

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, JUNE 1, 2015

PORTSMOUTH, NH
TIME: 6:30PM

At 6:30 p.m., an Anticipated "Non-Meeting" with Counsel was held regarding Employment Agreement of Superintendent-Elect Steve Zadavec in accordance with RSA 91-A:2, I (b).

I. CALL TO ORDER

At 7:15 p.m., Mayor Lister called the regular City Council meeting to order.

II. ROLL CALL

Present: Mayor Lister, Assistant Mayor Splaine, Councilors Shaheen, Kennedy, Lown, Dwyer, Morgan, Spear and Thorsen

III. INVOCATION

Mayor Lister asked everyone to join in a moment of silent prayer.

IV. PLEDGE OF ALLEGIANCE

Judy Bunnell longtime resident of the City led in the Pledge of Allegiance to the Flag.

PRESENTATIONS

1. Senior Subcommittee Report - Brinn Chute, Senior Services Coordinator

Senior Services Coordinator Chute provided an overview of the Senior Subcommittee Report outlining the programs and services. Brinn stated the City has taken many steps in recent years to increase the level of service for the senior population. The acquisition of the Doble property is the next step in realizing the vision for creating a new and modern 50+ activity center. In addition, she stated the committee understands that this memo serves only as a preliminary recommendation prior to the actual acquisition of the property and is intended to serve as guiding points as the planning moves forward.

2. Interim Report Re: Sagamore Creek Land Blue Ribbon Committee – David Moore, Community Development Director

Community Development Director Moore outlined the charge of the Committee as follows:

- To create a plan for public usage of the city-owned Sagamore Creek Land
- Report back by September 21, 2015
- Committee materials available at the City's website
- Membership includes:
 - Eric Spear, City Councilor and Chair
 - Chris Dwyer, City Councilor
 - John Mikolajcyk, Resident
 - Alison Pyott, Resident

- Lennie Mullaney, School Board Representative
- Kory Sirmaian, Recreation Board Representative
- Allison Tanner, Conservation Commission Representative
- Ex-officio, City Manager or his designee (non-voting) – David Moore, Community Development Director

He spoke to the process followed to date and the various public comment sessions held. He reviewed the vision for the Sagamore Creek Land as:

The Sagamore Creek Land is a unique and valuable community resource that should be conserved and made accessible to all in a balanced manner that promotes waterfront access, protection of invaluable natural features, and permits recreation opportunities that complement one another and which are sensitive to the overall vision of preserving the site's character.

Councilor Kennedy asked if the Committee came up with a definition for passive recreation. Councilor Spear said it could be organized or unorganized recreation. He said they heard from many speakers on the usage of the property. She asked if there has been a study on the impact of vernal pools. Councilor Spear said the Conservation Commission has in the past completed 2 studies on vernal pools and both are located on the website for reference and can be reviewed by the public.

Councilor Dwyer said currently the land is being used by High School biology classes, the Portsmouth Middle School and High School track and field teams, families go sledding, etc.

Councilor Spear moved to endorse the Vision and Guidelines document from the Blue Ribbon Committee on Sagamore Creek Land. Seconded by Councilor Lown and voted.

Councilor Spear moved to request the City Manager to make a report back, which addresses the goals of the Recreation Needs Study, including resurfacing existing fields with artificial turf, (e.g. adjacent High School Athletic Complex); and to also make a report back that addresses the acquisition of land and development of recreation fields in the City. Seconded by Councilor Shaheen and voted.

V. ACCEPTANCE OF MINUTES – *There are no minutes on for acceptance*

VI. PUBLIC COMMENT SESSION

Jon Davis spoke regarding the adoption of a Single Use Plastic Bag Ordinance for the City of Portsmouth. He said a proposal was brought forward to the City Council in March and we have not heard back from City Attorney Sullivan on the matter.

Merle White, Anchor Taxi, said it is apparent the City is falling behind in the decision making on whether to allow UBER in the City or not. He said UBER is not willing to follow the guidelines of the current City Ordinances and therefore should no longer be allowed to operate in the City of Portsmouth.

