

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, NOVEMBER 19, 2001

PORTSMOUTH, NH
TIME: 7:00PM

At 6:30 p.m., a Work Session was held regarding access to the Bellamy Reservoir.

I. CALL TO ORDER

Mayor Sirrell called the meeting to order at 7:00 p.m.

II. ROLL CALL

Present: Mayor Sirrell, Councilors Hanson, Grasso, Wagner, Hynes, Marconi, Whitehouse and Pantelakos

Absent: Assistant Mayor Clews

III. INVOCATION

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

IV. PLEDGE OF ALLEGIANCE

Councilor Hynes led in the Pledge of Allegiance to the Flag.

V. VOLUNTEER COMMITTEE REPORTS

1. Greater Portsmouth Chamber of Commerce Quarterly Report on Tourism/eCoast – Marge Hubbard, Tourism Manager and Jennifer Quinlan, Business Development Manager

City Manager Bohenko said that the City entered into a partnership with the Chamber of Commerce to support tourism and the eCoast technology round table with no local tax dollars being spent for this partnership.

Marge Hubbard announced the report she will be giving is from July 1 – September 30, 2001. She reported that almost 400 people took a Portsmouth Harbour Trail regularly scheduled walking tour this summer. In addition, there were over 40 group tours. She announced that six cruise ships came to Portsmouth this summer and fall. The Harbour Trail Road Race had more than 360 participants that ran the 5K and 60 children participated in the Fun Run making it the biggest turnout in the six-year history of the race. She reported that the prices for the Guide to the Seacoast were reduced 30%- 40% this year and options were added to make advertising affordable for all members. She advised the Council that the training video for tourism frontline employees is still in production with a target release date of March 2003.

Jennifer Quinlain announced the report she will be giving is also from July 1 – September 30, 2001. She announced that the eCoast Technology Roundtable economic development subcommittee held their second annual venture summit on September 18th at the Emerging Technologies Campus of the New Hampshire Community Technical College at the Pease Tradeport. The summit attracted 120 entrepreneurs. She said that the Chamber staff and members worked many hours and months to plan TechWorld 2001 which was cancelled because the Air National Guard facility was not available due to the events of September 11th. The Chamber then created a smaller event entitled TechConnect with over 200 participants, with sponsor displays and speakers on topics such as “What’s Next: the Internet, eBusiness and the Economy”, “Network Security; How Hackers Operate”, and “Weathering the Storm in the NH Tech Economy”. She reported on the Chambers second annual eCruise was held on August 1st aboard the Thomas Leighton that provided more than 250 members of the technology community to make connections and learn more about the eCoast Technology Roundtable and how to become an active member. She informed the Council about the Technology, Recruitment, Retention and Education committee that will be introducing the program to Portsmouth and other seacoast high schools. Finally, she announced that the City’s funding made it possible to hire a full-time business development manager who was involved in all activities of the Technology Roundtable over the last quarter.

VI. ACCEPTANCE OF MINUTES – OCTOBER 15, 2001 AND NOVEMBER 8, 2001

Councilor Hanson moved to accept and approve the minutes of the October 15, 2001 and November 8, 2001 City Council meetings. Seconded by Councilor Whitehouse and voted.

VII. PUBLIC COMMENT SESSION

James Melfi, Portsmouth resident, announced that a public meeting would be held on Tuesday, November 27, 2001 at 7:00 p.m. here at City Hall on the layout for the Pannaway Playground. He also announced that a recent survey of the neighborhood was taken showing that 93% of the participants are in favor of reopening Country Club Lane. He said that this is a small neighborhood and closing that road limits access in and out of the area.

City Manager Bohenko said that there is emergency access to the area and the City has purchased a controlled automated gate that will be put in. The Police, Fire and Public Works Departments will all have keys to activate the gate.

VIII. APPROVAL OF GRANTS/DONATIONS

- A. U.S. Department of Justice, District of New Hampshire U.S. Attorney’s Office for continuation of the Operation Streetsweeper Narcotics Enforcement Program Grant

Councilor Hanson moved to approve and accept the grant award to the Portsmouth Police Department. Seconded by Councilor Whitehouse and voted.

