

# CITY COUNCIL MEETING

Remote Meeting Via Zoom Conference Call

Per NH RSA 91-A:2 III (b) the Chair has declared COVID-19 Outbreak an emergency and has waived the requirement that a quorum be physically present at the meeting pursuant to the Governor's Executive Order 2020-04, Section 8 and Executive Order #12, Section 3. Members will be participating remotely and will identify their location and any person present with them at that location. All votes will be by roll call.

to access by web (<https://zoom.us/join>)

to access by phone, dial (929-436-2866)

Meeting ID (276 622 239)

Password (242060)

DATE: MONDAY, APRIL 6, 2020

TIME: 7:00PM

## AGENDA

- I. 6:00PM WORK SESSION – *THERE IS NO WORK SESSION THIS EVENING - POSTPONED*
- II. PUBLIC DIALOGUE SESSION [*when applicable – every other regularly scheduled meeting*] - *POSTPONED*
- III. CALL TO ORDER [7:00 p.m. or thereafter]
- IV. ROLL CALL
- V. INVOCATION
- VI. PLEDGE OF ALLEGIANCE
  
- VII. ACCEPTANCE OF MINUTES – FEBRUARY 3, 2020
  
- VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS
  
- IX. PUBLIC COMMENT SESSION – (*Via Zoom*)
  
- X. PUBLIC DIALOGUE SUMMARY [*when applicable*] - *POSTPONED*
  
- XI. PUBLIC HEARINGS AND VOTES ON ORDINANCES AND/OR RESOLUTIONS
  - A. PUBLIC HEARING – ACQUISITION OF ONE FIRE APPARATUS  
  
PROPOSED RESOLUTION AUTHORIZING A BOND ISSUE, AND/OR NOTES, OR EXECUTION OF LEASE PURCHASE AGREEMENT OF UP TO ONE MILLION FOUR HUNDRED THOUSAND (\$1,400,000.00) DOLLARS FOR THE ACQUISITION OF ONE FIRE APPARATUS
    - PRESENTATION
    - CITY COUNCIL QUESTIONS
    - PUBLIC HEARING SPEAKERS
    - ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS  
*(Sample motion – move to adopt the Resolution as presented)*

B. PUBLIC HEARING – REQUEST TO DISCONTINUE A PORTION OF CATE STREET CONNECTOR ROAD

REQUEST TO DISCONTINUE A PORTION OF CATE STREET CONNECTOR ROAD

- PRESENTATION
- CITY COUNCIL QUESTIONS
- PUBLIC HEARING SPEAKERS
- ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS

*(Sample motion – move to grant the petition of Cate Street Development, LLC to discontinue that portion of the public highway known as Cate Street defined and described in the petition, subject to the conditions contained therein)*

XII. MAYOR BECKSTED

1. \*Appointments to be Voted:
  - 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

XIII. CITY COUNCIL MEMBERS

A. ASSISTANT MAYOR SPLAINE

1. \*Portsmouth Budget, Revenue, Tax Base and Financial Assessment for 2020-2022

B. COUNCILOR WHELAN

1. Parking and Traffic Safety Committee Action Sheet and Minutes of March 5, 2020 meeting *(Sample motion – move to approve and accept the action sheet and minutes of the March 5, 2020 Parking & Traffic Safety Committee meeting)*
2. \*McIntyre Subcommittee Update

C. COUNCILOR LAZENBY

1. Request for Report Back regarding Additional Remote and/or Advance Voting in NH Elections

D. COUNCILOR HUDA

1. Forecasted Economic Downturn caused by the Covid-19 Virus *(Sample motion – move to request a report to the residents and City Council from the City Manager on the current financial condition of the city and on the immediate actions that the city is taking to maintain & safeguard our financial position while still providing necessary services during and after this pandemic)*

**E. COUNCILOR HUDA & COUNCILOR TABOR**

1. Informational Fee Committee Minutes (No Vote Required)

**XIV. APPROVAL OF GRANTS/DONATIONS**

*(There are no Approval of Grants/Donations this evening)*

**XV. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION**

**A. CITY MANAGER CONARD**

**City Manager's Items Which Require Action:**

1. Market Street Property Purchase from NH Department of Transportation
2. \*Woodbury Avenue Signal Coordination Project
3. Middle Street Baptist Parking Contract Renewal

**XVI. CONSENT AGENDA**

*(There are no Consent Agenda items this evening)*

**XVII. PRESENTATIONS & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS**

- A. \*Presentation by Health Officer Kim McNamara regarding COVID-19 Update
- B. Email Correspondence (***Sample motion – move to accept and place on file***)

**XVIII. CITY MANAGER'S INFORMATIONAL ITEMS**

1. \*Council Update on COVID-19 on FY 2020 Budget
2. \*Report Back on Questions Posed by Councilor Huda on March 16, 2020
3. \*Summary of Parking Holiday and Revenue Impacts

**XIX. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING**

**XX. ADJOURNMENT [at 10:00 p.m. or earlier]**

**KELLI L. BARNABY, MMC/CNHMC  
CITY CLERK**

*\* Indicates verbal report*

## CITY COUNCIL MEETING

### Public Dialogue Session – One Table – February 3, 2020

All members of the City Council were present for the session.

Jim Hewitt referred to an email he sent regarding free water provided to the PDA for their golf course and how the amount per gallons has increased and how does the City feel about that.

Councilor McEachern said it was part of a larger agreement and some people are asking the agreement to be opened up to see if the City can obtain more money for services provided. Mr. Hewitt asked what is currently being provided to the City.

Deputy City Attorney Woodland said there are existing agreements which are part of larger negotiations. She indicated if you start pulling on the strings you pull out other parts of the agreement that would require negotiations.

Councilor Kennedy asked why in 1988 there was a new agreement and who gave permission to provide more water. Public Works Director Rice said that there was no change in the number of gallons provided, rather it was policy driven.

Councilor Trace said Mr. Hewitt is concerned that we are allowing a golf course to use a large amount of water to care for the greens at a point in time when we are not sure that our own supply is stable and whether it is expected to remain stable. She said that the Council should be receiving a report back specific to the use of water at the golf course. Deputy Public Works Director Goetz spoke to the master plans that are done on the water at Pease. Councilor Trace said the issue of reviewing our real estate taxes and the amount of discount water provided to the PDA is important.

City Attorney Sullivan said all the water comes from the aquafer under the Pease Development Authority which gave us access to the water. He said it was a deal in our favor.

Assistant Mayor Splaine said he agrees that we need to be concerned regarding our water supply and that we need to look at Mr. Hewitt's concerns.

Justin Richardson spoke regarding the Growth Management proposal on the agenda. He said a study needs to take place first.

Brian Wazlaw asked what the reason for the Growth Management proposal is. He spoke to the process under state law for enacting such an ordinance.

Councilor Kennedy spoke to what she is recommending. She said she is concerned regarding this matter and would like to bring forward for first reading an ordinance for the next City Council meeting. Mr. Wazlaw said we could change the ordinance without going to a moratorium. Councilor Kennedy said the ordinance would allow the City time to figure out traffic patterns and water supply needed for a project and its effect on the water for the community.

Harold Whitehouse spoke regarding the proposal by Councilor Kennedy and said there needs to be a study conducted on water.

Peter Embers said 120 days will cause delays and infringe upon property owner rights. He spoke in opposition to the proposal and said people are concerned with growth and we need to use a process that the staff and City are recommending.

Bryon Matto said people are concerned with the matter of Councilor Kennedy's proposal and that there is no data to back it up.

Jeremiah Johnson stated Councilor Kennedy's proposal is a prohibition on development and a moratorium with no data to show the need for one. He said the proposal is not justified, and what this is really about is building height and hotels but you can't just change the ordinance and change height when there is reasonable justification for the development. He stated that a much larger conversation needs to take place if there are truly concerns regarding infrastructure.

Harold Whitehouse spoke on the upcoming 400 Anniversary being right around the corner and the need to start working on the project. He spoke regarding the need for a discussion on what we are planning.

City Manager Conard said it is important and we are working on the matter. She stated we are reorganizing the Committee.

Josh Lanzetta asked for a description of the moratorium under the State RSA.

Councilor Kennedy said the water concerns and sewer treatment plant concerns are part of the issue and we need to consider her proposal. Mr. Lanzetta asked if something has been formed for this. Councilor Kennedy said nothing has been done at this point, she is just bringing the matter forward.

Mayor Becksted said this was meant to bring forward a discussion. He said we need to bring everyone together to work on this matter.

Councilor Kennedy said she would like residents to join the Committee to develop a plan.

Mark Ryder spoke regarding Councilor Kennedy's proposal. He said a moratorium was last looked at in 2013 and much has been built since that time.

Councilor McEachern said we need to discuss these matters and understand the process before moving forward.

Justin Richardson said outcomes with construction have not been good and it would be good to have a discussion regarding this matter.

Mark Ryder said it can be split between areas or structures in the City.

Joe Whiting spoke regarding proposal on employment openings coming before the City Council which feels like micromanaging.

Councilor Kennedy said she feels we need justification whether the position needs to be filled. She would not support letting people go from the City but you need to think and process as to whether you really need to bring the position forward and have the community fund the position. She indicated it would be a policy and the City Manager would make the decision because she hires the employees. She stated it is not the person, but the position.

Chuck Raye spoke regarding justifying hiring employees, it could take months to fill the position vacated by an employee and in the mean time you could lose a valuable applicant.

Nancy MacDonald said she supports beginning a discussion on growth management.

---

## **CITY COUNCIL MEETING**

MUNICIPAL COMPLEX  
DATE: MONDAY, FEBRUARY 3, 2020

PORTSMOUTH, NH  
TIME: 7:00PM [or thereafter]

### **II. CALL TO ORDER**

Mayor Becksted called the meeting to order at 7:05 p.m.

### **III. ROLL CALL**

PRESENT: Mayor Becksted, Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Kennedy, Huda, Tabor and Trace

**Assistant Mayor Splaine moved to suspend the rules in order to restructure the agenda and move the Public Comment Session before Presentations. Seconded by Councilor Kennedy and voted.**

City Attorney Sullivan said the agenda is created by rules and could be amended.

**Assistant Mayor Splaine moved that City Attorney Sullivan prepare an amendment to the Rules and Orders of the City Council to move the Public Comment Session prior to Presentations. Seconded by Councilor Whelan and voted.**

### **VIII. PUBLIC COMMENT SESSION**

Eben Tormey spoke against the Growth Management Ordinance proposal. He said he feels it is not legal and against the rights of property owners. He suggested that a commercial development study to be conducted on sewer and water with a report back on the findings.

John Stebbins said he concurs with Mr. Tormey remarks. He is strongly opposed to the Growth Management Ordinance proposals. He said there is smart development which needs to be kept in mind.

Josh Denton spoke keeping the ride share program and opening it up to the Town of Kittery and Portsmouth Naval Shipyard for expansion. He spoke to breaking the Redgate/Kane agreement and ignoring the advice of the City Attorney and City Manager to meet in Non-Public Session to hear the information they had to provide to the Council.

Charles Griffin said two-thirds of the budget is salaries and benefits. He suggested that the City Council only approve a certain amount for increases. He spoke to the size of the budget in comparison with other communities. He urged the City Council to implement cost savings measures to reduce taxes.

Josh Lanzetta spoke against the proposal for Growth Management on building in the City. He said he is confused by the proposal and having a first reading as the process is laid out in State law. He spoke to the need for hard data to put such an Ordinance in place.

Jeremiah Johnson said residents pay large amounts in taxes and a conversation on affordability needs to take place. He said many of you ran on the issue of lowering taxes and that is what residents are expecting.

Jen Thomas spoke opposed to the proposed Growth Management Ordinance. She said a written study of data needs to be provided to show that this type of ordinance is needed. She said if this is passed it would open the City up to a lawsuit.

Byron Matto spoke opposed to the Growth Management Ordinance proposal. He said the Council is trying to solve a problem that does not exist. He said the growth of the City has added to the tax base of living here. He spoke to the salaries and benefits ratio of the budget costs.

Peter Endres spoke against the proposal for 120 day building moratorium because it is putting the cart before the horse. He said a committee should be created to look into growth in the City before you pause development.

Holly Malloy reminded the City Council that government requires patterns and attempts to short cuts.

Walter Allen spoke to the sewer system and nitrogen's in the water and testing. He spoke to the City issues related to the Sagamore Avenue sewer extension and the City would be condemning \$5 million dollars' worth of property. He recommended taking the liquid overflow out of the tanks.

Gerald Duffy spoke regarding the vote to reject the ground lease with Redgate/Kane. He said when the vote was taken the City Council did not have all the information because they would not agree to enter into Non-Public Session with the City Attorney and City Manager Conard. He said the vote was not taken in good faith and what Redgate/Kane thinks of the vote is important.

Bill St. Laurent read about a zero based budget and was pleased to see that being considered. He asked why the City does increases and not percentages when providing cost of living increases to employees. He said resident's budgets are too high and they can no longer afford their taxes.

Ralph DiBernardo said almost any action taken by the City Council may subject the City Council to a law suit that the actions taken at the last meeting were wrong. He said on the issue of reviewing positions and purchases you will need to have it done right, and it makes no sense and it is the intent to cut the budget by the last City Council.

Arthur Clough spoke on the membership on Boards and Commissions and he would like the City Council to audit the membership and that they're residents and not employees by the City and that they meet all legal requirements.

Brian Wazlaw said sometimes we deal with ordinances as solutions but a problem has not been designed in the Growth Management Ordinance requiring a 120 day moratorium for a break out period to have the Planning Board look at any changes to ordinance. The RSA refers to the timing of development. He stated City-wide is based on the lack of capacity, current water and sewer usage is available through the Public Works Department.

Robert Previti said he has clients that will be effected by a moratorium. He spoke to the State laws and that the need for a moratorium has not been met. He said without findings for a study no circumstances exist for a moratorium. The Capital Improvement Plan is an in-depth plan and the City is not experiencing circumstances for a moratorium and that there is no legal basis.

Steve Roberts submitted a letter on behalf of Anthony DiLorenzo and the pause for a limitation or restriction on building and that it could be considered a taking. He said if the statute is not followed the City would be sued. He said there is a law in place and process to follow and that hotels are the economic engine of the City.

Attorney FX Bruton said he reviewed the ordinance proposed and as a temporary ordinance it talks about unusual circumstances that would need prompt attention. He said the laws are for the smaller Cities or Towns and you have a professional staff that is highly regarded in the state.

Attorney Tim Phoenix said he is here on behalf of several residents and is imploring the City Council to not pass the proposed Growth Management Ordinance. He said such an ordinance will not answer the questions of water and sewer. He said this is not the way to do what Councilor Kennedy wishes. He spoke to the law and there is no reason to pause development for 120 days.

Valerie Rochon, President of Greater Portsmouth Chamber of Commerce, spoke to the work done for the 600 small businesses and their successes. She reported on the Small Business Expo, Small Business Week and Small Business Owners Committee who met to develop a mechanism to assist them in their work.

Zelita Morgan would like a time line on actions and events on the overall view of where we are with the Sagamore Avenue Sewer Extension and the New Recreational Fields which will have presentations on this evening. She spoke to the Middle Street bike lanes and issues relating to safety. She has heard most people do not favor the design on Middle Street and people are not against them but wants them to be safe for bikers and drivers. Ms. Morgan said she would like to know the water consumption rates for the hotels in the City.

## **PRESENTATIONS**

1. Sagamore Avenue Sewer Extension – Terry Desmarais, City Engineer & Suzanne Woodland Deputy City Attorney

City Manager Conard said Deputy City Attorney Woodland and City Engineer Desmarais will be asking for a Work Session which will review the decisions needed to make regarding this matter.



Deputy City Attorney Woodland reported that this project first appeared in 2005 in the Capital Improvement Plan (CIP). She spoke to the Engineering Study which took place in 2008 and the Bacteria Study by the DES in 2010. She said in March 2016 the City Council approved the Consent Decree Second Modification and in 2018/2019 FB Environmental Completed Water Quality Sampling. She spoke to the 2018 Preliminary Design Report and in July 2019 the City Council Bond Authorization. Deputy City Attorney Woodland said an important note is residents would not have to tie in right away that have a functioning septic system. She reported on the public process that has taken place and the concerns expressed by residents of the cost apportionment.

City Engineer Desmarais spoke to EONE Low Pressure Pump Stations which have a long track record with 60,000 installations in New England. He stated these are the industry standard, they are simple and reliable with the least amount of worry. He reported that the pump life span is 10-15 years and local installation and long term ownership have been successful. He explained the process of connecting the systems and the cost would be service to the property line and all work is done with City through contractors. City Engineer Desmarais said a Work Session is recommended to discuss the sale of property and how that would be resolved which is part of the plan.