He spoke to Manchester, NH and Braintree, MA being the latest communities to not allow them to operate. He also addressed the matter of Boston, MA issuing citations to UBER at \$500.00 per occurrence and to date this year 241 citations have been issued to UBER and they continue to operate without following guidelines in Boston.

Joanne Pipkin spoke in favor of the City allowing UBER to operate. She said individuals should have a choice over what type of transportation service they wish to use. She spoke to the app process used by UBER and what information is supplied to the user. She feels safe as a passenger and an UBER user.

John Palrerio, Great Bay Taxi, provided the City Council with an example of a possible decal to be used by the taxis and UBER if the proposed ordinance is adopted. He said a placard should not be used but a decal that can be seen on the outside of the vehicle.

Diane Share spoke to the poor condition of the sidewalks along Islington Street. She said they are so bad that she needs to step into the road when walking or biking and it is not safe to do so. She has since discontinued using Islington Street as her walking and biking route because she is concerned for her safety. She urged the City to bring Islington Street sidewalk up to proper condition.

Bob Gibbons spoke regarding the second parking garage at 165 Deer Street and expressed concern regarding the necessary repairs that are needed to the High Hanover Parking Garage. He said the renovations to Peirce Island Wastewater Treatment Facility and other expenses will bankrupt the City. He said a public meeting should be held to discuss the Wastewater Treatment Plant.

Jeffrey Cooper spoke on the proposal of the ordinance when the Zoning Board of Adjustment denied his request to run a Bed and Breakfast because he did not meet the requirements of the Ordinance.

Mark Brighton spoke regarding plastic bags and provided the City Clerk with a petition that contained 495 signatures. He gave the City Council a trash receptacle for single bag use.

Dexter Legg spoke on short term vacation rentals and said the ordinance proposed does little to protect the neighborhood. He said if the ordinance is approved it will change the character of the neighborhood and make it more transient. He feels the ordinance should be sent back to the Planning Board for further consideration.

Ellen Legg said some of the homes that are being used as AIRBNB are having loud bachelor parties and this drastically changes the fabric of the neighborhoods.

George Dempsey provided the State law regarding elder abuse. He said there have been no charges against anyone involved in the Webber case and there should be. He said the resignations of the Police Commissioners involved and the Police Chief should be demanded.

VII. PUBLIC HEARING

- A. Ordinance the Zoning Map by rezoning the following lots from Industrial (I), Office Research (OR) or Municipal (M) to Gateway (GW):
- Assessors Map 163, Lots 33, 34 and 37;
 - Assessors Map 165, Lots 1, 2 and 14;
 - Assessors Map 172, Lots 1 and 2;
 - Assessors Map 173, Lots 2 and 10;
- and including Cate Street between Hodgson's Brook and Bartlett Street; and amending the Zoning Ordinance as follows:
- Article 7, Section 10.730 – Gateway Planned Development:
 - Amend Section 10.734.20 – Lot Requirements, by establishing front yard standards relative to streets other than Lafayette Road;
 - Amend Section 10.734.33 by modifying the maximum building height standards;
 - Insert a new Section 10.734.40 – Workforce Housing Incentives, to allow increased building height and building length, and to allow parking to be located in a required front yard or between a principal building and a street, for a Gateway Planned Development that contains 10% or greater workforce housing units.
 - Article 15 – Definitions:
 - Amend Section 10.1530 – Terms of General Applicability, by inserting definitions of “workforce housing” and “workforce housing unit.” (***Public Hearing kept open from the May 18, 2015 City Council meeting***)

Mayor Lister read the legal notice, reopened the public hearing and called for speakers.

Paul Mannle said if the objective of the ordinance is to provide an incentive for workforce housing he is against it. He said the parcels will not be developed by the current developer but sold. He asked the City Council to deny the zoning change as it is bad for the City.

Rick Becksted said the primary goal of the rezoning was for a road to be developed and that has not been discussed to date. He said there are only 28 families that will qualify under the workforce housing and furthermore he feels this is spot zoning. He said he participated in 4 of the study circles and said we need to have this be an affordable City and we should purchase the parcel. He said a new Police Department could be built, a surface lot for additional parking, and a transportation center on the parcel.

