

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MONDAY, AUGUST 1, 2016 MEETING, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR BLALOCK, ASSISTANT MAYOR SPLAINE, COUNCILORS PERKINS, DWYER, LOWN, PEARSON, CYR, SPEAR AND DENTON

1. At 6:00 p.m., an Anticipated Non-Public Session was held regarding a Personnel Matter – RSA 91-A:3, II (a) and a Non-Meeting with Counsel regarding Litigation – RSA 91-A:2, I (b).
2. Acceptance of Minutes – July 11, 2016 – **Voted** to amend the minutes by the addition at the top of the minutes to include the criteria for inclusion of a Non-Public Session. Voted to amend comments on page 3 made by Arthur Clough during the Public Comment Session. **Voted** to approve and accept the minutes of the July 11, 2016 City Council meeting as amended.
3. Public Comment Session – There were 6 speakers: Rick Horowitz (Right to Know); Detective Timothy Cashman, Cliff Lazenby (National Night Out); Merle White (Taxis); Valerie Rochon (Wastewater Treatment Facility); and Arthur Clough (BYOB).
4. Public Hearing – Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Fund (SRF) Loan of up to Seven Million Dollars (\$7,000,000.00) for Costs related for the Construction of the Peirce Island Wastewater Treatment Facility – Held a public hearing. On a roll call 6-3, **voted** to authorize the City Manager to proceed with the bid award to Methuen Construction for the Wastewater Treatment Facility upgrade on Peirce Island without any bargaining alternative; and further move to deny the Bond Resolution, as presented. Councilors Perkins, Lown, Pearson, Spear, Denton and Mayor Blalock voted in favor. Assistant Mayor Splaine, Councilors Dwyer and Cyr voted opposed.
5. Public Hearing - Ordinance amending Chapter 7, Vehicles, Traffic and Parking – Annual Omnibus – Held a public hearing. **Voted** to pass second reading and schedule third and final reading on the proposed Ordinance at the August 15, 2016 City Council meeting, as presented.
6. Consent Agenda – **Voted** to adopt the Consent Agenda
 - A. Letter from Kenneth LaValley, American Foundation for Suicide Prevention, requesting an alternative venue and plan to use the Little Harbour School for the fundraising Walk on Saturday, September 17, 2016 (**Anticipated action – move to refer to the City Manager with power**)

B. Letter from Thomas D'Arcy, Danielle's Dash requesting permission to hold the Road Race on Sunday, August 28, 2016 rather than the previously approved date of April 30, 2016 (***Anticipated action – move to refer to the City Manager with power***)

C. Request for License to install Projecting Sign:

- Christer Ericsson owner of Greenman Pedesen, Inc., for property located at 21 Daniel Street (***Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreement 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 Projecting Sign:

- Niranjana Pandey owner of Durbar Square Restaurant for property located at 10 Market Street (***Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreement 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***
7. Letter from Zachary Taylor, Riverside&Pickering Marine Contractors, request by Stephen and Karin Barndollar for the construction of a tidal docking structure within the Ridges Court Right of Way and Right of Way setback – **Voted** to refer to the Conservation Commission for report back. Mayor Blalock abstained from voting on this matter.
 8. Proposed Acquisition of Land Re: Foundation for Seacoast Health – **Voted** to authorize the City Manager to negotiate a Purchase & Sale Agreement for the four sites described above and take any and all action necessary to execute this Agreement; **move** to establish a public hearing for August 15, 2016 to utilize \$1,850,000.00 from bond premium; and, move to refer this matter to the Planning Board.
 9. Request for Approval of a Proposed Two-Year Agreement between the City of Portsmouth and the Professional Management Association – **Voted** to accept the proposed contract with the Professional Management Association to expire on June 30, 2018. Councilor Dwyer abstained from voting on this matter.
 10. Request for Approval of Proposed Two-Year Agreement for the Supervisory Management Association – **Voted** to accept the proposed contract with the Supervisory Management Association to expire on June 30, 2018. Councilor Dwyer had left the chambers and was not present for this vote.
 11. Polling Hours for September 13, 2016 State Primary Election – **Voted** to set the polling hours from 8:00 a.m. to 7:00 p.m. for the State Primary Election on September 13, 2016.
 12. Four Party Waterline Extension Agreement – **Voted** to approve the Four Party Waterline Extension Agreement, as presented, and further, authorize the City Manager to execute the Agreement.
 13. Establish Work Session for September 12, 2016 at 6:30 p.m. Re: Transportation Services Ordinance – **Voted** to establish a Work Session on September 12, 2016 at 6:30 p.m. regarding Transportation Services Ordinance.
 14. West End BBQ – Councilor Perkins announced that the West End BBQ will be held on Tuesday, September 13th from 5:00 p.m. – 8:00 p.m. at the Liars' Bench Nano Brewery.
 15. Prescott Park Master Plan Update – Councilor Dwyer provided an updated on the Prescott Park Master Plan.
 16. Worth Lot – **Voted** to request the City Manager to report back with options for the redevelopment of the Worth Lot. Assistant Mayor Splaine voted opposed.

17. Declaratory Judgment Action Re: Single Use Plastic Bags – **Voted** that the City Attorney look into the possibility of filing a Declaratory Judgment Action regarding Single Use Plastic Bags and determine the respondent with a report back to the City Council.
18. Parking and Traffic Safety Committee Action Sheet and Minutes of the July 7, 2016 meeting – **Voted** to approve and accept the Action Sheet and Minutes of the July 7, 2016 Parking and Traffic Safety Committee meeting.
19. Legislative Subcommittee Report – **Voted** to approve the floor policy on Type II noise barriers and submit same to become a NHMA Legislative Policy for the 2017-2018 Legislative Session by vote of its membership at the NHMA Legislative Policy Conference.
20. **Voted** to suspend the rules in order to continue the meeting beyond 10:30 p.m.
21. **Voted** to approve the floor policy on hotel occupancy surcharge and submit same to become a NHMA Legislative Policy for the 2017-2018 Legislative Session by vote of its membership at the NHMA Legislative Policy Conference.
22. **Voted** to approve the floor policy on prohibiting Accessory Dwelling Units (ADUs) or their principal dwellings from being used as short term rentals and submit same to become a NHMA Legislative Policy for the 2017-2018 Legislative Session by vote of its membership at the NHMA Legislative Policy Conference.
23. **Voted** to approve the floor policy on defining short term rentals as home businesses and submit same to become a NHMA Legislative Policy for the 2017-2018 Legislative Session by vote of its membership at the NHMA Legislative Policy Conference.
24. Miscellaneous/Unfinished Business – Councilor Pearson announced that the Annual Chamber of Commerce Dinner will take place on Thursday, August 4th from 5:00 p.m. – 9:00 p.m. at the Isles of Shoals Steamship Company Dock.
25. Adjournment – **At 10:45 p.m., voted to adjourn.**

Respectfully submitted by:

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