**Councilor Kennedy moved to establish a work session to be held on March 2, 2020 for purposes of reviewing the Sagamore Creek Sewer Project options. Seconded by Councilor Tabor and voted.**

2. New Recreational Fields – Peter Rice, Public Works Director

City Manager Conard said this is to schedule a Work Session on this matter. She reported that the property was purchased back in 2016 to create recreational fields and a Regional Stormwater Facilities.

Phil Corbett, CMA reviewed the site selection process for recreational needs and where we are today and the budget schedule moving forward. He said several other sites were reviewed during the selection process and the City decided to move forward for multipurpose recreational fields. He stated this would be the ultimate building out of synthetic fields, parking and address stormwater concerns. He did a comparison of the number fields with other communities and reported the following:

- Portsmouth 17 fields, Dover 25 fields, and Rochester 44 fields

He reported on Portsmouth High School Field as follows:

PHS Field Capacity (prior to artificial turf)

- 5 football games (5 freshman, 5 J.V. and 5 Varsity) = 30 hours
- 6 boys lacrosse games (8 J.V. and 8 Varsity) = 24 hours

He stated no other uses to allow for turf regeneration and event with limited use field impacts 20 yard line to the 20 yard line.

- TOTAL use per year = 54 hours

### Project Development of Recreation Fields

Collaborated closely with the Recreation Board and Department, and incorporated recommendation from the Recreation Needs Study

- Most existing fields are multi-use
- No capacity for rotation of fields or resting to allow recovery
- Existing sod fields are over used – need to recover and be improved
- Benefit from converting sod to synthetic turf
- 3-4 New rectangular synthetic turf fields with lighting
- Fields must meet environmental requirements of the City

### Status of Agency Reviews and Permitting

- City Approvals
  - Conservation Commission (August 2014)
  - Planning Board (October 2017)
  - Tree & Greenery (November 2013)
- Environmental Permitting
  - NHDES Wetlands Permit (December 6<sup>th</sup>)
  - NHDES Alteration of Terrain (pending)
  - ACOE General Permit
- Approvals and Permitting for Master Plan with Phasing

### Project Budget

- One Field Option: \$4.5M
  - One 360' x 225; synthetic turf field
  - Preparation for second field
  - Gravel parking area
  - Connection to public water
  - Preparation for future field lighting
- Bid Alternates
  - Second synthetic turf field
  - Field lighting
  - Alternative turf infills

### Project Schedule

- Winter 2020
  - Design & Permitting Complete
  - Proposed City Council Workshop (February 18, 2020?)
- Spring 2020
  - Modify Design as needed
  - Bid Project

- Summer/Fall 2020
  - Begin Construction
- December 31, 2020
  - Regional Stormwater Consent Decree Deadline

Councilor Kennedy asked if during the work session a discussion takes place on what components would be used for the field.

Assistant Mayor Splaine thanked everyone for the presentation. He stated his concern with environment and health concerns. He requested that the City Manager invited to be participants in the Work Session, Ted Jankowski and Mindi Messmer.

Public Works Director Rice said he would like consensus to look at the infill materials and he would like action for the Work Session.

Assistant Mayor Splaine said he wants to hear about the life span of turf fields where are we going to do with it for a waste product and analysis is needed.

Councilor Trace said when the staff comes back could there be a comparison of the life time span of synthetic field and natural field and the cost difference.

**Councilor Kennedy moved to establish a Work Session to be held on February 18 2020 with vote to take place at the March 2, 2020 City Council meeting and further invite Ted Jankowski and Mindi Messmer to the Work Session. Seconded by Assistant Mayor Splaine.**

Councilor McEachern said if we could get work going. City Attorney Sullivan said decisions could be made at the Work Session.

Councilor Whelan said he would like to see the option for natural fields to be reviewed.

Councilor McEachern said he would want to see what the limits on a natural field would be, how much the field could be used with light limited use of the field.

**Motion passed.**

3. Right-to-Know Law – Robert Sullivan, City Attorney

City Attorney Sullivan said this presentation was suggested by Mayor Becksted and Assistant Mayor Splaine. He reported due to the length of time to cover this subject it would be broken into segments. He spoke to what is a “meeting” and what laws apply when having a “meeting.” He read from the law the rules applying to a public body, the legislative, appointed body and subcommittee of staff members are not subject to Right-to-Know. He stated the City Council is a public body and the Right-to-Know states the City Council is not supposed to do anything outside a meeting and would prohibit on-line activities. City Attorney Sullivan reported the rule he has developed is anything you do that seems like it equals a meeting, is a meeting. He stated a public notice must be posted in two public places and you need to allow for public to attend the meeting but not necessarily the right to speak. He addressed Non-Public Sessions and what can and cannot be discussed. He spoke about the minutes being minor in nature and those meetings not being recorded.

Assistant Mayor Splaine asked the City Attorney to address the sequential meetings. City Attorney Sullivan said it is when two parts of a body meet in two separate rooms with one member going back and forth. City Attorney Sullivan also spoke to surprise gatherings and said if all members meet and no decisions were being made it would be a chance meeting.

Councilor McEachern said the definition of a chance meeting and going out to would that be a change and discussed City business without making decisions. City Attorney Sullivan said it would not be a meeting and you could not make decisions.

**Assistant Mayor Splaine moved to suspend the rules in order to take up Item X.1. – Appointment to be Voted – Joseph O'Neill as an Alternate to the Conservation Commission. Seconded by Councilor Kennedy and voted.**

**Councilor Kennedy moved to appoint Joseph O'Neill as an Alternate to the Conservation Commission. Seconded by Assistant Mayor Splaine and voted.**

## **VI. ACCEPTANCE OF MINUTES – JANUARY 8, 2020**

Councilor Huda requested that her sentence at the bottom of page 8 be changed.

**Councilor Kennedy voted to approve and accept the minutes of the January 8, 2020 Special City Council meeting by amending the bottom of page 8 by changing the sentence by Councilor Huda. Seconded by Councilor Huda and voted.**

## **IX. PUBLIC HEARINGS AND VOTES ON ORDINANCES AND/OR RESOLUTIONS**

### **A. Public Hearing Re: Elderly Exemption**

Resolution Pursuant to RSA 72:39-b the City hereby amends the elderly exemption from property tax, based on assessed value for qualified taxpayers, such that the exemptions shall be available only when the qualifying taxpayer(s) have a net income of not more than \$43,151.00 for a single taxpayers or \$59,332.00 for married taxpayers, inclusive of social security payments. The elderly exemption shall remain unchanged except as amended hereby

Assistant Mayor Splaine stepped down from the dais and did not participate in this item as he would be eligible to receive the exemption but he does not apply for it.

### **• PRESENTATION**

Assessor Maurice-Lentz reviewed the qualification for Elderly and Disabled Exemptions. She reported the application period is January 1, 2020 through April 15, 2020. The filing deadline per state statute is April 15<sup>th</sup>). She stated applications are located on the Assessors Web Page and at the Assessor's Office along with detailed instructions on how to file and documentation required. She indicated that she encourages everyone who meets the age and disability requirements to file. Assessor Maurice-Lentz reviewed the demographic data and income and asset comparison. She reported 2019 overall median single family assessed value is \$470,900.00. She stated the projected increases would affect the tax rate approximately by a 5 cent increase.

- **CITY COUNCIL QUESTIONS**

Councilor Tabor said looking at the value of median home versus exemption amounts have not changed since 2012 but values have increased greatly, therefore should we look at raising the exemption amounts.

Councilor McEachern said 2015 there was an increase. Assessor Maurice-Lentz said it was due to the revaluation of properties and this could be tied to the statistical revaluation.

Councilor Trace said she agrees with Councilor's Tabor and McEachern.

- **PUBLIC HEARING SPEAKERS**

Mayor Becksted read the legal notice, declared the public hearing open and called for speakers. With no speakers, Mayor Becksted closed the public hearing.

- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

Councilor Kennedy said we need more information before making a decision.

City Attorney Sullivan said you could postpone this matter until the next meeting.

**Councilor Kennedy moved to postpone action to the next City Council meeting to receive information back regarding the following items:**

- *Review median home values with the exemption amounts*
- *Look at tying exemptions to the growth and statistical revaluations*
- *Provide a graph of the median home price for the last 10 years plotted against changes in the exemption amounts and further request the Assessor to come back with a recommendation as to whether an adjustment should be made*
- *Update exemption amounts and how much that will cost in loss tax revenues*
- *Review the assessed value versus changing the amount for an exemption*
- *Average out the last 2-3 years to see how it would have affected the average home owner and the seniors, also how it would affect the average taxpayers.*
- *Review the exemption that went up based on the prior year valuation*
- *Review what if we had done the increase by tying the exemptions to the growth and statistical revaluations over the last 10 years*
- *Report on historical averages of exemption to arrive at what the moving target would be*

**Seconded by Councilor McEachern and voted. Councilor Lazenby voted opposed.**

B. Public Hearing Re: Disabled Exemption

Resolution Pursuant to RSA 72:37-b the City hereby amends the disabled exemption from property tax, based on assessed value for qualified taxpayers, such that the exemptions shall be available only when the qualifying taxpayer(s) have a net income of not more than \$43,151.00 for a single taxpayers or \$59,332.00 for married taxpayers, inclusive of social security. This disabled exemption shall remain unchanged except as amended hereby

- **PRESENTATION**

The presentation was given under the Elderly Exemption Public Hearing.

- **CITY COUNCIL QUESTIONS**

The City Council asked questions when the Elderly Exemption Public Hearing was held.

- **PUBLIC HEARING SPEAKERS**

Mayor Becksted read the legal notice and opened the public hearing, calling for speakers. With no speakers, Mayor Becksted declared the public hearing closed.

**Councilor Kennedy moved to postpone action to the next City Council meeting to receive information back regarding the following items:**

- *Review median home values with the exemption amounts*
- *Look at tying exemptions to the growth and statistical revaluations*
- *Provide a graph of the median home price for the last 10 years plotted against changes in the exemption amounts and further request the Assessor to come back with a recommendation as to whether an adjustment should be made*
- *Update exemption amounts and how much that will cost in loss tax revenues*
- *Review the assessed value versus changing the amount for an exemption*
- *Average out the last 2-3 years to see how it would have affected the average home owner and the seniors, also how it would affect the average taxpayers.*
- *Review the exemption that went up based on the prior year valuation*
- *Review what if we had done the increase by tying the exemptions to the growth and statistical revaluations over the last 10 years*
- *Report on historical averages of exemption to arrive at what the moving target would be*

**Seconded by Councilor Tabor and voted.**

**XI. CITY COUNCIL MEMBERS**

**A. ASSISTANT MAYOR SPLAINE**

1. Report Re: Testimony on House Bill 1060, "Allowing Municipalities to Collect an Occupancy Fee from Operators of Local Room Rentals," and Senate Bill 616, "Establishing a Committee to Study the Meals and Rooms Tax Distribution Formula"

Assistant Mayor Splaine spoke regarding the testimony he provided on behalf of Mayor Becksted. He reported that the public hearing was 2 hours and suggested that the bill be narrower to speak to hotels of certain size it might have more support. He spoke to the original meals and room tax and the importance of the NH Municipal Association. He suggested contacting former City Councilor Chris Dwyer to serve on the Subcommittee because she was effective and there is power in pooling together. Assistant Mayor Splaine suggested that Mayor's from the 13 cities serve on these issues and the need to lobby on this matter. He also suggested the City Manager put together a City Manager Association to focus on common issues.

2. Report Re: "Neighborhood Walk," and "2050 Vision: North Mill Pond"

Assistant Mayor Splaine spoke regarding his neighborhood walk and his 2020 vision of the North Mill Pond. He said the original 2020 Vision Plan was done on April 11, 1996 and everyone that joined him in his recent walk are interested in creating a 2050 Vision Plan. He stated we are doing more walks in the fall and urged the City Council to think about this for other parts of the City. He announced in June we will be uncovering a time capsule which contains coins and what people thought Portsmouth would look like in 2020. He said Eileen Foley was part of the project and indicated that people would be walking around with computers in their pockets. Assistant Mayor Splaine said he is very much looking forward to uncovering the time capsule.

**B. COUNCILOR McEACHERN**

1. Identifying Costs Associated with Tourism and the Impact on Infrastructure Spending

**Councilor McEachern moved to asked City staff to provide estimates on the impact of tourism spending during their work on budget proposals. Seconded by Councilor Kennedy.**

Councilor McEachern said data will provide information on impact fees and meals and room tax.

**Motion passed.**

2. Options to Better Align Hoteliers with Interests and Needs of the City

**Councilor McEachern moved to ask City staff whether the hotel industry supports the wages necessary for hotel workers to work and live in Portsmouth. Seconded by Assistant Mayor Splaine and voted.**

3. Formalizing a Coalition, Similar to the State Wide Property Tax Coalition, to Address Distribution of Room and Meals Tax in Concord

**Councilor McEachern moved to have the Honorable Mayor with the assistance of City Manager Conard reach out to the NH Municipal Association directly to the Mayor's in the 12 cities in NH to suggest forming a coalition to address how local communities can better benefit from tourism. Seconded by Assistant Mayor Splaine.**

Councilor Kennedy said she would like to incorporate more than Mayor's in this coalition.

Councilor McEachern said all cities are getting less than their share in the meals and room tax.

Councilor Kennedy said we need to include the other communities without Mayor's.

Councilor Tabor said first part is getting the State to distribute the right amount.

Assistant Mayor Splaine suggested we include City Manager's, Town Manager's Assistants to Mayor's as part of this Coalition.

Councilor Kennedy said she does not want to alienate the other communities.

Councilor Huda asked that on Identifying Costs Associated with Tourism and the Impact on Infrastructure Spending and Options to Better Align Hoteliers with Interests and Needs of City that we share the information with the Chamber of Commerce if the report becomes back in a sharable form.

**Motion passed.**

At 9:50 p.m., Mayor Becksted declared a brief recess. At 10:00 p.m., Mayor Becksted call the meeting back to order.

**C. COUNCILOR KENNEDY**

1. Two Policies that were presented at the Budget Work Session:
  - A. Any contract with a value of \$10,000.00 or more will come in front of the Portsmouth City Council for a vote

**Councilor Kennedy moved any contract with a value of \$10,000.00 or more will come in front of the Portsmouth City Council for a vote. Seconded by Assistant Mayor Splaine.**

City Attorney said that this item has City Charter and Ordinance implications. He recommended referring the matter to City Manager Conard for report back on the Charter and Ordinance implications.

Councilor Tabor said he doesn't want too many cooks in the kitchen and the City Manager's job is to bring budget targets in and not take away control from the City Manager on these matters.

**Councilor Kennedy moved to send this matter to City Manager Conard for report back on the Charter and Ordinance implications. Seconded by Assistant Mayor Splaine.**

Councilor Kennedy said this is what the State does and they make sure they know where their funds are going. The State can do it then we can too, it is not micromanaging.

Councilor McEachern said the Executive Council meets on contracts and makes decisions. He is interested in knowing about no bid contracts versus multiple bids on contracts.

Assistant Mayor Splaine said he supports the approach and City Attorney Sullivan would provide his thoughts on this matter. He said there are problems with contracts and they need to be more transparent.



Councilor Whelan said he supports the motion to report back. He said the City Manager works for the residents and the City Council.

Councilor Huda said she would like to gain a better understanding of the process and the Capital Improvement Plan.

**Motion passed. Councilor Lazenby voted opposed.**

- B. Any position that opens up because of retirement or the person is leaving the city employment and will be filled with a new employee must come to the Portsmouth City Council for review

**Councilor Kennedy moved to request a report back from City Manager on any position that opens up because of retirement or person is leaving the city employment and will be filled with a new employee must come to the Portsmouth City Council for review. Seconded by Councilor Huda.**

Councilor Kennedy said she feels it is important and there are concerns for the budget being expressed by residents. She said the City is changing and this is a good way to think about the position before hiring someone. She said this will spark a conversation as to whether the position is needed.

Councilor Tabor said he feels this is a matter between the City Manager and her staff. He said there are over 900 employees and this would take a great deal of City Council time.

Councilor McEachern said he would support it going back to the City Manager to hear about policies and procedures to justify head counts and procedures. He said this might be different when we set the budget. He said we will set a hard and attainable goal instead of justifying how they plan to provide the services twice.

Councilor Lazenby said some of the request made have been a regular part of our budget and include the justification and giving credit to the staff for the work they already do. He said this is overstepping our roll and our Human Resources team. Councilor Lazenby said this process could cause us to lose people.

Assistant Mayor Splaine said he would not expect this to affect the School Department, Police Commission or Fire Commission. He said that this goes hand and hand with what Councilor Huda and Councilor Trace brought forward. He said this would provide more information on an annual basis and we need to look at the report from the City Manager.

Councilor Huda said the point is at budget time and asking departments to project retirements and head counts.

Councilor McEachern said he is looking forward to seeing the process that City Manager Conard will bring forward and hearing about the process that is in place.

Councilor Whelan said in a couple of weeks we will be in the budget process and we need to look at head counts and trust City Manager Conard to come in at a number and manage the City.

