

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, MARCH 3, 2003

PORTSMOUTH, NH
TIME: 7:00 PM

At 6:15 p.m., an anticipated non-meeting with legal counsel was held.

I. CALL TO ORDER

Mayor Sirrell 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

III. INVOCATION

Mayor Sirrell asked everyone to join in a moment of silent prayer.

IV. PLEDGE OF ALLEGIANCE

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

PROCLAMATION – READ ACROSS AMERICA – MARCH 6, 2003

Mayor Sirrell presented a Proclamation to Diane McGee declaring March 6, 2003 as Read Across America Day. Diane accepted the Proclamation and invited the City Council to participate in the Read Across America events scheduled for March 6, 2003.

PROCLAMATION – IN HONOR OF JUANITA BELL'S 80TH BIRTHDAY

Councilor Pantelakos read the Proclamation Mayor Sirrell presented to Juanita Bell on Sunday, March 2, 2003 in honor of her 80th birthday.

V. ACCEPTANCE OF MINUTES – FEBRUARY 10, 2003

Councilor St. Laurent moved to accept and approve the City Council minutes of the February 10, 2003 meeting. Seconded by Councilor Whitehouse and voted.

VI. PUBLIC COMMENT SESSION

Peter Bresciano spoke regarding the recent article in the Portsmouth Herald concerning the state wide property tax issue. The article indicated that the City would receive \$9 million dollars in the year 2008, but what they neglected to say was that the City of Portsmouth has contributed over \$20 million dollars since its enactment.

Nancy Brown presented the City Council with a request to sign a Pease Resolution in opposition of the impending war with Iraq.

VII. APPROVAL OF GRANTS/DONATIONS

- A. Seacoast Ticket Agency - \$1,000 donation to the Portsmouth Police Honor Guard

Assistant Mayor Hanson moved to approve and accept the donation to the Portsmouth Police Department as listed. Seconded by Councilor Marconi and voted.

- B. Acceptance of Grant and Request for Authorization of Memorandum of Agreement between the Portsmouth Public Library and the Workforce Opportunity Council

Councilor Hynes moved to accept the grant award and authorize the City to enter into the Memorandum of Agreement, as amended by the Legal Department, between the Workforce Opportunity Council and the City of Portsmouth. Seconded by Councilor Pantelakos.

Councilor St. Laurent asked why it was necessary for the City to enter into an agreement for the grant award. City Attorney Sullivan advised Councilor St. Laurent that the City could terminate the agreement at any time.

Councilor Lown asked if Library Director Pridham has reviewed the agreement. City Manager Bohenko responded in the affirmative.

Councilor Marconi asked if additional personnel would need to be hired because of this grant. City Manager Bohenko said no additional staff would be hired because of this grant.

Motion passed.

VIII. PRESENTATION AND CONSIDERATION OF WRITTEN COMMUNICATIONS AND PETITIONS

- A. Letter from Amy Hamel, Holy Family Hospital Cancer Management Center, requesting permission to hold the Sports for Life Bike Tour on Saturday, May 17, 2003

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

Councilor Whitehouse requested that City Manager Bohenko notify Ms. Hamel that the participants will need to walk their bike across the Sagamore Bridge.

Motion passed.

- B. Letter from Barbara Massar, Pro Portsmouth, Inc., requesting permission to hold the 13th Annual Children's Day on Sunday, May 4, 2003 and the 26th Annual Market Square Day on Saturday, June 14, 2003

Assistant Mayor Hanson moved to refer to the City Manager with power. Seconded by Councilor Grasso.

Councilor St. Laurent said that all costs associated with these events shall be borne by the organization.

Motion passed.

- C. Renewal Requests for Sidewalk Obstruction Licenses from the following businesses with no changes from last year:

- Starbucks Coffee – 4 Tables and 8 Chairs
- Café Mediterraneo – 1 A-frame sign
- Prudential Rush Realty – 1 A-frame sign
- Eye Look Optical – 1 A-frame sign
- Café Brioche – 15 Tables and 42 Chairs
- Choozy Shooz – 1 Bench and 1 A-frame sign
- Serendipity – 2 A-frame signs
- Portsmouth Gas Light – 1 A-frame sign
- Beeper Exchange – 1 A-frame sign
- Portsmouth Brewery – 1 A-frame sign
- Ambrosia Gardens, Inc. – 1 A-frame sign
- Portsmouth Athenaeum – 1 A-frame sign

Councilor Whitehouse moved to approve the Sidewalk Obstruction License renewals as submitted. Seconded by Councilor Marconi and voted.

- D. Letter from Christine Groleau, The Children's Museum of Portsmouth, requesting permission to hold the Annual 5k Road Race and Kid's Fun Run on Saturday, May 3, 2003

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

- E. Request for Sidewalk Obstruction License from the following businesses:

- South Street & Vine LLC – 2 tables and 4 chairs
- Portsmouth Gas Light Co. – 1 additional A-frame sign

Councilor Whitehouse moved to approve the Sidewalk Obstruction Licenses as submitted. Seconded by Councilor St. Laurent and voted.

F. Letter from Karen and Ernest Johnson regarding the city budget

Councilor Grasso moved to accept and place the letter on file. Seconded by Councilor St. Laurent.

Councilor St. Laurent requested that City Manager Bohenko provide a copy of the letter to department heads.

