

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, JUNE 3, 2002

PORTSMOUTH, NH
TIME: 7:00PM

At 6:30 p.m., an Anticipated "Non-Meeting" with Counsel was held regarding Portsmouth Police Civilian Employees Association Contract concerning dispatch work.

I. CALL TO ORDER

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

II. ROLL CALL

Present: Mayor Sirrell, Assistant Mayor Hanson, Councilors Grasso, Lown, Hynes, Pantelakos, Whitehouse, Marconi and St. Laurent

Absent: None

III. INVOCATION

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

IV. PLEDGE OF ALLEGIANCE

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

PROCLAMATION

1. Commander Jerry K. Burroughs – USS Albuquerque

Assistant Mayor Hanson presented a Proclamation declaring June 3rd as Commander Jerry Burroughs day and extended the best wishes of the City Council to the Commander and his family in their future endeavors.

Commander Burroughs thanked Mayor Sirrell and the City Council for this honor and making his family feel welcomed well they were stationed here.

V. ACCEPTANCE OF MINUTES – MAY 6, 2002 & MAY 20, 2002

Councilor St. Laurent moved to approve and accept the minutes of the May 6, 2002 and May 20, 2002 City Council meetings. Seconded by Councilor Marconi and voted.

VI. PUBLIC COMMENT SESSION

Carvel Tefft spoke against the construction of a new library at the JFK site. He said that the residents are at a crossroads as to where a new library will be built in the City. He said that the JFK site is too small and the City would need to shoe horn a library into the location.

Diane Kelley Tefft spoke against the process used for the building of a new library. She said that she is adamantly opposed to the JFK site. She expressed concern with the removal of a ball field and the encroachment upon wetlands to build the library at this location.

Wayne Ecker spoke opposed to the library being relocated to the JFK site. He said that a Public Hearing should be held on the removal of the old armory building and trees for the construction of a new library. He said that there is not adequate parking available for a library at the JFK location.

Karen Dutcher expressed concern with a new library being constructed at the JFK site. She said that there are too many unanswered questions to approve this location for the new library. She also expressed concern regarding the environmental effects of a library being constructed at the JFK site.

Raymond Will spoke in favor of the appointment of Donald Coker as a full time member to the Planning Board. He said that Mr. Coker is very dedicated and always does his homework on an issue that comes before the Planning Board.

Rachel Hamilton said that the concerns of residents are not being addressed in regards to the building of a new library at the JFK site. She said the process used by the City was discouraging and urged the City to find another location more suitable for a new library.

Ed Lawrence spoke regarding the pollution problem at the South Mill Pond. He said that this issue needs to be addressed by the City for the protection of the residents.

Bob Hopley spoke opposed to the JFK site for a new library. He also expressed concern with the removal of a ball field for a new library.

VII. PUBLIC HEARING

A. RESOLUTION AUTHORIZING BORROWING IN ANTICIPATION OF REVENUES AND TAXES IN THE AMOUNT OF \$16,000,000.00

Assistant Mayor Hanson read the legal notice, declared the Public Hearing open and called for speakers.

City Manager Bohenko said that the city bills its property taxes in arrears and this Resolution will allow us to have funds on hand before all tax monies are received.

Ed Lawrence spoke opposed to the Resolution. He said that the City should not have to borrow funds.

Peter Bresciano spoke opposed to the way the city collects its taxes. He said if it was changed the city would no longer need this Resolution.

Wayne Ecker spoke opposed to the way the city collects its taxes.

After three calls and no further speakers, Assistant Mayor Hanson declared the Public Hearing closed.

VIII. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Grant from the US Department of Justice, Office of Community Oriented Policing
- B. Acceptance of Grant from the NH Highway Safety Agency for Join the NH Clique Seat Belt Campaign
- C. Acceptance of Donations for the Honor Guard Program

Councilor Pantelakos moved to approve and accept the grant award/donations to the Portsmouth Police Department as listed. Seconded by Councilor Grasso and voted.

- D. Acceptance of Donation from Bethel Assembly of God (not on agenda)

Councilor Pantelakos voted to accept the donations to the Portsmouth Police and Fire Departments. Seconded by Councilor Lown and voted.