**Motion passed. Councilor Lazenby voted opposed.**

2. Growth Management Ordinances = RSA 674:22

**Councilor Kennedy moved to request a report back from staff on where we are in the built pipeline in terms of building permits, what zoning changes will be needed, what are height requirements downtown, and next steps to schedule a work session on this matter. Also, allowing public comment at the beginning of the work session and then again at the end of the work session. Seconded by Councilor Trace.**

Councilor Kennedy said the concern is based on infrastructure and requested other communities to join us. She said she believes we need to examine and formulate a committee in the next 120 days.

Assistant Mayor Splaine thanked Councilor Kennedy for the intent but the more appropriate way would be to ask the Planning Board for insight and we need to all meet together to brain storm on where we are going. He said we need to get a better grip on zoning needs. He said he does not want to see us on February 18<sup>th</sup> to force people to go out and hire attorneys and expend monies. Assistant Mayor Splaine said we should not consider first reading until we know where we are going.

Councilor McEachern said he agrees with Assistant Mayor Splaine's comments and we need to look at this matter. He said we are Portsmouth and have a great group of people to discuss this with.

Councilor Kennedy said not everyone was here this evening that want this put in place.

Councilor Lazenby said in terms of getting further information on wanting to go down a path like this the Economic Development Commission wants to do an impact report on growth in the City.

Councilor Tabor said he is concerned moving down the road of a moratorium. He said there are better ways to address this matter.

Mayor Becksted passed the gavel to Assistant Mayor Splaine.

Mayor Becksted said no one knows what is in the pipe line and what is coming down the path. He said the Planning Department works with projects and what is coming in the next 6-24 months from now. He said you were encouraging on single family homes. He feels we need to continue the discussion for first reading.

Assistant Mayor Splaine returned the gavel to Mayor Becksted.

**Councilor Kennedy moved to continue the meeting beyond 10:30 p.m. Seconded by Assistant Mayor Splaine and voted.**

City Manager Conard said she would provide the information back in her comment and announced the earliest we could schedule a work session would be at the March 2, 2020 City Council meeting.

Councilor McEachern requested to have a presentation preceding the work session.

Councilor Trace said she supports Councilor Kennedy bringing this matter forward. She spoke regarding the Wastewater Treatment Facility and the two lines under Little Bay that need replacement.

**Motion passed.**

**D. COUNCILOR HUDA**

1. Mold Remediation in the Police Areas

**Councilor Huda moved to request the City Manager to provide a status update on the Mold Remediation in the Police Areas (i.e. Current Timeline and Expected Completion Dates) along with asking the appropriate staff to prepare a dollars estimate for the Critical Upgrades needed in the City Hall Facility (i.e. Electrical & Plumbing Upgrades, and Mold Remediation, including a Timeline for Completion). The Goal is to have this Estimate available for Discussion for the February 18, 2020 Public Hearing on the Capital Improvement Plan (CIP). Seconded by Councilor Kennedy and voted.**

3. Request the Publishing of the "Proposed Annual Budget FY2020 Excel Spreadsheets

**Councilor Huda moved to request that City Manager Conard Facilitate the Publishing of the "Proposed Annual Budget Fy2020 Excel Spreadsheets" including the FY2019 Actual Amounts as soon as possible. This is in an effort to promote increased financial transparency and assist the Council with decision making related to the upcoming FY2021 Budget Review Sessions. Seconded by Councilor Kennedy and voted.**

**XII. APPROVAL OF GRANTS/DONATIONS**

*(There are no Approval of Grants/Donations this evening)*

**XVI. CITY MANAGER'S INFORMATIONAL ITEMS**

1. Report Back Re: 24-Hour Warming Centers
2. Bike Share Program

City Manager Conard explained the process used for 24-Hour Warming Centers. She reported we extend hours for the Library as we may need and we consider the demand.

Fire Chief Germain reported that a private entity has approached us to open a warming center. He said there is a small population that do not seek warming centers. He said he and Deputy Chief Howe reviewed the area of the warming center and it would work and we would identify some facilities and groups to run the center and would issue them a 3-day occupancy permit.

City Manager Conard said she would inform the City Council when the policy is in final form.

Councilor Lazenby requested to pull the item on Middle Street Bicycle Lanes – Public Meeting and Request for a Work Session out of the City Manager’s Consent Agenda Items.

City Manager Conard reported that the public meeting will be held on March 2<sup>nd</sup> and a work session would be scheduled for March 23, 2020 in the Council Chambers. She stated meeting notification will be sent to all property owners in the direct area.

**Councilor Lazenby moved to establish a Public Informational Meeting on March 12, 2020 and a City Council Work Session on March 23, 2020 for purposes of reviewing the Middle Street / Lafayette Road bike lanes. Seconded by Councilor Whelan and voted.**

Assistant Mayor Splaine requested information regarding this matter be put on the website and by public announcement.

Councilor Lazenby would like to continue the Bike Share Program but asked how the City no longer pays the \$54,000.00. Planning Director Walker said the goal is to look at ways to withstand the program through private sponsorships and grow the program. She suggested operating one or two stations out of the parking funds. Councilor Lazenby asked the status of the micro-transit. Planning Director Walker said the micro-transit matter is with the Economic Development Commission and the Parking, Traffic and Safety Committee.

Councilor McEachern asked about factors and other means of moving people around. Planning Director Walker said we would want to bring that back to the City Attorney for a policy decision. Councilor McEachern said he would like to see us expand services to other parts of the City. Planning Director Walker said there is an ordinance that regulates scooters and where they can park.

Councilor Kennedy asked if we have had any insurance issues and who obtains the liability. Planning Director Walker said we position ourselves that people join the program. She said parking is where you place the scooter and where you can regulate these.

Councilor Huda said she would like more information on the cost to the City. She asked if you can put numbers to private sponsorships. Planning Director Walker reported that one spot sponsorship is \$9,000.00 - \$10,000.00 and funds are coming from parking revenues. Councilor Huda said she would not support this unless we can go to private sponsorships.

Assistant Mayor Splaine said there is a benefit to a ride share program. Planning Director Walker said that this would be a one year pilot and come from parking funds but not from revenues of the general fund.

Councilor Trace asked if we have checks and balances. Planning Director Walker said that they report to City staff.

Councilor McEachern would like to see other areas in the City that could use this type of program.

### **XIII. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION**

#### **A. CITY MANAGER CONARD CONSENT AGENDA ITEMS**

- Expenditure of Funds from African Burying Ground Trust (***Anticipated action – move to authorize the release of up to \$10,450.00 from the African Burying Ground Trust for genome sequencing and forensic genealogy***)
- Construction License – 135 Congress Street (***Anticipated action 0 move to authorize the City Manager to execute and accept the temporary construction license regarding 135 Congress Street as submitted***)

**Councilor Kennedy moved adopt the Consent Agenda. Seconded by Councilor McEachern and voted.**

### **XIV. CONSENT AGENDA**

- A. Letter from Richard Mason, Seacoast Veterans Count, requesting permission to hold the 8<sup>th</sup> annual “Salute our Soldiers” Gala event on Saturday, May 2, 2020 at 4:00 p.m. (***Anticipated action – move to refer to the City Manager with authority to act***)
- B. Letter from Thomas Haslam, St. John’s Lodge, requesting permission to hold the annual 5K Road Race on Saturday, April 11, 2020 at 8:00 a.m. (***Anticipated action – move to refer to the City Manager with authority to act***)
- C. Request for a Water Service Access Easement (***Anticipated action – move to grant authority for the City Manager to accept the Easement Deed in a form similar to those provided in the City Manager memorandum dated January 29, 2020***)

**Councilor McEachern to adopt the Consent Agenda. Seconded by Councilor Lazenby and voted.**

### **XVII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING**

Assistant Mayor Splaine said we need a Non-Public Session regarding the McIntyre and how to address the matter.

Mayor Becksted said we would set a date for this and it would take place sooner than later.

**Assistant Mayor Splaine moved to hold an anticipated Non-Public Session with City Attorney Sullivan and City Manager Conard on Monday, February 10, 2020 at 6:00 p.m. regarding the McIntyre Project. Seconded by Councilor Lazenby and voted.**

Councilor Lazenby said he would like to clarify what happened last week and asked if there was a session on the McIntyre last week and whether an additional conversation took place with City Attorney Sullivan. He said he is concerned not having the full City Council involved.

Mayor Becksted said he finds that offensive.

**XVIII. ADJOURNMENT**

**At 11:15 p.m., Mayor Becksted voted to adjourn. Seconded by Councilor Kennedy and voted.**

A handwritten signature in black ink that reads "Kelli L. Barnaby". The signature is written in a cursive, flowing style.

KELLI L. BARNABY, MMC/CNHMC  
CITY CLERK

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, April 6, 2020 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH on a proposed Resolution Authorizing a Bond Issue, and/or Notes, or Execution of Lease Purchase Agreement of up to One Million Four Hundred Thousand (\$1,400,000.00) Dollars for the Acquisition of One Fire Apparatus. The complete Resolution is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

Kelli L. Barnaby, MMC, CNHMC  
City Clerk

LEGAL NOTICE  
NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, April 6, 2020 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH on a proposed Resolution Authorizing a Bond Issue, and/or Notes, or Execution of Lease Purchase Agreement of up to One Million Four Hundred Thousand (\$1,400,000.00) Dollars for the Acquisition of One Fire Apparatus. The complete Resolution is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

Kelli L. Barnaby, MMC, CNHMC  
City Clerk

PM00492050

**THE CITY OF PORTSMOUTH  
TWO THOUSAND TWENTY  
PORTSMOUTH, NH**

**RESOLUTION # 20-**

**A RESOLUTION AUTHORIZING A BOND ISSUE, AND/OR NOTES, OR EXECUTION OF LEASE PURCHASE AGREEMENT OF UP TO ONE MILLION FOUR HUNDRED THOUSAND (\$1,400,000) DOLLARS FOR THE ACQUISITION OF ONE FIRE APPARATUS.**

**BE IT RESOLVED:**

**THAT** the sum of **One Million Four Hundred Thousand (\$1,400,000) Dollars** be and is hereby appropriated for the acquisition of one Fire Apparatus.

**THAT** in order to meet said appropriation the City Treasurer, with approval of the City Manager, is authorized to borrow, on a competitive or negotiated basis, up to **One Million Four Hundred Thousand (\$1,400,000) Dollars** through the issue of bonds and/or notes of the City under the Municipal Finance Act and/or the execution of lease purchase agreements.

**THAT** the expected useful life of the fire apparatus is determined to be at least 10 years.

**THAT** this resolution shall take effect upon its passage.

**APPROVED BY:**

\_\_\_\_\_  
**RICK BECKSTED, MAYOR**

**ADOPTED BY CITY COUNCIL**

\_\_\_\_\_  
**KELLI BARNABY, CMC/CNHMC**

**CITY CLERK**





# Portsmouth Fire Department

---

*Administration*

**To:** City Manager Karen Conard

**From:** Fire Chief Todd Germain

**Date:** 3/11/2020

**Re:** Authorization for early purchase of replacement aerial platform

---

Ms. Conard,

I write to formally request a public hearing on April 6, 2020 to begin the borrowing authorization process to enter into a contract with Greenwood Fire Apparatus for the purchase of a 2020 E-One Rear Mount Model 95 Platform truck for \$1,334,476. As you are aware, it is part of the FY21 CIP which was adopted by the City Council at its March 2, 2020 meeting. I have been informed by Greenwood Fire Apparatus that a price increase of 2.5% will occur on April 30, 2020. Securing authorization to order this vehicle prior to that date will save the City approximately \$33,000 and allow a three month head start on a fourteen month build out for this particular model apparatus.

Please reach out with questions.

Chief Germain

*Department Memorandum*

**VE-20-FD-02: VEHICLE REPLACEMENT – LADDER 2**

|                            |                                      |
|----------------------------|--------------------------------------|
| Department                 | Fire Department                      |
| Project Location           | Station 2<br>(3010 Lafayette Rd)     |
| Project Type               | Replacement or Purchase of a Vehicle |
| Commence FY                | 2021                                 |
| Priority                   | A (needed within 0 to 3 years)       |
| Impact on Operating Budget | Reduce (will reduce Operating Costs) |

| Evaluation Criteria   | Satisfy |
|---|---------|
| Identified in Planning Document or Study – <a href="#">Self-Assessment of FD Operations: April 2015</a> | Y       |
| Improves Quality of Existing Services   | Y       |
| Provides Added Capacity to Existing Services  |         |
| Addresses Public Health or Safety Need  | Y       |
| Reduces Long-Term Operating Costs   | Y       |
| Alleviates Substandard Conditions or Deficiencies   |         |
| Provides Incentive to Economic Development  |         |
| Responds to Federal or State Requirement  |         |
| Eligible for Matching Funds with Limited Availability   |         |



**Description:** This project continues the CIP Rolling Stock Replacement Program for large apparatus. This allocation will purchase a new 95' aerial / platform truck with a 4-person cab with medical compartments, a minimum of a 2,000 GPM pump, and related equipment to replace this 2005 E-1 Ladder Truck. Funds include complete set-up including radio, lettering and striping as well as equipment.

- Useful Website Links:
- [Portsmouth Fire Department Homepage](#)
  - [FY20-25 CIP page](#)

|             |        | FY21        | FY22 | FY23 | FY24 | FY25 | FY26 | Totals 21-26 | 6 PY's Funding | Totals      |
|-------------|--------|-------------|------|------|------|------|------|--------------|----------------|-------------|
| GF          | 0%     |             |      |      |      |      |      | \$0          | \$0            | \$0         |
| Fed/ State  | 0%     |             |      |      |      |      |      | \$0          | \$0            | \$0         |
| Bond/ Lease | 100%   | \$1,400,000 |      |      |      |      |      | \$1,400,000  | \$0            | \$1,400,000 |
| Other       | 0%     |             |      |      |      |      |      | \$0          | \$0            | \$0         |
| Revenues    | 0%     |             |      |      |      |      |      | \$0          | \$0            | \$0         |
| PPP         | 0%     |             |      |      |      |      |      | \$0          | \$0            | \$0         |
|             | Totals | \$1,400,000 | \$0  | \$0  | \$0  | \$0  | \$0  | \$1,400,000  | \$0            | \$1,400,000 |

**PUBLIC HEARING NOTICE  
CITY COUNCIL  
PORTSMOUTH, NEW HAMPSHIRE**

**NOTICE IS HEREBY GIVEN** that the City Council will hold a public hearing on a petition from Cate Street Development LLC to discontinue a portion of Cate Street on **Monday, April 6, 2020**, starting at **7:00 pm** in the Eileen Dondero Foley Council Chambers, City Hall, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire.

Discontinuance is conditioned upon the discontinued portion of the road being kept open, maintained, and unmodified by the owners of the northerly abutting parcels (Tax Map 163, Lots 33 and 34), specifically, Cate Street Development, LLC, and their successors, until such time as the travel lanes of the new, proposed public road, also to be known as Cate Street, are completely constructed and open for public use.

Further details on this petition, including the portion of Cate Street proposed to be discontinued as well as the proposed new road that will replace it, are available for review in the Planning Department's office at 3<sup>rd</sup> floor, City Hall (1 Junkins Avenue, Portsmouth, NH) or on the web at <https://www.cityofportsmouth.com/planportsmouth/428-route-1-bypass-west-end-yards>.

Members of the public are invited to attend the meeting in person or by counsel or agent and state reasons why the above petition should or should not be granted.

**NOTICE RELATED TO THE CURRENT STATE OF EMERGENCY**

Due to the evolving COVID-19 situation, the City of Portsmouth will continue to make adjustments to public meetings based on current health advisories. At present, emergency measures strongly encourage people not to gather in groups, so members of the public are requested to watch scheduled municipal meetings at home on Channel 22 Comcast (live-streamed on YouTube) and not attend in person. Those interested in providing comment during City Council public meetings are encouraged to submit comments to the City Council online or mail written comments in lieu of attending. To submit comments online, go to <https://www.cityofportsmouth.com/citycouncil/contact-all-city-councilors>. Comments received will be made part of the official record. Upcoming meetings may be modified or postponed, according to evolving circumstances. Please be sure to check the City's web page -- <https://www.cityofportsmouth.com/citycouncil> -- or contact the City Clerk's office directly at (603) 610-7245 to find out if a meeting has been postponed.

**NOTICE TO MEMBERS OF THE PUBLIC WHO ARE HEARING IMPAIRED**

If you wish to attend a meeting and need assistance, please contact the Human Resources Office at (603) 610-7270 one week prior to the meeting.