Christopher MacGinnis said he is here to represent Attorney Pelech on this matter. He said they have worked closely with the Planning Board and neighborhood on this item. He said it would allow for the flourishing of the area. He asked the City Council to support passage of second reading.

After no further speakers, Mayor Lister closed the public hearing.

VIII. APPROVAL OF GRANTS/DONATIONS

(There are no items on under this section of the Agenda)

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Proposed Ordinance amending Short-term Vacation Rentals and other Lodging Uses

Councilor Spear moved to pass first reading and schedule a public hearing and second reading of the proposed Ordinance at the June 15, 2015 City Council meeting, as presented. Seconded by Assistant Mayor Splaine for discussion purposes.

Councilor Spear thanked the Planning Board and staff for working out the ordinance. He spoke to the Table of Uses and stated there are changes in the framework of the ordinance and that this is a good place to start.

City Manager Bohenko said there are exhibits in front of the City Council that would be helpful to discuss.

Assistant Mayor Splaine said the ordinance needs more work and does not know if the City Council can do the work the way the staff and Planning Board can. He said we need to do something about short term rentals and spoke to communities that have this kind of ordinance in place. He said he is opposed to passage of first reading because he would like more time spent by staff and the Planning Board on this matter.

City Manager Bohenko said they have heard from many people on this matter and it might be prudent to send this back to the Planning Board and staff to look at it closer and be more restrictive. He said once the exception is in place it would always be used as a short term rental. He said this is something that could affect the community for a long time.

Councilor Dwyer said she supports the comments of City Manager Bohenko. She said we need to be more specific about the City Council's concerns.

Councilor Morgan said the City Council needs to have more clarity on what we want the Planning Board to look at. She said this could have a negative impact on the fabric of our neighborhoods. She stated that the Planning Board may want to have a joint session with the City Council on this matter. She said we should be looking at other communities as well.

Mayor Lister recommended having a work session with the Planning Board on this matter.

Councilor Thorsen said he agrees with Councilor Morgan. He said many of the issues were discussed by the Planning Board at length and giving the Planning Board guidance on the Ordinance is preferred. He is concerned on the transfer rights of properties. He said he would like to see the motion withdrawn.

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

Councilor Shaheen asked if the staff should review and look at short term rentals in the United States and if we should have a process in place to handle this matter.

City Manager Bohenko said we should have a Work Session on June 15th of the City Council on the concerns outlined this evening. He said staff will bring their thoughts forward as well.

Councilor Lown said this is an important property rights issue and we should not move quickly on this. He said he wants to talk about penalties because it is important for the neighborhood to remain the same.

Councilor Kennedy spoke regarding other communities ordinances on this matter. She said we need to determine how it will be dealt with when there are disruptions to the neighbors from a short term renter.

- B. Second reading of Ordinance the Zoning Map by rezoning the following lots from Industrial (I), Office Research (OR) or Municipal (M) to Gateway (GW):
- Assessors Map 163, Lots 33, 34 and 37;
 - Assessors Map 165, Lots 1, 2 and 14;
 - Assessors Map 172, Lots 1 and 2;
 - Assessors Map 173, Lots 2 and 10;
- and including Cate Street between Hodgson's Brook and Bartlett Street; and amending the Zoning Ordinance as follows:
- Article 7, Section 10.730 – Gateway Planned Development:
 - Amend Section 10.734.20 – Lot Requirements, by establishing front yard standards relative to streets other than Lafayette Road;
 - Amend Section 10.734.33 by modifying the maximum building height standards;
 - Insert a new Section 10.734.40 – Workforce Housing Incentives, to allow increased building height and building length, and to allow parking to be located in a required front yard or between a principal building and a street, for a Gateway Planned Development that contains 10% or greater workforce housing units.
 - Article 15 – Definitions:
 - Amend Section 10.1530 – Terms of General Applicability, by inserting definitions of “workforce housing” and “workforce housing unit.”

