

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, COUNCIL CHAMBERS
DATE: MONDAY, MARCH 4, 2002

PORTSMOUTH, NH
TIME: 7:00PM

6:30PM – AN ANTICIPATED “NON-MEETING” WITH COUNSEL RSA 91-A:2I(b)

AGENDA

- I. CALL TO ORDER
- II. ROLL CALL
- III. INVOCATION
- IV. PLEDGE OF ALLEGIANCE

PROCLAMATION

- 1. Read Across America

PRESENTATIONS

- 1. Michael Berounsky, Jr. Re: Donations towards the New Public Library:
\$5,000 in memory of Sophie Berounsky
\$5,000 in memory of Henry Berounsky
(\$10,000 total)
- 2. Virginia Smists Beers Re: Donation of \$500 towards the New Public Library
- 3. Dave Strainge, BRAC Environmental Coordinator, Dept. of the Air Force Re: Update on Pease Environmental Clean-Up

V. VOLUNTEER/COMMITTEE REPORTS

- 1. Marge Hubbard, Tourism Manager, Greater Portsmouth Chamber of Commerce Re: Quarterly Report on Tourism Activities and Jennifer Quinlan, Business Development Manager Re: Quarterly Report on eCoast Activities

VI. ACCEPTANCE OF MINUTES – FEBRUARY 4, 2002

VII. PUBLIC COMMENT SESSION

VIII. PUBLIC HEARINGS

- A. ORDINANCE AMENDING CHAPTER 7, ARTICLE XI, SECTION 7.1100 – SPEED LIMITS, SUB-SECTION B – SPEED LIMIT: 20MPH – ODIORNE POINT ROAD AND GOSPORT ROAD
- B. ORDINANCE AMENDING CHAPTER 7, ARTICLE III, SECTION 7.330 – NO PARKING – SUB-SECTION A – ELM COURT: ON THE WESTERLY SIDE OF ELM COURT

- C. ORDINANCE AMENDING CHAPTER 7, ARTICLE III, SECTION 7.330 – NO PARKING, SUB-SECTION A – AUSTIN STREET (NORTHERLY SIDE OF AUSTIN STREET BETWEEN UNION STREET AND MADISON STREET) AND MIRONA ROAD (BOTH SIDES FROM LAFAYETTE ROAD WESTERLY A DISTANCE OF 525 FEET)
- D. ORDINANCE AMENDING CHAPTER 7, ARTICLE III, SECTION 7.330 – NO PARKING SUB-SECTION B – NO PARKING – SCHOOL ZONES – AUSTIN STREET
- E. ORDINANCE AMENDING CHAPTER 1 BY THE ADDITION OF A NEW ARTICLE XVI – ADOPTION OF FEES BY BUDGET RESOLUTION
- F. ORDINANCE AMENDING CHAPTER 7, ARTICLE II – TAXICABS – SECTION 7.211 C, LICENSE REQUIRED

IX. APPROVAL OF GRANTS/DONATIONS

- 1. Acceptance of Donations for New Public Library
- 2. Request for Approval of a Wellness Grant
- 3. Request for Approval of a Donation for Peirce Island Waterfront Overlook Construction

X. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance amending Chapter 8, Article II, Section 8.206 – Behavior (in City Parks)
- B. First reading of Ordinance amending Chapter 10 regarding Impact Fees
- C. First reading of Ordinance amending Chapter 7, Article XI, Section 7.1100 – Speed Limits, Sub-Section E – Speed Limit 25 MPH Portsmouth Boulevard and Osprey Drive
- D. Second reading of Ordinance amending Chapter 7, Article XI, Section 7.1100 – Speed Limits, Sub-Section B – Speed Limit: 20MPH – Odiorne Point Road and Gosport Road
- E. Second reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Sub-Section A – Elm Court: on the westerly side of Elm Court
- F. Second reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking, Sub-Section A – Austin Street (Northerly side of Austin Street between Union Street and Madison Street) and Mirona Road (Both sides from Lafayette Road westerly a distance of 525 feet)
- G. Second reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Sub-Section B – No Parking – School Zones – Austin Street
- H. Second reading of Ordinance amending Chapter 1 by the addition of a New Article XVI – Adoption of Fees by Budget Resolution

- I. Second reading of Ordinance amending Chapter 7, Article II – Taxicabs – Section 7.211 C, License Required

