

## CITY COUNCIL MEETING

MUNICIPAL COMPLEX  
DATE: MONDAY, MARCH 15, 2003

PORTSMOUTH, NH  
TIME: 7:00PM

At 6:15 p.m., a non-meeting with Counsel was held regarding negotiations.

### **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, Ferrini, Marchand, Pantelakos, Hynes, Raynolds, and Whitehouse.

### **III. INVOCATION**

Mayor Sirrell asked for a moment of silent prayer.

### **IV. PLEDGE OF ALLEGIANCE**

Morgan Henschke, student, led in the pledge of allegiance to the flag.

## **INTRODUCTION OF STUDENTS PARTICIPATING IN STUDENT GOVERNMENT DAY, MARCH 24, 2004**

MORGAN HENSCHKE	MAYOR SIRRELL
BEN JANKOWSKI	ASSISTANT MAYOR HANSON
TANA HOFFMAN	COUNCILOR GRASSO
JACKIE BLALOCK	COUNCILOR FERRINI
JEFF PROVENCHER	COUNCILOR MARCHAND
ELISA LOESER	COUNCILOR PANTELAKOS
HUGHES POPE	COUNCILOR HYNES
JIMMY NOUCAS	COUNCILOR RAYNOLDS
EDDIE BURKE	COUNCILOR WHITEHOUSE
BEN BROWN	CITY MANAGER
WHITNEY DUPREY	CITY ATTORNEY
ARIEL SOUCIE	CITY CLERK

The City Council, City Manager, City Attorney and City Clerk introduced their counterparts that will be participating in Student Government Day on March 24, 2004.

### **MAYOR'S AWARDS**

1. Presented to Portsmouth High School Students in appreciation for their participation in providing their input to the City's Master Plan

Mayor Sirrell presented Mayor's Awards and a gift to Portsmouth High School Students in appreciation for their participation in providing input to the City's Master Plan. The students provided a slideshow presentation on the process they followed in analyzing the City's Master Plan.

**PROCLAMATION** (not on agenda)

Councilor Grasso read a Proclamation in honor of the NH Special Olympics Basketball Tournament that will be held here in Portsmouth on Saturday, March 27, 2004.

**V. ACCEPTANCE OF MINUTES – MARCH 1, 2004**

Councilor Pantelakos moved to accept and approve the minutes of the March 1, 2004 City Council meeting. Seconded by Councilor Grasso and voted.

**VI. PUBLIC COMMENT SESSION**

Marc Stettner spoke regarding the improvements needed for the Peirce Island boat ramp. He said the ramp is dangerous and is not possible for one person to launch the boat.

Assistant Mayor Hanson moved to suspend the rules in order to take up Item X. A.1. – A.3. Seconded by Councilor Pantelakos and voted.

City Manager Bohenko spoke in support of the agreements.

A.1 Request for Approval of the Proposed five-year Agreement between the Portsmouth School Board and AFSCME Local 1386 School Custodians

Assistant Mayor Hanson moved to approve the five-year agreement commencing July 1, 2003 through June 30, 2008 with the Portsmouth School Custodians. Seconded by Councilor Pantelakos and voted.

A.2 Request for Approval of the Proposed five-year Agreement between the Portsmouth School Board and the School Custodial Supervisors Union

Councilor Hynes moved to approve the five-year agreement commencing July 1, 2003 through June 30, 2008 with the Portsmouth School Custodial Supervisors Union. Seconded by Councilor Pantelakos and voted.

A.3 Request for Approval of the Proposed five-year Agreement between the Portsmouth School Board and the Portsmouth School District Paraprofessionals

Councilor Grasso moved to approve the five-year agreement commencing July 1, 2003 through June 30, 2008 with the Portsmouth School District Paraprofessionals. Seconded by Councilor Pantelakos and voted.

**VII. ACCEPTANCE OF GRANTS AND DONATIONS**

- A. N. H. Department of Environmental Services 2004 Watershed Assistance Grant Program in the amount of \$50,000 for the Bartlett Street Stormwater Treatment Device Installation

Assistant Mayor Hanson moved to authorize the City Manager to accept funds up to \$50,000, enter into a contract and execute any documents which may be necessary with the New Hampshire Department of Environmental Services. Seconded by Councilor Hynes and voted.

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

- A. First reading of Ordinance amending Chapter 7, Article II, Section 7.219 Rates for Taxi Fares

Councilor Whitehouse moved to pass first reading of amended ordinance, as submitted and hold a public hearing and second reading at the March 29, 2004 City Council meeting. Seconded by Councilor Grasso and voted.

- B. Third and final reading of Ordinance amending Chapter 10, Article I, Section 10-102 (A) – Definitions and Article IX, Section 10-903 (B) Illumination and Motion of Signs

Councilor Reynolds moved to pass third and final reading of amended ordinance, as submitted. Seconded by Councilor Grasso and voted.