Councilor Spear moved the proposed Ordinance as recommended by the Planning Board, and to pass second reading and schedule a third and final reading of the proposed Ordinance, as presented, at the June 15, 2015 City Council meeting. Seconded by Councilor Lown.

Planning Director Taintor reviewed the changes to the ordinance as recommended by the Planning Board. He said there are two changes from the version advertised for second reading:

- (1) The “workforce housing incentives” in the previous draft has been replaced by the new “modification of standards” language (item 2.C on page 2 of both versions)
- (2) A stand-alone definition of the term “affordable” has been added, where previously it was embedded in the definition of “workforce housing unit” (item 2.D on pages 2-3)

Discussion followed on workforce housing and the density.

Councilor Thorsen moved to divide the question into 4 parts:

- **Adopt the zoning map amendments**
- **Adopt the amendments to Gateway Planned Development Provisions**
- **Adopt the proposed definitions in Article 15**
- **Pass second reading as amended and hold third and final reading at the June 15, 2015 City Council meeting.**

Seconded by Councilor Kennedy.

Councilor Shaheen asked if this would be a substantial enough change to re-advertise the public hearing. City Attorney Sullivan said he did not feel it would.

On a roll call 7-2, voted to divide the question into 4 parts as listed above. Assistant Mayor Splaine, Councilors Shaheen, Kennedy, Lown, Dwyer, Morgan and Thorsen voted in favor. Councilor Spear and Mayor Lister voted opposed.

Councilor Spear moved to adopt the zoning map amendments. Seconded by Councilor Lown. On a roll call 5-4, voted to adopt the motion. Assistant Mayor Splaine, Councilors Shaheen, Lown, Dwyer and Spear voted in favor. Councilors Kennedy, Morgan, Thorsen and Mayor Lister voted opposed.

Councilor Spear moved to adopt the amendments to Gateway Planned Development Provisions. Seconded by Councilor Lown. On a unanimous roll call vote 9-0, motion passed.

Councilor Spear moved to adopt the proposed definitions in Article 15. Seconded by Councilor Lown. On a unanimous roll call vote 9-0, motion passed.

Councilor Spear moved to pass second reading, as amended and schedule third and final reading of the Ordinance, at the June 15, 2015 City Council meeting. Seconded by Councilor Lown. On a roll call vote 6-3, motion passed. Assistant Mayor Splaine, Councilors Shaheen, Lown, Dwyer, Spear and Mayor Lister voted in favor. Councilors Kennedy, Morgan and Thorsen voted opposed.

At 9:50 p.m., declared a brief recess.

Councilor Shaheen moved to suspend the rules in order to continue the meeting briefly beyond 10:00 p.m. Seconded by Councilor Lown and voted.

At 10:00 p.m., Mayor Lister called the meeting back to order.

X. CONSENT AGENDA

- A. Letter from Peter Newbury, Organizer, Open Streets Portsmouth, Seacoast Area Bicycle Riders Board of Directors, requesting permission to hold an Open Streets event on Saturday, September 12, 2015. ***(Anticipated action – move to refer to the City Manager with power)***
- B. Request for License from Philip Saul, owner of Sault New England for property located at 10 Market Square for a projecting sign on a new bracket ***(Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Philip Saul, owner of Sault New England for a projecting sign at property located at 10 Market Square and, further, authorize the City Manager to execute License Agreements for this request)***

Planning Director's Stipulations:

- ***The license shall be approved by the Legal Department as to content and form;***
 - ***Any removal or relocation of the projecting sign, for any reason, shall 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 sign, 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***
- C. Request for License from Robin Miller, owner of Juliette Lovelys Boutique for property located at 65 Bow Street for 2 projecting signs on a new bracket ***(Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Robin Miller, owner of Juliette Lovelys for 2 projecting signs at property located at 65 Bow Street, and, further, authorize the City Manager to execute License Agreements for this request)***

Planning Director's Stipulations:

- ***The license shall be approved by the Legal Department as to content and form;***
- ***Any removal or relocation of the projecting sign, for any reason, shall 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 sign, 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***

