

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, JUNE 17, 2002

PORTSMOUTH, NH
TIME: 7:00PM

I. CALL TO ORDER

Assistant Mayor Hanson called the meeting to order at 7:05 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 Hynes lead in the pledge of allegiance to the flag.

PROCLAMATION

National Homeownership Month

Assistant Mayor Hanson declaring June as National Homeownership Month presented a Proclamation.

V. ACCEPTANCE OF MINUTES – JUNE 3, 2002

Councilor Marconi moved to approve and accept the City Council meeting minutes of June 3rd. Seconded by Councilor Grasso and voted.

VI. PUBLIC COMMENT SESSION

Steve Scott, spoke in support of the donation bins at the Bow Street Fair. He said that no one is obligated to donate and it does assist the Seacoast Repertory Theatre.

Edward Lawrence, urged the City Council to consider the financial well being of all residents when adopting the budget.

Martin Cameron, spoke in support of the City receiving radiation monitors.

Peter Bresciano, thanked the City Manager for the new budget and following the guidelines set by the Joint Budget Committee. He spoke in support of the additional funding for the Police Department. He also asked when the new tax cards would be available in the Assessor's Office to reflect the new values.

John Lyons, thanked the City Council for their continued support in the school system and for the partnership shared between the City Council and School Board members.

VII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

A. Adoption of Budget Resolutions for Fiscal Year July 1, 2002 - June 30, 2003 (FY 2003)

1. Resolution #1 – General Fund Expenditures

Municipal	\$24,608,316
Police	6,095,579
Fire	4,662,880
<u>School</u>	<u>26,251,496</u>
Total	\$61,618,271

Councilor Grasso moved to adopt. Seconded by Councilor Pantelakos and voted.

2. Resolution #2 – Sewer Fund Expenditures

Total Budget Sum \$10,438,430

Sewer user charge effective July 1, 2002 is \$4.60

City Manager Bohenko said that the sewer rate is increasing by 3.3% and we are continuing with the 201 facilities project.

Councilor Whitehouse moved to adopt. Seconded by Councilor St. Laurent and voted.

3. Resolution #3 – Water Fund Expenditures

Total Budget Sum \$7,954,157

Water user charge effective July 1, 2002 is \$1.45

City Manager Bohenko said that there is no increase to the rate this year.

Councilor Lown moved to adopt. Seconded by Councilor St. Laurent and voted.

4. Resolution #4 – Special Revenues for Necessary Expenditures

Councilor Whitehouse moved to adopt. Seconded by Mayor Sirrell and voted.

5. Resolution #5 – Investment Policy

City Manager Bohenko said that state law requires that we have an investment policy.

Councilor St. Laurent moved to adopt. Seconded by Councilor Grasso and voted.

6. Resolution #6 – Municipal Fees

City Manager Bohenko said that this resolution will streamline the process for increasing fees.

Councilor St. Laurent moved to adopt. Seconded by Councilor Marconi and voted.

Councilor Lown moved to suspend the rules in order to take up item IX. A. 1 - Options for additional appropriation for Police Department Budget Fiscal Year 2003. Seconded by Councilor Marconi and voted.

1. Options for additional appropriation for Police Department Budget Fiscal Year 2003

City Manager Bohenko said this item deals with an additional appropriation for the Police Department for FY03. He briefly discussed the three items for the Council to consider. He said if the Council provides the Police Department with \$122,340 out of the FY03 contingency fund, then a balance of \$177,660 will remain in the account.

Mayor Sirrell said that she is a firm supporter of the Police and Fire Departments; therefore she is recommending option A as outlined by the City Manager.

Mayor Sirrell moved to authorize the use of \$26,695 from the FY02 Contingency Account to be placed in the Human Resources Department's budget for Police Department training and authorize the use of \$122,340 from the FY03 Contingency Account to fund the cost of property and liability insurance for the Police Department. Seconded by Councilor Hynes.

