreation Department in memory of Thomas Leary
 - Kenneth C. and Priscilla A. Bowlen - \$25.00***(Anticipated action – move to approve and accept the donation to the Portsmouth Recreation Department, as listed)***

- F. Letter from Wendy McCoole, Executive Director, BreastCancerStories.org, requesting change of date of CelebratePink 5K Road Race and Walk to Saturday, September 14, 2013 ***(Anticipated action – move to refer to the City Manager with power)***

Councilor Lown moved to adopt the Consent Agenda. Seconded by Assistant Mayor Lister and voted.

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Attorney Paul McEachern on behalf of Beth Gross-Santos regarding the merger of lots at 79 Lois Street. Also attached is a memorandum from Rick Taintor, Planning Director regarding the request

Councilor Lown moved to approve the merger of lots as requested by Attorney Paul McEachern in letter dated March 15, 2013 in accordance with RSA 674:39-aa. Seconded by Councilor Novelline Clayburgh.

Councilor Kennedy questioned whether there was any historical record on this property. Councilor Dwyer said that Attorney McEachern indicates in his letter that the original lots were 40 x 80. City Manager Bohenko said a great deal of discussion was done with the last requests. Planning Director Taintor stated lots were divided and were small. He said they were looking at this as a single lot and originally they were 7 separate lots. Councilor Kennedy asked if this was indicated in the deed. Planning Director Taintor said in the 1930's the property owners created these larger lots. Councilor Lown said the end goal is to create 2 lots. Councilor Kennedy stated she was uncomfortable with this request and that she does not see where the City merged lots here.

City Manager Bohenko suggested tabling the matter to ascertain additional information. City Attorney Sullivan concurred with City Manager Bohenko and stated that Attorney McEachern could not be present this evening. If this matter is postponed to a future meeting, Attorney McEachern could be available to answer questions of the Council regarding his clients and the property.

Assistant Mayor Lister moved to postpone this matter to a future Council meeting. Seconded by Councilor Coviello and voted.

- B. Letter from Doug Bates, President, Greater Portsmouth Chamber of Commerce requesting permission to conduct a Veterans Council 5K Road Race on Saturday, May 18, 2013 at 9:00 a.m.

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

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

1. Request for a Parking Lot Agreement Re: Middle Street Baptist Church

Councilor Lown moved to approve a one-year License Agreement between the Middle Street Baptist Church and the City of Portsmouth, as presented, and further, authorize the City Manager to execute this Agreement. Seconded by Councilor Coviello and voted.

3. Applications for Sidewalk Cafes Providing Alcohol Service
- a) Popovers on the Square
 - b) Ri Ra
 - c) State Street Saloon
 - d) Surf

City Manager Bohenko informed the City Council that these agreements are extensions of the licenses issued last year for the above establishments to allow alcohol service outside at the sidewalk cafes. He advised the City Council that The District Restaurant has not requested, at this time, a renewal for their license but would be making a request in the future.

Popovers on the Square

Councilor Smith moved to authorize the City Manager to enter into an Area Service Agreement with Popovers on the Square for outdoor Alcohol Service on City land for the 2013 season subject to City Council Policy No. 2012-02 regarding use of City property for sidewalk cafes providing alcohol service. Seconded by Councilor Lown.

Councilor Kennedy indicated she would oppose the motion and that the cost of the license should be increased.

Motion passed with Councilor Kennedy voting opposed.

Ri Ra

Councilor Kennedy stated that the tables are too close to the bench and they intrude into the walking path of pedestrians on the sidewalk.

Councilor Coviello said he would not support the location.

Councilor Kennedy moved to refer to the City Manager with power to look at a 3 foot radius around the bench and tables. Seconded by Councilor Lown.

Councilor Coviello stated if this motion has an impact on the number of tables and chairs the City Manager could come back to the City Council.

Motion passed.

State Street Saloon

Councilor Smith moved to authorize the City Manager to enter into an Area Service Agreement with State Street Saloon for outdoor Alcohol Service on City land for the 2013 season subject to City Council Policy No. 2012-02 regarding use of City property for sidewalk cafes providing alcohol service. Seconded by Councilor Lown and voted with Councilor Kennedy opposed.

Surf

Councilor Smith moved to authorize the City Manager to enter into an Area Service Agreement with Surf for outdoor Alcohol Service on City land for the 2013 season subject to City Council Policy No. 2012-02 regarding use of City property for sidewalk cafes providing alcohol service. Seconded by Councilor Coviello and voted with Councilor Kennedy opposed.

4. Report Back Re: Request by Christopher McInnis to Rezone Parcels at 678 and 680 Maplewood Avenue from Single Residence B (SRB) to Business (B)

Councilor Coviello moved to accept the Planning Board's recommendation that the City Council not vote to rezone the land as requested. Seconded by Assistant Mayor Lister and voted. Councilor Smith abstained from voting on the matter.

5. License Request for 103 Congress Street, The District Restaurant

City Manager Bohenko reported that the awning request was approved by the Historic District Commission and this would be an annual license.

Assistant Mayor Lister moved to authorize the City Manager to negotiate and enter into a license with The District Restaurant located at 103 Congress Street to allow an approximate 3 square foot overhang of its awning on City property. Seconded by Councilor Novelline Clayburgh and voted.

