

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, MARCH 17, 2003

PORTSMOUTH, NH
TIME: 7:00PM

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

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.

IV. **PLEDGE OF ALLEGIANCE**

The students participating in Student Government Day led in the Pledge of Allegiance to the Flag.

INTRODUCTION OF STUDENTS PARTICIPATING IN STUDENT GOVERNMENT DAY, MARCH 27, 2003

ZACH RAHN	MAYOR SIRRELL
EMILY HOPKINS	ASST. MAYOR HANSON
MARIA NOUCAS	COUNCILOR GRASSO
AAMIR TERRY	COUNCILOR LOWN
HEATHER WEEKS	COUNCILOR HYNES
SUSAN DAME	COUNCILOR PANTELAKOS
PATRICK CURRY	COUNCILOR WHITEHOUSE
COURTNEY PARKINSON	COUNCILOR MARCONI
ELIZABETH WONG	COUNCILOR ST. LAURENT
SPENCER PHILP	CITY MANAGER
SARAH SANGER	CITY ATTORNEY
LAURIE GOULIN	CITY CLERK

The students participating in Student Government Day on March 27, 2003 were introduced by their counterparts.

PROCLAMATION: AMERICAN RED CROSS MONTH

Assistant Mayor Hanson read a Proclamation declaring March as American Red Cross Month. City Attorney Sullivan accepted the Proclamation on behalf of the Red Cross with thanks and appreciation.

MAYOR'S AWARDS: DIVISION B BASKETBALL CHAMPIONS

Mayor Sirrell presented Mayor's Awards to the New Franklin School Girls Division B Basketball Team in honor of their 2nd place finish.

Mayor Sirrell also presented Mayor's Awards to the New Franklin School Boys Division B Basketball Team in honor of their 1st place finish.

PRESENTATION: RESOLUTION IN SUPPORT OF HB717, DEPUTY CITY MANAGER JANKOWSKI

Deputy City Manager Jankowski reviewed the resolution with the City Council and explained HB717. He urged the City Council to pass the resolution in support of HB717.

Assistant Mayor Hanson moved to suspend the rules in order to take up Item VIII B.1. Seconded by Councilor St. Laurent and voted.

Mayor Sirrell passed the gavel to Assistant Mayor Hanson.

Mayor Sirrell read the resolution in support of HB717.

Mayor Sirrell moved to approve the proposed resolution in support of HB717. Seconded by Councilor Grasso and voted.

Assistant Mayor Hanson passed the gavel back to Mayor Sirrell.

V. ACCEPTANCE OF MINUTES – MARCH 3, 2003

Councilor St. Laurent moved to accept and approve the City Council minutes of the March 3, 2003 meeting. Seconded by Councilor Marconi and voted.

VI. PUBLIC COMMENT SESSION

Harold Ecker asked the City Council to consider adopting an ordinance that would prohibit hunting within the city limits. He said that the Great Bog is a beautiful natural resource, however, people are hunting animals out at the Great Bog and he feels that the City Council should prohibit this.

Nancy Brown spoke in support of a peace resolution she submitted to the City Council to consider. She said that she is opposed to the war in Iraq. She said that the City Council has an obligation to discuss this issue.

Sue Madden spoke in support of the peace resolution and urged the City Council to listen to the residents and their opinions regarding the war in Iraq.

Annie O'Doherty spoke in support of the peace resolution and urged the City Council to pass the resolution.

Doug Bogen spoke in support of the peace resolution and its passage by the City Council. He reported that 150 cities and towns have passed similar resolutions against the war in Iraq. He said that the cost of going to war takes away funding to communities by the Federal Government.

Peter Rice indicated that he is not a Portsmouth resident and spoke opposed to the new library being built at the former JFK site.

Leah Caswell spoke opposed to the site for the new library. She said that the Pierce family intended the land to remain open and to be used as a recreational area, not a parking lot or for a building to be constructed on it. She urged the City Council to preserve the former JFK.

Peter Bresciano urged the City Council to bring forward a resolution in support of our armed forces. He said freedom in America comes at a price. He said the individuals that join the armed forces know the risks that are involved and are honored to serve their country.

Phyllis Abell spoke in support of the peace resolution. She said that conflicts should be resolved peacefully.

Micum Davis spoke in support of the peace resolution. He said that the resolution is very important and should be acted on immediately by the City Council.

VII. PRESENTATION AND CONSIDERATION OF WRITTEN COMMUNICATIONS AND PETITIONS

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

- Fair Skies – 1 A-frame sign
- Lucky 7 Gallery – 1 A-frame sign
- Bagel Works – 4 tables, 12 chairs, and 1 A-frame sign
- Subway – 2 tables, 4 chairs, and 1 A-frame sign
- Pierce Gallery – 1 A-frame sign

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

B. Request for Sidewalk Obstruction License from the One Hundred Restaurant for 1 A-frame sign

Councilor Whitehouse moved to refer to the City Manager with power. Seconded by Councilor St. Laurent.

