

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON TUESDAY, JANUARY 20, 2015, 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 (7:10 p.m.), SPEAR AND THORSEN

1. Presentation - Wastewater Treatment Facility Update – Brian Goetz, Deputy Public Works Director; Terry Desmarais, City Engineer; and Suzanne Woodland, Deputy City Attorney – City Engineer Desmarais, Deputy City Attorney Woodland and Deputy Public Works Director Goetz provided a Wastewater Treatment Facility Update. The update addressed Phase I and Regulatory Issues. Staff members recommended to the City Council to continue moving forward with Pease Wastewater Treatment Facility Evaluation.

Voted to authorize the City Manager to proceed with next phase of the Pease Wastewater Treatment Alternative Assessment and continue participation in the legal challenge to the EPA's interpretation of the bypass rule.

2. Acceptance of Minutes – January 5, 2015 – Voted to approve and accept the minutes of the January 5, 2015 City Council minutes.
3. Public Comment Session – There were 10 speakers: Bob Hassold (Parking); Bernie Pelech, Steve Little (AIRBNB); Stephen Erickson (Clean Government Resolution); Jeffrey Cooper (Tourist Rentals); John Palreiro (UBER); Lawrence Cataldo (Status/Ride Sharing & Clean Government); Clare Kittredge (Conflict of Interest/Financial Disclosure); Arthur Clough (Democracy); and Mark Brighton (Commercial Assessments).
4. **Voted** to suspend the rules in order to take up Item XI. D.1. – Commercial Properties and the potential Assessors letter being sent out by the City.
5. Commercial Properties and the potential Assessors letter being sent out by the City – Moved to have the City Manager not send the Income and Expense Survey letter to Portsmouth commercial property owners.

Councilor Kennedy withdrew the motion and Assistant Mayor Splaine the second to the motion.

6. Consent Agenda – **Voted** to adopt the Consent Agenda.
 - A. Letter from Jeanine Sylvester, Runner's Alley, LLC, requesting permission to hold the 18th Annual Runner's Alley/Redhook Brewery Memorial 5k on Sunday, May 24, 2015 at 11:00 a.m. (**Anticipated action – move to refer to the City Manager with power**)

- B. Letter from Richard Wagner, Seacoast AIDS Walk, requesting permission to hold the 19th Annual Seacoast AIDS Walk and Dog Walk on Sunday, May 3, 2015 from 10:00 a.m. to 5:00 p.m. (**Anticipated action – move to refer to the City Manager with power**)

7. Letter from Adam Diorio, Public Service of New Hampshire, regarding Proposed Borthwick Avenue Switchgear Yard with Associated Improvements – Moved to refer to the Planning Board and Public Works Department for report back.

Councilor Lown withdrew the main motion and Councilor Shaheen the second to the motion.

Voted to approve the request of Public Service of New Hampshire for Proposed Switchgear Yard Site Improvements and Driveway Easement on Borthwick Avenue.

8. Letter from The Citywide Neighborhood Steering Committee requesting the City add a mechanism to the Capital Improvement Plan to regularly measure the geographic distribution of projects and expenditures throughout the City - **Voted** to refer to the City Manager for report back.
9. Request for First Reading Re: Elderly and Disabled Exemptions – **Voted** to approve Option A and authorize the City Manager to bring back the Elderly and Disabled Exemptions Resolutions for first reading at the February 2, 2015 City Council meeting, as presented.
10. License Request Re: 61 Washington Street – **Voted** to authorize the City Manager to negotiate and enter into a license with Bedard Preservation and Restoration LLC to facilitate construction activities at 61 Washington Street.
11. Request to Establish Work Session Re: Proposed Parking Garage at 165 Deer Street, Thursday, February 5, 2015 at 6:30 p.m. - **Voted** to establish a Work Session on Thursday, February 5, 2015 at 6:30 p.m., in the Eileen Dondero Council Chambers, as presented.
12. Citywide Sidewalk Policy Review – Moved to adopt the revisions as shown to the City Council Policy 2010-02 Regarding Sidewalks and Driveway Aprons.

Councilor Shaheen requested that the following language be added to provision #4 so it will read as follows: “The preferred standard material for all other sidewalks will be concrete.

Councilor Dwyer requested that the following language be added to provision #5 so it will read as follows: “Driveway aprons in the City shall be continuous bituminous asphalt from the edge of road to property line. Sidewalks, if any, shall terminate on either side of driveway apron.

Voted to pass the main motion to include the above referenced changes as outlined above to City Council Policy 2010-02 regarding Sidewalks and Driveway Aprons.

13. Proposed Early Retirement Re: Police Department – **Voted** to approve a proposed early retirement incentive for the Police Department for FY 2015, as presented.

14. Budget Schedule Revision – **Voted** to reschedule the City Council Budget Work Session to Saturday, May 9, 2015, as presented.
15. Appointment to be Considered - Phyllis Eldridge – Reappointment to the Trustees of the Trust Funds – The City Council considered the reappointment of Phyllis Eldridge to the Trustees of the Trust Funds which will be voted on at the February 2, 2015 City Council meeting.
16. Appointments to be Voted – **Voted** to appoint Jay Leduc to the Planning Board as a regular member (currently serves as an Alternate) until October 1, 2017.

Voted to appoint Reagan Ruedig to the Historic District Commission as a regular member (currently serves as an Alternate) until June 1, 2016 filling the unexpired term of Tracy Kozak.

Voted to appoint Richard Shea to the Historic District Commission as an alternate member until June 1, 2015 filling the unexpired term of Reagan Ruedig. Councilor Kennedy recused from voting. Councilor Morgan voted opposed.

17. The Portsmouth Resolution In Support Of The New Hampshire Clean Government Convention to be held during the 2015-2016 Presidential Primary – Moved that the Portsmouth City Council adopt The Portsmouth Resolution In Support Of The New Hampshire Clean Government Convention to be held during the 2015-2016 Presidential Primary.

The City Council agreed to change the word in the first paragraph of the second page from would to “could”. The sentence will now read as follows: “That we should work together for a Clean Government Amendment to the U.S. Constitution that could have as its goals:

On a roll call 8-1, voted to pass the main motion with the change requested. Assistant Mayor Splaine, Councilors Shaheen, Kennedy, Lown, Dwyer, Morgan, Thorsen and Mayor Lister voted in favor. Councilor Spear voted opposed.

18. Parking and Traffic Safety Committee Action Sheet and Minutes of the December 11, 2014 meeting – **Voted** to approve and accept the action sheet and minutes of the Parking and Traffic Safety Committee meeting of December 11, 2014. Councilor Kennedy voted opposed.
19. Parking and Traffic Safety Committee Action Sheet of the January 8, 2015 meeting – **Voted** to approve and accept the action sheet of the Parking and Traffic Safety Committee meeting of January 8, 2015. Councilor Kennedy voted opposed.
20. Miscellaneous/Unfinished Business – Councilor Kennedy requested that Finance Director Judie Belanger’s memorandum regarding Income and Expense Survey be placed on the Assessor’s Webpage.

Councilor Spear requested that Councilor Dwyer provide an update on the Joint Building Committee for the Portsmouth Middle School at a future City Council meeting.

21. Adjournment – **At 10:00 p.m., voted to adjourn.**

Respectfully submitted by:

Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk