

## **CITY COUNCIL MEETING**

MUNICIPAL COMPLEX  
DATE: MONDAY, DECEMBER 17, 2001

PORTSMOUTH, NH  
TIME: 7:00PM

At 6:30 p.m., an Anticipated "Non-Meeting" with counsel was held regarding Coalition Communities and the proposed amendment to the State of New Hampshire Constitution.

### **I. CALL TO ORDER**

Mayor Sirrell called the meeting to order at 7:15 p.m.

### **II. ROLL CALL**

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

Absent: Councilor Wagner

### **III. INVOCATION**

Mayor Sirrell asked everyone to join in a moment of silent prayer in recognition of our Military Forces overseas.

### **IV. PLEDGE OF ALLEGIANCE**

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

### **PRESENTATIONS**

#### **1. Presentation of checks for the Sherburne Park: Bunnell Family and Northern Utilities**

Community Development Director Hayden announced that the City has received a generous contribution from Northern Utilities for renovations to Sherburne Park.

The Bunnell Family presented Mayor Sirrell with a check in the amount of \$11,250.00 for renovations to Sherburne Park.

#### **2. David Engel and Family of Dorothy Vaughan: Presentation of checks for Save the Old State House**

Mayor Sirrell announced that she has received a check in the amount of \$500.00 from Dorothy Vaughan for Save the Old State House.

David Engel presented Mayor Sirrell with a check in the amount of \$565.00 for Save the Old State House.

3. Recognition of Arthur Parrott

Mayor Sirrell presented Arthur with a gift in recognition of his many years of service to the City in serving on the Planning Board. Arthur thanked Mayor Sirrell and the Council for recognizing him and City Manager Bohenko for providing assistance while he served on the Planning Board. He recognized the professional staff in the Planning Department for always providing the assistance needed to the Planning Board.

4. Doug Knight, Executive Director of Pro Portsmouth Re: First Night

Doug advised the City Council that there would be 40 performers and 14 venues for the 15<sup>th</sup> annual First Night. This year's slogan is Unity through Community.

5. Melanson, Heath & Company, P.C. Auditors' Financial Report for the year ending June 30, 2001

Scott McIntyre of Melanson, Heath and Company provided a brief presentation of the City's Financial Report. He reported on the City's balance sheet and unreserved funds. He advised the Council that the City collected \$1.5 million dollars more in revenues than anticipated and the City's total equity increased \$1.9 million in the last year.

Councilor Grasso moved to authorize the outside auditors to work with the Cable Commission in auditing the funds of the Cable Company and to see if the City of Portsmouth contract has been met financially. Seconded by Councilor Hanson and voted.

## V. VOLUNTEER COMMITTEE REPORTS

1. Presentation and Report Back of Emergency Communications Center Study Committee

City Manager Bohenko said the Study Committee was formed to review the following:

- ~~///~~Evaluate future growth and projected impact upon Emergency Communications Center;
- ~~///~~Examine pros and cons of a sustained joint Communications Center;
- ~~///~~Review staffing levels and make recommendations for the future;
- ~~///~~Evaluate the feasibility of moving the Communications Center;
- ~~///~~Select and work with the consultant funded in the Capital Budget; and,
- ~~///~~Recommend future funding needs based upon the Study Committee's findings.

Councilor Hanson, chairperson of the Committee acknowledged the individuals that served with him on the committee. He advised the City Council that with the efforts of Police Chief Russ the City received a grant for the Committee.

Mr. McDonald of PS Comm provided an overview of their findings in reviewing the Emergency Communications Center. The following are recommendations from PS Comm:

- ✍️Decentralize Police and Fire Emergency Communications
- ✍️Upgrade existing technology
- ✍️Create a third Police dispatch position staffed during periods of increased activity
- ✍️Develop new emergency communications protocols, directives, training, emergency procedures

He said that there are five phases in which all of the recommendations and findings can be put in place.

Councilor Hanson advised the Council that one third of the cost would come from the Capital Improvement Plan with the remaining from the grant received.

Councilor Whitehouse moved to suspend the rules in order to take action on the report of the Emergency Communications Center Study Committee. Seconded by Assistant Mayor Clews and voted.

Councilor Hanson moved to accept the report of the Emergency Communications Study Committee. Seconded by Councilor Whitehouse and voted.

## **VI. ACCEPTANCE OF MINUTES – DECEMBER 3, 2001**

Councilor Hanson moved to accept and approve the minutes of the December 3, 2001 City Council meeting. Seconded by Councilor Pantelakos and voted.

## **VII. PUBLIC COMMENT SESSION**

Frank Wisinski, discussed the establishment of an USMC Veterans Emergency Response Team. He said that the team would be made up of volunteers and could fill in the voids where necessary in the case of a disaster.