- B. Acceptance of Donations for the Honor Guard Program from DC Audio & Video Services, Inc, Dawn Vinciguerra, and Jessica Stoddard

Councilor Grasso moved to approve and accept the donations to the Portsmouth Police Department. Seconded by Councilor Hynes and voted.

C. Acceptance of a Donation from the Timothy Driscoll Memorial

Councilor Pantelakos moved to accept the donation of \$17,250 from the Driscoll Family in memory of Timothy J. Driscoll. Seconded by Councilor Marconi and voted.

City Manager Bohenko said that the funds would be used for upgrades to the indoor pool which Timothy used frequently.

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

A. First reading of Ordinance amending Chapter 8, Article I, Section 8.130 – Scope, Signs Included by amending 8.130 C – Removal Required

Councilor Whitehouse moved to pass first reading regarding the amendment to Section 1.830 C, Temporary Sign Ordinance, as drafted, and establish a Public Hearing and second reading at the December 3rd City Council meeting. Seconded by Councilor Marconi and voted.

Councilor Whitehouse suggested looking at amending the number of days before signs must be removed. He recommended changing it from 15 days to 72 hours or 3 days.

Councilor Hanson said the time for such an amendment should be brought forward for consideration at second reading.

X. PRESENTATION AND CONSIDERATION OF WRITTEN COMMUNICATIONS AND PETITIONS

A. Letter from Attorney John P. McGee, Jr. requesting that the City release an easement on the Ralph's Truck Sales, Inc. property located on Lafayette Road

Councilor Hanson moved to refer the letter dated October 19th from Attorney John P. McGee, Jr., to the Planning Board for a report back. Seconded by Councilor Whitehouse and voted.

B. Letter from Martie Shea, The Seacoast Repertory Theatre requesting permission to hold the 36th Annual Bow Street Fair on Saturday, July 20, 2002 at 10am – 8pm and Sunday, July 21, 2002, at 11am – 4pm

Councilor Grasso moved to refer to the City Manager with power. Seconded by Councilor Whitehouse.

City Manager Bohenko said he would like to reserve the right to bring this item back to the City Council if there are major concerns with the neighborhood regarding this event.

Motion passed.

C. Letter from James Horrigan, Ward 5 Clerk, regarding the new voting machines

Councilor Whitehouse moved to accept and place the letter on file. Seconded by Councilor Pantelakos and voted.

- D. Letter from Kathie Lynch, Portsmouth Little League, Inc. requesting permission for the placement of temporary signs at the Plains and Hislop baseball fields during the 2002 baseballs season

Councilor Hanson moved to refer to the City Manager with power for the signs to be placed on the inside of the fence facing home plate. Seconded by Councilor Marconi and voted.

- E. Request of the Portsmouth Rotary Club to Utilize Channel 22 for the Rotary TV Auction on March 3, 2002

Councilor Whitehouse moved to refer to the City Manager with power. Seconded by Councilor Marconi and voted.

- F. Letter from Frank Roth, Dog Owners Group of Portsmouth, requesting permission to hold a fundraiser, Pet Pictures with Santa, on Saturday, November 24th at South Mill Pond Park (*rain date November 25th*)

Councilor Grasso moved to refer to the City Manager with power. Seconded by Councilor Whitehouse and voted.

- G. Letter from William Mortimer, Chairman of the Portsmouth Police Commissioners, requesting approval to donate the Police Department's evidence van to the Exeter Police Department to be used for the Seacoast Emergency Response Team

Councilor Pantelakos moved to approve the request of the Police Department to donate its Evidence Van to the Exeter Police Department. Seconded by Councilor Marconi and voted.

- H. Letter from Scott Flanders, The Salvation Army, requesting that the City Council ring the bell in Market Square on Friday, December 14, 2001, from 9:00 a.m. to 4:00 p.m.

