

TO: NANCY COLBERT PUFF, ACTING CITY MANAGER

FROM: VALERIE A. FRENCH, DEPUTY CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL AT THE MEETING HELD ON MONDAY, FEBRUARY 6, 2017, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR BLALOCK, ASSISTANT MAYOR SPLAINE, COUNCILORS PERKINS, DWYER, LOWN, PEARSON, SPEAR (arrived at 8:10 p.m.), CYR, AND DENTON

1. Acceptance of Minutes – January 9, 2017 and January 23, 2017– **Voted** to accept and place on file the Minutes of January 9, 2017 and January 23, 2017 City Council meetings.
2. Public Comment Session – There were 17 speakers: Bill Elwell, Dan Corcoran (spoke on behalf of a group of supporters), Paige Trace, Paul Mannle and Doug Green (Prescott Park Master Plan); Esther Kennedy (Water); Lindsey Carmichael, Ashley Blackington, Mindi Messmer, Jill Capobianco, Katrie Hillman, Jackie Lucas and Brent Schmitt (Crumb Rubber); Zelita Morgan (Civic Matters and Environment); Roger Pittroff (Jones Avenue Ash Dump Site); Patricia Bagley (Title Restrictions Parrott Ave.); Erik Anderson (Plastic Bag Ordinance)
3. **Voted** to suspend the rules to bring forward Councilor Dwyer Item #XI.D.1 of the Agenda for consideration.
4. Adoption of Prescott Park Master Plan – Motion to adopt Prescott Park Master Plan with amendment to include a permanent stage FAILED on a 1-8 roll call vote, Councilor Denton voted in favor. **Voted to adopt** the Prescott Park Master Plan as presented on a 9-0 roll call.
5. **Voted** to suspend the rules to bring forward Acting City Manager Item #XI.A.6 of the Agenda for consideration.
6. Recommendation RE: Artificial Turf at the Route 33 Athletic Complex – **Voted to postpone action** pending presentation by Weston and Sampson regarding the crumb rubber in-fill and to include an option with an alternate under fill.
7. *Recess/Reconvened 8:45 – 8:55 p.m.*
8. Resolution Authorizing a Bond Issue and/or Notes of Up to Four Hundred Thousand Dollars (\$400,000.00) for the Acquisition of One Fire Apparatus - A public hearing was held with 2 speakers. **Voted on a 9-0 roll call to adopt** the Bonding Resolution for One Fire Apparatus in the amount of Four Hundred Thousand (\$400,000) Dollars, as presented.

9. Resolution Authorizing a Bond Issue and/or Notes of up to Six Hundred Ten Thousand Dollars (\$610,000.00) for Costs Related to Improvements to Fire Station 3 – A public hearing was held with 2 speakers. Voted on a 9-0 roll call to adopt the Bonding Resolution for Improvements to Fire Station 3 in the amount of Six Hundred Ten Thousand (\$610,000) dollars, as presented.
10. Second reading of proposed Ordinance amending Chapter 7, Article I, Section 7.101 – Parking Meters – Definition. - A public hearing was held with **no** speakers.
11. Second reading of proposed Ordinance amending Chapter 7, Article I, Section 7.102 – Parking Meter Zones – Downtown High Occupancy Zone. - A public hearing was held with **no** speakers.
12. Second reading of proposed Ordinance amending Chapter 7, Article I, Section 7.105 – Parking to include mobile phone applications and Parking Meter Fees shall be enforceable Monday through Saturday, from 9:00 a.m. to 8:00 p.m. - A public hearing was held with **1** (one) speaker.
13. Second reading of proposed Ordinance amending Chapter 7, Article III, Section 7.324 – Limited Parking One Hour, Section 7.325 – Limited Parking Thirty Minutes, Section 7.326 – Limited Parking Fifteen Minutes, Section 7.327 – Limited Parking Two Hours, Section 7.328 – Limited Parking Three Hours, Section 7.328-1 – Utilization of Multiple Parking Spaces and Section 7.329 – Limited Parking Four Hours between the hours of 9:00 a.m. and 8:00 p.m. Monday – Saturday and between 12:00 p.m. and 8:00 p.m. Sunday, Holiday Excluded. – A public hearing was held with **no** speakers.
14. Second reading of proposed Ordinance amending Chapter 7, Article IV, Section 7.406 (A) & (B) Parking in Meter Space to be deleted in their entirety. A public hearing was held with **no** speakers.
15. **Voted on an 8-1 roll call** to pass second readings of Items B-G Consideration of Resolutions and Ordinances, **and to schedule third and final readings** of the proposed ordinances (as stated in Items 10-14 above), *with effective dates amended to May 1, 2017*, at the February 21, 2017 City Council meeting. Assistant Mayor Splaine voted opposed.
16. First Reading of proposed Ordinance amending Chapter 7, Article I, Section 7.115 – Sign Permit Required for Private Parking Lot – **Voted** to pass first reading and schedule a public hearing and second reading of the proposed ordinance at the February 21, 2017 City Council meeting.
17. Consent Agenda: **Voted** to adopt the Consent Agenda as presented:
 - A. Letter from Ashleigh Tucker Pollock, The Music Hall, requesting permission to hold the 26th annual Kitchen Tour fundraiser event on Saturday, May 13th from 10:00 a.m. to 4:00 p.m. in the Little Harbour neighborhood (**Anticipated action – move to refer to the Acting City Manager with power**)

