

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
MONDAY, APRIL 12, 2004

PORTSMOUTH, NH
TIME 7:00 PM

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

I. CALL TO ORDER

Mayor Sirrell called the meeting to order at 7:10 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 everyone to join in a moment of silent prayer.

IV. PLEDGE OF ALLEGIANCE

Councilor Hynes led in the pledge of allegiance to the flag.

PROCLAMATION

1. Community Development Block Grant Week

Assistant Mayor Hanson read the proclamation declaring April 12, 2004 – April 16, 2004 as Community Development Week. Mayor Sirrell presented the proclamation to Bob Layton, Chair of Citizens Advisory Committee.

PRESENTATION

1. Proposed Continuation of Chamber of Commerce Partnership – John Tabor, Chair of the Chamber Board of Directors and Peter Hamelin, President of the Chamber of Commerce

A presentation was made regarding the importance of this partnership and the need for its continuation. Peter Hamelin thanked the City Council for their continued support and will be focusing on the save the shipyard campaign this year. Marge Hubbard discussed the Guide to the Seacoast, 2004 edition. She advised that the number of guides have been increased by 10%. John Tabor spoke in support of the partnership and asked for continued support.

Councilor Pantelakos moved to suspend the rules in order to take up Item X D.1. – Proposed Continuation of Chamber of Commerce Partnership. Seconded by Councilor Whitehouse and voted. Councilor Hynes moved to accept the recommendation of the EDC for continuation of the partnership between the City and the Chamber of Commerce, the use of \$40,000 in UDAG funds, and approve this matter as presented. Seconded by Councilor Grasso and voted.

V. ACCEPTANCE OF MINUTES – MARCH 29, 2004

Assistant Mayor Hanson moved to accept the minutes of the March 29, 2004 City Council meeting. Seconded by Councilor Whitehouse and voted.

VI. PUBLIC COMMENT SESSION

Harold Ecker spoke in support of preserving the JFK building.

Nate Holloway thanked the City Council for appointing the committee on recognition of Martin Luther King and requested consideration of the final report.

Rich DiPentima spoke regarding the coal dust from the PSNH Schiller Plant in the Osprey Landing neighborhood. He is concerned about health issues regarding the dust in the air and the residue that it leaves on the exterior and interior of homes.

Peter Bresciano spoke regarding the proposed one-way toll system in Hampton. He suggested that the City look into the number of accidents that occurred on Route 1 during the experiment last year as many people tried to avoid the \$2 toll.

James Splaine urged the City Council to support the recommendations of the Martin Luther King Committee.

Tom Carroll thanked the City Manager for his representation at the PDA meeting on April 8th. He suggests a ferry system at the port rather than the current scrap metal use.

John Grossman announced that the Portsmouth Advocates would be holding a forum on May 8th regarding infill for the existing development in Portsmouth.

Algene Bailey Sr. spoke in support of the Martin Luther King Committee's final report.

VII. APPROVAL OF GRANTS AND DONATIONS

- A. Acceptance of City Cultural Commission d/b/a Art-Speak Grant

Councilor Grasso moved to authorize the City Manager to accept the funds of \$5,000 for the City Cultural Commission d/b/a Art-Speak. Seconded by Councilor Hynes and voted.

VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Hancock Street: northerly side of Hancock Street from Marcy Street a distance of 115 feet

Councilor Whitehouse moved to pass first reading of amended ordinance, as submitted and hold a public hearing and second reading at the May 3, 2004 City Council meeting. Seconded by Councilor Pantelakos and voted.

- B. Third and final reading of Ordinance amending Chapter 7, Article II, Section 7.219 Rates for Taxi Fares

Councilor Whitehouse 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

Not on agenda #1 Letter from John Froehling, The American Legion, requesting permission to install a POW-MIA memorial stone in the Veterans Park on the corner of South Street and Junkins Avenue

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

Not on agenda #2 Letter from Peter and Lou Ellen Beard regarding Peirce Island restoration

Councilor Grasso moved to refer to the City Manager and the Peirce Island Committee for a report back. Seconded by Councilor Pantelakos and voted.

- A. Renewal Requests for Sidewalk Obstruction Licenses from the following businesses with no changes from last year: Cobble Hill – 1 A-frame sign, Stonewall Kitchen – 1 A-frame sign, Dolphin Striker – 1 A-frame sign, The Genip Tree – 1 A-frame sign

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

- B. Request for Sidewalk Obstruction License from Matt Govoni, Breaking New Grounds, Inc. to place 15 tables and 42 chairs in front of establishment (*formerly Café Brioche*)

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

- C. Letter from Michael and Jacqui Bryan, requesting permission to hold the 2nd Annual Seacoast Run Pedal Paddle on Sunday, September 26, 2004

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

- D. Letter from John Russo, Association of Portsmouth Taxpayers, Inc., questions relative to the building of a new library

Councilor Grasso moved to refer to Mayor Sirrell for a response back to the Association of Portsmouth Taxpayers, Inc. Seconded by Assistant Mayor Hanson and voted.