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Adoption of Resolution Authorizing Borrowing in Anticipation of Revenues and Taxes in the amount of \$16,000,000.00

Mayor Sirrell moved to adopt the Resolution authorizing borrowing in anticipation of revenues and taxes in the amount of \$16,000,000.00. Seconded by Councilor Whitehouse. On a unanimous roll call vote 9-0, motion passed.

- B. Third and final reading of Ordinance amending Chapter 1, Article III, Section 1.3 – Boards

Mayor Sirrell moved to pass third and final reading. Seconded by Councilor St. Laurent. On a roll call vote 7-2, motion passed. Mayor Sirrell, Councilors Lown, Hynes, Pantelakos, Whitehouse, St. Laurent, and Assistant Mayor Hanson voted in favor. Councilors Grasso and Marconi voted opposed.

X. PRESENTATION AND CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Alanson Sturgis, Chairman of Conservation Commission, urging the City not to allow usage or paving of a Paper Street next to Haven Park

Councilor Grasso moved to accept and refer the letter to the Planning Board and Planning Department. Seconded by Councilor Marconi and voted.

- B. Letter from Jeffrey Gabel, The Music Hall requesting permission to close off Chestnut Street (between Congress and Porter Streets) for the Telluride by the Sea on September 20th, September 21st, and September 22nd

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

- C. Letter from Michelle Patrick requesting permission to conduct massage therapy on the streets or in the parks of Portsmouth

Councilor Grasso voted to deny and place the letter on file. Seconded by Councilor Marconi.

Councilor Lown said that he does not feel that this request should be denied.

Motion passed with Councilor Lown voting opposed.

- D. Letter from Dianne Kelley Tefft in opposition to development of the JFK/South Mill Pond site

Councilor Grasso moved to refer the letter to the Planning Board and Planning Department for consideration. Seconded by Councilor Marconi.

Councilor Grasso said that a great deal of items listed in the letter is not based on facts.

Motion passed.

- E. Letter from Eric Weinrieb, Portsmouth Rotary Club requesting permission to hold the 10th Annual Thunder Chicken 5k Road Race on Thursday, August 1, 2002

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

XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

1. Request for Approval of Labor Agreements between the Portsmouth Board of Police Commissioners and the Portsmouth Police Civilian Employees Association ("PPCEA") regarding Dispatch Work

City Manager Bohenko requested approval of the contract by the City Council.

Councilor Whitehouse moved to approve the Labor Agreements between the Portsmouth Board of Police Commissioners and the Portsmouth Police Civilian Employees Association (PPCEA) regarding Dispatch Work, as presented. Seconded by Councilor Grasso and voted.

2. Request to Establish a Work Session Re: Reopening Country Club Road

City Manager Bohenko requested that the City Council hold a work session on June 10th to discuss the re-opening of Country Club Road. He indicated that the road would need to be realigned as not to open to a parking lot.

Councilor St. Laurent moved to hold a work session on June 10th to discuss the reopening of Country Club Road following the work session regarding public transit issues. Seconded by Mayor Sirrell and voted.

B. MAYOR SIRRELL

1. Donation to the Coalition Legal Fund

Mayor Sirrell moved to accept the \$500 contribution from the Town of Pittsburg to be placed in the Coalition Legal Fund. Seconded by Councilor Whitehouse and voted.

2. Renewal Appointment Applications

Councilor Marconi suggested that all applications for Boards and Commissions are submitted clearly and legibly.

Mayor Sirrell informed the City Council that a new policy has been established where all applicants attendance records will be listed on the applications on the bottom of the new Boards and Commission Applicants.

3. Appointments/Resignation

Councilor Whitehouse moved to accept with regret the resignation of Noele M. Clews from the Planning Board. Seconded by Councilor Pantelakos and voted.

City Council considered the following appointments and will be voted at the June 17th meeting:

- Conservation Commission: Steve Miller, Brian Wazlaw, Allison Tanner.
- Historic District Commission: Rick Becksted.
- Planning Board: Donald Coker.
- Recreation Board: Kathy Birse Siegel, Patrick McCartney.

Councilor Hynes voted to appoint Richard Gray to the Housing Endowment Fund Advisory Board until June 17, 2005. Seconded by Councilor Marconi and voted.

Councilor Grasso voted to reappoint Jackie Pitts to the Recreation Board until April 1, 2005. Seconded by Councilor Whitehouse and voted.