### **IX. 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

- Water Monkey – 2 A-frame signs
- Lucky 7 Gallery – 1 A-frame sign
- Serendipity – 2 A-frame signs
- Chamber of Commerce – 1 A-frame sign
- Belle Peppers – 2 Tables and 4 chairs
- Café Kilim – 1 Bench
- Ambrosia Gardens, Inc. – 1 A-frame sign
- Subway – 2 Tables, 4 chairs and 1 A-frame sign
- Metro Restaurant – 1 A-frame sign
- Prudential Rush Realty – 1 A-frame sign
- The Press Room – 1 A-frame sign
- Café Mediterraneo – 1 A-frame sign
- O'Naturals – 1 A-frame sign

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

- B. Letter from Kathleen Churchill, Strawberry Banke, requesting permission to hold the Blessing of the Fleet on July 4, 2004

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

- C. Letter from Marc Stettner regarding the need for improvements to the Peirce Island Boat Launching Ramp

Assistant Mayor Hanson moved to accept and place the letter on file with a copy to the Peirce Island Committee. Seconded by Councilor Whitehouse and voted.

- D. Letter from Jennifer Slade, Attrezzi, requesting permission to close the small 16-car parking lot on the corner of Market and Hanover Streets on May 16<sup>th</sup> between Noon and 6 PM to hold the Downtown Spring Tag Sale Event

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

## **X. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS**

### **A. CITY MANAGER**

- 1. Informational Item – Violation Letter Re: Scrap Metal

City Manager Bohenko explained that a violation letter was sent to the Port for corrective actions to take place. He reported that Port Authority Director Marconi said actions are being taken to correct the problem. The City Manager said he is pleased with the actions taken by the Port and that this issue would be discussed at the next PDA meeting. Councilor Hynes moved to take up item X. D.1. Port Authority Scrap Metal Issue. Seconded by Assistant Mayor Hanson and voted.

Councilor Pantelakos moved that a letter be sent to the PDA requesting that they do not renew the contract with the Grimmell Industries at the Port. Seconded by Councilor Hynes. Councilor Pantelakos believes that this is a health hazard and recommends that the PDA do not renew the lease to Grimmell Industries. City Manager Bohenko said that the contract would be up for renewal in July.

Councilor Whitehouse questioned the amount of money the State receives under this contract for the scrap metal. City Manager Bohenko responded that the State receives \$55,000 per acre. Councilor Whitehouse noted that this is an active port and that scrap metal was here before. He said this problem might have occurred due to the weather conditions that day.

Councilor Ferrini was concerned with the environmental impacts. He requested more information before acting on this issue.

Assistant Mayor Hanson would like a draft letter for review before voting on this matter. He requested that this letter be included in the next Council packet.

Assistant Mayor Hanson moved to table this matter until the March 29, 2004 City Council meeting for a proposed letter to be drafted on this issue. Seconded by Councilor Whitehouse.

City Manager recommended that the letter include a time frame for the agreement and express the concerns and a recommended action.

Mayor Sirrell passed the gavel to Assistant Mayor Hanson.

Mayor Sirrell requested that the City Council receive a copy of the Grimmell Industries contract.

Assistant Mayor Hanson passed the gavel back to Mayor Sirrell.

Motion passed.

The City Council agreed to allow Thomas Carroll to speak regarding the scrap metal issue. Thomas Carroll spoke opposed to the scrap metal at the Port. He said there is no sprayer there to cut down on the dust and it is a health concern. Besides the sprayer, a water container is needed to contain the contaminated run off water. City Manager Bohenko advised Mr. Carroll that the City Council does not vote on the contract and advised him to speak at the next PDA meeting and recommended that to any concerned parties.

## **B. MAYOR SIRRELL**

### 1. Appointments

The City Council considered the following appointments: Amy Brnger and Maria Sillari to the Board of Library Trustees; Arthur Parrott as a regular member of the Board of Adjustment; and Donald Twombly to the Blue Ribbon Cemetery Committee. These appointments will be voted on by the City Council at the March 29, 2004 meeting.

Assistant Mayor Hanson moved to appoint Jonathan Bailey to the Traffic & Safety Committee until January 1, 2006. Seconded by Councilor Grasso and voted.

Councilor Hynes moved to reappoint Anita Freedman to the Portsmouth Housing Authority until April 1, 2009. Seconded by Councilor Whitehouse and voted.

Councilor Grasso moved to appoint Duncan MacCallum as an alternate filling Arthur Parrott's unexpired term until December 1, 2007. Seconded by Councilor Pantelakos and voted.

## **C. ASSISTANT MAYOR HANSON**

### 1. Traffic & Safety Committee Action Sheet and Minutes of the February 19, 2004 meeting

Assistant Mayor Hanson moved to accept and approve the Traffic & Safety Committee action sheet and minutes of the February 19, 2004 meeting. Seconded by Councilor Hynes and voted.

2. Parking Committee Action Sheet and Minutes of the February 19, 2004 meeting

Assistant Mayor Hanson moved to accept and approve the Parking Committee action sheet and minutes of the February 19, 2004 meeting. Seconded by Councilor Whitehouse and voted.

3. Seacoast Shipyard Association Contribution - \$10,000

Assistant Mayor Hanson moved to authorize \$10,000 from FY 04 contingency fund to be used as a contribution to the Seacoast Shipyard Association in their fight to keep the shipyard open. Seconded by Councilor Grasso and voted.

Assistant Mayor Hanson announced that Captain McDonough would accept the contribution at the next City Council meeting. Mayor Sirrell advised the Council that she would present a Proclamation to Captain McDonough at that same meeting.

**XII. ADJOURNMENT**

Assistant Mayor Hanson moved to adjourn at 8:30 p.m. Seconded and voted.

A handwritten signature in cursive script that reads "Kelli L. Barnaby".

KELLI L. BARNABY, CITY CLERK