Councilor Hanson moved to refer to the City Manager with power. Seconded by Councilor Whitehouse and voted.

- I. Letter from Robert Wyand, Great Falls Veterinary Hospital regarding access to the Bellamy Reservoir

Councilor Marconi moved to accept and place the letter on file. Seconded by Councilor Hanson and voted.

- J. Letter from Board of Fire Commissioners regarding FY02 anticipated budget shortfall by the Fire Department

Mayor Sirrell passed the gavel to Councilor Hanson.

Mayor Sirrell said that she feels a work session is necessary to discuss the issue in detail.

Mayor Sirrell moved the Fire Commission's letter dated November 14th to the City Manager to give a report back at a work session with the Fire Commission and City Council on December 10th at 6:30 p.m. Seconded by Councilor Pantelakos and voted.

Councilor Hanson passed the gavel back to Mayor Sirrell.

- K. Letter from Fire Chief Plummer announcing his retirement from the Portsmouth Fire Department on December 28, 2001

Councilor Grasso moved to accept with regret and much appreciation for Chief Plummer's years of service to the City. Seconded by Councilor Pantelakos and voted.

- L. Letter from Robert Vincent regarding affordable housing in the Seacoast

Councilor Hanson moved to accept and place the letter on file. Seconded by Councilor Marconi and voted.

- M. Letter from Stanley Dzielak on how he is showing his patriotism

Councilor Hanson moved to accept and place the letter on file. Seconded by Councilor Pantelakos and voted.

- N. Letter from Patricia Nicholson requesting to donate a bench to the City of Portsmouth in memory of Mike and Kathleen Shearer

Councilor Pantelakos moved to refer to the City Manager with power. Seconded by Councilor Whitehouse and voted.

Councilor Hanson requested that Mayor Sirrell send a letter of appreciation to Ms. Nicholson for this generous donation.

- O. Letter from George L. Rogers, Deer Street Associates, regarding rezoning request on Deer Street

Councilor Hanson moved to refer to the Planning Board for a report back. Seconded by Councilor Whitehouse and voted.

XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

- 1. Request that the City Council Accept Blasting Rules and Procedures as Developed by the Public Works Director

City Manager Bohenko said that the City Council adopted the amendments to the Blasting Ordinance at the September 17th Council meeting and now the Council needs to accept the rules and procedures established by the Public Works Director.

Councilor Wagner moved to accept the proposed Blasting Rules and Procedures as recommended by the Public Works Director. Seconded by Councilor Pantelakos and voted.

2. Request to Establish a Public Hearing for December 3, 2001 Re: Final Report of the Mayor's Rule Ribbon Committee on Arts and Culture

City Manager Bohenko said that Councilor Grasso is requesting that the City Council hold a Public Hearing to receive public input on the Final Report of the Mayor's Blue Ribbon Committee on Arts and Culture.

Councilor Grasso said that the Committee has done a great deal of work over the last two years and it is the hope of the Committee that the report would become part of the Master Plan of the City.

Councilor Grasso moved to establish a Public Hearing for Monday, December 3, 2001 at 7:00 p.m. regarding the Final Report of the Mayor's Blue Ribbon Committee on Arts and Culture. Seconded by Councilor Pantelakos and voted.

3. Request for Approval of Pole License Agreement #63-383

Councilor Whitehouse moved to approve the pole license agreement as recommended by the Public Works Department. Seconded by Councilor Marconi and voted.

Mayor Sirrell reported that she has received a number of calls from individuals expressing their satisfaction with the reconstruction of Peveryly Hill Road, Mirona Road and Banfield Road intersection.

B. MAYOR SIRRELL

1. Donation to the Education Funding Litigation

Mayor Sirrell passed the gavel to Councilor Hanson.

Mayor Sirrell moved to accept the \$10,000 contribution from the Town of Newington to be placed in the Coalition Legal Fund. Seconded by Councilor Grasso and voted.

Councilor Hanson passed the gavel back to Mayor Sirrell.