**BOSEN & ASSOCIATES, P.L.L.C.**  
**ATTORNEYS AT LAW**

**John K. Bosen**  
Admitted in NH & MA

**Christopher P. Mulligan**  
Admitted in NH & ME

**Molly C. Ferrara**  
Admitted in NH & ME

**Bernard W. Pelech**  
Admitted in NH & ME

March 10, 2020

The Honorable Rick Beckstead, Mayor  
Portsmouth Municipal Complex  
1 Junkins Avenue  
Portsmouth, N.H. 03801

Re: Cate Street Relocation

Dear Mayor Beckstead and Members of the City Council

As you are aware, for the past 25 years the City has pursued a goal of connecting the Route #1 ByPass with Bartlett Street to take traffic (including truck traffic) off Woodbury Avenue and provide a more convenient access to the Islington Street area. That goal became a reality when the owners of the land necessary for this connector entered into a land swap agreement with the City and as a result, construction is now underway.

In addition to the traffic relief that the relocated roadway will provide, the agreement with the City will add a vital link in the City's long standing goal of protecting and enhancing Hodgson Brook. The amount of pavement in the area will be significantly reduced and all of the surface water run off that now flows directly into the brook will be treated. The project will also allow for a multiuse path along the brook.

As part of the process for the relocation and construction of a new roadway, the existing roadway must be technically "discontinued." To address that requirement, I have prepared a "Petition to Discontinue." I respectfully request that this Petition be placed on the March 16 Council agenda for informational purposes and placed

on the April 6, City Council Agenda for consideration. All of the abutters to the existing roadway will be given certified mail notice of the April 6 meeting.

Sincerely,



John K. Bosen

**PETITION FOR DISCONTINUANCE OF A PORTION OF THE PUBLIC HIGHWAY  
KNOWN AS CATE STREET**

**TO THE HONORABLE MAYOR  
AND CITY COUNCIL OF THE CITY OF PORTSMOUTH:**

The undersigned respectfully represents that for the accommodation of the public there is occasion for discontinuing completely and absolutely that portion of the public highway known as Cate Street described and depicted on Exhibit A attached hereto, which is incorporated by reference herein and made a part hereof.

Discontinuance is conditioned upon the discontinued portion of the road being kept open, maintained, and unmodified by the owners of the northerly abutting parcels (Tax Map 163, Lots 33 and 34) to which title to the underlying fee of the northerly half of the road will revert, specifically, Cate Street Development, LLC, and their successors, until such time as the travel lanes of the new, proposed public highway, also to be known as Cate Street, as shown on the plan attached as Exhibit A hereto, are completely constructed and open for public use.

Due to the ancient age of the existing public highway known as Cate Street, no prior layout by the City of Portsmouth nor deed conveying title thereto was found.

The undersigned therefore requests that the Mayor and City Council discontinue the within-described portion of the public highway known as Cate Street, subject to the within conditions.

CATE STREET DEVELOPMENT, LLC

By:   
Name: Jay Bisognano  
Title: Manager

ABUTTERS

TAX MAP 158, LOT 13  
SLATTERY & DUMONT, LLC  
66 OLD CONCORD TURNPIKE #10  
BARRINGTON, NH 03825  
R.C.R.D. BOOK 3471, PAGE 196

TAX MAP 163, LOT 37  
CITY OF PORTSMOUTH  
PO BOX 628  
PORTSMOUTH, NH 03802  
R.C.R.D. BOOK 2284 PAGE 812

TAX MAP 165, LOT 1  
CATE STREET LLC  
105 BARTLETT STREET  
PORTSMOUTH, NH 03801  
R.C.R.D. BOOK 5903 PAGE 1436

TAX MAP 174, LOT 14  
AER RE LLC  
185 COTTAGE STREET  
PORTSMOUTH, NH 03801  
R.C.R.D. BOOK 5965, PAGE 2216

TAX MAP 234, LOT 51  
MEADOWBROOK INN CORP.  
C/O PORTSMOUTH CHEVROLET  
549 ROUTE 1 BYPASS  
PORTSMOUTH, NH 03801  
R.C.R.D. BOOK 2382, PAGE 1968

TAX MAP 163, LOT 1  
M & B PROPERTIES, LLC  
54 BARTLETT STREET  
PORTSMOUTH, NH 03801  
R.C.R.D. BOOK 5794, PAGE 996

TAX MAP 165, LOT 14  
BOSTON AND MAINE CORP  
IRON HORSE PK HIGH ST  
NO BILLERICA, MA 01862  
R.C.R.D. BOOK PAGE

TAX MAP 233, LOT 145  
CITY OF PORTSMOUTH  
1 JUNKINS AVENUE  
PORTSMOUTH, NH 03801  
R.C.R.D. BOOK 5127, PAGE 2074

TAX MAP 172, LOT 2  
406 HIGHWAY 1 BYPASS, LLC  
549 US HIGHWAY 1 BYPASS  
PORTSMOUTH, NH 03801  
R.C.R.D. BOOK 5671 PAGE 2150

TAX MAP 234, LOT 2A  
PUBLIC SERVICE CO. OF NH  
PO BOX 270  
HARTFORD, CT 06141  
R.C.R.D. BOOK 1257, PAGE 324

TAX MAP 163, LOT 2  
INDUSTRIAL RENTS-NH, LLC  
6 WAYNE ROAD  
WESTFORD, MA 01886  
R.C.R.D. BOOK 5606, PAGE 2334

TAX MAP 164, LOT 2  
PORTSMOUTH LUMBER & HARDWARE, LLC  
105 BARTLETT STREET  
PORTSMOUTH, NH 03801  
R.C.R.D. BOOK 5808, PAGE 1379

TAX MAP 172, LOT 2  
406 HIGHWAY 1 BYPASS, LLC  
549 US HIGHWAY 1 BYPASS  
PORTSMOUTH, NH 03801  
R.C.R.D. BOOK 5671 PAGE 2150

TAX MAP 234, LOT 3  
PUBLIC SERVICE CO. OF NH  
PO BOX 270  
HARTFORD, CT 06141  
R.C.R.D. BOOK 5548, PAGE 738

TAX MAP 163, LOT 32  
SHARAN R. GROSS REV. TRUST  
180 BIRCH HILL RD  
YORK, ME 03909  
R.C.R.D. BOOK 5261 PAGE 2208  
R.C.R.D. BOOK 3406 PAGE 1383

TAX MAP 164, LOT 4  
BOSTON & MAINE CORP.  
IRON HORSE PARK, HIGH STREET  
NO. BILLERICA, MA 01862

TAX MAP 173, LOT 3  
EDGAR W. & JANICE E. ANDERSON  
224 CATE ST  
PORTSMOUTH, NH 03801  
R.C.R.D. BOOK 2956 PAGE 1071

TAX MAP 234, LOT 3  
PUBLIC SERVICE CO. OF NH  
PO BOX 270  
HARTFORD, CT 06141  
R.C.R.D. BOOK 5548, PAGE 738

TAX MAP 163, LOT 35  
ELDRIDGE BREWERY REALTY PARTNERSHIP  
1 CATE ST  
PORTSMOUTH, NH 03801  
R.C.R.D. BOOK 2572 PAGE 2635

TAX MAP 164, LOT 5  
HOUSTON HOLDINGS, LLC  
653 ISLINGTON STREET  
PORTSMOUTH, NH 03801  
R.C.R.D. BOOK 3558, PAGE 464

TAX MAP 173, LOT 9  
PAUL J. HOLLOWAY  
C/O COAST POINTAC  
500 US HWY 1 BYPASS  
PORTSMOUTH, NH 03801  
R.C.R.D. BOOK 3107, PAGE 950

TAX MAP 234, LOT 5  
SEACOAST DEVELOPMENT GROUP, LLC  
505 US ROUTE 1 BYPASS  
PORTSMOUTH, NH 03801  
R.C.R.D. BOOK 3107, PAGE 950

TAX MAP 163, LOT 36  
CST HOLDINGS, LLC  
3 CATE ST  
PORTSMOUTH, NH 03801  
R.C.R.D. BOOK 3923 PAGE 202

TAX MAP 164, LOT 12  
JOSEPH GOBBI SUPPLY CORP.  
PO BOX 125  
PORTSMOUTH, NH 03802  
R.C.R.D. BOOK 3233, PAGE 1949

TAX MAP 173, LOT 10  
AREC 13, LLC C/O U-HAUL INTERNATIONAL  
PO BOX 29046  
PHOENIX, AZ 85038  
R.C.R.D. BOOK 4575 PAGE 950

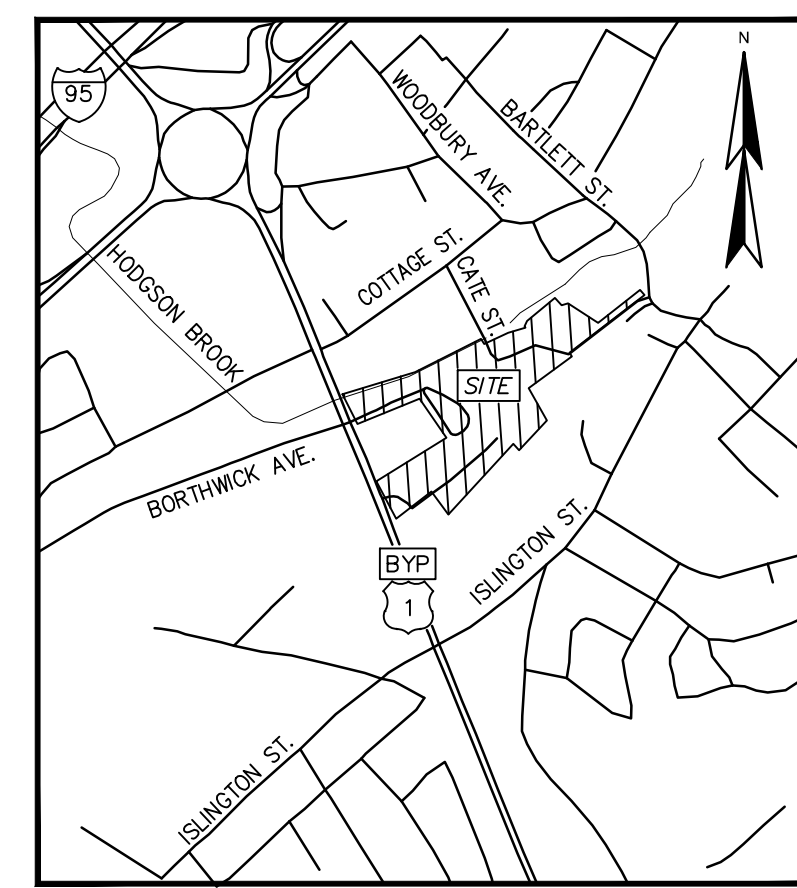
TAX MAP 234, LOT 7-6  
CRETHI WARAMAUG PORTSMOUTH, LLC  
C/O CTMI, LLC  
PO BOX 741328  
DALLAS, TX 75374  
R.C.R.D. BOOK 5620, PAGE 1675

NOTES:

1. REFERENCE: TAX MAP 163, LOT 33 - 12,230 SF OR 0.28 AC.  
TAX MAP 163, LOT 34 - 64,109 SF OR 1.47 AC.  
  
TAX MAP 165, LOT 2  
TAX MAP 172, LOT 1  
TAX MAP 173, LOT 2  
COMBINED AREA - 451,572 SF OR 10.37 AC.
2. OWNER OF RECORD: CATE STREET DEVELOPMENT LLC  
11 ELKINS STREET, SUITE 420  
BOSTON, MA 02127  
R.C.R.D. BOOK 5959, PAGE 109
3. ZONES: GW1-GATEWAY NEIGHBORHOOD MIXED USE CORRIDOR (SEE CITY OF PORTSMOUTH ZONING ORDINANCE FOR DIMENSIONAL REQUIREMENTS. SUBJECT LOTS WERE REZONED TO GW1 ON DECEMBER 4, 2017 PER SAID ORDINANCE.)  
  
-SEE SITE PLANS FOR DIMENSIONAL REQUIREMENTS AND DEVELOPMENT SITE STANDARDS.
4. FIELD SURVEY PERFORMED BY P.J.S. & J.C.M. DURING NOVEMBER 2016 USING A TRIMBLE S6 TOTAL STATION, A TRIMBLE R8 SURVEY GRADE GPS UNIT, A TRIMBLE TSC3 DATA COLLECTOR AND A SOKKIA B21 AUTO LEVEL, BY L.P.S. & S.N.F. DURING JULY 2018 AND T.M.M. & J.C.M. IN SEPTEMBER & OCTOBER 2018 USING A TRIMBLE S6 TOTAL STATION WITH A TRIMBLE TSC3 DATA COLLECTOR. TRAVERSE ADJUSTMENT BASED ON LEAST SQUARE ANALYSIS. ADDITIONAL FIELD SURVEY PERFORMED BY M.C. DURING NOVEMBER 2016 AND OCTOBER 2018 USING A LEICA HDS SCANNER.
5. THE LIMITS OF JURISDICTIONAL WETLANDS WERE DELINEATED BY MARC JACOBS IN NOVEMBER 2016 AND REVIEWED BY GOVE ENVIRONMENTAL SERVICES, INC. DURING APRIL 2018 IN ACCORDING TO THE US ARMY CORPS OF ENGINEERS WETLAND DELINEATION MANUAL, TECHNICAL REPORT Y-87-1, JANUARY 1987 AND REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, VERSION 2.0, JANUARY 2102 AND FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND, VERSION 4, MAY 2017, NEW ENGLAND HYDRIC SOILS TECHNICAL COMMITTEE.

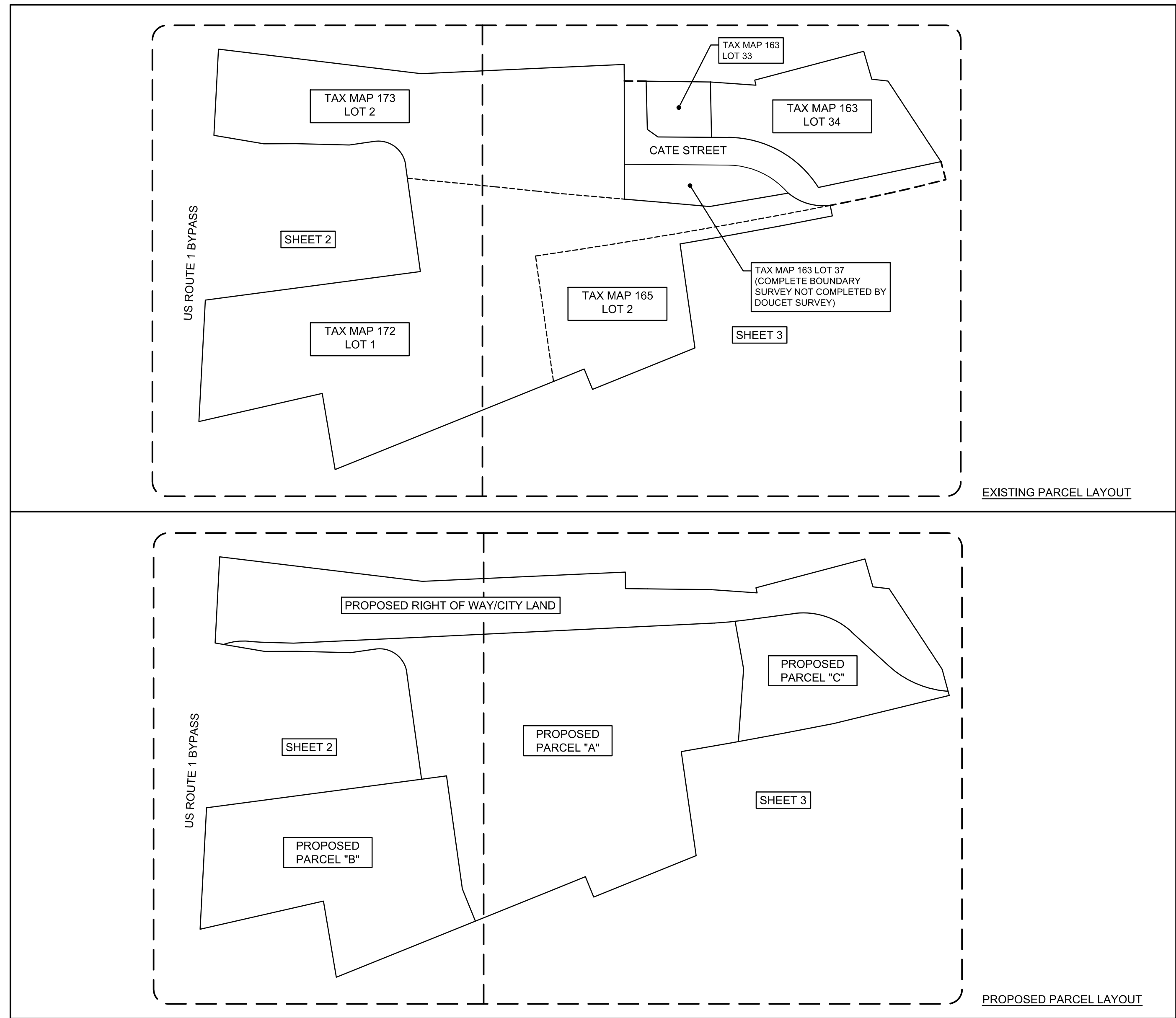
6. FLOOD HAZARD ZONE: "X", PER FIRM MAP #33015C0259E, DATED 5/17/05.
7. VERTICAL DATUM IS BASED ON NGVD29 PER DISK V 28 1942 ELEV. 25.59.
8. HORIZONTAL DATUM BASED ON NEW HAMPSHIRE STATE PLANE(2800) NAD83(2011) DERIVED FROM REDUNDANT GPS OBSERVATIONS UTILIZING THE KEYNET GPS VRS NETWORK.
9. THE INTENT OF THIS PLAN IS TO SHOW THE LOCATION OF BOUNDARIES IN ACCORDANCE WITH AND IN RELATION TO THE CURRENT LEGAL DESCRIPTION, AND IS NOT AN ATTEMPT TO DEFINE UNWRITTEN RIGHTS, DETERMINE THE EXTENT OF OWNERSHIP, OR DEFINE THE LIMITS OF TITLE.
10. DUE TO THE COMPLEXITY OF RESEARCHING ROAD RECORDS AS A RESULT OF INCOMPLETE, UNORGANIZED, INCONCLUSIVE, OBLITERATED, OR LOST DOCUMENTS, THERE IS AN INHERENT UNCERTAINTY INVOLVED WHEN ATTEMPTING TO DETERMINE THE LOCATION AND WIDTH OF A ROADWAY RIGHT OF WAY. THE EXTENT OF (THE ROAD(S)) AS DEPICTED HEREON IS/ARE BASED ON RESEARCH CONDUCTED AT THE PORTSMOUTH CITY HALL, PORTSMOUTH DEPARTMENT OF ENGINEERING, THE ROCKINGHAM COUNTY REGISTRY OF DEEDS, AND THE NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION.
11. FINAL MONUMENTATION MAY BE DIFFERENT THAN THE PROPOSED MONUMENTATION SHOWN HEREON, DUE TO THE FACT THAT SITE CONDITIONS WILL DICTATE THE ACTUAL LOCATION AND TYPE OF MONUMENTS INSTALLED IN THE FIELD. PLEASE REFER TO EITHER THE "MONUMENTATION LOCATION PLAN" TO BE RECORDED OR CONTACT DOUCET SURVEY FOR CLARIFICATION OF MONUMENTS SET. (A RECORDED PLAN WILL BE PRODUCED AT THE DISCRETION OF DOUCET SURVEY).

