

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: VALERIE A. FRENCH, DEPUTY CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON SEPTEMBER 16, 2013, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

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

ABSENT: COUNCILOR COVIELLO

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1. At 6:00 p.m., a Work Session was held regarding Transportation Policy Issues.
  2. Acceptance of Minutes – *There were no minutes on for acceptance.*
  3. Public Comment Session – There were 3 speakers: Tom Carroll (Scrap Metal Debris on Market Street), Gibson Kennedy (Tree Ordinance) and Adam Kelley (Complaint about the Legal Department)
  4. First Reading of Proposed Ordinance amending Chapter 8, Article III, “Street Trees,” is hereby deleted in its entirety and replaced with the following amendment to Chapter 1, Article IV by creating a Trees & Public Greenery Committee and the adoption of a new Article III entitled Portsmouth Urban Forestry Ordinance of Chapter 8: - **Voted** to pass first reading and schedule a public hearing and second reading on the proposed ordinance, as presented, at the October 7, 2013 City Council meeting.
  5. First Reading of Proposed Ordinance amending Chapter 7, Article II, Section 7.222 – Maximum Number of Taxicabs amended to increase the number of medallions from twenty-five (25) to twenty-eight (28) - **Voted** to pass first reading and schedule a public hearing and second reading on the proposed ordinance, as presented, at the October 7, 2013 City Council meeting.
  6. First Reading of Proposed Ordinance amending Chapter 7 Article X, Section 7.1000 E – Towing – Tow Zones – Limited Parking Areas: City Streets – be amended that any vehicle or object remaining in the same location in any uncontrolled on-street parking space for more that 24 hours in the Central Business Districts A and B as bounded and shown on the City of Portsmouth Zoning Map, or more than 72 hours in any other location in the City, may be removed in the manner provided in Section 7.1000 D - **Voted** to pass first reading and schedule a public hearing and second reading on the proposed ordinance, as presented, at the October 7, 2013 City Council meeting.

7. Third and final reading of Proposed Ordinance amending Chapter 10 – Zoning Ordinance, Article 5 – Dimensional and Intensity Standards, are hereby Amended as follows: **Voted** to pass third and final reading on the proposed Ordinance, as presented.

- Section 10.531 – Table of Dimensional Standards – Business and Industrial Districts, Maximum Structure Dimensions – Structure Height, CBA 45' or 3 ½ Stories, which ever is less; CBB 45' or 3 ½ Stories, which ever is less;
- Section 10.535 – Exception to Dimensional Standards in the Central Business Districts, by Inserting a New Section 10.535.13: Increased Building Height by Conditional Use Permit
- Section 10.1530 – Terms of General Applicability, add new Terms and Definitions

8. Third and final reading of proposed Ordinance amending various sections of Chapter 7, Vehicles, Traffic Parking Omnibus Ordinance – Voted to pass third and final reading on the proposed Ordinance, as presented.

- Amend: Chapter 7, Article VI – Truck Loading/Unloading Zones, Section 7.601 Truck Loading/Unloading Zones Established
- Amend: Chapter 7, Article VI – Truck Loading/Unloading Zones, Section 7.602 Truck Loading/Unloading Zones (24 Hours)
- Amend: Chapter 7, Article II – Taxicabs, Section 7.224 Taxicab Stands
- Add: Chapter 7, Article III, Section 7.328 Utilization Of Multiple Parking Spaces
- Amend: Chapter 7, Article IV: Section 7a.408 Taxicab Stands Designated
- Add: Chapter 7, Article III, Limited Parking – Three Hours: Section 7.328: Limited Parking – Three Hours
- Amend: Chapter 7, Article IV, Off-Street Parking Areas
- Amend: Chapter 7, Article III, Traffic Ordinance, Limited Time Parking, Section 7.327: Limited Parking – Two Hours
- Amend: Chapter 7, Article IVA, Bus Stops, Taxicab Stands And Horse Drawn Carriage And Article IV, Off-Street Parking Areas
- Amend: Chapter 7, Article IV, Off-Street Parking Areas
- Amend: Chapter 7, Article IX, Penalties, Forfeitures And Separability, Section 7.901: Penalties
- Amend: Chapter 7, Article III, Traffic Ordinance, Section 7.321: Snow Emergency Parking Ban

- Amend: Chapter 7, Article III, Traffic Ordinance, Section 7.326: Limited Parking – Fifteen Minutes
- Amend: Chapter 7, Article IV, Off-Street Parking Areas, Section 7.401, Definitions

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

- A. Request for Approval of Pole License to install 6 poles associated with the Maplewood Avenue By-Pass Bridge project. These poles are located on Maplewood Avenue and Cutts Street (***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 located on Aldrich 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***)
- C. Letter from Zhana Morris, The Music Hall requesting parking meter permit for the Music Hall's 2013-2014 Season (***Anticipated action – move to refer to the City Manager with power***)
- D. Letter from David Topham, Granite State Wheelmen, Inc. requesting permission to conduct 40<sup>th</sup> annual Tri-State Seacoast Century bicycle ride on September 21 and 22, 2013 (***Anticipated action – move to refer to the City Manager with power***)

10. Letter from Eric Chinburg, Sandy Brook Corporation, requesting that Laurel Court be accepted as a public way – **Voted** to accept Laurel Court as a public way on the condition that Sandy Brook Corporation provides a payment of \$15,000 to the City in lieu of constructing the required off-site water line.

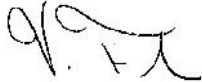
11. Appointment to be Considered – Reappointment of Ronald Zolla to the Economic Development Commission was considered and will be voted at the October 7, 2013 City Council meeting.

12. Appointment to be Voted – **Voted** to appoint Elizabeth A. Moreau to the Planning Board as a regular member (current alternate) to fill the unexpired term of Anthony Blenkinsop until December 31, 2015 and reappoint T. Stephen McCarthy to the Building Code Board of Appeals until July 1, 2018.

13. Acceptance of Resignation – **Voted** to accept with regret the resignation of Karina Quintans from the Planning Board effective October 1, 2013. Councilor Smith requested that a letter of thanks be sent to Ms. Quintans for her service to the City.

14. Update on Senior Committee Activities – Assistant Mayor Lister reported that the Senior Committee is meeting regularly and are expecting to bring a final report back to the Council in early December.
15. Proposal in accordance with RSA 261-153, Paragraph VI (a) to collect an optional \$5.00 fee for the motor vehicle improvement fund - **Voted** to refer to the Fee Committee for a report back.
16. Miscellaneous Item – Councilor Kennedy requested information regarding discontinuing City of Portsmouth participation in the community coalition.
17. Miscellaneous Item – Councilor Smith requested a report back on the issue raised by Mr. Kelley during the public comment session regarding the legal department.
18. Adjournment – At 8:05 p.m., voted to adjourn.

Respectfully submitted by:



Valerie A. French  
Deputy City Clerk