

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, COUNCIL CHAMBERS
DATE: MONDAY, NOVEMBER 18, 2002

PORTSMOUTH, NH
TIME 7:00PM

AGENDA

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

PRESENTATION

- 1. Swearing In Ceremony for new Fire Chief Christopher LeClaire

V. ACCEPTANCE OF MINUTES – OCTOBER 21, 2002

VI. PUBLIC COMMENT SESSION

VII. PUBLIC HEARING

- A. ORDINANCE AMENDING CHAPTER 6, ARTICLE XIII, SECTION 6.1308 – PROHIBITED LOCATIONS - HAWKERS AND PEDDLERS, DELETING SECTION 6.1318 – ENFORCEMENT IN ITS ENTIRETY AND AMEND SECTION 6.1316 – LICENSE SUSPENSION OR REVOCATION AND HEARING TO HOLD A HEARING AFTER A VENDOR'S LICENSE HAS BEEN SUSPENDED OR REVOKED FROM TWENTY-FOUR (24) HOURS TO SEVEN (7) CALENDAR DAYS

VIII. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Peirce Island Pool Discharge Elimination Grant
- B. Request to Apply for NH Department of Environmental Services Watershed Restoration Grant for Peirce Island

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance amending Chapter 7, Article XII, Section 7.1200 – Parking for the Walking Disabled
- B. First reading of Ordinance amending Chapter 3, Article III, Section 3.111 – Garbage Receptacles and Chapter 8, Article X, Section 8.103 – Dumping Prohibited, and Chapter 3, Article II, Section 3.2 – Disposal of Non-Recyclable and Recyclable Materials and Chapter 14, Article I, Section 14.108 – Garbage and Rubbish Disposal be deleted in its entirety

- C. Second reading of Ordinance amending Chapter 6, Article XIII, Section 6.1308 – Prohibited Locations - Hawkers and Peddlers, deleting section 6.1318 – enforcement in its entirety and amend section 6.1316 – license suspension or revocation and hearing to hold a hearing after a vendor’s license has been suspended or revoked from twenty-four (24) hours to seven (7) calendar days
- D. Third and final reading of Ordinance amending Chapter 7, Article IX, Section 7.901 Penalties, Forfeitures and Separability

X. PRESENTATION AND CONSIDERATION OF WRITTEN COMMUNICATIONS AND PETITIONS

- A. Request for Approval of Sidewalk Obstruction License – Attrezzi, LLC – 1 A-frame sign
- B. Letter from City Year of New Hampshire, requesting permission to hold the Martin Luther King Day 2003 March of Justice on January 20, 2003
- C. Letter from Vanessa Kortze, American Diabetes Association, requesting permission to hold the annual Tour de Cure event on Sunday, May 4, 2003
- D. Letter from Dee Martin, American Lung Association, requesting permission to hold the annual Clean Air Challenge Seacoast Bike Tour on May 17 & 18, 2003
- E. Letter from Richard Bachmann regarding utility bill for 5/31/02 – 9/23/02
- F. Letter from Charles Vaughn regarding changing the Josie Prescott Trust method of investing Trust funds
- G. Petition from residents of Maple Haven & Hawthorne Estates requesting that the entrance/exit for Winchester Street be reopened
- H. Letter from Attorney Bernie Pelech Re: Rezoning Request on Tax Map 144, Lots 47 and 48
- I. Letter from Frank Jones Farm Neighborhood Association requesting funding from the Capital Improvement Plan for FY04 to re-engineer the residential section of Woodbury Avenue
- J. Letter from Marjorie Hubbard, Chamber of Commerce, requesting permission to hang Portsmouth Harbour Trail flags at 26 key sites for the 2003 season

XI. 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 Ordinance Amendment:
 - 1.1 First reading of Ordinance amending Chapter 7, Article XII, Section 7.1200 – Parking for the Walking Disabled (**Action on this matter should take place under Section IX of the Agenda**)
 - 1.2 First reading of Ordinance amending Chapter 3, Article III, Section 3.111 – Garbage Receptacles and Chapter 8, Article X, Section 8.103 – Dumping Prohibited, and Chapter 3, Article II, Section 3.2 – Disposal of Non-Recyclable and Recyclable Materials and Chapter 14, Article I, Section 14.108 – Garbage and Rubbish Disposal be deleted in its entirety (**Action on this matter should take place under Section IX of the Agenda**)
2. Public Hearing/Second Reading of Proposed Resolutions and Ordinance Amendments:
 - 2.1 Public Hearing/Second Reading of Ordinance amending Chapter 6, Article XIII, Section 6.1308 – Prohibited Locations – Hawkers and Peddlers, deleting section 6.1318 – enforcement in its entirety and amend section 6.1316 – license suspension or revocation and hearing to hold a hearing after a vendor’s license has been suspended or revoked from twenty-four (24) hours to seven (7) calendar days (**Action on this matter should take place under Section IX of the Agenda**)
3. Third and Final Reading on Amendments to Ordinance:
 - 3.1 Third Reading of Amendments to Ordinance amending Chapter 7, Article IX, Section 7.901 – Penalties, Forfeitures and Separability (**Action on this matter should take place under Section IX of the Agenda**)
4. Request from Maple Haven and Hawthorne Estates to Open Winchester Street to Route One (**Action on this matter should take place under Section X of the Agenda**)
5. Rezoning Request Re: Tax Map 144, Lots 47 and 48 (**Action on this matter should take place under Section X of the Agenda**)
6. Request from City Year New Hampshire regarding Martin L. King Day March (**Action on this matter should take place under Section X of the Agenda**)
7. Letter from Richard Bachmann regarding Utility Bill (**Action on this matter should take place under Section X of the Agenda**)

8. Letter from Frank Jones Farm Neighborhood Association (***Action on this matter should take place under Section X of the Agenda***)

City Manager's Items Which Require Action

1. Proposed 2003 Schedule of City Council Meetings and Work Sessions
2. Request to Extend License Agreement for Trash Compactor on Ceres Street
3. Proposed Gift of Land to the City of Portsmouth
4. Meter Enforcement – 2002 Holiday Season
5. Proposed Work Session Re: Josie F. Prescott Trust
6. Acceptance of Conservation Easement Deed

Informational Items

1. Reminder – Work Session, Monday, November 25th, 6:30 p.m.
2. Notice of Cancellation of NH DES Public Hearing on November 20th Re: Air Quality Permit
3. Quarterly Reports on the Chamber/City Partnership – Period Ending 9/30/02
4. Financial Summary – Month Ending 10/31/02

B. MAYOR SIRRELL

1. Appointments
2. Agenda of the Blue Ribbon Committee on Youth for the November 19, 2002 meeting
3. Compass Care at Parrott Avenue Place
4. *Reports

C. ASSISTANT MAYOR HANSON

1. Traffic & Safety Committee Action Sheet and Minutes of the October 17, 2002 meeting
2. Parking Committee Action Sheet and Minutes of the October 17, 2002 meeting

XII. MISCELLANEOUS/UNFINISHED BUSINESS

XIII. ADJOURNMENT

KELLI L. BARNABY, CITY CLERK

(*Indicates verbal report)

INFORMATIONAL ITEMS

1. Planning Board minutes of the July 18, 2002, August 15, 2002, and September 19, 2002 meetings
2. Blue Ribbon Committee on Cemeteries minutes of the October 21, 2002 meeting
3. Thank you letter to the City Council from Commander Sandra Stosz

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.