-SEE SHEET 4 FOR NOTES 12 & 13 SPECIFIC TO EXISTING AND PROPOSED EASEMENT.  
-SEE SHEET 7 FOR NOTES SPECIFIC TO EXISTING CONDITIONS.



REFERENCE PLANS

1. "MAINE-NEW HAMPSHIRE INTERSTATE BRIDGE AUTHORITY, PISCATAQUA RIVER BRIDGE, KITTERY, MAINE-PORTSMOUTH, NEW HAMPSHIRE, RIGHT OF WAY MAPS, N.H. APPROACH, BY ALBERT MOULTON, CE, DATED 1954, ON FILE A THE NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION.
2. "PLAT OF LAND U.S. ROUTE 1 BY-PASS PORTSMOUTH, NEW HAMPSHIRE FOR GRIFFIN FAMILY CORP.", BY DURGIN, VERRA AND ASSOCIATES, INC., DATED JANUARY 20, 1992, RECEIVED FROM THE OFFICE OF JAMES VERRA.
3. "LOT LINE REVISION U.S. ROUTE ONE BY-PASS, PORTSMOUTH, N.H. FOR WIGGIN, PARSONS, & O'BRIEN, BY JOHN W. DURGIN ASSOCIATES, INC., DATED JANUARY 22, 1982, R.C.R.D. PLAN D-10722.
4. "PLAN OF LAND FOR JOSEPH J. O'BRIEN JR. & SR., CATE STREET/ROUTE 1 BY-PASS, PORTSMOUTH, N.H., BY RICHARD P. MILLETTE AND ASSOCIATES, DATED NOVEMBER 17, 1988, R.C.R.D. PLAN D-19110.
5. "LAND IN PORTSMOUTH, N.H., BOSTON AND MAINE RAILROAD TO ALL STATE REALTY CORPORATION", BY BRENTON V. SCHOFIELD, DATED FEBRUARY 1964, R.C.R.D. PLAN 160.
6. "LOT LINE RELOCATION PLAN FOR U-HAUL REAL ESTATE COMPANY AND FRANCIS J. COSTELLO CATE STREET/ROUTE 1 BY-PASS, PORTSMOUTH, N.H.", BY RICHARD P. MILLETTE AND ASSOCIATES, DATED MAY 25, 1995, R.C.R.D. PLAN D-24912.
7. "SUBDIVISION OF LAND HEIRS OF CORNELIUS COAKLEY", BY MCKENNA ASSOCIATES, DATED JULY 26, 1972, R.C.R.D. PLAN D-3790.
8. "LOT LINE REVISION PORTSMOUTH, N.H. FOR MICHAEL A. PAGANO", BY JOHN W. DURGIN ASSOCIATES, DATED JUNE 26, 1981, R.C.R.D. PLAN D-10278.
9. "SITE PLAN OF ELDRIDGE PARK WEST PREPARED FOR ELDRIDGE BREWERY REALTY PARTNERSHIP", BY KIMBALL CHASE COMPANY, INC., DATED JULY 23, 1987, R.C.R.D. PLAN D-16894.
10. "PLAN OF LAND OF FRANK JONES BREWING CORP. & PAUL C. BADGER & NORMAN E. RAND PORTSMOUTH, N.H.", BY JOHN W. DURGIN, CIVIL ENGINEERS, DATED SEPTEMBER 1950, R.C.R.D. PLAN 01635.
11. "LOT LINE ADJUSTMENT PLAN FOR LAND OWNED BY SHARON R. GROSS REVOCABLE TRUST, KNOWN AS TAX MAP 163, LOT 31 & 32 LOCATED ALONG #201 & 235 CATE STREET", BY KNIGHT HILL LAND SURVEYING SERVICES, INC., DATED JULY 28, 2011, R.C.R.D. PLAN D-37021.
12. "SITE REVIEW PLAN FOR LAND OWNED BY SHARON R. GROSS REVOCABLE TRUST, KNOWN AS TAX MAP 163, LOT 32 LOCATED ALONG #201 & CATE STREET", BY KNIGHT HILL LAND SURVEYING SERVICES, INC., DATED DECEMBER 2002, R.C.R.D. PLAN D-30850.
13. "PLAN SHOWING DIVISION OF ELDRIDGE BREWING CO. LOT IN PORTSMOUTH, N.H. OWNED BY ALBERT HISLOP", BY WM A. GROVER, DATED DECEMBER 11, 1918, R.C.R.D. PLAN 18.
14. "PLAN OF LAND PORTSMOUTH, N.H. ATLANTIC REALTY CORP. TO KITTERY LAUNDRY, INC.", BY JOHN W. DURGIN, DATED AUGUST 1964, R.C.R.D. PLAN 300.
15. "CITY OF PORTSMOUTH, N.H. DEFENSE HOMES SEWER LOCATION PLAN", BY JOHN W. DURGIN DATED MAY 1961, R.C.R.D. PLAN 1106.
16. "LAND IN PORTSMOUTH, N.H. BOSTON AND MAINE RAILROAD TO M.H. PARSONS & SONS LUMBER COMPANY, INC.", R.C.R.D. BOOK 1267, PAGE 16.
17. "PLAN OF LAND PORTSMOUTH, N.H. FOR M.H. PARSONS REALTY CORP.", BY JOHN W. DURGIN, DATED DECEMBER 1956, R.C.R.D. BOOK 1431, PAGE 275.
18. "SITE PLAN PORTSMOUTH, N.H. PREPARED FOR U-HAUL OF N.H. AND VT., INC.", BY JOHN W. DURGIN, DATED JUNE 4, 1980, R.C.R.D. PLAN D-9642.
19. "STANDARD PROPERTY SURVEY & PROPOSED SIDEWALK EASEMENT FOR THE CITY OF PORTSMOUTH FOR PROPERTY AT 185 COTTAGE STREET OWNED BY COLMAN C. GARLAND", BY EASTERLY SURVEYING, INC., SAIED NOVEMBER 30, 2012, R.C.R.D. PLAN D-38047.
20. "PLOT PLAN FOR MARIAN M. BADGER, PORTSMOUTH, N.H.", BY JOHN W. DURGIN, DATED JULY 1973, RECIEVED FROM THE OFFICE OF JAMES VERRA.
21. "LAND ON CATE STREET, PORTSMOUTH, N.H., BADGER & RAND TO PORTSMOUTH POWER CO.", BY JOHN W. DURGIN, DATED JANUARY 8, 1926, RECEIVED FROM THE OFFICE OF JAMES VERRA.
22. "RIGHT-OF-WAY AND TRACK MAP BOSTON AND MAINE R.R. OPERATED BY THE BOSTON & MAINE R.R., STATION 2928+05 TO 2966+20", DATED JUNE 30, 1914, ON FILE AT THE NH DEPARTMENT OF TRANSPORTATION.
23. "ALTA/ACSM LAND TITLE SURVEY, TAX MAP 234, LOT 51 PROPERTY OF THE MEADOWBROOK INN CORPORATION", BY MSC CIVIL ENGINEERS & LAND SURVEYORS, DATED DECEMBER 2, 2018, R.C.R.D. PLAN D-36980.
24. "LOT LINE REVISION PLAN TAX MAP R-34 LOTS 6 & 7-6, LOCATED ON BORTHWICK AVE., COAKLEY ROAD AND U.S. ROUTE 1 BYPASS IN PORTSMOUTH, NH", BY KIMBALL CHASE, DATED OCTOBER 20, 1993, R.C.R.D. PLAN D-22686.
25. "PLAN OF LAND FOR SEACOAST DEVELOPMENT GROUP, LLC, US ROUTE 1 BYPASS & COAKLEY ROAD, PORTSMOUTH, NH", BY MILLETTE, SPRAGUE & COLWELL, INC., DATED JUNE 7, 2002, R.C.R.D. PLAN D-30041.
26. "LOT LINE REVISION PLAN LAND OF SEARAY REALTY, LLC", BY DOUCET SURVEY, INC., DATED MARCH 12, 2014, R.C.R.D. PLAN D-38435.
27. "STANDARD PROPERTY SURVEY & PROPOSED SIDEWALK EASEMENT FOR THE CITY OF PORTSMOUTH FOR PROPERTY AT 185 COTTAGE STREET PORTSMOUTH, NH OWNED BY COLMAN C. GARLAND", BY NORTH EASTERLY SURVEYING, INC., DATED NOVEMBER 30, 2012, R.C.R.D. PLAN D-38017.
28. "PLAN OF A LOT OF LAND BELONGING TO FRANK JONES", DATED JULY 1901, R.C.R.D. PLAN 223.
29. "MEADOWBROOK INN CONDOMINIUM SITE PLAN, MAP 234, LOT 51 IN PORTSMOUTH, NH, PREPARED FOR THE MEADOWBROOK INN CORPORATION", BY VANASSE HANGEN BRUSTLIN, INC., DATED SEPTEMBER 25, 2009, R.C.R.D. PLAN D-36162.
30. "PROPOSED EASEMENTS - BARTLETT STREET, BARTLETT SEWER SEPARATION PROJECT OVER LAND OF PAN AM RAILWAYS, PORTSMOUTH, NH FOR CITY OF PORTSMOUTH", BY JAMES VERRA AND ASSOCIATES, INC., DATED OCTOBER 1, 2007, R.C.R.D. PLAN D-35477.
31. "EASEMENT PLAN - 653 ISLINGTON STREET, BARTLETT SEWER SEPARATION PROJECT OVER LAND OF HOUSTON HOLDINGS, LLC", BY JAMES VERRA AND ASSOCIATES, INC., DATED JUNE 22, 2009, R.C.R.D. PLAN D-35957.
32. "LAND TRANSFER AND EASEMENT PLAN, 30 CATE STREET PORTSMOUTH, NH OWNED BY MERTON ALAN INVESTMENTS, LLC", BY TF MORAN/MSC, DATED OCTOBER 31, 2017, R.C.R.D. PLAN D-40742.
33. "LAND IN PORTSMOUTH, N.H. BARTLETT & CATE STREET", BY JOHN W. DURGIN CIVIL ENGINEER, DATED JULY 1924, R.C.R.D. PLAN 0133.



APPROVED FOR THE RECORD  
CHAIRMAN PORTSMOUTH PLANNING BOARD DATE

I CERTIFY THAT THIS SURVEY AND PLAN WERE PREPARED BY ME OR BY THOSE UNDER MY DIRECT SUPERVISION AND FALLS UNDER THE URBAN SURVEY CLASSIFICATION OF THE NH CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS. I CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. RANDOM TRAVERSE SURVEY BY TOTAL STATION, WITH A PRECISION GREATER THAN 1:15,000.

\_\_\_\_\_, L.L.S. #989  
\_\_\_\_\_, DATE

THE CERTIFICATIONS SHOWN HEREON ARE INTENDED TO MEET REGISTRY OF DEED REQUIREMENTS AND ARE NOT A CERTIFICATION TO TITLE OR OWNERSHIP OF PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE ACCORDING TO CURRENT TOWN ASSESSORS RECORDS.

SUBDIVISION & EASEMENT PLAN FOR CATE STREET DEVELOPMENT LLC OF TAX MAP 163, LOTS 33 & 34 TAX MAP 165, LOT 2 TAX MAP 172, LOT 1 TAX MAP 173, LOT 2 CATE STREET & US ROUTE 1 BYPASS PORTSMOUTH, NEW HAMPSHIRE

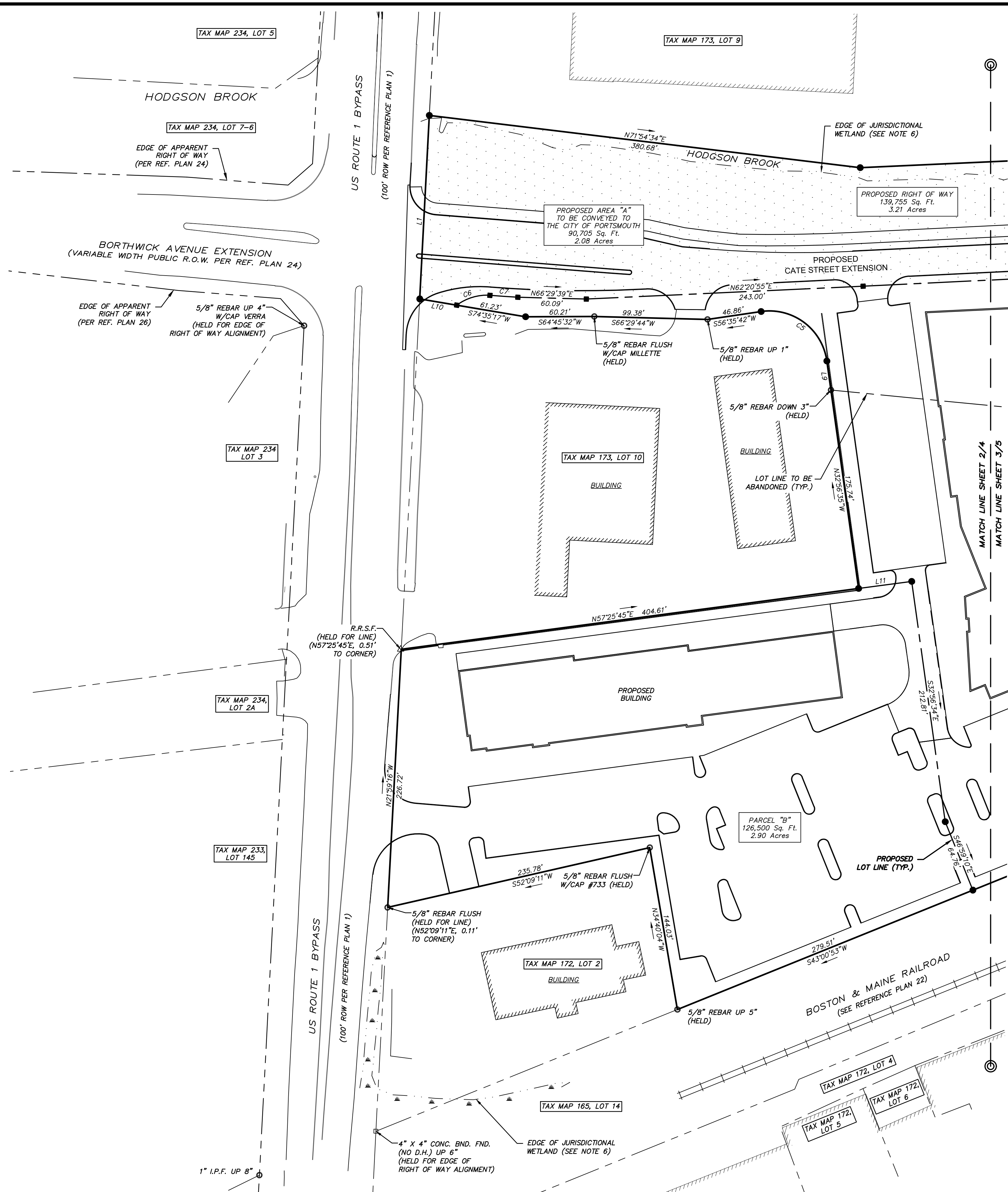
| NO. | DATE     | DESCRIPTION              | BY  |
|-----|----------|--------------------------|-----|
| 4   | 11/14/19 | REVISE EASEMENTS         | MWF |
| 3   | 9/30/19  | ADD ADDITIONAL TOPO      | MTL |
| 2   | 9/6/19   | ADD ADDITIONAL EASEMENTS | MWF |
| 1   | 8/19/19  | ADD ADDITIONAL EASEMENTS | MWF |

|             |        |              |              |
|-------------|--------|--------------|--------------|
| DRAWN BY:   | M.W.F. | DATE:        | JULY 3, 2019 |
| CHECKED BY: | W.J.D. | DRAWING NO.: | 5517D        |
| JOB NO.:    | 5517   | SHEET        | 1 OF 12      |