- B. Letter from Bruce MacIntyre, Portsmouth Maritime Folk Festival, requesting permission to hold the 18th annual Portsmouth Maritime Folk Festival on Saturday and Sunday, September 23rd and 24th, 2017 (**Anticipated action – move to refer to the Acting City Manager with power**)
- C. Eversource License Agreement #63-0627 for the following:
- Four (4) replacement poles on Chase Drive
 - One (1) replacement pole at the northeast corner of Michael Succi Drive and Market Street
 - Seven hundred and forty (740) feet of conduit along the northeast side Market Street in the grass behind the sidewalk from the corner of Michael Succi Drive to across from Albacore Park
 - One (1) buried access vault half-way along the conduit
 - One (1) 25kva pad-mount transformer at the end of the conduit across from the Albacore Park
- (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)**
- D. Eversource License Agreement #63-0621 for the licensing of one (1) replacement pole and push-brace at the southwest corner of Pleasant Street and Junkins Avenue, near the entrance to the Parrott Avenue Parking lot (**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**)
- E. Eversource License Agreement #63-0626 for the licensing of one (1) new anchoring pole on the south side of Little Harbor Road, just before the Wentworth Coolidge Mansion driveway (**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. Letter from Emily Christian, National Multiple Sclerosis Society, requesting permission to hold the 2017 Bike MS NH Seacoast Escape on Saturday, August 26, 2017 (**Anticipated action – move to refer to the Acting City Manager with power**)

18. Letter from Attorney Christopher Mulligan, Bosen and Associates, P.L.L.C., Re: Request for Release of Paper Streets Pursuant to RSA 231:51 and 231:52 26 Moffat Street (Tax Map 243, Lot 69)/Swett Avenue (Tax Map 243, Lot 23) – Voted to refer to the Planning Board for a report back.

19. Letter from North Hampton Select Board regarding Public Meetings of the Coakley Landfill Group – Voted to refer to the Coakley Landfill Group for a report back and to ask that the meetings be open to the public.

20. Letter from the Residents of Wentworth Senior Living regarding the deteriorated sidewalks on Pleasant Street – No action taken – Acting City Manager Colbert Puff will report to Wentworth Senior Living that this project is already scheduled for the upcoming Summer and following Spring.

21. City Manager's Consent Agenda: **Voted** to adopt the City Manager's Consent Agenda. Items 3-5 as stated below.

Councilor Denton requested to remove Item #1 - Report Back: Schiller Station Resolution from the City Manager's Consent Agenda.

