

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MONDAY, OCTOBER 20, 2014, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR LISTER, ASSISTANT MAYOR SPLAINE, COUNCILORS SHAHEEN, KENNEDY, LOWN, DWYER, MORGAN, SPEAR AND THORSEN

1. Proclamation – Seacoast Food Pantry – National Hunger Awareness Month – Councilor Dwyer read the Proclamation declaring October as National Hunger Awareness Month. Deb Anthony accepted the Proclamation with thanks and appreciation.
2. Presentation - Update on African Burying Ground – Joining Councilor Dwyer in this update will be Anna Nuttal, Visual Arts Teacher at Portsmouth Middle School and African Burying Ground Artist and Sculptor Jerome Meadows – Councilor Dwyer provided an updated on the African Burying Ground and the milestones reached in the project thus far. Anna Nuttal reported that 88 eighth graders will be working with Artist and Sculptor Jermone Meadows on designing the tiles that will be used at the site.
3. Public Comment Session – There were seven speakers: Jon Sobel (Street Paving in Portsmouth); Doug Roberts (PS21 Planning Workshop); Matt Kanner (New Newspaper); Jane Zill (Webber – Goodwin Case); Delmira Morse (Atlantic Heights); Mark Brighton (Parking Fee Increase); and Joe Caldarola (Transparency).
4. Public Hearing - Ordinance amending Chapter 10 – Zoning Ordinance, Section 10.202, Table of Uses – Residential Mixed Residential, Business and Industrial Districts, by changing Use #1.30 (Townhouse) and Use #1.41 (Multifamily Dwelling, 3 or 4 Dwelling Units) from “P” (Permitted) to “S” (Special Exception) in the General Residence A and B (GRA & GRB) Districts – Held a public hearing. **Voted** to pass second reading and schedule third and final reading of the proposed Ordinance at the November 17, 2014 City Council meeting.
5. Public Hearing - Ordinance amending Chapter 7, Article II, Section 7.213 – Fees and Terms for Medallions/Licenses – Held a public hearing. **Voted** to pass second reading and schedule third and final reading of the proposed Ordinance at the November 17, 2014 City Council meeting.
6. First Reading of Proposed Ordinance amending Chapter 1, Article IX, Section 1.901: - Conflict of Interest of the Administrative Code – **Voted** to pass first reading and schedule a public hearing and second reading of the proposed Ordinance at the November 17, 2014 City Council meeting.

7. Consent Agenda – **Voted** to adopt the Consent Agenda.
 - A. Letter from Emily Christian, National Multiple Sclerosis Society requesting to hold the 2015 Walk MS Portsmouth on Saturday, April 18, 2015 from 10:00 a.m. to 2:00 p.m. (**Anticipated action – move to refer to the City Manager with power**)
 - B. Acceptance of Donation to Art-Speak
 - Cathy Sununu - \$100.00(**Anticipated action – move to approve the accept the donation to Art-Speak, as listed**)
 - C. Letter from Lt. Shannon Jones, The Salvation Army, requesting permission to place “Christmas Kettles” in Market Square beginning November 13, 2014 through December 24, 2014 (**Anticipated action – move to refer to the City Manager with power**)
8. Letter from Jane Zill, Joe Onosko, and Diane Connors regarding citizen concern relative to the Goodwin/Webber estate case – **Voted** that Mayor Lister and Assistant Mayor Splaine meet with the Police Commission to review the scope of the Webber/Goodwin Investigation, how that scope was defined, the potential for expanding the scope and that the City Council would like the Police Commission to hold a Public Hearing following that meeting.
9. Letter and Petition from Friends of Sheafe Street Neighborhood Association requesting that the Sheafe Street repair project be definitively scheduled – **Voted** to send a letter to Andrea Heitker, Valerie Sobel, Marie Bodi and Thomas Bertrand, Officers of the Sheafe Street area Neighborhood Association stating the project will be done in the spring of 2015.
10. Letter from 22 Owners/Residents of Broad Street and Pinehurst Road regarding Ordinance Amending Chapter 10 – Zoning Ordinance, Section 10.440, Table of Uses Residential Mixed Residential, Business and Industrial Districts, by changing Use #1.30 (Townhouse) and Use #1.41 (Multifamily Dwelling, 3 or 4 Dwelling Units) from “P” (Permitted) to “S” (Special Exception) in the General Residence A and B (GRA & GRB) Districts – **Voted** to accept and place the letter on file.
11. Request for Approval of Amendment to Wright Avenue LLC License Agreement (Tabled from the October 6, 2014 City Council meeting) – **Voted** to authorize the City Manager to negotiate and enter into an Amendment to the License Agreement for Wright Avenue, LLC originally dated March 11, 2014 and approved by vote of the City Council on February 14, 2014. Councilor Kennedy voted opposed.
12. Request for Approval of a Proposed Two-Year Agreement between the City of Portsmouth and the Supervisory Management Association – On a roll call 7-2, **voted** to accept the proposed contract with the Supervisory Management Alliance to expire on June 30, 2016. Assistant Mayor Splaine, Councilors Shaheen, Kennedy, Dwyer, Morgan, Spear and Mayor Lister voted in favor. Councilors Lown and Thorsen voted opposed.