**DOUCET SURVEY**  
Serving Your Professional Surveying & Mapping Needs  
102 Kent Place, Newmarket, NH 03857 (603) 659-6560  
2 Commerce Drive (Suite 202) Bedford, NH 03110 (603) 614-4060  
10 Storer Street (Riverview Suite) Kennebunk, ME (207) 502-7005  
http://www.doucetsurvey.com

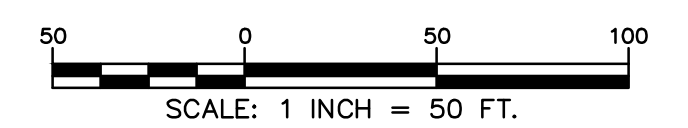
| CURVE TABLE |            |           |             |               |              |
|-------------|------------|-----------|-------------|---------------|--------------|
| CURVE       | ARC LENGTH | RADIUS    | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
| C1          | 66.21'     | 178.00'   | 21°18'42"   | N85°47'06"E   | 65.83'       |
| C2          | 20.94'     | 178.00'   | 6°44'29"    | N71°45'30"E   | 20.93'       |
| C3          | 180.71'    | 11451.20' | 0°54'15"    | N54°18'39"E   | 180.71'      |
| C4          | 108.14'    | 11451.20' | 0°32'28"    | N55°02'01"E   | 108.14'      |
| C5          | 80.85'     | 51.00'    | 90°49'33"   | S78°21'38"E   | 72.64'       |
| C6          | 30.94'     | 45.00'    | 39°23'52"   | N48°30'09"E   | 30.34'       |
| C7          | 24.56'     | 1008.50'  | 1°23'42"    | N68°53'56"E   | 24.56'       |
| C8          | 38.52'     | 635.87'   | 3°28'15"    | N60°29'39"E   | 38.51'       |
| C9          | 15.14'     | 635.87'   | 1°21'52"    | N58°04'35"E   | 15.14'       |
| C10         | 115.78'    | 133.00'   | 49°52'37"   | N82°19'58"E   | 112.16'      |
| C11         | 33.65'     | 178.00'   | 10°49'50"   | S78°08'38"E   | 33.60'       |
| C12         | 181.57'    | 200.00'   | 52°00'57"   | S83°14'19"E   | 175.40'      |
| C13         | 84.14'     | 100.00'   | 48°12'27"   | N81°13'11"E   | 81.68'       |
| C14         | 134.92'    | 2836.93'  | 2°43'29"    | N52°04'44"E   | 134.90'      |
| C15         | 101.35'    | 148.44'   | 39°07'10"   | N84°55'36"W   | 99.39'       |
| C16         | 26.01'     | 148.44'   | 10°02'24"   | N70°29'37"E   | 25.98'       |
| C17         | 18.43'     | 200.00'   | 5°16'48"    | N68°06'49"E   | 18.42'       |

| LINE TABLE |             |          |
|------------|-------------|----------|
| LINE       | BEARING     | DISTANCE |
| L1         | N21°59'16"W | 161.10'  |
| L2         | S25°06'26"E | 30.74'   |
| L3         | N65°44'42"E | 40.75'   |
| L4         | N38°11'17"W | 10.00'   |
| L5         | N71°55'42"E | 30.64'   |
| L6         | S40°12'57"E | 42.38'   |
| L7         | S36°26'29"E | 20.00'   |
| L8         | N46°59'07"W | 41.00'   |
| L9         | N32°56'35"W | 25.61'   |
| L10        | S74°35'17"W | 32.98'   |
| L11        | N57°25'45"E | 47.00'   |
| L12        | S26°33'24"E | 20.39'   |
| L13        | S79°44'51"E | 24.00'   |
| L14        | N65°28'25"E | 31.49'   |
| L15        | S55°22'43"W | 92.06'   |
| L16        | S55°22'43"W | 56.61'   |
| L17        | N20°49'54"W | 60.72'   |
| L18        | N20°49'54"W | 65.36'   |
| L19        | N35°02'16"W | 44.30'   |
| L20        | N35°02'16"W | 46.03'   |



**LEGEND**

|     |   |
|-----|---|
| --- | LOT LINE                                      |
| --- | PROPOSED LOT LINE                             |
| --- | APPARENT RIGHT OF WAY LINE                    |
| --- | LOT LINE TO BE ABANDONED                      |
| --- | APPROXIMATE ABUTTER LOT LINE                  |
| --- | EDGE OF WETLAND                               |
| --- | BOUND FOUND                                   |
| △   | R.R.S.F.                                      |
| ○   | RAILROAD SPIKE FOUND                          |
| ○   | IRON PIPE/ROD FOUND                           |
| ○   | 4"x4" GRANITE BOUND TO BE SET                 |
| ○   | 5/8" REBAR W/ID CAP TO BE SET                 |
| ○   | BOUND FOUND                                   |
| ○   | I.P.F.  |
| ○   | IRON PIPE FOUND                               |
| ○   | CONC.   |
| ○   | CONCRETE                                      |
| ○   | D.H.  |
| ○   | DRILL HOLE                                    |
| --- | AREA TO BE CONVEYED TO THE CITY OF PORTSMOUTH |



SUBDIVISION & EASEMENT PLAN  
FOR  
CATE STREET DEVELOPMENT LLC  
OF  
TAX MAP 163, LOTS 33 & 34  
TAX MAP 165, LOT 2  
TAX MAP 172, LOT 1  
TAX MAP 173, LOT 2  
CATE STREET & US ROUTE 1 BYPASS  
PORTSMOUTH, NEW HAMPSHIRE

| NO. | DATE     | DESCRIPTION              | BY  |
|-----|----------|--------------------------|-----|
| 4   | 11/14/19 | REVISE EASEMENTS         | MWF |
| 3   | 9/30/19  | ADD ADDITIONAL TOPO      | MTL |
| 2   | 9/6/19   | ADD ADDITIONAL EASEMENTS | MWF |
| 1   | 8/19/19  | ADD ADDITIONAL EASEMENTS | MWF |

|             |        |              |              |
|-------------|--------|--------------|--------------|
| DRAWN BY:   | M.W.F. | DATE:        | JULY 3, 2019 |
| CHECKED BY: | W.J.D. | DRAWING NO.: | 5517D        |
| JOB NO.:    | 5517   | SHEET        | 2 OF 12      |

**DOUCET SURVEY**  
Serving Your Professional Surveying & Mapping Needs  
102 Kent Place, Newmarket, NH 03857 (603) 659-6560  
2 Commerce Drive (Suite 202) Bedford, NH 03110 (603) 614-4060  
10 Storer Street (Riverview Suite) Kennebunk, ME (207) 502-7005  
http://www.doucetsurvey.com

APPROVED FOR THE RECORD  
CHAIRMAN PORTSMOUTH PLANNING BOARD DATE

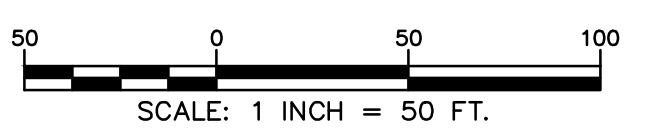
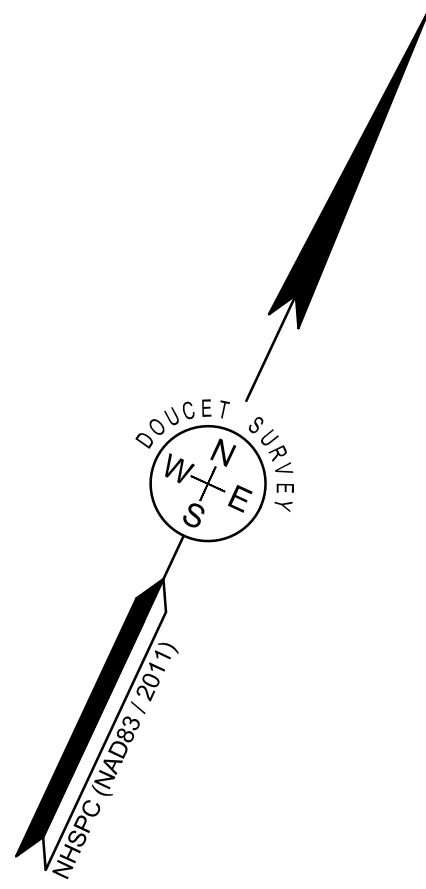
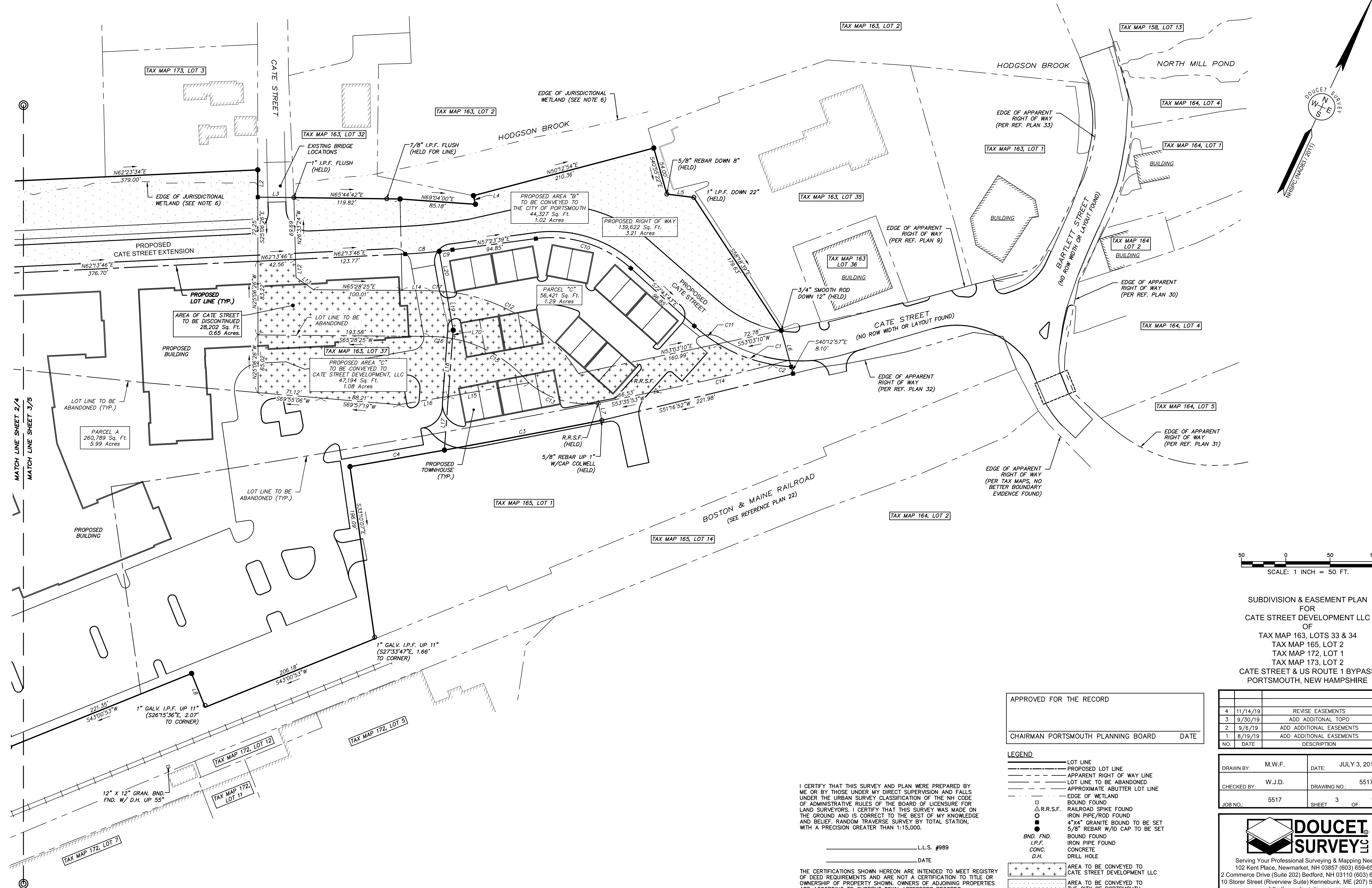
I CERTIFY THAT THIS SURVEY AND PLAN WERE PREPARED BY ME OR BY THOSE UNDER MY DIRECT SUPERVISION AND FALLS UNDER THE URBAN SURVEY CLASSIFICATION OF THE NH CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS. I CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. RANDOM TRAVERSE SURVEY BY TOTAL STATION, WITH A PRECISION GREATER THAN 1:15,000.

L.L.S. #989  
DATE

THE CERTIFICATIONS SHOWN HEREON ARE INTENDED TO MEET REGISTRY OF DEED REQUIREMENTS AND ARE NOT A CERTIFICATION TO TITLE OR OWNERSHIP OF PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE ACCORDING TO CURRENT TOWN ASSESSORS RECORDS.



FILE NAME: Y:\WORK\2019\5517.DWG DATE: 4/13/2019 10:53:19 SUB: PLANS.dwg LAYOUT NAME: SUB DATE: 03/17/2019 10:53:19 PLOTTED: Thursday, February 16, 2020 - 12:26pm



SUBDIVISION & EASEMENT PLAN  
FOR  
CATE STREET DEVELOPMENT LLC  
OF  
TAX MAP 163, LOTS 33 & 34  
TAX MAP 165, LOT 2  
TAX MAP 172, LOT 1  
TAX MAP 173, LOT 2  
CATE STREET & US ROUTE 1 BYPASS  
PORTSMOUTH, NEW HAMPSHIRE

APPROVED FOR THE RECORD

CHAIRMAN PORTSMOUTH PLANNING BOARD      DATE

**LEGEND**

|                 |  |
|-----------------|--|
| —               | LOT LINE   |
| - - - -         | PROPOSED LOT LINE                                  |
| - · - · -       | APPARENT RIGHT OF WAY LINE                         |
| - · - - -       | LOT LINE TO BE ABANDONED                           |
| - · - · - ·     | APPROXIMATE ABUTTER LOT LINE                       |
| - · - · - · - · | EDGE OF WETLAND                                    |
| □               | BOUND FOUND  |
| △               | R.R.S.F. RAILROAD SPIKE FOUND                      |
| ○               | IRON PIPE/ROD FOUND                                |
| ●               | 4"x4" GRANITE BOUND TO BE SET                      |
| ■               | 5/8" REBAR W/ID CAP TO BE SET                      |
| ■               | BOUND FOUND  |
| ■               | IRON PIPE FOUND                                    |
| ■               | CONCRETE   |
| ■               | DRILL HOLE   |
| +               | AREA TO BE CONVEYED TO CATE STREET DEVELOPMENT LLC |
| +               | AREA TO BE CONVEYED TO THE CITY OF PORTSMOUTH      |

I CERTIFY THAT THIS SURVEY AND PLAN WERE PREPARED BY ME OR BY THOSE UNDER MY DIRECT SUPERVISION AND FALLS UNDER THE URBAN SURVEY CLASSIFICATION OF THE NH CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS. I CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. RANDOM TRAVERSE SURVEY BY TOTAL STATION, WITH A PRECISION GREATER THAN 1:15,000.