- D. Request for License to Install an Awning from Shore Gregory, owner of ROW 34 for property located at 5 Portwalk Place (***Anticipated action – move to approve the aforementioned stipulations and approve the request of Shore Gregory, owner of ROW 34 for an Awning located at 5 Portwalk Place, as recommended by the Planning Director, and, further, authorize the City Manager to execute License Agreements for this request***)

Planning Director's Stipulations:

- ***The license shall be approved by the Legal Department as to content and form;***
 - ***Any removal or relocation of the projecting sign, for any reason, shall 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 sign, 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***
- E. Request for Approval of Pole License to install 4 poles located on Borthwick Avenue (***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***)
- F. Request for Approval of Pole License to install 1 new pole and guy wire located on Coakley 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***)
- G. Request for Approval of Pole License to install 1 replacement pole located on Regina 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***)
- H. Request for Approval of Pole License to install 1 replacement pole located on Lafayette Road in conjunction with recent reconstruction of Rte 1/ Rte 1 Bypass in front of Bowl-O-Rama (***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***)

- I. Request for Approval of Pole License to install 1 new pole and guy wire located on the northwest corner of the intersection of the Rte 1 Bypass and Borthwick Avenue (***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***)
- J. Request for Approval of Pole License to install 3 replacement poles located on Commerce Way across from the entrance to the strip mall (***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***)

Councilor Kennedy moved to adopt the Consent Agenda. Seconded by Councilor Spear and voted.

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Steve Couture, Manager, New Hampshire Coastal Program and Secretariat, Gulf of Maine Council on the Marine Environment, regarding the City of Portsmouth being selected to receive Gulf of Maine Council 2015 Sustainable Communities Award.

Councilor Kennedy moved to accept and place the letter on file with a copy to the Sustainable Committee. Seconded by Councilor Shaheen and voted.

- B. Letter from Fr. Robert J. Archon, Saint Nicholas Greek Orthodox Church regarding St. Nicholas Greek Orthodox Church Back Lot – Tax Map Lot 229-6A

Councilor Kennedy moved to refer to the Planning Board for report back. Seconded by Councilor Shaheen and voted.

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

1. North End Character-Based Zoning

City Manager Bohenko said he would like the Council to postpone first reading of the aforementioned proposed Ordinance until the July 13, 2015 City Council meeting. He reported that the Planning Board is meeting after the June 15, 2015 City Council meeting and therefore we need to postpone until July 13, 2015.

Informational Items

2. Report Back Re: Enabling Legislation Regarding the Regulation of Plastic Bag Use within the City

City Attorney Sullivan explained that there is no enabling legislation to regulate plastic bag use within the State of New Hampshire.

Councilor Lown moved that the City write a letter to the Legislative Delegation with copies to the Council Legislative Subcommittee, Senate President, Governor's Office and the Speaker of the House to consider enacting legislation regarding the Regulation of Plastic Bag Use. Seconded by Assistant Mayor Splaine and voted.

3. Report Back Re: Peirce Island Non-resident Entrance Fee

City Manager Bohenko announced that the Peirce Island Committee does not support charging non-residents an entrance fee to the Island.

4. Reminder Re: Special Meeting – Adoption of FY16 Budget

City Manager Bohenko reported that the City Council will be meeting on Monday, June 8, 2015 in a Special City Council meeting to adopt the FY16 Budget.

B. ASSISTANT MAYOR SPLAINE

1. Proposed Amendment to Transportation Services Ordinance

Assistant Mayor Splaine advised the City Council at the next City Council meeting they will receive a new ordinance draft from the Taxi Commission for their consideration.

Councilor Shaheen said she has heard that UBER is denying rides to individuals with disabilities and they must follow the ADA law.

C. COUNCILOR LOWN

1. Acceptance of Temporary Action Item and Minutes of the May 14, 2015 Parking and Traffic Safety Committee Meeting

Councilor Splaine moved to accept the Temporary Action Item and Minutes of the May 14, 2015 Parking and Traffic Safety Committee. Seconded by Councilor Dwyer and voted.

Councilor Lown reported that a bike rack would be installed in front of Portsmouth Gas Light.

