

TO: KAREN CONARD, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD ON MONDAY, MARCH 16, 2020 MEETING, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

PRESENT: MAYOR BECKSTED, ASSISTANT MAYOR SPLAINE, COUNCILORS McEACHERN, WHELAN, LAZENBY, KENNEDY, HUDA, TABOR AND TRACE

1. Work Session – Sagamore Avenue Sewer Extension – Postponed.
2. Acceptance of Minutes – January 28, 2020 – **Voted** to accept and approve the minutes of the January 28, 2020 City Council meeting.
3. Recognition and Volunteer Committee Reports – Postponed.
4. Public Comment Session – Postponed.
5. First reading of Ordinance amending Chapter 7, Article I, Section 7.105 C – Designated Motorcycle Parking Area – Postponed.
6. Appointments to be Considered – The City Council considered the appointments listed below which will be voted on at the next City Council meeting.
 - Appointment of Beth Margeson to the Citywide Neighborhood Committee
 - Reappointment of Jessica Blasko to the Conservation Commission
 - Reappointment of Allison Tanner to the Conservation Commission
 - Reappointment of Jackie Cali-Pitts to the Recreation Board
 - Reappointment of Lisa Louttit to the Recreation Board
7. Appointments to be Voted – **Voted** the appointments and reappointments of the following:
 - Reappointment of Barbara McMillan to the Conservation Commission until April 1, 2023.
 - Reappointment of William Townsend to the Peirce Island Committee until December 31, 2021.
 - Reappointment of John Simon to the Peirce Island Committee until December 31, 2021.
 - Appointment of Kara Rodeneizer to the Portsmouth Housing Authority until April 1, 2025.
 - Reappointment of Robin Pickering to the Portsmouth Housing Authority – Resident Member until April 1, 2025.
 - Appointment of David Cosgrove to the Citywide Neighborhood Committee until December 31, 2021.

- Appointment of Mark Syracuse to the Citywide Neighborhood Committee December 31, 2021.
8. **Voted** to suspend the rules in order to take up Item XVII. B. – Report from the City’s Health Department regarding Covid-19.
 9. Report from the City’s Health Department regarding Covid-19 – Health Officer McNamara provided a status update regarding the Covid 19 (Coronavirus).
 10. Short-Term Free-Parking Program – **Voted** to grant the authorize to act to City Manager Conard and work out details with parking officials for a free-parking program through April 6th with a report back regarding financial implications. Further that enforcement will continue to ensure the turnover of parking spaces.

Councilor Kennedy requested to implement safety programs, safety cones to ensure areas for pick-up remain safe.

Assistant Mayor Splaine suggested free parking in city garages for downtown workers during this health emergency.

Councilor Huda requested City Manager Conard gather a list of businesses and retailer that are open and post the list on the website.

11. Establish Committee for Negotiations Re: Boyle – Mayor Becksted requested any City Councilor that is interested in serving on this Committee to contact him for consideration of appointment.
12. Jones Avenue Landfill – Postponed.
13. Coronavirus Planning and Preparation – and Observations/Concerns from Economic Development Commission meeting of Friday, March 6, 2020 – Update provided earlier in agenda.
14. Creation of a Subcommittee comprised of 2 Council members and 4 residents selected by the Mayor and approved by the Council to discuss current ADU Approval process and ways to improve – Councilor McEachern withdrew this item.
15. McIntyre Subcommittee Report – Councilor Whelan provided an updated on the McIntyre Subcommittee.

16. Impact Fees – **Voted** to have the City Manager, Legal Staff, Fees Committee and Planning Board Review and Report Back on the suggested Impact Fees by the April 20, 2020 City Council meeting. Further, to encourage other suggestions from these groups on Impact Fees with a Report Back on April 20, 2020.

Suggested Fees for projects over two units:

- 1-Bedroom or 1,000 sq. ft. or less \$25,000/unit
- 2-Bedrooms or 1,500 sq. ft. or less \$50,000/unit
- 3-Bedrooms or 2,000 sq. ft. or less \$75,000/unit
- 4-Bedrooms or 2,500 sq. ft. or less \$100,000/unit
- 5-Bedrooms or 3,000 sq. ft. or less \$125,000/unit

17. Annual Budget Spending Request by Department – **Voted** to request a report back from the City Manager on the following:

- *To Clarify the dollar limit spending authority granted to different positions (i.e. Directors, Department Managers, City Purchasing Agent, City Manager)*
- *To discuss if there is a dollar limit restriction on the City Department Directors or Managers ability to transfer dollars among the various line items in their appropriated budget. Do these transfers require the approval of either the Finance Director or City Manager.*
- *Please include references to source documentation that authorizes such dollar limits*
- *Please include a discussion on the various controls applied to the above.*

Councilor Tabor voted opposed.

