

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, COUNCIL CHAMBERS  
DATE: MONDAY, AUGUST 5, 2002

PORTSMOUTH, NH  
TIME 7:00PM

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6:00 P.M. – ANTICIPATED NON-MEETING WITH COUNSEL (RSA 91-A:2,I(b-c))

## AGENDA

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. INVOCATION**

**IV. PLEDGE OF ALLEGIANCE**

**V. VOLUNTEER COMMITTEE REPORTS**

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

**VI. ACCEPTANCE OF MINUTES – JULY 15, 2002**

**VII. PUBLIC COMMENT SESSION**

**VIII. PUBLIC HEARINGS**

- A. RESOLUTION AUTHORIZING A BOND ISSUE OF UP TO THREE MILLION NINE HUNDRED NINETY THOUSAND DOLLARS (\$3,990,000) FOR CITY IMPROVEMENTS
- B. RESOLUTION AUTHORIZING PARTICIPATION IN THE STATE REVOLVING FUND FOR COSTS RELATED TO THE PHASE III SEWERAGE IMPROVEMENT PROGRAM. PARTICIPATION SHALL NOT EXCEED TWENTY-TWO MILLION, FIVE HUNDRED THOUSAND DOLLARS (\$22,500,000)
- C. AMENDMENTS TO CHAPTER 7 – VEHICLES, TRAFFIC PARKING, OMNIBUS PARKING ORDINANCE, APRIL 20, 2001 THROUGH APRIL 19, 2002 (**ONE PUBLIC HEARING TO ADDRESS ALL FOUR AMENDMENTS**)
1. CHAPTER 7, ARTICLE III, SECTION 7.327 – LIMITED PARKING – TWO HOURS – STATE STREET: NORTHERLY SIDE FROM MIDDLE STREET 250 FEET WESTERLY
  2. CHAPTER 7, ARTICLE IVA – BUS STOPS, TAXICAB STANDS & HORSE DRAWN CARRIAGES – 7-A.402 BUS STOPS DESIGNATED – HANOVER STREET AND SECTION 7A-403 PARKING TIME LIMITS IN BUS STOPS C (2 HOURS)

3. CHAPTER 7, ARTICLE IVA - BUS STOPS, TAXICAB STANDS & HORSE DRAWN CARRIAGES – 7-A.402 BUS STOPS DESIGNATED – MARKET STREET AND SECTION 7A-403 PARKING TIME LIMITS IN BUS STOPS B (15 MINUTES)
  4. CHAPTER 7, ARTICLE III, SECTION 7.324 – LIMITED PARKING – ONE HOUR – BY THE DELETION OF WASHINGTON STREET
- D. ORDINANCE AMENDING CHAPTER 7, ARTICLE VII, SECTION 7.712 – PENALTY – BY THE ADDITION OF ITEM A – THE PENALTY FOR PARKING ON A SIDEWALK IN THE CENTRAL BUSINESS DISTRICT PURSUANT TO SECTION 7.315 SHALL BE \$25.00 PER VIOLATION

#### **IX. APPROVAL OF GRANTS & DONATIONS**

- A. Request for approval of grant award in the amount of \$295,000 from the US Department of Justice, Office of Justice Programs, for continuation of the Internet Crimes Against Children Task Force
- B. Request for approval of grant award in the amount of \$39,839 from the Office of the NH Attorney General for continued participation in the NH Drug Task Force
- C. Request for approval of grant award in the amount of \$2,665.20 from the NH Highway Safety Agency for Portsmouth DWI Patrols
- D. Request for approval of grant award in the amount of \$19,000 from the NH Highway Safety Agency for In-Cruiser Video Systems
- E. Acceptance of Donations for the Honor Guard totaling \$300.00
  - \$50 from the Seacoast Trolley Company
  - \$50 from the Kiwanis Club of the Seacoast
  - \$100 from Regal Limousine
  - \$100 from JCM Management Company, Inc.
- F. Coastal Zone Management Grant for Peirce Island East End Trails Project
- G. Acceptance of Donation from Leslie and Ann Dorr of the ship model “Spirit of America”

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

- A. Adoption of Resolution Authorizing a Bond Issue of up to Three Million Nine Hundred Ninety Thousand Dollars (\$3,990,000) for City Improvements
- B. Adoption of Resolution Authorizing Participation in the State Revolving Fund for costs related to the Phase III Sewerage Improvement Program. Participation shall not exceed Twenty-Two Million, Five Hundred Thousand Dollars (\$22,500,000)

- C. Second reading of Amendments to Chapter 7 – Vehicles, Traffic Parking, Omnibus Parking Ordinance, April 20, 2001 through April 19, 2002 (***One motion for all four amendments***)
  - 1. Chapter 7, Article III, Section 7.327 – Limited Parking – Two Hours – State Street: northerly side from Middle Street 250 feet westerly
  - 2. Chapter 7, Article IVA – Bus Stops, Taxicab Stands & Horse Drawn Carriages – 7-A.402 Bus Stops Designated – Hanover Street and Section 7A-403 Parking Time Limits in Bus Stops C (2 hours)
  - 3. Chapter 7, Article IVA - Bus Stops, Taxicab Stands & Horse Drawn Carriages – 7-A.402 Bus Stops Designated – Market Street and Section 7A-403 Parking Time Limits in Bus Stops B (15 minutes)
  - 4. Chapter 7, Article III, Section 7.324 – Limited Parking – One Hour – by the deletion of Washington Street
- D. Second reading of Ordinance amending Chapter 7, Article VII, Section 7.712 – Penalty – by the addition of Item A – The penalty for parking on a sidewalk in the Central Business District pursuant to Section 7.315 shall be \$25.00 per violation
- E. Third and final 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
- F. Third and final 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

