

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON JUNE 2, 2003 COUNCIL CHAMBER, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR SIRRELL, ASSISTANT MAYOR HANSON, COUNCILORS GRASSO, LOWN, HYNES, PANTELAKOS, WHITEHOUSE, MARCONI AND ST. LAURENT

1. Mayor's Award – Zach Kecy Re: Volunteer for Little League Teams – Mayor Sirrell presented a Mayor's Award to Zach Kecy in appreciation for his volunteerism with the Little League.
 2. Acceptance of Minutes – May 19, 2003 – Voted to accept and approve the City Council minutes of the May 19, 2003 meeting.
 3. Public Comment Session – There were seven speakers: Jennifer Slade (Spring Tag Sale Event), Harold Ecker (City Business), Leah Caswell, Boyd Morrison, Claudia Morner, and Ned Reynolds (Library), and Peter Bresciano (Budget).
 4. Public Hearing - Resolution Authorizing Borrowing In Anticipation Of Revenues And Taxes In The Amount Of \$16,000,000 – Held a public hearing. On a unanimous roll call 9-0, voted to adopt the Resolution.
 5. Acceptance of Grant for Goodwin Park Monument Work – Voted to accept the \$5,000 grant and authorize the City Manager to comply with all grant terms and reporting requirements.
 6. Acceptance of Grant for Blue Ribbon Committee for Cemeteries' Foundation - Voted to accept the \$3,000 grant awarded to the City of Portsmouth from the Greater Piscataqua Community Foundation.
 7. Acceptance of Police Department Grants/Donations:
 - Grant from the NH Office of Highway Safety for Portsmouth DWI Saturation Patrols
 - Grant from the NH Department of Safety for incident command training
 - Donations for the Portsmouth Police Department Honor Guard
 - Donation from the South Maine, Portland Chapter, Harley Owners Group for Family Services Division juvenile programs
 - Donation of exercise equipment from Vision Fitness
- Voted to approve and accept the grant awards/donations to the Portsmouth Police Department as listed.
8. First reading of Ordinance amending Chapter 5, International Fire Code; Chapter 12, International Building Code and Chapter 15, International Plumbing Code - Voted to pass

first reading and hold a Public Hearing and second reading at June 16, 2003 City Council meeting.

9. First reading of Amendments to Chapter 7 – Vehicles, Traffic Parking (Omnibus Parking Ordinance April 20, 2002 – April 17, 2003):

- Chapter 7, Article VI, Section 7.601 – Truck Loading/Unloading Zones Established
- Chapter 7, Article III, Section 7.327 – Limited Parking – Two Hours – Bridge Street: both sides from Hanover Street to Deer Street
- Chapter 7, Article III, Section 7.329 – Limited Parking – Four Hours – Bridge Street: southerly side from Islington Street to Hanover Street
- Chapter 7, Article IV, Section 7.402 – Areas Established, Designated, and Described – Bridge Street Off-Street Parking Area
- Chapter 7, Article III, Section 7.326 – Limited Parking – Fifteen Minutes – Deer Street: Two spaces in front of the building located at 28 Deer Street
- Chapter 7, Article III, Section 7.327 – Limited Parking – Two Hours – Deer Street: all except for two spaces in front of 28 Deer Street

Voted to pass first reading of the actions to be incorporated into the Parking Ordinance, as presented, and establish a Public Hearing and second reading at the June 16, 2003 City Council meeting.

10. First reading of Ordinance amending Chapter 7 – Vehicles, Traffic Parking, Section 7.904 – Summons Administration Fee, Section 7.1004 – Towing or Immobilization of Motor Vehicles for Non-Payment of Parking Fines and Section 7.901 – Penalties – Voted to pass first reading of amended ordinances, as submitted, and hold a Public Hearing and second reading at the June 16, 2003 City Council meeting.

11. Resolution #1 – General Fund Expenditures (Fiscal Year 2004) – On a roll call 6-3 vote, motion to adopt the City Manager's 0% budget and supplement the budget by \$250,000 to be divided equally by the Police and Fire Departments **failed to pass**. Mayor Sirrell, Councilor Grasso, Hynes, Pantelakos, Marconi, and Assistant Mayor Hanson voted opposed. Councilors Lown, Whitehouse, and St. Laurent voted in favor.

Voted to adopt Resolution #1 – General Fund Expenditures.

12. Resolution #2 – Sewer Fund Expenditures (Fiscal Year 2004) – Voted to adopt Resolution #2 – Sewer Fund Expenditures.

13. Resolution #3 – Water Fund Expenditures (Fiscal Year 2004) – Voted to adopt Resolution #3 – Water Fund Expenditures.

14. Resolution #4 – Special Revenues for Necessary Expenditures (Fiscal Year 2004) – Voted to adopt Resolution #4 – Special Revenues for Necessary Expenditures.