Motion passed.

IX. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

1. Request for Use of FY02 and FY03 Contingency Funds for Snow Operations

City Manager Bohenko informed the City Council that to date we have expended \$409,000.00 on snow removal and we budgeted \$259,424.00. He said that the City Council has already authorized an additional \$100,000.00 from the FY02 contingency to the \$259,424.00 snow removal budget. He said he would like the City Council to authorize him to expend the remaining \$37,000.00 from FY02 contingency, as well as an additional \$50,000.00 from FY03 contingency for a total of \$87,000.00. He said that if there are additional expenses we would try to make up those costs from other outside budgets.

Assistant Mayor Hanson moved to authorize the City Manager to expend \$37,000.00 from FY02 contingency and up to \$50,000.00 from FY03 contingency for snow removal operations. Seconded by Councilor Marconi.

The City Council commended the Public Works Department for their hard work with the snow removal operations this year.

Motion passed.

2. Memorial Bridge and Scott Avenue Rehabilitation Project – Bicycle Accessibility

City Manager Bohenko said that the NH Department of Transportation has hired consultants to begin the design of the Memorial Bridge and Scott Avenue Rehabilitation Project. He said he would like to send a letter to the NH Department of Transportation Bridge Design Division requesting that they identify and evaluate alternatives during the design process to provide a safe means for bicyclists to cross the bridges without having to dismount.

Councilor Lown moved to authorize the City Manager to request that the NHDOT evaluate bicycle access alternatives during preliminary design of the Memorial Bridge and Scott Avenue Rehabilitation Project. Seconded by Councilor Grasso.

Mayor Sirrell passed her gavel to Assistant Mayor Hanson.

Mayor Sirrell expressed her concern with bicyclists not having to dismount in order to cross the bridge.

Assistant Mayor Hanson passed the gavel back to Mayor Sirrell.

City Manager Bohenko said that we would just like to explore the alternatives. He said that the Department of Transportation would be holding a public hearing to receive public input on the design.

Motion passed with Councilor St. Laurent voting opposed.

3. Request for Approval of Pole License Agreement

Councilor Marconi moved to approve the pole license agreement as recommended by the Public Works Department. Seconded by Councilor St. Laurent.

Councilor Whitehouse said he is concerned with these licenses coming before the City Council for approval after the poles and conduits are already in place.

Motion passed.

4. City Water (Not of agenda)

City Manager Bohenko asked Deputy Public Works Director Allen to come forward and address the recent article regarding city water.

Deputy Public Works Director Allen said that chlorine is one of the best elements to prevent water born diseases. He said as technology has increased the ability to measure bi-products and the regulations have changed from 100 parts per billion to 80 parts per billion. He said last year we were in compliance but because of the change in the formula we did not meet the requirements. He advised the City Council that the department is currently looking at making improvements to the surface water system. He said that he wants to assure the public that the water is safe.

B. MAYOR SIRRELL

1. Claudia Morner - \$81.12 donation for the New Library Building Fund

Mayor Sirrell passed the gavel to Assistant Mayor Hanson.

Mayor Sirrell moved to accept the \$81.12 donation from Claudia Morner, through the United Way, for the New Library Building Fund. Seconded by Councilor Grasso and voted.

2. Acceptance of Donation from Northern Utilities, Inc. - \$2,500.00

Mayor Sirrell advised the City Council that there is no action required for this item. She informed the City Council that Northern Utilities, Inc. has donated \$2,500.00 to Cross Roads House, Inc. to contribute to the cost of replacing their furnace.

Assistant Mayor Hanson passed the gavel back to Mayor Sirrell.

3. Appointments/Resignation

Assistant Mayor Hanson moved to accept with regret and appreciation for his years of service the resignation of Michael Pennington from the Library Board of Trustees. Seconded by Councilor St. Laurent and voted.

The City Council considered the following appointments which will be voted on at the March 17, 2003 City Council meeting.

- Jerry Hejtmanek – Planning Board Alternate
- Jeffrey Mountjoy – Portsmouth Housing Endowment Fund Board
- Richard Adams & Peter Loughlin – Blue Ribbon Committee on Trees & Public Greenery

Councilor Marconi moved to reappoint J. Lyn Walters to the Conservation Commission until April 1, 2006. Seconded by Councilor St. Laurent and voted.

Councilor Grasso moved to reappoint Everett Eaton to the PEDLP Review Committee until March 3, 2004. Seconded by Councilor Marconi and voted.

4. Establish a Work Session Re: Pedestrian Pilot Program (Not on agenda)

Mayor Sirrell advised the City Council that she would like to hold a work session regarding this matter.

City Manager Bohenko advised the City Council that he would provide a report back at the March 17, 2003 meeting with a recommended date for a work session regarding the Pedestrian Pilot Program.

C. ASSISTANT MAYOR HANSON

1. Traffic & Safety Committee Action Sheet and Minutes of the February 20, 2003 meeting

Assistant Mayor Hanson moved to approve and accept the Traffic & Safety Committee action sheet and minutes of the February 20, 2003 meeting. Seconded by Councilor St. Laurent and voted.

XI. ADJOURNMENT

At 8:20 p.m., Councilor St. Laurent moved to adjourn. Seconded by Councilor Marconi and voted.

KELLI L. BARNABY, CITY CLERK