Mayor Sirrell said that she would like to send a letter to the PDA requesting payment for past services provided by the City.

Councilor Pantelakos said that she would vote against option A because she feels that option B is better at this time.

Councilor Hynes said that he supports option A.

Councilor Marconi spoke in support of option A. She asked if the Police Department could request additional funds in the future without an amendment to this motion.

City Attorney Sullivan said that an amendment is not necessary in order for the Police Department to come back for additional funds in the future.

Councilor St. Laurent said that he would prefer that the Council support option B until we find out if the PDA is willing to provide the additional funds discussed at the Tradeport for services.

Councilor Grasso spoke in favor of option B because she is concerned with reducing the contingency balance. She said that the fund is there to serve the entire City and not just one department.

Councilor Lown spoke in support of option A. He said that the Police Department and Police Commission have identified their need for additional funding.

Councilor Whitehouse spoke in support of option A but does not want to see the Police coming back for additional funds this year.

Councilor Pantelakos requested to divide the question.

On a unanimous roll call 9-0, voted to authorize the use of \$26,695 from the FY02 Contingency Account to be placed in the Human Resources Department's budget for Police Department training.

On a roll call 6-3, voted to authorize the use of \$122,340 from the FY03 Contingency Account to fund the cost of property and liability insurance for the Police Department. Mayor Sirrell, Councilors Lown, Hynes, Whitehouse, Marconi, and Assistant Mayor Hanson voted in favor. Councilors Grasso, Pantelakos and St. Laurent voted opposed.

Mayor Sirrell moved to send a letter to the PDA requesting payment for past services provided with a copy of the letter sent to the Governor, Senators, and Congressmen. Seconded by Councilor Pantelakos and voted.

- B. First reading of Ordinance amending Chapter 7, Article III, Section 7.330, No Parking – Porter Street and Article X, Section 7.1001, Tow Zones – Porter Street

Councilor Whitehouse moved to pass first reading and hold a public hearing and second reading at the July 15th City Council meeting. Seconded by Councilor Pantelakos and voted.

- C. First reading of Ordinance amending Chapter 10, Article II, Section 10.202 and Article III, Section 10.302(A) – Rezoning of property located off Lang Road

Councilor Grasso moved to pass first reading and hold a public hearing and second reading at the July 15th City Council meeting. Seconded by Councilor Marconi and voted.

VIII. PRESENTATION AND CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Carol Lee, Arthritis Foundation, requesting permission to hold the annual Jingle Bell Run on Saturday, November 23rd at 10:00 a.m.

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

- B. Letter from Teresa Laney, Seacoast Growers' Association, regarding relocation to Municipal Complex parking lot

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

- C. Letter from Gail Bradbard, Cabot House Furniture, requesting permission to close the adjacent alley on Saturday, June 22nd from 6 a.m. to 7 p.m. for their annual tent sale

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

- D. Letter from Roy Rogosin, Seacoast Repertory Theatre, requesting permission to place donation buckets at the annual Bow Street Fair on July 20th and 21st

Councilor Marconi moved to approve. Seconded by Councilor Whitehouse and voted.

IX. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

2. Request for Approval to Expend UDAG Funds to Continue Partnership between the City and the Chamber of Commerce during FY03

City Manager Bohenko said that this would continue the partnership between the City and the Portsmouth Chamber of Commerce. This will support tourism, eCoast activities, and the "Guide to the Seacoast." He said that the Chamber of Commerce would continue to provide quarterly reports.

Councilor Hynes moved to approve the EDC recommendation regarding funding the partnership in the amount of \$40,000 with the Chamber of Commerce for eCoast activities, tourism, and the Guide to the Seacoast. Seconded by Councilor Grasso.

Councilor Hynes spoke in support of providing this funding to the Chamber of Commerce.

Mayor Sirrell said that she supports the partnership with the chamber but expressed concern with bringing in more tourists.

Councilor Pantelakos said that she would like the chamber to ask for the same type of funding from surrounding cities and towns.