Councilor Spear request to remove Item #2 – Islington Street Utility Lines from the City Manager's Consent Agenda

3. Report Back Re: Request that the Involuntarily Merged Lots at 70 Sims Avenue be Restore to their Premerger Status (**Sample motion – move to accept the Planning Board's recommendation, as presented**)
4. Report Back Re: Request that the Involuntarily Merged Lots at 21 Elwyn Avenue be Restored to their Premerger Status (**Sample motion – move to accept the Planning Board's recommendation, as presented**)
5. Report Back Re: Acceptance of Street Re: New Parking Garage (**Sample motion – moved to accept the aforementioned recommendation of the Planning Board as part of the municipal parking garage project.**)

22. Report Back Schiller Station Resolution (January 23, 2017 City Council Meeting) – **Motion** to adopt the Schiller Station Resolution as a statement **FAILED on a 3-6 roll call vote**. Assistant Mayor Splaine, Councilor Cyr and Councilor Denton voted in favor. **Voted** to instruct the City Manager to reach out to the successful bidder regarding reuse of the Schiller Station and environmental concerns expressed in the citizens' submitted resolution.

23. Islington Street Utility Lines – **Voted** to postpone for one month and bring back for a public input session.

Voted to suspend the rules to continue the meeting past 10:30 p.m. to finish Agenda.

24. Mayor Blalock - Historic District Commission Appointments (not on Council Agenda):-

- **Voted** to **RESCIND** the appointment of Molly Bolster as regular member to the Historic District Commission voted at the January 23, 2017 City Council meeting.
- **Voted** to appoint current alternate John Mayer to fill the regular Historic District Commission vacancy.
- **Voted** to appoint Molly Bolster to fill the alternate vacancy on the Historic District Commission.

25. Environmental Matters - Assistant Mayor Splaine – to schedule a Work Session with town officials of Greenland, North Hampton and Rye about Coakley Landfill concerns; requesting more thorough testing of surface water abutting the Jones Avenue Landfill; asking for data concerning the chemical content of the city weed control program, and alternative options –

- No Action taken regarding the Work Session regarding Coakley Landfill concerns at this time but will bring back when City Manager Bohenko returns from medical leave.

- Requested report back regarding weed control and alternative options as had been requested several months prior.
 - Requested a proactive plan regarding protecting the Sagamore Creek be drafted as well as guidance in drafting policy and/or principles regarding environmental and scientific issues.
26. Parking and Traffic Safety Committee Action Sheet and Minutes of January 5, 2017– Councilor Lown - (January 23, 2017 City Council meeting) - **Voted** to approve and accept the Action Sheet and Minutes of the January 5, 2017 Parking and Traffic Safety Committee meeting. Councilor Lown relayed a request from a Parking and Traffic Safety Committee member that a policy be drafted regarding nighttime walkers, joggers, bicyclists etc.
27. Plastic Bag Ordinance - Councilor Lown and Councilor Denton – (January 23, 2017 City Council meeting) – **Voted** to request City Attorney Sullivan to draft an ordinance similar to previously presented draft ordinance but eliminating the previously proposed fee.
28. Motion to Reconsider Veterans Tax Credit Vote – Councilor Spear – Motion made and then withdrawn to suspend the rules to reconsider Veterans Tax Credit Vote of January 23, 2017. **Item will be brought forward to February 21, 2017 City Council meeting.**
29. Request to Schedule Work Session Re: Union Participation in Public Projects – Councilor Spear and Councilor Denton – **Voted** on a 7-2 roll call to schedule a Work Session regarding Union Participation in Public Projects. Councilor Lown and Mayor Blalock voted opposed.
30. Miscellaneous/Unfinished Business – Assistant Mayor Splaine asked for an update regarding the “Sanctuary City” issue that has been in the media in recent weeks. Mayor Blalock explained that this issue has not been discussed by the City Council and there is nothing to report at this time. Assistant Mayor Splaine requested Acting City Manager Colbert Puff release a statement similar to the Town of Durham regarding this issue. Assistant Mayor Splaine also requested a press release be issued regarding the decision that came down from the Court today regarding the Boyle lawsuit.
31. Adjournment – **At 11:25 p.m., voted to adjourn.**

Respectfully submitted by:

Valerie A. French
Deputy City Clerk