- E. Letter from Susan Dewhirst and Mark Nicholas, United Way of the Greater Seacoast, requesting permission to install signs at the entrances to the City

Assistant Mayor Hanson moved to refer to the Planning Board for a report back. Seconded by Councilor Whitehouse and voted.

- F. Letter from Barbara Daly requesting that sidewalks be installed along Middle Road between Sheffield Road and Plains Avenue

Councilor Ferrini moved to refer to the City Manager for a report back. Seconded by Councilor Pantelakos.

City Manager Bohenko said that this would be included in the Capital Improvement Plan for next year with construction beginning July 2005.

Councilor Grasso requested that this move forward faster. City Manager Bohenko said it would cost a great deal of money and waiting until next year is more cost feasible.

Councilor Raynolds requested that the City Manager look into safety measures in the interim.

Mayor Sirrell passed the gavel to Assistant Mayor Hanson.

Mayor Sirrell said this has been an ongoing issue for many years and would like the project to move forward. City Manager Bohenko said that the City Council has the option to add an additional \$200,000 to the Capital Improvement Plan tonight but that would increase the tax rate.

Councilor Marchand agreed that it is a high priority item but does understand that it is difficult to add a project this late.

Mayor Sirrell said that she does not want an increase in the tax rate and agrees with the City Manager for July 2005.

Motion passed.

Assistant Mayor Hanson passed the gavel back to Mayor Sirrell.

- G. Letter from Gregory Whalen, Seaboard Whalen Real Estate Management, Inc., request permission for license for the placement of construction dumpster

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

Councilor Ferrini asked about the effects from the dumpster. City Manager Bohenko said that this is being researched.

Motion passed.

X. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

1. Request to Adopt the Capital Improvement Plan (CIP) FY 2005-2010

City Manager Bohenko said he is requesting adoption of the FY 2005-2010 Capital Improvement Plan (CIP). He said that the CIP was presented outlining the various products.

Assistant Mayor Hanson moved to adopt the FY2005-2010 Capital Improvement Plan as presented at the public hearing on March 29, 2004. Seconded by Councilor Pantelakos.

Councilor Whitehouse moved to amend the motion by taking \$50,000 from the stump dump project and moving it to the Peirce Island Master Plan earmarked for additional parking to the Four Tree Island parking lot. No second received.

Main motion passed.

2. Report Back Re: Resident Parking Concerns for the Bow Street Fair (*tabled from the January 26, 2004 City Council meeting*)

City Manager Bohenko explained that this item was tabled from the January 26th City Council meeting and information has been received that fifteen parking spaces were secured for the residents.

Assistant Mayor Hanson moved to remove the item from the table. Seconded by Councilor Grasso and voted. Councilor Grasso moved to approve the request for the Bow Street Fair on July 17th and July 18th. Seconded by Councilor Whitehouse and voted.

3. Proposed Acceptance of Easements/License at 72 Mirona Road from Madison Commercial Group

City Attorney Sullivan explained the proposed license, which is for parking, landscaping, and drainage.

Assistant Mayor Hanson moved to authorize the City Manager to accept a drainage easement at 72 Mirona Road to benefit the City from Madison Commercial Group LLC; and authorize the City Manager to enter into a license agreement with Madison Commercial Group to permit an existing limited intrusion into the Mirona Road right-of-way for parking and related purposes at 72 Mirona Road. Seconded by Councilor Hynes and voted.

Councilor Whitehouse asked the City Manager to discuss the PDA meeting that addressed the scrap metal issue. City Manager Bohenko said that the Port Authority was asked to report back on all issues regarding the scrap metal issue.

C. ASSISTANT MAYOR HANSON

1. Traffic & Safety Committee Action Sheet and Minutes of the March 18, 2004 meeting

Assistant Mayor Hanson moved to accept and approve the Traffic & Safety Committee action sheet and minutes of the March 18, 2004 meeting. Seconded by Councilor Whitehouse and voted.

D. COUNCILOR HYNES

2. Report Back from Martin Luther King Recognition Blue Ribbon Committee

Councilor Hynes discussed the report of the blue ribbon committee. It was agreed to a memorial site between the Connie Bean Center and the Memorial Bridge. He said the committee would like to remain active during the process.

Councilor Hynes moved to refer to the Planning Board for a report back. Seconded by Councilor Ferrini and voted.

XI. MISCELLANEOUS/UNFINISHED BUSINESS

1. Letter from Richard DiPentima regarding PSNH-Schiller Station (*read from public comment session*)

Councilor Grasso requested that City Manager Bohenko look into the issues raised in Mr. DiPentima's letter.

XII. ADJOURNMENT

At 9:00 p.m., Assistant Mayor Hanson moved to adjourn. Seconded by Councilor Whitehouse and voted.



KELLI L. BARNABY, CITY CLERK