Seth Marbin, urged the City Council to approve the request before them from City Year NH to hold a “Martin Luther King Day March of Justice” on Monday, January 21, 2002.

MaryLou McElwain, stressed the importance of individuals attending the South Mill Pond Informational meeting. She said that the pond needs to be cleaned up in the very near future. She requested that the meeting be opened to the public to ask questions and address various concerns.

## **VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES**

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

Councilor Hanson moved to pass third and final reading. Seconded by Councilor Pantelakos and voted.

## **IX. PRESENTATION AND CONSIDERATION OF WRITTEN COMMUNICATIONS AND PETITIONS**

- A. Letter from Jackie Jarest regarding the increased rates for non-residents at the indoor pool

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

- B. Letter from Frank Wisinski, requesting the formation of an USMC Veterans Emergency Response Team

Councilor Hanson moved to refer the request to the City Manager and the City's Emergency Management Representative. Seconded by Assistant Mayor Clews and voted.

- C. Letter from Cubbie Lirette, Sexual Assault Support Services, requesting permission to hold the 10<sup>th</sup> annual Walk-a-thon on Sunday, April 21, 2002 at 1:00 p.m.

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

- D. Petition from Mary Lou McElwain regarding the condition of the South Mill Pond

Councilor Marconi moved to accept and place the petition on file. Seconded by Assistant Mayor Clews and voted.

City Manager Bohenko said that the City Council has committed a great deal of funding to deal with this issue. He urged residents to attend the Public Informational meeting on Wednesday regarding this matter.

Mayor Sirrell passed her gavel to Assistant Mayor Clews.

Mayor Sirrell said that the City Council is committed to continue updating the infrastructure throughout the City.

Assistant Mayor Clews passed the gavel back to Mayor Sirrell.

- E. Letter from Steve Alie, Alie Jewelers regarding the success of the Holiday kick-off weekend

Assistant Mayor Clews moved to accept and place the letter on file. Seconded by Councilor Grasso and voted.

- F. Letter from Kenneth Hale, AIDS Response Seacoast, requesting permission to hold the annual fund raising walk, 2002 Seacoast Aids Walk on Sunday, May 5, 2002

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

G. Sidewalk Obstruction license applications from the following business:

1. Lucky 7 Gallery 1 A-frame sign

Councilor Hanson expressed concern because this sign is located in front of another business. He said that we should find out if the business has any objections to this sign being placed in front of their business before granting permission.

Councilor Whitehouse said that he would like something in writing from the business granting permission for the placement of the sign.

Councilor Pantelakos moved to table the application due to the location of the sign with a report back from the City Manager at the January 14<sup>th</sup> City Council meeting. Seconded by Councilor Marconi and voted.

2. Pierce Gallery 1 A-frame sign

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

3. Portsmouth SDA Church – 1 Obstruction

Councilor Whitehouse spoke against the location of this obstruction because it obstructs the view of the bus stop.

Mayor Sirrell passed her gavel to Assistant Mayor Clews.

Mayor Sirrell spoke concern with the location and said that she would vote against the request.

Assistant Mayor Clews passed the gavel back to Mayor Sirrell.

Councilor Whitehouse moved to deny the location of the obstruction. Seconded by Councilor Pantelakos and voted. Councilor Marconi voted opposed.

H. Letter from Seth Marbin, Service Director, City Year NH, requesting permission to hold a "Martin Luther King Day March of Justice" on Monday, January 21, 2002

Councilor Pantelakos moved to approve this march subject to no closing of City streets and all logistics to be worked out by the City Manager and the Police Department. Seconded by Councilor Marconi and voted.

**X. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS**

**A. CITY MANAGER**

City Manager Bohenko had no action items under his name.

He thanked the City Council for their support and assistance over the last two years to him and the City staff. He wished Assistant Mayor Clews and Councilor Wagner the best in their future endeavors as they leave office.

**B. MAYOR SIRRELL**

1. Donation to the Coalition Legal Fund

Mayor Sirrell passed her gavel to Assistant Mayor Clews.

Mayor Sirrell moved to accept the \$5,000 contribution from the Town of Sandwich and \$1,000 from the Town of Stoddard to be placed in the Coalition Legal Fund. Seconded by Councilor Marconi and voted.

Assistant Mayor Clews passed the gavel back to Mayor Sirrell.

2. Appointment of Blue Ribbon Committee to Save the Old State House

Mayor Sirrell passed the gavel to Assistant Mayor Clews.

Mayor Sirrell moved to approve the appointments as submitted. Seconded by Councilor Hanson and voted.

Mayor Sirrell read the list of members and the Mission Statement of the Committee.