18. To Clarify the City Managers, Interpretation of Section 7.23 Information Technology Management of the City Charter as it relates to the Information Technology section of the Administrative Code – **Voted** to request a report back from the City Manager on the following:

- *Is there any conflict?*
- *Based on the interpretation of the above, is the City following the City Charter or the Administrative Code?*

Councilor Lazenby voted opposed.

19. Acceptance of Donations to the Portsmouth Police Department:

- Mr. Gormley and Ms. Inguchi in support of Portsmouth Police Department - \$1,000.00
- Ms. Marchi in support of Police Explorer Cadets - \$20.00

Voted to accept and approve the donations for the Police Department as presented.

20. Acceptance of Grant from the NH Department of Safety for Night Vision Equipment - \$37,500.00 – **Voted** to accept and approve the grant for the Police Department as presented.
21. Market Street Property Purchase from NH Department of Transportation – Postponed.
22. Report Back from Planning Regarding 27 Thaxter Road – Postponed
23. Foundry Place Agreements and Easements – On a roll call 8-1, **voted** to authorize the City Manager to negotiate, executive and accept the community space easement (Exhibit D), an easement for construction and egress on Lot 2 (Exhibit E), and a landscape license agreement (Exhibit F) in a form similar to those attached in the City Manager’s memorandum dated Friday, March 13, 2020. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Kennedy, Huda, Tabor and Trace voted in favor. Mayor Becksted voted opposed.
24. Request to Establish a Work Session Regarding Prescott Park – **Voted** to schedule a work session on April 6, 2020 for the Sagamore Avenue Sewer Extension and a work session on April 20, 2020 for the purposes of reviewing the Prescott Park Master Plan.
25. Request to Renew Seacoast Growers’ Association (Farmer’s Market) Proposed 2020 License Agreement – **Voted** to authorize the City Manager to execute the License Agreement allowing Seacoast Growers’ Association to operate a Farmers’ Market on Saturday’s from May 2, 2020 through November 7, 2020.
26. Request for Public Hearing Regarding Bonding of Fire Apparatus – **Voted** to establish a public hearing for the April 6, 2020 Council meeting regarding the bonding of up to One Million Four Hundred Dollars (\$1,400,000) for the acquisition of one fire apparatus.
27. Request to Establish Public Hearing Regarding Petition for Discontinuance of a Portion of Cate Street Connector Road – Postponed.
28. Consent Agenda – **Voted** to accept the Consent Agenda.
 - A. Request for License to Install Projecting Sign for owner Harrison Schoaneu of Fresh House for property located at 76 Congress Street **(Anticipated action - move to approve the aforementioned Projecting Sign License as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreement for this request)**

Planning Director's Stipulations

- ***The license shall be approved by the Legal Department as to content and form;***
- ***Any removal or relocation of projecting sign, for any reason, shall be done at no cost to the City; and***
- ***Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works***

- B. Request for License to Install Projecting Sign for owner Nuttaya Nicholas of 5 Thai Bistro for property located at 40 Pleasant Street (***Anticipated action - move to approve the aforementioned Projecting Sign License as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreement for this request***)

Planning Director's Stipulations

- ***The license shall be approved by the Legal Department as to content and form;***
- ***Any removal or relocation of projecting sign, for any reason, shall be done at no cost to the City; and***
- ***Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works***

29. Letter from Monte Bohanan, Portsmouth Halloween Parade, requesting permission to hold the 26th Annual Portsmouth Halloween Parade on Saturday, October 31, 2020 at 7:00 p.m. – **Voted** to refer to the City Manager with authority to act.
30. Email Correspondence – **Voted** to accept and place on file.
31. Letter from Marc Stettner Re: Designated Motorcycle Moped Parking Area – **Voted** to accept and place on file.

32. Letter from Craig M. Steigerwalt Re: Petition for Release of Interest in Paper Street contiguous to 276 Dennett Street (Tax Map 143, Lot 13) pursuant to RSA 231:51 and 231:52 – **Voted** to refer to the Planning Board for report back.
33. Letter from Attorney Daniel C. Hoefle Re: Request for Release of Paper Street Pursuant to NH RSA 231:51 and 231:52 – 294 Dennett Street (Tax Map 143, Lot 26) – **Voted** to refer to the Planning Board for report back.
34. Letter from Seth Levin regarding the Middle Street Bike Lanes – **Voted** to accept and place on file.
35. Letter from Jim Fernald regarding proposed dock on 21 Fernald Court – **Voted** to accept and place on file.
36. Background Information from Deb & Ken Jennings on 27 Thaxter Road – **Voted** to accept and place on file.
37. Anticipated Non-Public Session Re: McIntyre – RSA 91-A:3, II (e) – At 8:45 p.m., on a unanimous roll call 9-0, **voted** to enter into Non-Public Session regarding McIntyre relative to RSA 91-A:3, II (e).
38. At 10:05 p.m., **voted** to come out of Non-Public Session.
39. **Voted** to seal the minutes of the Non-Public Session.
40. At 10:05 p.m., **voted** to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, MMC, CNHMC
City Clerk