Councilor Whitehouse agreed with Mayor Sirrell's comments and said that we could destroy our quality of life.

Councilor Grasso expressed concern with encouraging more tourism. She said that the state should contribute to the expenses that are incurred from their tourism advertising. She said that she would support the funding this year but next year we need to look towards the state for funding.

On a roll call vote 8-1, motion passed. Mayor Sirrell, Councilors Grasso, Lown, Hynes, Pantelakos, Whitehouse, St. Laurent, and Assistant Mayor Hanson voted in favor. Councilor Marconi voted opposed.

3. Proposed Extension of Professional Services Agreement with Kathleen M. Dwyer, Assistant City Attorney

Councilor Whitehouse moved to authorize the Professional Services Agreement between the City of Portsmouth and Kathleen M. Dwyer for the period July 1, 2002 through June 30, 2003. Seconded by Mayor Sirrell and voted.

4. Merger of AT&T Broadband and ComCast Corporation – Request for Transfer of Cable Television Franchise

City Manager Bohenko said that this would transfer the control subject to appropriate conditions.

Councilor Whitehouse moved to authorize the City Manager to provide written consent from the City to AT&T ComCast approving the proposed transfer of control, subject to appropriate conditions under the Franchise Agreement, federal law, and the prior transfer resolution. Seconded by Councilor St. Laurent.

Councilor Marconi said that she does not like the monopoly that they have. She said that they are in the drivers seat and the City has no control.

Councilor Grasso said that we cannot unreasonable hold the transfer therefore she will vote in favor but under protest.

Councilor Whitehouse said that he would like to see a larger turnout at the public hearings of the Cable Commission to receive input on the cable contract.

Motion passed.

Informational Items

1. City Hall Summer Hours

City Manager Bohenko advised that City Hall would observe summer hours of 8:00 a.m. to 4:30 p.m. from June 24th to August 30th.

2. Radiation Monitoring

Councilor St. Laurent moved to request City Manager Bohenko to send a letter inviting Sandra Gavutis to speak before the City Council regarding this matter. Seconded by Councilor Grasso and voted.

B. MAYOR SIRRELL

1. Donation to the Coalition Legal Fund

Mayor Sirrell moved to accept the \$1,500 contribution from the Town of Bridgewater to be placed in the Coalition Legal Fund. Seconded by Councilor Whitehouse and voted.

2. Appointments/Resignation

Councilor Marconi moved to accept the resignation of Diane Kelley Tefft from the Peirce Island Study Committee and to send a letter to her recognizing the services she provided to the committee. Seconded by Councilor Whitehouse and voted.

The following individuals were considered and will be voted upon at the July 15th meeting:

- Recreation Board: Thomas Bolko, Wayne Bowlen.
- Housing Endowment Fund: Steven Berg, Calvin Couch, Jane James.

Councilor Grasso moved for the following individuals to be voted upon. Seconded by Councilor St. Laurent and voted.

- Conservation Commission: Steven Miller, Allison Tanner, Brian Wazlaw, term expires 4/1/2005.
- Historic District Commission: Rick Becksted, term expires 6/1/2005.
- Planning Board: Donald Coker, replacing the unexpired term of Noele M. Clews, term expires 12/31/2004.
- Recreation Board: Kathy Siegel, term expires 4/1/2005, Patrick McCartney, term expires 4/1/2003.

3. Reports


Mayor Sirrell read a note from Mrs. Straus thanking the City Council for her lovely clock in recognition of her retirement as City Arborist.

X. MISCELLANEOUS/UNFINISHED BUSINESS

Councilor Whitehouse asked City Manager Bohenko when the new tax cards would be available in the Assessor's Office. City Manager Bohenko responded that the cards would be available in July.

XI. ADJOURNMENT

Councilor Whitehouse moved to adjourn at 9:00 p.m. Seconded by Mayor Sirrell and voted.



**KELLI L. BARNABY
CITY CLERK**