

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 5, 2015, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR LISTER, ASSISTANT MAYOR SPLAINE, COUNCILORS KENNEDY (7:15 PM), LOWN (LEFT MEETING AT 9:50 PM), DWYER, MORGAN, AND THORSEN

ABSENT: COUNCILORS SHAHEEN AND SPEAR

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1. On a roll call 5-1, **voted** to enter into an Anticipated “Non-Meeting” regarding Separation Agreement with Police Chief Dubois and Irrigation Meters in Accordance with RSA 91-A:2, I (b). Councilors Lown, Dwyer, Morgan, Thorsen and Mayor Lister voted in favor. Assistant Mayor Splaine voted opposed. Councilor Kennedy was not present for this vote.
 2. Acceptance of Minutes – August 17, 2015; September 8, 2015 and September 21, 2015 – **Voted** to approve and accept the minutes of the August 17, 2015, September 8, 2015 and September 21, 2015 City Council meetings.
 3. Public Comment Session – There were 15 speakers: Gibson “Mike” Kennedy (Ethics Hotline); Jameson French, Nancy Pearson, (Prescott Park Arts Festival); Bess Mosley, Joe Plaia, Mark Brighton, Justin Nadeau, William Downey, Jane Zill, Arthur Clough, Rick Becksted, Dick Bagley, Paul Mannle and David Noard (Separation Agreement for Chief Dubois); John Palreiro (Enforcement); and Mary Lou McElwain (Haven School Playground).
 4. On a roll call 6-1, **voted** to enter into a “Non-Meeting” to further discuss the Separation Agreement for Police Chief Dubois in Accordance with RSA 91-A:2,I (b). Councilors Kennedy, Lown, Dwyer, Morgan, Thorsen and Mayor Lister voted in favor. Assistant Mayor Splaine voted opposed.
 5. **Voted** to suspend the rules in order to take up Item XI. B.1. – Separation Agreement with Chief Stephen Dubois.
 6. Separation Agreement with Chief Stephen Dubois – Moved to approve the proposed Separation Agreement contingent upon unanimous approval by the Police Commission. Motion did not move forward as the second to the motion was withdrawn.

On a unanimous roll call 7-0, **voted** to postpone action on the Separation Agreement until after the Police Commission vote on the matter.
 7. Third and final reading of Annual Omnibus Ordinance Change, Parking and Traffic – **Voted** to pass third and final reading of the proposed Ordinance, as presented.

8. Third and final reading of Ordinance amending Chapter 11, Article II, Section 11.216:B – Sewer User Chargers/Records/Hook-Up by the Elimination of Irrigation Meters – **Voted** to table the aforementioned matter at this time.
9. Consent Agenda – **Voted** to adopt the Consent Agenda.
 - A. *Acceptance of Donation to the Coalition Legal Fund:
 - Town of Rye - \$5,000.00

(Anticipated action – move to approve and accept the donation as listed, to be placed in the Coalition Legal Fund)
 - B. Letter from Jenelle Dolan, March of Dimes, requesting permission to hold the 2016 Seacoast March for Babies on Saturday, May 7, 2016 ***(Anticipated action – move to refer to the City Manager with power)***
10. Letter from Tabitha McElroy, Thompson School UNH, requesting permission for Portsmouth to host the New England GIFT box in Market Square in front of the North Church for a three day event in mid November – **Voted** to refer to the City Manager with power.
11. Letter from Bert Cohen, Mayor’s Blue Ribbon Committee on Sustainable Practices Re: City’s Irrigation Meter Ordinance – **Voted** to include the letter on the December 7, 2015 City Council Agenda.
12. Request for Approval of Proposed Tentative Agreements for the School Custodial Supervisors Union and the Association of Portsmouth School Administrators – **Voted** to accept the proposed contracts with the School Custodial Supervisors Union and Association of Portsmouth School Administrators to expire on June 30, 2018.
13. Request for Approval of Proposed Tentative Agreement between the City of Portsmouth and the Portsmouth City Employees Local #1386-B – **Voted** to accept the proposed contract with Portsmouth City Employees Local #1386-B to expired on June 30, 2017. Councilor Lown voted opposed.
14. Report Back Re: Proposed Easements for North Mill Pond Multi-Use Path – **Voted** to accept the Planning Board’s recommendation, and, further, authorize the City Manager to begin negotiations acquiring property for easements for the North Mill Pond Bike/Walk Path.
15. City Manager’s Informational Item - Household Hazardous Waste Day – City Manager Bohenko announced that Household Hazardous Waste Day will be held on Saturday, October 24, 2015 from 8:00 a.m. to Noon at the Public Works Department.
16. City Manager’s Informational Item – Update Re: Ride-Sharing/Taxi Transportation Services Ordinance – Councilor Kennedy requested a report back at the next meeting on this matter.

17. Appointments to be Considered – City Council considered the appointments listed below which will be acted upon at the October 19, 2015 City Council meeting.
- Appointment of Jonathan Sandberg to the Citizens Advisory Committee of the CDBG Program
 - Appointment of Lawrence J. Lariviere to the Sustainable Practices
18. Appointments to be Voted – **Voted** to reappoint Shari Donnermeyer to the Parking & Traffic Safety Committee until September 17, 2018 and the appointment of Jennifer Pyke to the Portsmouth Housing Authority until April 1, 2020.
19. Concepts for an Ethics Ombudsman / Ethics Officer – Assistant Mayor Splaine requested to pass the information along to City Manager Bohenko and City Attorney Sullivan to find out if there is a way to embed this into a principle for City government and report back to the City Council in late fall or early winter.
- Councilor Morgan requested that City Manager Bohenko bring back his thoughts on how a program would be implemented to City staff and Board and Commission members.
20. Arts Festival in Prescott Park – No action required.
21. Miscellaneous/Unfinished Business – Assessments - City Manager Bohenko announced that the Assessor Maurice-Lentz will be holding a meeting regarding assessments at the end of October.
22. Miscellaneous/Unfinished Business - AIRBNB – Councilor Morgan asked when the City Council will be conducting a Work Session with our legislature and Senator Fuller-Clark on this matter.
23. Adjournment – At 10:15 p.m., voted to adjourn.

Respectfully submitted by:

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