Councilor Kennedy said there is concern with bicyclist hanging out on the racks and its dangers. She asked if there are guidelines for abandoned bicycles. City Manager Bohenko said they are working on guidelines. He stated currently we do notifications of abandoned bikes with a date that they will be removed.

Motion passed. Councilor Kennedy voted opposed.

2. Employee Gifts Bequest Ordinance Report Back.

Councilor Lown said he met with City Manager Bohenko and City Attorney Sullivan on this matter and was advised that such an ordinance would have no power against anyone in a union.

Councilor Lown moved that the essence of the Ordinance be provided to Negotiator Tom Closson for future negotiations with unions. Seconded by Councilor Spear.

Assistant Mayor Splaine said he does not object to the motion but he is opposed to the level of \$250.00 as we should not allow any employee to accept any gift.

Councilor Thorsen said he does not let people buy him a cup of coffee. He would like to see this as part of negotiations.

Councilor Shaheen said it seems that we are looking at this as first principle. She said the idea and implications would be we are not willing to negotiate. She said we need to do something and we need to revisit this to see if other municipalities have addressed this matter.

Councilor Dwyer said we already have something in place on gifts.

City Attorney Sullivan said he feels that this is a suggestion to Negotiator Closson to consider bringing forward to the unions and not a requirement.

D. COUNCILOR MORGAN

1. Speed enforcement in Portsmouth – pedestrian and bicyclist safety

Councilor Morgan requested a report back from Chief Dubois on the strategies of speed enforcement and when bicycles will be used by the officers in the downtown. Councilor Thorsen also requested that Chief Dubois speak to the issue of loud motorcycles in the City and what can be done in the area of enforcement.

E. COUNCILOR SPEAR

1. Request for a Work Session Regarding Peirce Island Wastewater Treatment Facility Compliance Strategy

Councilor Spear said we voted to move forward with Peirce Island Wastewater Treatment Plant. He said the cost of the facility is a concern and he would like staff to check their work. He said costs have increased to building the facility and the peer review report came back and there are questions on nitrogen.

Councilor Spear moved to hold a Work Session at a future date established by Mayor Lister regarding the Peirce Island Wastewater Treatment Facility Compliance Strategy. Seconded by Councilor Lown.

Councilor Morgan said we need to move away from litigation on this matter. She said the reason it is costing us so much is in the 1970's and 1980's the City Council at that time kicked the can down the road rather than dealing with the issues.

On a unanimous roll call vote 9-0, motion passed.

Assistant Mayor Splaine said he is glad we are revisiting this matter and looking at why it is costing us so much.

Councilor Shaheen said we need to broaden the scope of the work session. She would like to discuss cost implications, questions on the nitrogen issues and the issue of storm water and the things to come.

2. Proposed Motion Re: Election of Mayor

Councilor Spear moved that the Legal Department be requested to draft the text and related documents necessary for the Council to consider placement on the ballot for referendum vote in November 2015 of a Charter Amendment which would accomplish the following:

- a) **The Office of the Mayor would become an elected position**
- b) **Only candidates who are candidates for City Council would have the option of also becoming a candidate for Mayor**
- c) **To become Mayor a candidate would have to be duly elected to both the City Council and the Office of the Mayor**
- d) **The statutory authority and responsibility of the Mayor and the City Council would remain unchanged**
- e) **The Charter Amendment would become effective January 1, 2017**

Seconded by Councilor Lown. Motion passed with Councilor Kennedy opposed.

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

Councilor Shaheen said June 2nd at 7:00 p.m. there will be a Community Advisory Meeting regarding the Haven Well Contamination here at City Hall.

Councilor Morgan requested an update on the McIntyre Building at a future Council meeting.

Councilor Kennedy asked when the City Council will be receiving an update on the Prescott Park Arts Festival.

Councilor Spear said the last several weeks we have experienced the Grand Opening of the Portsmouth Middle School and the African Burying Ground and he would like to recognize Councilor Dwyer who was monumental in both of these projects.

XIV. ADJOURNMENT

At 11:00 p.m., Councilor Lown moved to adjourn. Seconded by Councilor Spear 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, MMC, CMC, CNHMC
CITY CLERK