15. Resolution #5 – Investment Policy (Fiscal Year 2004) – Voted to adopt Resolution #5 – Investment Policy.
16. Resolution #6 – Municipal Fees (Fiscal Year 2004) – Voted to adopt Resolution #6 – Municipal Fees.
17. Request for Sidewalk Obstruction License – Portsmouth Provisions – 1 A-frame sign – Voted to refer to the City Manager with power.
18. Request for Sidewalk Obstruction License – 43 Degrees North – 2 tables and 4 chairs – Voted to refer to the City Manager with power.
19. Letter from Ted Alex, Portsmouth Rotary Club, inviting the City Council to attend the July 10th Rotary meeting – Voted to accept and place the letter on file.
20. Letter from Thanasis Tournas suggesting that the City Council implement a time/term limit on all participants serving on commissions, blue ribbon committees and other volunteer and non-elected appointments – Voted to accept and place the letter on file.
21. Letter from Jeff Levin and Kay Drought expressing their opposition to another voter referendum regarding the library – Voted to accept and place the letter on file.
22. Letter from Tara and Ken Olson requesting permission to construct a fence on city-owned property – Voted to refer to the Planning Board for a report back.
23. Use of FY03 Contingency Funds – Voted to authorize the City Manager to utilize \$25,000 from the FY03 Contingency Account for Police Department training. Councilor Lown voted opposed.
24. Work Session, Monday, June 9th Re: Holiday Parade – Voted to cancel the June 9th Work Session regarding the Holiday Parade.
25. Construction of New Library – Moved to authorize the City Manager to negotiate any agreements, comply with any applicable state, federal and local regulations, and otherwise take any and all steps necessary, which may include demolition of the JFK/Armory Building subsequent to the completion of the Section 106 review process, to bring about the construction of a new public library at that site in accordance with prior votes of the City Council.

On a roll call vote 6-3, motion to amend the main motion by the addition of the following language after the words review process, “*provided that the New Library Building Committee takes no action on June 11th to consider another site.*” and the addition of the following language at the end of the main motion, “*the City Manager shall consult with the City Council as he deems necessary.*” **failed to pass.** Mayor Sirrell, Councilors Grasso, Hynes, Pantelakos, St. Laurent and Assistant Mayor Hanson voted opposed. Councilors Lown, Whitehouse and Marconi voted in favor.

On a roll call vote 6-3, main motion passed. Mayor Sirrell, Councilors Grasso, Lown, Hynes, Pantelakos and Assistant Mayor Hanson voted in favor. Councilors Whitehouse, Marconi and St. Laurent voted opposed.

26. Appointment/Resignation – Voted to accept with regret and appreciation for her service the resignation of Maija Hibbard as an alternate to the Historic District Commission.
27. Reports – Mayor Sirrell announced that the Portsmouth Elks Lodge will be celebrating Flag Day on Sunday, June 15th beginning at 11:00 a.m.
28. Traffic & Safety Committee Action Sheet and Minutes of the May 15, 2003 meeting – Voted to accept and approve.
29. Parking Committee Action Sheet and Minutes of the May 15, 2003 meeting – Voted to accept and approve.
30. Study Circle Update – Councilor Lown requested that City Manager Bohenko consider the recommendations of the Study Circle for the Capital Improvement Plan. He also requested that the manager report back on the legality of adding a line to the tax bill where individuals could select a voluntary donation to a City fund and look into a non-resident fee for Spinnaker Point memberships.
31. Comcast Contract – No action required.
32. Railroad – Newburyport to Portsmouth – Councilor Hynes announced that the State Legislative Study Committee will be meeting in the Council Chambers Thursday, June 13th at 7:00 p.m. to discuss railroad services.
33. Request of City Attorney Re: Library – Councilor Whitehouse requested that City Attorney Sullivan report back with proper language for a referendum question to appear on the November ballot regarding the location of the new library.
34. Delay Building of the Library – On a roll call 7-2 vote, motion to postpone the construction of the new library until May 1, 2004 **failed to pass**. Assistant Mayor Hanson, Councilors Grasso, Lown, Hynes, Pantelakos, St. Laurent, and Mayor Sirrell voted opposed. Councilors Whitehouse and Marconi voted in favor.
35. Adjournment – Voted to adjourn at 10:15 p.m.

Respectfully submitted by: Kelli L. Barnaby, City Clerk