\_\_\_\_ L.L.S. #989  
\_\_\_\_ DATE

THE CERTIFICATIONS SHOWN HEREON ARE INTENDED TO MEET REGISTRY OF DEED REQUIREMENTS AND ARE NOT A CERTIFICATION TO TITLE OR OWNERSHIP OF PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE ACCORDING TO CURRENT TOWN ASSESSORS RECORDS.

| NO. | DATE     | DESCRIPTION              | BY  |
|-----|----------|--------------------------|-----|
| 4   | 11/14/19 | REVISE EASEMENTS         | MWF |
| 3   | 9/30/19  | ADD ADDITIONAL TOPO      | MTL |
| 2   | 9/6/19   | ADD ADDITIONAL EASEMENTS | MWF |
| 1   | 8/19/19  | ADD ADDITIONAL EASEMENTS | MWF |

|             |        |              |              |
|-------------|--------|--------------|--------------|
| DRAWN BY:   | M.W.F. | DATE:        | JULY 3, 2019 |
| CHECKED BY: | W.J.D. | DRAWING NO.: | 5517D        |
| JOB NO.:    | 5517   | SHEET        | 3 OF 12      |

**DOUCET SURVEY**

Serving Your Professional Surveying & Mapping Needs  
102 Kent Place, Newmarket, NH 03857 (603) 659-6560  
2 Commerce Drive (Suite 202) Bedford, NH 03110 (603) 614-4060  
10 Storer Street (Riverview Suite) Kennebunk, ME (207) 502-7005  
<http://www.doucetsurvey.com>

## ACTIONS

### **PARKING and TRAFFIC SAFETY COMMITTEE**

8:00 A.M. – March 5, 2020

City Hall – Conference Room A

---

PRESENT: City Councilor, Peter Whelan  
Public Works Director, Peter Rice  
Planning Director, Juliet Walker  
Fire Chief, Todd Germain  
Police Captain, Mark Newport

Members: Mary Lou McElwain, Jonathan Sandberg,  
Harold Whitehouse, Erica Wygonik (Alternate)

ABSENT: Steve Pesci, Member

CITY STAFF PRESENT: Parking and Transportation Engineer, Eric Eby  
Parking Director, Ben Fletcher

---

**Action Items requiring an immediate ordinance during the next Council meeting:**  
Proposed parking fine increases, Chapter 7, Article IX, Section 7.901: Penalties

**Temporary Action Item requiring an ordinance during the annual omnibus:**  
None

1. **Voted** to approve and accept the financial report dated January 31, 2020.
2. Public Comment Session: There were four speakers: Kelly Weinstein (lack of signage during construction off Brewery Lane and parking ban on Albany Street); Molly Wilson (South Street and Middle Road speeds); Rebecca McBeath (South Street and Middle Road speeds, bus stop, crosswalks and parking alternatives during construction on Islington Street); and Marc Batchelder (parking concerns on Albany Street and Brewery Lane and snow impacting accessibility to sidewalks).
3. 55 Aldrich Road, request for driveway permit.  
**Voted** to suspend the rules to allow for public comment. Matt Silva, contractor for property owner, spoke in support of agenda item.  
**Voted** to approve driveway permit application with a stipulation that the curb cut size is no greater than 12 feet.  
Written Correspondence: Ellen Fineberg
4. Proposed parking fine increases, by Parking Director Ben Fletcher. – **Voted** to recommend adoption and send to City Council for request for first reading.
5. Islington Street, request for crosswalk at Mobil station. – **Voted** to approve a temporary crosswalk at the intersection of Islington Street and Brewster Street until the Islington Street corridor project is completed.
6. Middle Road, report back on speeds and speed limit in the area of Spinney Road and South Street. – **Voted** to table until the next meeting.

7. Report back on a three-car accident on South Street on January 21, 2020, by Police Captain Mark Newport. No action taken.
8. Islington Street construction traffic plan. No action taken.
9. Albany Street, parking restrictions during Islington Street detour. No action taken.
10. Middle Street bike lane public meetings. No action taken.
11. Maplewood Avenue traffic signal changes project status update. No action taken.
12. Borthwick Avenue at Greenland Road, change from 2-way stop to all-way stop. Planning Board condition of approval of Borthwick Forest. No action taken.
13. Capital Improvement Plan (CIP) project for Greenleaf Avenue at Lafayette Road. No action taken.
14. PTS Open Action Items. No action taken.
15. Adjournment – At 9:26 a.m., **voted** to adjourn.

Respectfully submitted by:

Amy Chastain  
Secretary to the Committee

# MEETING MINUTES

## **PARKING and TRAFFIC SAFETY COMMITTEE**

8:00 A.M. – March 5, 2020  
City Hall – Conference Room A

---

### **I. CALL TO ORDER:**

At 8:00 a.m., Chairman Peter Whelan called the meeting to order.

### **II. ATTENDANCE:**

#### Members Present:

City Councilor/Chairman, Peter Whelan  
Public Works Director, Peter Rice  
Planning Director, Juliet Walker  
Fire Chief, Todd Germain  
Police Captain, Mark Newport  
Member, Mary Lou McElwain  
Member, Jonathan Sandberg  
Member, Harold Whitehouse  
Alt. Member, Erica Wygonik

#### Absent:

Member, Steve Pesci

#### City Staff Present:

Parking and Transportation Engineer, Eric Eby  
Parking Director, Ben Fletcher

### **III. ACCEPTANCE OF THE MINUTES:**

The February 6, 2020 meeting minutes were approved by the Committee on February 20, 2020 and the City Council on March 2, 2020. No action was required today.

### **IV. FINANCIAL REPORT:**

Harold Whitehouse requested an update on the Foundry Garage figures. Public Works Director Peter Rice commented that the transient usage has gone above the projections. The pass holders are matching the projections. Overall, the parking revenue is tracking where it should be, and there is no concern. Parking Director Ben Fletcher added that after the first year's budget, they had a better idea of what to expect. There have been initiatives to increase transient and monthly pass holder customers.

Harold Whitehouse proposed the idea of leasing the top floor of the garage for events. Parking Director Ben Fletcher said there would be many factors involved and could not speak to all of them today.

Chairman Peter Whelan said that when he parked at the Foundry Garage it was pretty full, which was good to see. Parking Director Ben Fletcher said that the increase was a result of the \$3.00 per day employee initiative.

Public Works Director Peter Rice moved to accept the financial report dated January 31, 2020, seconded by Mary Lou McElwain. **Motion passed 9-0.**

## V. PUBLIC COMMENT:

Kelly Weinstein, a business owner in the Malthouse Exchange Plaza, said that there has been a lot of construction in that area, but there has not been adequate signage to redirect traffic into the plaza. Ms. Weinstein also owns The Consignment Company (Co.Co.) on Albany Street. There are about 5 spaces in front for customer parking. The Islington Street project creates a parking ban in that area. Ms. Weinstein asked where they should tell their customers to park. Eric Eby responded that they reached out to the owners of the Weekender House. There are a couple of spaces in the public right-of-way that can be used as public parking. Parking is also allowed on other streets in the neighborhood.

Molly Wilson, resident, commented that she was concerned about speeding on South Street, Middle Road, and around the Lafayette Park Playground area. There are two bus stops in that area, and it is a huge safety concern. There needs to be some traffic calming measures in that area.

Rebecca McBeath, resident, echoed the same concerns as Molly Wilson about speeding and the bus stops. A lower speed limit should be extended to the ball fields. Ms. McBeath also noted that a lot of business owners parked on Islington Street and suggested an alternative program for them because they park there all day.

Marc Batchelder, resident, commented on the parking concerns on Albany Street and Brewery Lane. The snow is not always cleared on the sidewalks in that area and it impacts the accessibility to the sidewalks. The snow banks cause pedestrians to walk out into the street to get around them. The agenda item proposes restricting parking for the detour period. The Committee should look at restricting parking permanently in that area.

## VI. NEW BUSINESS:

**A. 55 Aldrich Road, request for Driveway Permit, by Anne Landau Bellaud.**  
Public Works Director Peter Rice moved to suspend the rules and allow for public comment, seconded by Harold Whitehouse. **Motion passed 9-0.**

Contractor Matt Silva said that the primary reason for the application was because of the new garage addition. The new design includes a turnaround area so cars will not back out onto Aldrich Road. The curb and sidewalk will be fixed to City standards. Drainage and utilities should not be impacted.

Harold Whitehouse commented that he was concerned about cars backing in and out because it was a very narrow area. Public Works Director Peter Rice responded that the driveway has a turnaround, so cars will not be backing out onto the street.

Harold Whitehouse questioned if they considered putting the driveway on Aldrich Court. Public Works Director Peter Rice responded that they did, but there was concern about cars sticking out and blocking the narrow road.

Erica Wygonik was concerned about adding trips on Aldrich Road vs. Aldrich Court. There is plenty of on-street parking in that area. Also, the space that will be created by closing up the existing driveway may be too small to really be used as an on-street parking space.

Harold Whitehouse commented that he would support the motion with reservation.

Chairman Peter Whelan noted that they received an email from an abutter that requested the curb cut size remain 12 feet, which they are doing.

Public Works Director Peter Rice moved to approve driveway permit application with a stipulation that the curb cut size is no greater than 12 feet, seconded by Jonathan Sandberg. **Motion passed 9-0.**

Harold Whitehouse supported the motion with reservation.

**B. Proposed parking fine increases, by Parking Director Ben Fletcher.**

Parking Director Ben Fletcher commented that this agenda item has not been revisited since 2013. The number one comment about downtown is that people can't find a parking space. There is a three-hour time limit on most of the parking. People are staying longer than that because the fine is only \$15. Increasing the fine amount should help deter that behavior. It will encourage people to move within the time limit posted and may result in the issuance of fewer tickets. The increase would apply to the top four tickets that are written today. A schedule was provided on page 7 in the packet detailing the parking fine increases. See table below for a summary.

| Description   | Last Updated | Current Fine | After 30 Days | Recommended Fine | After 30 Days |
|---|--------------|--------------|---------------|------------------|---------------|
| Time Expired:<br>15 & 30 minute;<br>1 - 4 hour<br>Citations | 1/1/2013     | \$15.00      | \$30.00       | \$25.00          | \$40.00       |
| Parked in No<br>Parking Area                                | 1/1/2013     | \$20.00      | \$40.00       | \$40.00          | \$65.00       |
| Emergency<br>Snow Ban                                       | 1/1/2013     | \$25.00      | \$35.00       | \$50.00          | \$100.00      |
| Commercial<br>Loading Zone                                  | 1/1/2013     | \$25.00      | \$50.00       | \$50.00          | \$100.00      |

Chairman Peter Whelan questioned if they were writing more tickets every year. Parking Director Ben Fletcher responded that in 2019 they wrote around 50,000 tickets.

Harold Whitehouse asked about resident only parking listed on the report. Parking Director Ben Fletcher responded that there was resident only parking in the West End in the Hill Street area. The program failed because it considered anyone with a New Hampshire plate as a resident, so it was too hard to enforce.

Mary Lou McElwain clarified that 100% of the fines went to the City and no percentage went to the State. Parking Director Ben Fletcher confirmed that was correct. Mary Lou McElwain supported the increase and thought they were reasonable.

Planning Director Juliet Walker moved to recommend adoption and send to City Council for request for first reading, seconded by Harold Whitehouse. **Motion passed 9-0.**

**VII. OLD BUSINESS:**

**A. Islington Street, request for crosswalk at Mobil station, by Terry LeBlanc.**

Eric Eby commented that he observed pedestrian crossings in the area. There is quite a bit of pedestrian traffic in the area. Today pedestrians are crossing whenever they

can. The spot on the corner of Brewster Street at the Mobil station would allow for an ADA compliant crosswalk and has good sightlines. There are two proposed crosswalks included in the Islington Street improvement project, which is still a few years out.

Erica Wygonik clarified that this crosswalk would be in place until the other ones were constructed. Eric Eby confirmed that was correct.

Public Works Director Peter Rice moved to approve a temporary crosswalk at the intersection of Islington Street and Brewster Street until the Islington Street corridor project is completed, seconded by Police Captain Mark Newport. **Motion passed 9-0.**

**B. Middle Road, report back on speeds and speed limit in the area of Spinney Road and South Street.**

Eric Eby commented that speed data has been collected in multiple places in the area. Speeds are slightly above the posted 30 mph, but not high enough to warrant physical traffic calming measures. A speed radar sign could be installed to alert drivers. The long-range plan to redo the intersection would be the best way to address speeding in the area.

Planning Director Juliet Walker added that there was an existing project in the Capital Improvement Plan (CIP), but funding was a few years out.

Chairman Peter Whelan supported the speed radar sign. Mary Lou McElwain agreed that the signs were effective and important.

Jonathan Sandberg commented that he was not comfortable using the 85<sup>th</sup> percentile as a form of measurement. He stated it was from the perspective of the drivers, but the concerns are not coming from the drivers they are coming from the residents. There should be something else done to help narrow the roadway. Eric Eby said that a resident who spoke during public comment talked about parking her car in the street to slow traffic speeds. That is one of the most effective measures the neighborhood can do to help narrow the road and slow traffic.

Erica Wygonik requested more information about the project in the CIP. Planning Director Juliet Walker responded that it has to go through the design process. The funding has been slotted for fiscal year 2025. There is a Neighborhood Traffic Calming Program. The City works with residents to try to implement interim measures. They can continue to talk to the neighborhood about interim measures. There is always a question of funding, and they try to ensure there is neighborhood consensus for the proposed project.

Chairman Peter Whelan suggested discussing more options at the next meeting. Erica Wygonik suggested the speed radar sign be installed now.

Public Works Director Peter Rice commented that they could talk to the City Council about moving this item forward and work on conceptual designs to create a more neighborhood feel.

Chairman Peter Whelan moved to table until the next meeting, seconded by Harold Whitehouse. **Motion passed 9-0.**

## **VIII. INFORMATIONAL:**

### **A. Report back on a three-car accident on South Street on January 21, 2020 by Police Captain Mark Newport.**

Police Captain Mark Newport commented that it was a relatively minor accident. Two cars were stopped waiting to turn and the third car rear-ended the middle car, which rear-ended the first car. No one was hurt and there was minor damage to the vehicles.

Mary Lou McElwain commented that she was concerned because it happened during school time. She was concerned about unsafe intersections and kids crossing the street to get to school.

Mary Lou McElwain requested that the quarterly accident report include the accident locations. Police Captain Mark Newport confirmed that could be included.

### **B. Islington Street construction traffic plan.**

Eric Eby stated the second year of construction on Islington Street would begin in April. Two sections of roadway will be under construction. The first is between Spinney Road and Aldrich Road. The second is between Bartlett Street and Cass Street. There will be a lot of deep trenching so traffic will need to be one-way in sections. Bartlett Street will remain two-way. Traffic leaving Plaza 800 can turn on Aldrich Road or Jewel Court. Vehicles will be able to access Bartlett Street from Islington Street. Parking will be removed on Brewery Lane for the length of the detour. A few spaces on Cass Street may need to be restricted to accommodate truck turning movements. The detour will be in place for the length of construction, which is expected to last through September.

Public Works Director Peter Rice requested clarification on the stop bar adjustment in the left turn lane. Eric Eby responded that the stop bar will be moved back to Jewell Court.

Police Captain Mark Newport questioned if there was concern about traffic cutting through the parking lot on Jewel Court. Eric Eby responded that the one-way exit out to Brewery Lane would remain. Public Works Director Peter Rice said that detours are established based on current information. The detours are monitored and adjusted as needed.

Jonathan Sandberg commented that there should be a sign on Route 33 warning drivers of the detour. Planning Director Juliet Walker agreed there should be a sign informing drivers that the best route to downtown is Middle Road.

Mary Lou McElwain was concerned about the head in parking on Jewel Court. If traffic increased it could make backing out of those spaces unsafe. Eric Eby responded that Jewel Court will become one-way from Islington Street to Brewery Lane.

### **C. Albany Street, parking restrictions during Islington Street detour.**

Eric Eby spoke to the map provided in the packet. Currently there is no parking on Brewery Lane between Albany Street and Jewell Court. The proposal is to remove the rest of the parking on Albany Street. The street is narrow and it would be challenging to get around parked cars during construction.



Public Works Director Peter Rice questioned if the indented parking spaces in front of The Consignment Company (Co.Co.) were going to stay. Eric Eby responded that they needed to be restricted because they will block the sidewalk otherwise. There is public parking in front of the Weekender House that will remain. The spaces can be striped to make it clear that they are public parking spaces.

Planning Director Juliet Walker commented that parking is challenging in this area because public parking is limited. There aren't a lot of options to try to help alleviate impact in this area during construction because there's just not a lot of public parking. Chairman Peter Whelan commented that the parking in Plaza 800 was private, however, there may be an option for business owners and employees to park in the lot in order to free up parking for customers.

**D. Middle Street bike lane public meetings.**

Planning Director Juliet Walker stated there is a public meeting scheduled for March 12, 2020 and a City Council work session on March 23, 2020.

**E. Maplewood Avenue traffic signal changes project status update.**

Eric Eby commented that they are in the process of awarding the bid to Electric Light Company. They will be updating the signal controllers along Maplewood Avenue and changing the pedestrian phasing. Today, all traffic stops while pedestrians cross the street. The change will allow pedestrians to cross with parallel vehicle traffic. Vehicles must yield to pedestrians in the crosswalk and then they may turn. The new signals will give pedestrians a few seconds head start before parallel traffic is allowed to go.