Mayor Sirrell voted to appoint the Blue Ribbon Committee on Dogs Members Chairperson Laura Pantelakos, Members Eric Weinrieb, Frank Roth, Thanasis Tournas, Mimi Clark, Midge Leiter. Seconded by Councilor St. Laurent and voted.

Councilor Whitehouse voted to reappoint Louis Vinciguerra until April 1, 2005 and Jarrett Celli until April 1, 2004 to the Cable Commission. Seconded by Councilor Grasso and voted.

Councilor Grasso voted to appoint the Blue Ribbon Committee on Youth Members Chairperson Tylene Jousse, Co-Chairperson Evelyn Sirrell, Members Jim Noucas, Kate Leith, Karen Dandurant, Janet Chaplain, Lyonel Tracy, Robert Lister, Barry Foley, Ex-Officio Michael McKenney; Students Charlton Dobson, Tana Hoffman, Sandha Khin. Seconded by Councilor Pantelakos and voted.

C. ASSISTANT MAYOR HANSON

1. Traffic & Safety Committee Action Sheet and Minutes of the May 16, 2002 meeting

Councilor Marconi moved to accept and approve the action sheet and minutes of the May 16, 2002 Traffic & Safety Committee meeting. Seconded by Council Lown and voted.

2. Parking Committee Action Sheet and Minutes of the May 16, 2002 meeting

Councilor Marconi moved to accept and approve the action sheet and minutes of the May 16, 2002 Parking Committee meeting. Seconded by Councilor Whitehouse and voted.

D. COUNCILOR HYNES

1. Approval of Site for the New Library

Councilor Hynes read a letter from John O'Leary, Chair of New Library Building Committee, requesting approval to design a new library at the JFK site location.

Councilor Hynes moved to authorize the City Manager to work with the Library Building Committee to negotiate and execute an agreement with its architect to design a library at the former site of the JFK Recreational Center on Parrott Avenue, subject to all appropriate land-use reviews and approvals. Seconded by Councilor Pantelakos.

Councilor Hynes spoke in favor of the location of the new library. He said that there is no perfect site but this will meet the needs of the City and the residents.

Councilor Pantelakos spoke in favor of building a new library at the JFK site. She also expressed her faith in the City's land use boards and the process that they will follow.

Councilor Marconi said that the Town of York tried to obtain donations in order to build their new library and fell short. She said that we are in financial hardship and many people are having to sell their homes because of the high tax rate. She said that she is strongly opposed to the building of the new library.

Councilor St. Laurent spoke against the motion because it is too broad. He said that we should know the exact square footage of the new library. Many issues still need to be addressed for the site. He asked what would happen if there was a need to expand the junior high and how it could infringe upon the new library if it was constructed at the JFK site.

Councilor Whitehouse spoke against the JFK site for a new library and expressed concern with breaking the Pierce Trust and how that would set a precedent. The trust indicates that the land shall be left for open recreational use.

Councilor Lown thanked the New Library Building Committee for their job in locating the site. He expressed concern with the Pierce Trust as well as the effect that the library would have on the adjacent neighborhoods. There are still traffic and parking issues that have not been adequately addressed. He said that a parking and traffic study should be completed before an architect is secured. He said that he would vote against the motion.

Councilor Grasso said that there is not one perfect site for the new library. She said that she attended the meeting with various architects and none of the architects indicated that the JFK site is too small for a library. She spoke in support of our land use boards and the process that they will follow. She said that it is time to take a vote on this matter.

Mayor Sirrell said that there was never a perfect site and there never will be. She spoke in support of the library location and urged the Council to move forward this evening.

Assistant Mayor Hanson said he appreciates the efforts of Diane Kelley Tefft but he has confidence in the ability of our land use boards.

On a roll call vote 5-4, motion passed. Mayor Sirrell, Councilors Grasso, Hynes, Pantelakos, and Assistant Mayor Hanson voted in favor. Councilors Lown, Whitehouse, Marconi, and St. Laurent voted opposed.

XIII. ADJOURNMENT

At 8:45 p.m., Councilor Whitehouse made a motion to adjourn. Seconded by Councilor Pantelakos and voted.

KELLI BARNABY, CITY CLERK