Councilor Whitehouse suggested that we review the Sidewalk Obstruction Ordinance because A-frame signs are taking over the downtown.

Motion passed.

C. Letter from Tom Morgan regarding the Proposed Library on Parrott Avenue

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

Councilor Grasso requested that a copy of the letter be sent to John O'Leary, Chair of the New Library Building Committee.

VIII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

1. Establishment of a Work Session Regarding Downtown Business Association's Proposal for a Pedestrian Pilot Program on Market Street

City Manager Bohenko recommended holding the work session to discuss the proposed Pedestrian Pilot Program on April 7th at 6:30 p.m.

Assistant Mayor Hanson moved to establish a work session on April 7th at 6:30 p.m. to discuss the proposed Pedestrian Pilot Program on Market Street. Seconded by Councilor St. Laurent and voted.

2. Spring Tax Bill

City Manager Bohenko said he has worked with the Finance Department on preparing the spring tax bill that would split the city portion from the county and state portion. He requested that the City Council grant him approval to move forward with this new format for the spring tax bills.

Councilor Whitehouse moved to approve the format proposed for the spring tax bills, as submitted. Seconded by Councilor Pantelakos and voted.

3. Report Back from Planning Board Re: Ordinance for Marinas, Docks and Piers

City Manager Bohenko said that last year the City Council referred a request from Charles Vaughn regarding this matter to the Planning Board for a report back. He advised the City Council that the Planning Board is recommending no ordinance as this time.

Councilor Marconi moved to accept the Planning Board's recommendation that no ordinance for marinas, docks, and piers is necessary at this time and direct the Master Plan consultant to review this matter further. Seconded by Councilor Grasso and voted.

4. Report Back from Planning Board Re: Request to Erect Fence on City Owned Land at 566 Greenland Road

City Manager Bohenko said that the Planning Board and the Traffic & Safety Committee have reviewed this request to erect a fence on City-owned land and recommend it be denied.

Councilor Pantelakos moved to accept the Planning Board's recommendation that the request to erect a fence on City-owned land at 566 Greenland Road be denied. Seconded by Councilor Grasso.

Councilor Lown spoke in favor of the request and said that these people need help from the city. He said that this is a unique situation and the owners have agreed to remove the fence if needed and withhold any liability from damage to the fence by the city. He said that this would not have a negative impact or set precedence.

Councilor Marconi said that it is a problem putting a fence on City-owned land. She suggested that the owners build a secure area in their back yard.

Councilor St. Laurent said that the fence should be removed from City-owned land and this is not a hardship request.

Mayor Sirrell passed the gavel to Assistant Mayor Hanson.

Mayor Sirrell said that this would set precedence. She said that there are three other homes that would like to erect a fence on City-owned land and if we allow this request others would come forward requesting the same thing.

Councilor Grasso said that the lot is 3.5 acres, which allows for a fence to be erected without having it located on City-owned land.

Councilor Whitehouse spoke in support of the motion to deny the request.

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

City Manager Bohenko reminded the City Council that there would be a meeting with the Portsmouth High School Students participating in Student Government Day on Tuesday, March 18th at the High School. He also reminded the Council of their Work Session scheduled for Monday, March 24th on the Capital Improvement Plan for FY2004-2009. He also spoke regarding the Master Plan Update Presentation by the Portsmouth Listens Group to the Planning Board on April 3rd.

B. MAYOR SIRRELL

2. Appointments

The City Council considered the reappointment of Alanson Sturgis to the Conservation Commission and the appointment of Suzanne Foley to the Library Trustees. These appointments will be voted upon at the March 31st City Council meeting.

Councilor Grasso moved to appoint Jerry Hejtmaner as an alternate to the Planning Board until December 31, 2006. Seconded by Councilor Whitehouse and voted.

Assistant Mayor Hanson moved to appointment Jeffrey Mountjoy to the Portsmouth Housing Endowment Fund Board until June 17, 2006. Seconded by Councilor Whitehouse and voted.

Councilor Marconi moved to appoint Richard Adams to the Blue Ribbon Committee on Trees and Public Greenery. Seconded by Councilor Grasso and voted.

Councilor Marconi moved to appoint Peter Loughlin to the Blue Ribbon Committee on Trees and Public Greenery. Seconded by Councilor St. Laurent and voted.

X. ADJOURNMENT

At 8:25 p.m., Councilor Whitehouse moved to adjourn. Seconded by Councilor Grasso and voted.

KELLI L. BARNABY, CITY CLERK