13. Proposed Request to Proceed with Life Cycle Cost Estimates for Pease Wastewater Treatment Facility Alternative – **Voted** to authorize the City Manager to proceed with expending up to \$300,000.00 from the Pease bond proceeds for the Pease Wastewater Treatment alternative as described in the City Manager’s memorandum dated October 16, 2014 and that a report back be made to the City Council following Phase I.
14. The City Council agreed to continue the meeting beyond 10:00 p.m. and to adjourn at 11:00 p.m.
15. 2015 Draft Schedule of City Council Meetings and Work Sessions (See attached 2015 Calendar) – **Voted** to approve the 2015 Schedule of City Council Meetings and Work Sessions, as presented.
16. Draft Letter to be sent to the Regional Working Group Re: Helicopter Regulation: Greenland, Stratham, Newington, Rye, New Castle, Durham, Kittery – No action required.
17. Establishment of Joint Budget Committee – **Voted** to approve the establishment of a Joint Budget Committee. Councilor Kennedy voted opposed.

Joint Budget Committee

The Joint Budget Committee is established for the purposes of advising the City Manager and the City Council on issues pertaining to the development of the Annual Budget.

7 Voting Members:

- *Chair, Mayor Robert J. Lister*
- *(2) City Councilors, to be appointed by the Mayor (Mayor Lister appointed Councilors Spear and Thorsen to serve as the City Council Representatives)*
- *(2) School Board Members, to be appointed by the School Board Chair*
- *Fire Commission member, to be appointed by the Commission Chair*
- *Police Commission member, to be appointed by the Commission Chair*

5 Non-voting Ex-officio Members

- *City Manager John P. Bohenko*
- *Finance Director Judie Belanger*
- *Superintendent of Schools Ed McDonough*
- *Fire Chief Steven Achilles*
- *Police Chief Stephen Dubois*

Charge of the JBC

- *The JBC shall advise the City Manager and City Council on the adoption of guidelines for the preparation of the proposed FY16 budget by January 15th*
- *City Staff will provide information to the Committee on factors impacting the development of the municipal budget*
 - *Health Insurance rates*
 - *Retirement rates*
 - *Contractual Obligation impacts*
 - *Any and all other costs which would impact the Operating Budget*

- *JBC Agenda Format*
 - *Anticipated to have one meeting a month from September through March*
 - *Agenda to be put together by the Mayor and City Manager with input from various departments and elected officials*
 - *At the beginning of each meeting, opportunity for any elected official to bring up a topic and speak to it*
 - *At the end of each meeting, opportunity for citizens to speak*
- *The Committee shall not assume responsibilities of the City Manager or the City Council as outlined in the City Charter*

18. Letter from John F. Golumb, Chairman of Portsmouth Police Commission Re: Public Allegations on Police Morale – On a roll call 4-5, motion to request a work session with the Police Commission, Police Chief and City Council to address enforcement and other issues brought forward by Councilor Kennedy **failed** to pass. Assistant Mayor Splaine, Councilors Kennedy, Morgan and Thorsen voted in favor. Councilors Shaheen, Lown, Dwyer, Spear and Mayor Lister voted opposed.

19. “Non-Meetings” vs. “Non-Public Sessions:” – On a unanimous roll call 9-0, **voted** that the Portsmouth City Council agrees “non-meetings” will be held only when absolutely necessary in order to discuss ‘strategy or negotiations with respect to collective bargaining’ or ‘consultation with legal counsel,’ and that when they are held the purpose of the non-meeting will be publicly disclosed, discussion will be limited to that topic, there will be a public roll-call vote, and a record will be kept of when the non-meeting begins, ends, and who is in attendance.

20. Maintenance Planning – Councilor Shaheen requested that City Manager Bohenko work with staff on developing a maintenance plan for parks and public spaces.

21. City Ordinance for Helicopters – **Voted** to refer to the City Manager for report back on the Zoning Ordinance Section 10.440 Table of Uses – Residential, Mixed Residential, Business and Industrial Districts – 15.20 Heliport – Special Exemption for Office Research, Industrial and Waterfront Industrial.

22. EDC – Updating the composition of the Economic Development Committee – No action taken.

23. Request for Additional Council Meeting in November – No action taken.

24. Parking Revenue Options – Councilor Spear stated he would be discussing this matter further with Mayor Lister and Councilor Thorsen.

25. Adjournment – **At 11:20 p.m., voted to adjourn.**

Respectfully submitted by:

Kelli L. Barnaby, CMC/CNHMC
City Clerk