City Manager's Informational Items

- Schedule for Budget Presentations – April 6, 2013

City Manager Bohenko announced that the City Council will be conducting a Work Session this Saturday, April 6th with the various departments making Budget Presentations. The Work Session will begin at 9:00 a.m. and is anticipated to end at 3:00 p.m. He also indicated that the Work Session would be televised and invited the public to attend.

B. MAYOR SPEAR

1. Appointment to be Considered:
 - Michael Barker – Appointment to the Taxi Commission

The City Council considered the appointment of Michael Barker to the Taxi Commission which will be voted on at the April 15, 2013 City Council meeting.

2. Appointments to be Voted:
 - Ruth Griffin – Reappointment to the Portsmouth Housing Authority
 - Shelley Saunders – Reappointment as an Alternate to the Conservation Commission

Councilor Smith moved to reappoint Ruth Griffin to the Portsmouth Housing Authority until April 1, 2018. Seconded by Councilor Kennedy and voted.

Councilor Kennedy moved to reappoint Shelley Saunders as an Alternate to the Conservation Commission until April 1, 2016. Seconded by Councilor Coviello and voted.

3. *Establish Public Input Session Re: Restart Process for Building Parking Garage at Worth Lot – Proposed Date, Monday, May 13, 2013 at 6:30 p.m.

Mayor Spear stated he has heard from a number of people requesting a public input session regarding the building of a parking garage at the Worth Lot.

Councilor Novelline Clayburgh moved to hold a Public Input Session on any parking issues individuals want to discuss on Monday, May 13, 2013 at 6:30 p.m. Seconded by Councilor Lown.

Assistant Mayor Lister stated he intended to not support this item, but the comments made during the public comment session and the change to the motion to allow individuals to discuss any parking issues they may have, has changed his mind to vote in favor. He said that the City Council needs to make a sound decision on this matter at some point and he is taking Mayor Spear's word on hearing from all people.

Councilor Novelline Clayburgh stated that people are very passionate on where we put a parking garage and the more opportunities to speak on this matter, the better. She said that this is for parking downtown only.

Councilor Dwyer said Portsmouth Listens offer was interesting as it follows the conclusion of the Transportation Policy Committee. She stated we need to hear the report of the Transportation Policy Committee and PTS Committee and perhaps the May 13, 2013 date is too early.

Councilor Smith said that there are 2 different issues, transportation and parking in the downtown. He indicated that people feel the input sessions are not give and take and this has created a great deal of confusion. He supports Councilor Dwyer's recommendation to bring both the Transportation Policy Committee and PTS Committee Reports forward to the City Council for review.

Councilor Thorsen stated he agrees with Councilors Dwyer and Smith, and the City Council will need time to digest the reports. He suggested voting the motion down or to table it.

Councilor Lown said he respects listening to what people have to say in order to gauge public opinion.

Councilor Kennedy moved to amend the motion to hold this public input session after June 15, 2013. Seconded by Councilor Thorsen.

Mayor Spear said that he would check dates with City Manager Bohenko and come back with a recommendation.

Councilor Novelline Clayburgh said there are new ideas and new input is needed.

Councilor Kennedy said she would like to hear Portsmouth Listens proposal.

On a roll call 5-4, voted to amend the motion to hold this public input session after June 15th. Assistant Mayor Lister, Councilors Kennedy, Dwyer, Smith and Thorsen voted in favor. Councilors Coviello, Novelline Clayburgh, Lown and Mayor Spear voted opposed.

Councilor Kennedy moved to amend the main motion to broaden the discussion to all parking and transportation issues. Seconded by Councilor Thorsen.

Councilor Thorsen said he understands why we might vote to keep it to parking but we should hear a broader subject, and what people want to discuss.

Councilor Novelline Clayburgh said we should keep it to parking. She said we need to resolve this before the end of this Council term.

Councilor Coviello said the motion that moved this matter to the PTS Committee was to find a different location for the garage and now we are talking about transportation, and creating decks for parking throughout the City.

Councilor Kennedy said we are talking about parking but how can we do it without looking at everything, including transportation.

Motion to amend failed to pass on a voice vote.

Main motion passed as amended. Councilors Kennedy and Thorsen voted opposed. *Motion is as follows: Voted to hold a Public Input Session on any parking issues individuals want to discuss after June 15, 2013.*

- April 22, 2013 Work Session Re: Doble Center (Not on Agenda)

The City Council agreed to change the date of the Work Session regarding the Doble Center to Monday, May 13, 2013 at 6:30 p.m. The April 22, 2013 Work Session is cancelled.

C. COUNCILOR SMITH

1. Parking & Traffic Safety Committee Action Sheet and Minutes of the March 14, 2013 meeting

Councilor Smith moved to approve and accept the action sheet and minutes of the March 14, 2013 Parking & Traffic Safety Committee meeting. Seconded by Assistant Mayor Lister.

Mayor Spear asked Councilor Smith if he was aware of what Mr. Whitehouse was referring to regarding other boards/commissions putting road blocks in front of the PTS Committee. Councilor Smith said Mayor Spear would need to ask Mr. Whitehouse that question.

Motion passed with Councilor Kennedy opposed.

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

Councilor Novelline Clayburgh congratulated City Manager Bohenko for receiving the 2013 Portsmouth Rotary Paul Harris Fellow award.

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

At 11:00 p.m., Assistant Mayor Lister moved to adjourn. Seconded by Councilor Coviello 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