**XI. PRESENTATION AND CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS**

- A. Letter from Paul Sorli, Portsmouth Gas Light Co., requesting consideration of a Pedestrian Pilot Program on Market Street whereas vehicular traffic from Bow Street to Market Square would be banned on Saturday evenings from 6:00 p.m. to 11:00 p.m.
- B. Letter from Peter Hamelin, Greater Portsmouth Chamber of Commerce, supporting the Pedestrian Pilot Program
- C. Letter from Barbara Massar, Pro Portsmouth, Inc. requesting permission to hold the 2003 Winter Solstice Celebration beginning December 6<sup>th</sup> through December 21<sup>st</sup>
- D. Letter from Attorney Bernie Pelech regarding Pesce Blue Restaurant
  - 1. Request to place tables and chairs on city owned property
  - 2. Request permission to serve alcoholic beverages with the outdoor seating
- E. Petition from Martin Cameron, Ocean Road and MapleHaven Neighborhood Association regarding Packard Development on Route 33
- F. Request for approval of Sidewalk Obstruction License – Kaya Co. – 1 A-frame sign

## XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

### A. CITY MANAGER

#### Items which require Action under other sections of the Agenda

1. Public Hearing/Second Reading of Proposed Resolutions and Ordinance Amendments:
  - 1.1 Public Hearing/Second Reading Re: Resolution Authorizing Bond Issue of up to \$3,990,000 for City Improvements. **(Action on this matter should take place under Section X of the agenda)**
  - 1.2 Public Hearing/Second Reading Re: Proposed Resolution Authorizing Participation in the State Revolving Fund for Costs Related to Phase III - Sewage Improvement Program. Participation shall not exceed Twenty-Two Million, Five Hundred Thousand Dollars, \$22,500,000. **(Action on this matter should take place under Section X of the agenda)**
  - 1.3 Public Hearing/Second Reading of Amendments to Chapter 7 - Vehicles, Traffic Parking (Omnibus Parking Ordinance, April 20, 2001 through April 19, 2002). **(Action on this matter should take place under Section X of the agenda)**
  - 1.4 Public Hearing/Second Reading of Proposed Amendment to Chapter 7, Article VII, Section 7.712 - Penalty. **(Action on this matter should take place under Section X of the agenda)**
2. Third and Final Reading on Amendments to Ordinance:
  - 2.1 Third Reading of Proposed Amendment to Chapter 7, Article III, Section 7.330, No Parking-Porter Street and Article X, Section 7.1001, Tow Zones-Porter Street. **(Action on this matter should take place under Section X of the agenda)**
  - 2.2 Third Reading of Proposed Amendment to Chapter 10, Article II, Section 10-202 and Article III, Section 10.302(A) Re: Rezoning of Property Located off Lang Road. **(Action on this matter should to take place under Section X of the agenda)**
3. Correspondence Re: Pesce Blue Restaurant **(Action on this matter should take place under Section XI of the Agenda)**
4. Exemption for the Disabled **(Action on this matter should take place under Section XII B. of the Agenda)**

#### City Manager's Items Which Require Action

1. Request to Establish a Work Session Re: Solid Waste Ordinance
2. Victim/Witness Advocate Position

3. Report Back from Planning Board Re: Livermore Street
4. Request of New England Glory, LLC for a Quitclaim Deed from the City
5. Request for Approval of Polling Hours for September 10, 2002 State Primary Election
6. Request to Install Municipal Telecommunications Equipment on the Spinney Road Water Tower

**Informational Items**

1. National Night Out Against Crime – Tuesday, August 6<sup>th</sup>, 5:30 p.m. – 8:30 p.m.

**B. MAYOR SIRRELL**

1. Appointments
2. Exemption for the Disabled
3. Establishment of Blue Ribbon Committee on Cemeteries
4. \*Reports

**C. COUNCILOR GRASSO**

1. \*"Americans for the Arts"

**D. COUNCILOR ST. LAURENT**

1. Country Club Road (*See attached proposed motion*)

**XIII. MISCELLANEOUS/UNFINISHED BUSINESS**

**XIV. ADJOURNMENT**

KELLI L. BARNABY, CITY CLERK

(\*Indicates verbal report)

**INFORMATIONAL ITEMS**

1. Historic District Commission minutes of the June 5<sup>th</sup> and 12<sup>th</sup> meetings
2. Letter from Susan Miller, Seacoast Hospice, thanking the Council for their funding to support Hospice.
3. NH DES Wetlands Bureau, Approval of application of Steven Gray, Baycliff Road
4. Letter from Bill Warren regarding revaluation

**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.