XI. PRESENTATION AND CONSIDERATION OF WRITTEN COMMUNICATIONS AND PETITIONS

- A. Letter from James Stankiewicz, Firefighters Trans NH, requesting permission to hold the 15th annual Trans-NH Bike Ride on Sunday, June 23, 2002
- B. Renewal Requests for Sidewalk Obstruction Licenses from the following businesses with no changes from last year
 - Ceres Bakery – 4 benches
 - Izzy's Frozen Yogurt – 1 bench
 - Pierce Gallery – 1 A-frame sign
 - Muddy River Smokehouse – 1 A-frame sign
 - Prudential Rush Realty – 1 A-frame sign
 - Choozy Shooz – 1 bench and 1 A-frame sign
 - Geno's Coffee Shop – 1 A-frame sign
 - Beeper Exchange – 1 A-frame sign
 - Eye Look Optical – 1 A-frame sign
 - Belle Peppers – 2 Tables and 4 chairs
 - Rosa's Restaurant – 2 A-frame signs
 - Bagel Works – 4 Tables, 12 chairs and 1 A-frame sign
 - Metro Restaurant – 1 A-frame sign
 - Lucky 7 Gallery – 1 A-frame sign
 - Water Monkey – 2 A-frame signs
 - Café Brioche – 15 Tables and 42 chairs
 - Market Street Tub Shop – 1 A-frame sign
 - Madd Matt's Ice Cream – 1 A-frame sign
 - Café Kilim – 1 bench
 - Portsmouth Gas Light – 1 A-frame sign
 - Subway – 2 Tables, 4 chairs and 1 A-frame sign
 - Starbucks Coffee – 4 Tables and 8 chairs
 - Ambrosia Gardens, Inc – 1 A-frame sign
 - Portsmouth Brewery – 1 A-frame sign
 - Portsmouth Athenaeum – 1 A-frame sign
 - Dolphin Striker – 1 A-frame sign
- C. Letter from Frances Murdock regarding cable service for the City of Portsmouth
- D. Letter from Tara Parker, Walker House Condominiums regarding water bill
- E. Letter from Donald Allison requesting permission to hold the annual Eastern States 20 Mile Road Race on Sunday, March 24, 2002
- F. Letter from Alanson Sturgis, Conservation Commission regarding Amendment of City Ordinance

G. Letter from Kevin Lafond regarding Ramsey Hotel

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

Items which require Action under other sections of the Agenda

1. Consideration of First Reading of Proposed Resolutions/Ordinance Amendments:
 - 1.1 First Reading of Ordinance amending Chapter 8, Article II, Section 8.206 – Behavior (in City Parks)
 - 1.2 First Reading of Ordinance amending Chapter 10 regarding Impact Fees
 - 1.3 First Reading of Ordinance amending Chapter 7, Article XI, Section 7.1100 – Speed Limits, Sub-Section E – Speed Limit 25 MPH Portsmouth Boulevard and Osprey Drive

2. Public Hearing/Second Reading of Proposed Resolutions and Ordinance Amendments:
 - 2.1 Public Hearing/Second Reading of Ordinance amending Chapter 7, Article XI, Section 7.1100 – Speed Limits, Sub-Section B – Speed Limit: 20MPH – Odiorne Pont Road and Gosport Road
 - 2.2 Public Hearing/Second Reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking, Sub-Section A – Elm Court: on the westerly side of Elm Court
 - 2.3 Public Hearing/Second Reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking, Sub-Section A – Austin Street (Northerly side of Austin Street between Union Street and Madison Street) and Mirona Road (Both sides from Lafayette Road westerly a distance of 525 feet)
 - 2.4 Public Hearing/Second Reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking, Sub-Section B – No Parking – School Zones – Austin Street
 - 2.5 Public Hearing/Second Reading of Ordinance amending Chapter 1, Article XVI, to create a new section re: Adoption of Fees by Budget Resolution
 - 2.6 Public Hearing/Second Reading of Ordinance amending Chapter 7, Article II, Taxicabs – Section 7.211 – License Required

3. Proposed Request for an Amendment to Chapter 8, Article III, Section 8.302

City Manager's Items Which Require Action

1. Proposed Relocation of Farmers' Market to the Municipal Complex Parking Lot
2. Request for Approval of Proposed Agreement with the African-American Cultural Center Association
3. Request for Approval of Proposed Agreement Regarding Installation and Maintenance of Irrigation System
4. Request to Bring Back for First Reading an Amendment to Chapter 5, Article VIII, Section 5.801 – Emergency Alarm System Ordinance
5. Report Back Re: Research Project entitled "A Stakeholder Watershed Approach: Hodgson Brook Restoration"
6. Request of Approval of Proposed Settlement Re: 100 Market Street
7. Request for Approval of an Easement Deed with Message Center Management

Informational Items

1. Upcoming City Council Work Sessions and Meetings
2. Reminder – Legislative Delegation Meeting
3. Reminder – Student Government Day
4. Coalition Community Update/House Vote on Amendment

B. MAYOR SIRRELL

1. Appointments/Resignations
2. *Reports

C. COUNCILOR PANTELAKOS

- *1. Boundary Lines

D. COUNCILOR ST. LAURENT

- *1. Report on Country Club Road

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

XIV. ADJOURNMENT

* **INDICATES VERBAL REPORT**

INFORMATIONAL ITEMS

1. Historic District Commission minutes of January 2, 2002 & January 16, 2002 meetings
2. NH DES Wetlands approval permit for Tucker's Cove on Odiorne Point Road
3. Letter from Susan Eveyt regarding location of proposed new Library
4. Letter from Gerald Duffy and Effie Malley in support of the Bond Resolution for a new Library
5. Letter from Lucinda Clarke opposed to a new Library
6. Letter from Lee Lorusso regarding Country Club Lane
7. Letter from Robert Egan, Flextronics regarding 66 layoffs at the Portsmouth facility at 166 Corporate Drive, Pease International Tradeport
8. Planning Board minutes of November 15, 2001, December 20, 2001, January 3, 2002, January 17, 2002, and January 24, 2002 meetings
9. Zoning Board of Adjustment minutes of January 15, 2002 meeting

NOTICE TO MEMBERS OF THE PUBLIC WHO ARE HEARING IMPAIRED: If you wish to attend City Council meetings and need assistance, please contact Human Resources Director Dianna Fogarty at 603-431-2006, extension 270 one week prior to the meeting.