Blue Ribbon Committee to Save the Old State House Members

Chairman Robert Padian, Mayor Evelyn Sirrell, Dr. Dorothy Vaughan, Eileen Foley, Harold Whitehouse, Laura Pantelakos, Joanne Grasso, David Adams, John Sullivan, J. Dennis Robinson, Duncan MacDallum, Martha Fuller Clark, Jackie Pitts, Jay Smith, Elaine Krasker, Ex-Officio Kathleen Mullins, Ex-Officio James Garvin, Ex-Officio David Engel and Ex-Officio Burt Cohen.

*Mission Statement of the Committee:*

*To rescue the surviving portion of the original New Hampshire State House and to restore the building to its colonial era-elegance on a suitable Site in the City of Portsmouth, NH; to re-animate the building as a living Monument for use as a unifying symbol of our heritage.*

Assistant Mayor Clews passed the gavel back to Mayor Sirrell.

3. Attendance Records for major Boards & Commissions for 2001

Mayor Sirrell advised the City Council that City Clerk Barnaby has provided the attendance records for major Boards and Commissions for 2001 for the review of the Council.

#### 4. Appointments/Resignations

Councilor Hynes moved to reappoint all reconsideration's of individuals to various boards and commissions as a basket motion. Seconded by Councilor Hanson and voted.

Councilor Hynes moved to approve the following reappointments as listed: Phyllis Eldridge to the Library Trustees until October 1, 2004; Steve Wrenn to the Cable Commission until April 1, 2003; John Rice, Richard Katz, and David Adams to the Historic District Commission until June 1, 2004; Scott Pafford, Mark Simpson, Clifford Taylor, and Thomas Ferrini to the Economic Development Commission until October 1, 2005; James Horrigan, Alain Jousse, Nathaniel Holloway and Robert Marchewka to the Zoning Board of Adjustment until December 1, 2006. Seconded by Councilor Pantelakos and voted.

Councilor Grasso moved to appoint Edward Hayes to the Economic Development Commission until October 1, 2005. Seconded by Assistant Mayor Clews and voted.

The City Council considered the following appointments to be voted on at the January 14<sup>th</sup> City Council meeting as listed: Eileen Foley and William Elwell to the Trustees of the Trust Fund, Peter Bresciano, James Feehley, Frank Daggett, and Betty Sanford to the Taxi Commission; Noele Clews, Paige Roberts, and George Savramis to the Planning Board; Frederick Gray to the Traffic & Safety Committee; Christopher Rogers to the Zoning Board of Adjustment; and Barbara Ward to the Library Trustees.

Councilor Hanson moved to accept the resignation of Eileen Foley from the Pease Development Authority with sincere gratitude for serving on the Committee. Seconded by Assistant Mayor Clews and voted.

Councilor Hanson moved to accept with regret the resignation of Charles Vaughn from the Trustees of the Trust Fund. Seconded by Councilor Pantelakos and voted.

Councilor Hanson moved to accept the resignation of Jerry Howe from the Cable Commission and the Peirce Island Committee with regret and appreciation for his years of service to these committees. Seconded by Councilor Hynes and voted.

#### 5. Appointment of Pease Development Authority Representative

Mayor Sirrell passed the gavel to Assistant Mayor Clews.

Councilor Hynes moved to suspend the rules in order to vote the appointment of a new Representative to the Pease Development Authority this evening. Seconded by Councilor Pantelakos and voted. Councilor Marconi abstained from voting.

Councilor Hynes moved effective January 1, 2002 the appointment of John Bohenko as the City of Portsmouth's representative to the Pease Development Authority, in accordance with RSA 12G. Seconded by Councilor Pantelakos and voted. Councilor Marconi abstained from voting.

Assistant Mayor Clews passed the gavel back to Mayor Sirrell.

**C. ASSISTANT MAYOR CLEWS**

1. Youth Committee Report

Assistant Mayor Clews reported that the Youth Committee held a successful retreat in November. She advised the Council that the Committee would be supplying the City Council with a report after the first of the year of their activities.

Councilor Whitehouse moved to accept the Youth Committee Report as submitted. Seconded by Councilor Hynes and voted.

**D. COUNCILOR HANSON**

1. Traffic & Safety Committee Action Sheet and Minutes of the November 15, 2001 meeting

Councilor Hanson moved to accept and approve the action sheet and minutes of the November 15, 2001 Traffic & Safety Committee meeting. Seconded by Councilor Hynes and voted.

2. Parking Committee Action Sheet and Minutes of the November 15, 2001 meeting

Councilor Hanson moved to accept and approve the action sheet and minutes of the November 15, 2001 Parking Committee meeting. Seconded by Councilor Grasso and voted.

**XI. MISCELLANEOUS/UNFINISHED BUSINESS**

Councilor Whitehouse announced that taxi inspections were recently held and 85% of the cabs passed inspection.

**XII. ADJOURNMENT**

At 9:15 p.m., Councilor Hynes moved to adjourn. Seconded and voted.

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KELLI L. BARNABY, CITY CLERK