2. Appointments/Resignations

Councilor Hynes moved to accept the resignation of Arthur Parrott from the Planning Board with regret and appreciation for his years of service to the City. Seconded by Councilor Grasso and voted.

Councilor Hanson moved to accept the resignation of Donald Hayes from the Economic Development Commission with regret and deep appreciation for his years of service to the City. Seconded by Councilor Marconi and voted.

Councilor Whitehouse moved to accept the resignation of Faye Goldberg from the Planning Board with regret and appreciation for her years of service to the City. Seconded by Councilor Grasso and voted.

The City Council considered the following appointments:

Reappointment of Phyllis Eldridge to the Library Trustees Board, reappointment of Steve Wrenn to the Cable Commission, reappointment of John Rice to the Historic District Commission, reappointment of Richard Katz to the Historic District Commission, reappointment of David Adams to the Historic District Commission, appointment of Edward Hayes to the Economic Development Commission, reappointment of Scott Pafford to the Economic Development Commission, reappointment of Mark Simpson to the Economic Development Commission, reappointment of Clifford Taylor to the Economic Development Commission, reappointment of Thomas Ferrini to the Economic Development Commission, reappointment of James Horrigan to the Board of Adjustment, reappointment of Alain Jousse to the Board of Adjustment, reappointment of Nathaniel Holloway to the Board of Adjustment, and the reappointment of Robert Marchewka to the Board of Adjustment.

Councilor Grasso moved to reappoint Ellen Fineberg to the Historic District Commission until June 1, 2004. Seconded by Councilor Hanson and voted.

Councilor Hanson requested that City Clerk Barnaby obtain the annual attendance records for major Boards and Commissions for the Council to review at the December 17, 2001, City Council meeting.

Councilor Hynes said he would like to develop a way to consider a person to be appointed to a board or commission before it is announced on the agenda.

Councilor Hanson spoke in favor of the current process used. He said any other method would be secretive and inappropriate. He said that the consideration period allows Council members to express any concerns they may have regarding an appointment to the Mayor.

Councilor Marconi said that she would like the process changed because she feels that there are individuals that have been on various boards and commission too long.

Councilor Grasso suggested that Mayor Sirrell submit the names to the City Council a week before they are to be announced at a Council meeting.

Mayor Sirrell said that this issue should be brought before the new City Council.

Mayor Sirrell requested that the City Council not take action on any of the appointments that were considered this evening until the December 17, 2001, City Council meeting to allow them time to review the attendance records.

3. Reports

Mayor Sirrell announced that Sam Jarvis owner of the Metro Restaurant would be providing a free Thanksgiving dinner on Wednesday, November 21, 2001 at noon for the homeless.

C. COUNCILOR HANSON

1. Traffic & Safety Committee Action Sheet and Minutes of the October 18, 2001 meeting

Councilor Hanson moved to approve and accept the action sheet and minutes of the October 18, 2001 Traffic & Safety Committee meeting. Seconded by Councilor Marconi and voted.

Councilor Hanson announced that the State has issued a new warrant for stop signs to be erected. He said that there is now a multiway stop sign checklist that must be followed because stop signs cannot be used to control speeding.

XII. MISCELLANEOUS/UNFINISHED BUSINESS

Councilor Whitehouse expressed concerns with any city employee being called up from reserve duty.

City Manager Bohenko said that a policy is in place following the federal guidelines and if the City Council wants to go beyond what the city allows the issue would need to be discussed with the Human Resources Director and the various bargaining units. He said that he would discuss the matter with the Human Resources Director and report back to the City Council.

Councilor Whitehouse said that there was a policy on record for the city during the gulf war.

Councilor Hanson said that the Joint Budget Committee would review this matter as well and look at various fund accounts.

City Manager Bohenko said that there is a process and it needs to be followed regarding this matter.

XIII. ADJOURNMENT

At 8:15 p.m., Councilor Hanson moved to adjourn. Seconded by Councilor Pantelakos and voted.

KELLI L. BARNABY, CITY CLERK