

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, OCTOBER 7, 2002

PORTSMOUTH, NH
TIME: 7:00PM

I. CALL TO ORDER

Mayor Sirrell 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.

III. INVOCATION

Mayor Sirrell asked everyone to join in a moment of silent prayer followed by the Frank E. Booma Post #6 posting the colors.

IV. PLEDGE OF ALLEGIANCE

The Frank E. Booma Post #6 led in the Pledge of Allegiance to the Flag.

PRESENTATION

1. Photograph presented to the City Council from Police Chief Brad Russ

Police Chief Russ presented Mayor Sirrell and the City Council with a photograph of the Police Department to be displayed in City Hall.

PROCLAMATION

1. Trick-or-Treat for UNICEF Day – October 30, 2002

Assistant Mayor Hanson read a Proclamation declaring October 30th as Trick-or-Treat for UNICEF Day.

MAYOR'S AWARDS

1. Leslie Dorr – "Spirit of America" Ship Model

Mayor Sirrell presented Mr. & Mrs. Dorr with a Mayor's Award for the building and donation of the ship model "Spirit of America" to the City of Portsmouth.

Mr. Dorr thanked Mayor Sirrell and the City Council for accepting the donation and presenting him with this award.

2. Frank E. Booma Post #6

Mayor Sirrell presented members of the Frank E. Booma Post #6 with Mayor's Awards in recognition of their 2nd place finish in the color guard competition recently held.

V. ACCEPTANCE OF MINUTES – SEPTEMBER 23, 2002

Councilor Pantelakos moved to accept and approve the minutes of the September 23, 2002 City Council meeting. Seconded by Councilor Marconi.

Councilor Whitehouse moved to amend page 6 paragraph 4 to read could be a recipient instead of *is a recipient*. Seconded by Councilor Pantelakos and voted.

Assistant Mayor Hanson moved to accept and approve the minutes as amended. Seconded by Councilor Grasso and voted.

VI. PUBLIC COMMENT SESSION

Mel Alexander provided the City Council with a copy of an article that appeared in the newspaper regarding a revaluation in the Town of Sanbornton and its effect on waterfront property. He spoke concerned with the values increasing 10% for all Tidewatch property owners. He said that he met with Assessor Elliott regarding the increases and she has agreed to work with the residents on this matter.

Peter Bresicano spoke in support of the passage of the Elderly and Disabled Exemptions by the City Council.

Ed Lawrence spoke concern with the well being of the residents of the city with the increase in property values. He said that the tax rate should be no higher than \$15.00 per thousand.

VII. APPROVAL OF GRANTS/DONATIONS

A. COPS Universal Hiring Program Grant Award from US Department of Justice

Councilor Lown moved to approve and accept the grant award to the Portsmouth Police Department. Seconded by Councilor Pantelakos and voted.

B. Donations for the Portsmouth Police Honor Guard

Councilor Pantelakos moved to approve and accept the donations to the Portsmouth Police Honor Guard. Seconded by Councilor Marconi and voted.

VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance amending Chapter 7, Article IX, Section 7.901 Penalties, Forfeitures and Separability

Assistant Mayor Hanson moved to pass first reading and hold a Public Hearing and second reading at the October 21, 2002 City Council meeting. Seconded by Councilor Whitehouse and voted.

- B. Adoption of Resolution for a Disabled Property Tax Exemption

Councilor Pantelakos moved to remove the item from the table. Seconded by Councilor Whitehouse and voted.

Assistant Mayor Hanson moved to adopt the Resolution. Seconded by Councilor Grasso and voted.

- C. Adoption of Resolution to increase the Elderly Property Tax Exemption

Mayor Sirrell passed the gavel to Assistant Mayor Hanson.

Councilor Grasso moved to remove the item from the table. Seconded by Councilor Pantelakos and voted.

Councilor Pantelakos moved to adopt the Resolution. Seconded by Councilor Hynes.

Councilor Marconi asked City Manager Bohenko to provide the dollar amount that will be picked up by other taxpayers because of the exemption.

City Manager Bohenko said last year the amount was \$391,625.00 and this year it is expected to be \$386,000.00, which will be spread out to other taxpayers.

Councilor Lown spoke in favor of the motion. He said that this exemption is needed.

Councilor Hynes spoke in support of the Resolution. He said there are a number of older people that need this exemption.

Councilor Marconi spoke in support of the Resolution. She said that the money for this exemption will need to come from other taxpayers and she felt the public needed to be aware of that.

Councilor St. Laurent asked City Manager Bohenko what the expected increase per household would be.

City Manager Bohenko said that the average household would see an increase of \$38.00 on their tax bill.

Councilor Pantelakos said that she would support the Resolution to allow people to stay in their homes.

On a roll call vote 7-0, voted to adopt the Resolution. Councilors Grasso, Lown, Hynes, Pantelakos, Marconi, St. Laurent and Assistant Mayor Hanson voted in favor. Mayor Sirrell and Councilor Whitehouse abstained from voting.

Assistant Mayor Hanson passed the gavel back to Mayor Sirrell.

IX. PRESENTATION AND CONSIDERATION OF WRITTEN COMMUNICATIONS AND PETITIONS

- A. Request for Renewal of Sidewalk Obstruction License – Portsmouth Provisions – 1 A-frame sign

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

- B. Letter from Bernie Pelech regarding Proposed Sidewalk Encroachment License Agreement

Councilor Whitehouse moved to authorize the City Manager to enter into a License Agreement with Whalesback Light, LLC, regarding a sidewalk encroachment. Seconded by Councilor St. Laurent and voted. Councilor Lown abstained from voting.

X. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

- 1. Proposed Agreement between the PDA and the City of Portsmouth Police Department Re: Interim Airport Security Agreement

City Manager Bohenko said that the City Council has been provided copies of the interim agreement with the PDA regarding Airport Security.

Police Chief Russ said that the City felt that we needed more funding from the PDA to provide police services at the airport. He advised the Council that the PDA would be billed for the hours the officers are present at the airport and pre-employment testing, training and equipment has been included into the cost. He said that this is a six month agreement.

Assistant Mayor Hanson moved to authorize the City Manager to execute the interim Airport Security Agreement between the City and the Pease Development Authority for police services from September 2002 through March 7, 2003. Further, that the City Council establish a work session with the Police Commission on October 28, 2002 at 7:30 p.m. to discuss a permanent Airport Security Agreement with its effects on staffing levels in the Police Department. Seconded by Councilor Marconi.

Councilor St. Laurent asked what made the PDA come to the City for the airport security.

Police Chief Russ responded that the FAA requires a law enforcement agency provide the service with a response time of ten minutes or less.

Councilor Whitehouse asked City Manager Bohenko to report back to the City Council the number of personnel required at the Manchester Airport at the work session on October 28th.

City Manager Bohenko said that this information is available, however Pease International Airport is completely different from the Manchester Airport.

Councilor Hynes asked Police Chief Russ about the grant the City received for additional officers at Pease and what happens at the end of the three years.

Police Chief Russ said after the three years the City would need to pick up the total cost for those officers. He explained how the grant works. In the first year the City pays 25%, second year 50%, third year 75%, followed by the total cost in the fourth year.

Motion passed.

2. Request for Approval of Proposed Outdoor Liquor Policy

City Manager Bohenko said that he has developed an Outdoor Liquor Policy.

Councilor Pantelakos moved to approve the Outdoor Liquor Policy as submitted. Seconded by Councilor Marconi.

City Manager Bohenko said that the policy addresses the one-day event serving of liquor as well as the long-term agreement of serving liquor outside.

Assistant Mayor Hanson asked if someone felt they were unduly denied a permit is there a process to be followed for an appeal.

City Attorney Sullivan said that an individual may appeal to the City Council as they are the policy making body and would have the final decision.

Motion passed.

City Manager Bohenko discussed the press release regarding the Bulky Waste Collection Program.

B. MAYOR SIRRELL

1. Donation to the Coalition Legal Fund

Mayor Sirrell passed the gavel to Assistant Mayor Hanson.

Mayor Sirrell moved to accept the \$5,000.00 donation from the Town of Newington. Seconded by Councilor Grasso and voted.

2. Donations to the Save the Old State House Committee

Mayor Sirrell moved to accept the \$125.00 donation from Mr. MacCallum, \$50.00 anonymous donation and the \$500.00 donation from Mr. & Mrs. Witham for the Old State House Fund. Seconded by Councilor Grasso and voted.

Assistant Mayor Hanson passed the gavel back to Mayor Sirrell.

3. Appointments

The City Council considered the reappointment of Eduardo DelValle to the Library Trustees. This appointment will be voted on by the City Council at the October 21, 2002 City Council meeting.

Assistant Mayor Hanson moved to appoint George Savramis as a regular member to the Planning Board filling the unexpired term of Ernest Carrier until December 31, 2003. Seconded by Councilor Grasso and voted.

Councilor Hynes moved to reappoint Kate Leith to the Youth Committee. Seconded by Councilor Grasso and voted.

Councilor Marconi moved to appoint Audrey Bierhans to the Blue Ribbon Committee on Cemeteries. Seconded by Councilor Whitehouse and voted.

Councilor Whitehouse moved to reappoint Paul Harvey, Sr. to the Economic Development Commission until October 1, 2006. Seconded by Councilor Grasso and voted.

Councilor St. Laurent moved to reappoint Lee Lorusso to the Library Trustees until October 1, 2005. Seconded by Councilor Marconi and voted.

Councilor Grasso moved to appoint Ann Walker to the Save the Old State House Committee. Seconded by Councilor St. Laurent and voted.

4. Vendor's in front of North Church

Mayor Sirrell said that she has received a number of letters and calls from tourist expressing their frustration of not being able to get a picture of the North Church because of the vendor being located in front of it.

Mayor Sirrell passed her gavel to Assistant Mayor Hanson.

Mayor Sirrell moved to prohibit vendors in front of the North Church. Seconded by Councilor Marconi.

City Attorney Sullivan recommended to instruct him to draft an ordinance for first reading listing prohibited vending locations in the City.

Motion passed.

Councilor Pantelakos moved to have the City Attorney draft an ordinance for first reading at the October 21, 2002 City Council meeting, which would amend the Vendor's Ordinance listing prohibited vending locations in the City. Seconded by Councilor Marconi.

Mayor Sirrell advised the City Council that she is reactivating the Vendors Committee to discuss this matter and the ordinance in general.

Councilor Whitehouse, Chair of the Vendor's Committee said it is important for the Committee to look at vendors in the Central Business District. He said vendors are encroaching upon storefronts in the downtown.

Motion passed.

C. ASSISTANT MAYOR HANSON

1. Traffic & Safety Committee Action Sheet and Minutes of the September 19, 2002 meeting

Assistant Mayor Hanson moved to accept and approve the Traffic & Safety Committee Action Sheet and Minutes of the September 19, 2002 meeting. Seconded by Councilor St. Laurent and voted.

XII. ADJOURNMENT

At 8:30 p.m., Councilor Marconi moved to adjourn. Seconded by Councilor Pantelakos and voted.

KELLI L. BARNABY, CITY CLERK