Jonathan Sandberg was concerned about pedestrians crossing concurrently with traffic on Islington Street because they must make a left or right turn. Eric Eby responded that pedestrians would be crossing with the right-hand turns only. If this doesn't work, then it can easily be changed back. It should reduce delays for traffic and pedestrians.

**F. Borthwick Avenue at Greenland Road, change from 2-way stop to all-way stop. Planning Board condition of approval of Borthwick Forest.**

Eric Eby commented that the intersection has been a 2-way stop for a long time. This change will make it an all-way stop to reduce confusion. This was a condition of approval for the new medical building being constructed on Borthwick Avenue. It will also create a safer and shorter pedestrian crossing, and new sidewalks will be constructed.

**G. Capital Improvement Plan (CIP) project for Greenleaf Avenue at Lafayette Road.**

Eric Eby commented that this was a conceptual plan. This intersection has always been a concern because of sightlines and traffic volumes. One idea is to create a one-way street by allowing right turning traffic from Lafayette Road onto Greenleaf Avenue. Traffic on the Route 1 Bypass would not be able to access that portion of Greenleaf Avenue at the traffic light.

Public Works Director Peter Rice commented that a citizen request was made many years ago about the area.

Eric Eby commented that Tuscan Market did a traffic study as part of their approval process and the study supported this idea.

Jonathan Sandberg requested clarification about where it would become one-way. Eric Eby responded that it would begin at Hillside Drive.

Police Captain Mark Newport commented that there should be signage at the Bypass to let people know about the changes. Eric Eby confirmed there would be.

Mary Lou McElwain asked about the project timeline. Public Works Director Peter Rice responded that it was part of the citywide intersection improvements program. A design study would need to be completed and consensus would need to be reached. Then there would be a cost assessment. If funding is available, it could be completed.

Erica Wygonik questioned if the Hillside Drive neighborhood had been notified about the potential project. Public Works Director Peter Rice responded that the neighborhood had requested it.

H. PTS Open Action Items. No Committee discussion.

#### **IX. MISCELLANEOUS:**

Harold Whitehouse stated he believed that there was a public/private agreement between the City and a developer to build workforce housing adjacent to the Foundry Garage. Now the use has been changed to a hotel. Planning Director Juliet Walker responded that the approved projects had no commitment to build affordable housing. There was discussion about building housing on lot 5 at the intersection of Maplewood Avenue and Deer Street. However, that project has not gone through any land use approval yet. The hotel was approved for lot 3. Harold Whitehouse was concerned about increased traffic in the area. Planning Director Juliet Walker responded that traffic analysis was part of the approval process.

Harold Whitehouse requested information on the bad accident on the corner of Dennett Street and Woodbury Avenue. Police Captain Mark Newport responded that it involved three vehicles. One teenager is still hospitalized. The other drivers did not receive significant injuries. At this time, it is still under investigation, but speed was a factor. Harold Whitehouse commented that taking a left off of Dennett Street onto Woodbury Avenue was very hard because it's so busy and has bad sightlines. Harold Whitehouse stated a traffic signal would be ideal in that area. Police Captain Mark Newport agreed that the intersection could be difficult at certain times of the day, but there was no preventative measure they could have taken to prevent the accident.

Chairman Peter Whelan commented that he got a phone call and letter from a resident about the "No Trucks Allowed" zone on Bartlett Street. Police Captain Mark Newport responded that they were familiar with the truck traffic complaints and they are addressing it.

Chairman Peter Whelan got a phone call with concerns about speeding and safe pedestrian crossing on South Street and Sagamore Avenue in the mornings.

**X. ADJOURNMENT:**

Harold Whitehouse moved to adjourn at 9:26 a.m., seconded by Jonathan Sandberg.

**Motion passed 9-0.**

Respectfully submitted by:

Becky Frey  
PTS Recording Secretary

## **MEMORANDUM**

**Date:** April 1, 2020

**To:** City Council, City Manager and City Clerk, City of Portsmouth, NH

**From:** Cliff Lazenby, City Councilor

**Subject:** Request for Additional Remote and/or Advance Voting in NH Elections

---

With every election, the local, state and federal governing bodies have a responsibility to make valid participation in our democracy as accessible as possible. During the COVID-19 pandemic thus far, there have been significant challenges in holding elections throughout the United States. As we look ahead to a major election in a matter of months, Portsmouth and New Hampshire need to plan to protect every citizen's right to vote.

Currently, our restrictions on absentee voting are much tighter than in other states. Also, New Hampshire is one of only eleven states that do not allow early voting. One of the most effective forms of 'remote' voting is voting by mail, put to good effect already this year. The state of Ohio recently converted the Democratic Presidential Primary to mail-in voting.

I pose these questions for our City Clerk and City Manager, perhaps with a goal of engaging our State Legislative representatives:

- Are guidelines regarding absentee voting set at the state or municipal level in New Hampshire? What are the current guidelines regarding Absentee Voting in New Hampshire? Are there any prospects in the NH State Legislature to broaden these guidelines?
- Are there any prospects to open up early voting in New Hampshire to allow voters to drop off ballots at municipal locations in advance of Election Day?
- Are there any prospects to allow for voting by mail in New Hampshire?

These sorts of measures stand to protect the integrity of our elections and even when not in a time of crisis, to boost voter participation. More participation makes our democracy and election results more representative of the citizenry for whom they speak.

**DATE:** APRIL 1,2020

**TO:** CITY CLERK KELLI BARNABY  
MAYOR BECKSTED  
CITY MANAGER CONARD

**FROM:** CITY COUNCILOR HUDA

**SUBJECT:** APRIL 6TH CITY COUNCIL MEETING AGENDA REQUEST (ZOOM MEETING)  
PLEASE PUT THIS UNDER MY NAME. THANK YOU

**BASED ON THE FORECASTED ECONOMIC DOWNTURN CAUSED BY THE COVID-19 VIRUS**

- > **I MOVE TO REQUEST A REPORT TO THE RESIDENTS AND CITY COUNCIL FROM THE CITY MANAGER ON THE CURRENT FINANCIAL CONDITION OF THE CITY AND ON THE IMMEDIATE ACTIONS THAT THE CITY IS TAKING TO MAINTAIN & SAFEGUARD OUR FINANCIAL POSITION WHILE STILL PROVIDING NECESSARY SERVICES DURING & AFTER THIS PANDEMIC.**

**I AM LOOKING FOR AN UPDATE SIMILAR TO THE ONE PROVIDED BY THE KITTELY TOWN MANAGER LAST WEEK WHICH INCLUDED A FORECAST OF THE ANTICIPATED REVENUE LOSS DUE TO THE PANDEMIC & WHAT ACTIONS CITY STAFF HAS TAKEN TO HELP EASE THE IMPACT. (PORTSMOUTH HERALD ARTICLE 3.24.20)**

**PLEASE ADDRESS THE FOLLOWING QUESTIONS:**

- CAN WE ESTIMATE THE FORECASTED REVENUE LOSS TO THE CITY IN THE FINAL QUARTER OF FY20 (ENDING JUNE > 30TH)?**  
**(TAKING INTO ACCOUNT THAT OPERATIONS OF THE CITY WILL CONTINUE AT CURRENT LEVELS)**

- WHAT PRO-ACTIVE MEASURES IS THE CITY TAKING NOW TO LESSEN THE IMPACT ON THE CITY'S UNASSIGNED > RESERVES?**  
**I.E. (LIKE KITTELY) SPENDING FREEZES ON HIRING & CAPITAL EXPENDITURES**

- > **TAKING INTO CONSIDERATION THAT MANY OF OUR RESIDENTS ARE STRUGGLING TO GET THROUGH THIS LIFE CHANGING PANDEMIC FINANCIALLY AND DO NOT NEED TO DEAL WITH ANY PROPERTY TAX SURPRISES.**

**I WOULD REQUEST THAT THE CITY MANAGER CONSIDER ACTIONS AT THIS POINT IN TIME, AS WE HAVE THE OPPORTUNITY TO TAKE A PRO-ACTIVE APPROACH USING THE LATEST INFORMATION AVAILABLE ON THE PANDEMIC TIMELINE TO DEVELOP A WORST CASE SCENARIO ON THE FY21 BUDGET & BE AS TRANSPARENT AS POSSIBLE TO AVOID THESE SURPRISES.**

## FEE COMMITTEE MEETING MINUTES

Municipal Complex  
Portsmouth NH

March 12, 3:00 p.m.

**Present:**

***Fee Committee:***

Councilors John Tabor and Petra Huda

***Staff:***

City Manager Karen Conard

Deputy City Manager Nancy Colbert Puff

Public Works Director Peter Rice

Deputy Public Works Director Brian Goetz

Public Works Operation Manager Roberta Orsini

Parking Director Ben Fletcher

Deputy Health Officer Kristin Shaw

Planning Director Juliet Walker

City Controller Judy Renaud

Deputy Finance Director Andrew Purgiel

Mr. Purgiel announced that there will be an additional Fee Committee Meeting scheduled for Prescott Park at a later date.

Mr. Purgiel explained that the Fees collected represent about 1% of the General Fund Revenues.

A motion was made by Councilor Tabor and seconded by Councilor Huda to approve the minutes from the August 7, 2019 meeting. Unanimously approved.

1. Health Dept: Ms. Shaw recommended increases to the Food Permit Fees to keep us consistent with the State. The proposed new fees would generate about \$25,000 new revenue. Councilor Huda asked if the fees cover the cost of the Health Department. Ms. Colbert Puff responded no. Councilor Tabor said the increased fees seemed reasonable to him.
2. Planning Dept: Ms. Walker stated that they have the ability to do Subdivision/Lot Line Revision Amendments now and there are no fees assigned to them at the present time. They are requesting fees at this time. She explained that they also do not do Conditional Use Permit Amendments and are requesting to delete the fee. Conditional Use Amendments are now re-applied as New Conditional Permit Applications and will pay the entire fee. She is also requesting that the fees for Zoning Permit be deleted as they have never been implemented and will not implement going forward. Ms. Conard asked if our fees are consistent with other communities. Ms. Walker stated they regularly check in with them to see how ours compare and we are in the higher end. She also stated that all permit applications are now filed on line with the City's Permit software system. Ms. Colbert Puff stated that the Planning Board uses iPads and it has significantly cut down the applicants cost of submitting 12 copies of plans. Councilor Huda asked if the fees that haven't been adjusted since 2015 or 2016 are adequate. Ms. Walker responded that those were reviewed and went up significantly in 2015 and wanted to keep them as they are as they are significantly higher than other communities.

3. Prescott Park: Ms. Renaud stated that they are looking for 2 increases, a) the electricity at the docks and b) weddings for non-residents. Fees at the docks were raised last year after analysis of area Marinas. Although Prescott Park is not a Marina, it is a dock slip that has electricity and are not able to charge what Marinas charge. Each fee is proposed at a \$25 increase.
4. Highway Division: Mr. Rice is requesting changes to the Excavation Permit to cover administration and inspection costs. Councilor Tabor asked if there were any other permits that would need to be increased to cover administration costs. Mr. Rice stated that fees were increased last year for Memorial Bridge Lighting and Blasting permits. He said they try to address increases that only absorb more administration time. The only other fees they are looking to increase are for Yard Waste Disposal and Bulky Waste Pickup. Yard Waste disposal costs have gone up and a request for additional money will be reflected in the '21 budget. He stated that currently there is no fee for Bulky Waste Pickup or drop off. They are proposing fees for both pick up and drop off, with there being an additional charge added for pick up.
5. Parking Division: Mr. Fletcher proposed adding a fee for Sign Permits for a Public Parking lot. It will cover the admin cost to process the permit. This is to allow the City to approve the sign before it goes on the lot to make sure it complies with the rules set forth. This is a single fee unless changes are made to the sign. The motorcycle fee is listed but will go before the council on March 16<sup>th</sup>.

Mr. Fletcher proposed changes to the High Hanover Parking Garage (HH), an hourly rate increase from \$1.75 to \$2.00 and Monthly 24 hour-all other passes from \$225 to \$250. Councilor Tabor suggested the monthly 24 hour-all other passes fee increase to \$300. It was pointed out that a transient parker parking hourly for 40 hours a week would pay \$320 in one month. Councilor Huda asked if the new fee wasn't successful, could they go back to the old fee midyear. Mr. Rice said he didn't recommend as they try to get predictable revenue. Councilor Huda suggested \$275. The consensus was to increase to \$275. It was then decided to raise Monthly 24 hour-all other passes from \$225 to \$275. Mr. Fletcher stated that there will be construction and repairs over the next several years and are hoping a percentage of those with passes will move to the Foundry Place Garage. Councilor Huda asked if there was any thought of charging a fee for residents on Sunday at HH. There is currently no fee. Mr. Fletcher stated that they previously removed the Event fee from the HH garage and moved it to the Foundry Garage. He suggested if it was the Committee's desire they could remove the free Resident Sunday at HH. He thought it would move the drive a lot of local traffic to Foundry. The consensus was to eliminate Free Resident Sunday at HH and make the fee a maximum of \$5 for Sunday Resident parking at HH.

There was discussion regarding market rate for Monthly parking. Mr. Fletcher stated that private parking rates range from \$8 to \$12 per hour. Councilor Tabor asked if the monthly passes at HH are highly sought over. Mr. Fletcher stated that they currently don't have a waiting list. They were successful in moving many of the monthly passes to the Foundry. Mr. Rice stated that they are hoping to migrate more monthly passes to Foundry as there will be substantial construction in the next few years at HH.

6. Water/Sewer Division: Brian Goetz gave a brief presentation of proposed Fee Changes, reducing the new customer permit fee from \$250 to \$150 and increase the Stormwater Connection Fee from \$0 to \$250. Mr. Rice said it was consistent with the Water and Sewer fee structure. Councilor Huda asked if this would apply to the Sagamore Creek project. Mr. Rice replied that the Sagamore Creek Project is not a storm drain project. If drainage becomes part of the project it would apply but that is not anticipated.

Mr. Goetz described the proposed increase to the fire services fee was linked to the rate study. It was noted that that the fees were considerably less than what they should have been hence they have requested fee increases yearly to get them up to the where they should be as recommended in the rate study.

Councilor Huda asked if there had been any thought to increase the fees for Water & Sewer that haven't changed for quite some time. Mr. Goetz stated that they review their actual costs and these appear to be in line with those costs. The hydrant rental was the only one with increased costs.

There was discussion regarding the Grease Trap fees and it was recommend to keep it as is. Councilor Huda asked if there are fees in case of an accident. Mr. Rice replied if that happens the fees associated with clean up are passed on to the business. No changes were made to Grease Trap Fees.

7. Recreation: No fee adjustments were submitted by the Recreation staff however Councilor Huda inquired whether the fees at Spinnaker cover the costs of operating Spinnaker. The answer was no. Peter Rice did say an update to the 2010 Comprehensive Recreation Needs Study is in the CIP scheduled for FY 22. The purpose of the updated study will be to evaluate all Indoor Recreation Facility needs including the Spinnaker Point Center which needs extensive capital improvements.

The meeting was adjourned at 5:00 p.m.





Karen S. Conard  
City Manager

## CITY OF PORTSMOUTH

City Hall, One Junkins Avenue  
Portsmouth, New Hampshire 03801  
kconard@cityofportsmouth.com  
(603) 610-7201

**Date:** April 2, 2020  
**To:** Honorable Mayor Rick Becksted and City Council Members  
**From:** Karen S. Conard, City Manager *KSC*  
**Re:** City Manager's Comments on City Council Agenda of April 6, 2020

---

### ***XI. Public Hearings and Votes on Ordinances and/or Resolutions:***

#### **1. Public Hearing: Acquisition of One Fire Apparatus:**

Please find [attached](#) a letter from Fire Chief Todd Germain requesting that the City Council establish a public hearing regarding the authorization to bond One Million Four Hundred Dollars (\$1,400,000) for the purchase of one fire apparatus. This item has been identified in the FY21 Capital Improvement Plan ([element sheet attached](#)). Chief Germain seeks to receive authorization on this expenditure to both take advantage of current pricing (prices will be increasing at the end of April) and to start the procurement process. These types of apparatus take over 14 months to build once an order is placed.

A bond authorization resolution is [attached](#).

*I recommend that the City Council move to adopt the resolution as presented.*

#### **2. Public Hearing: Request to Discontinue a Portion of Cate Street Connector Road:**

Last year, the City Council approved a land swap involving City and privately-owned land as well as a development agreement between the City and a private developer, both of which relate to the construction of what has been referenced as the "[Cate Street Connector Road](#)". The land swap conveyed to the City the portion of private property required to complete a new road extension in return for a portion of what was City land to be used by Cate Street Development LLC (a private developer) for the construction of the West End Yards mixed-use development project. In addition, the development agreement entered into between the City and the project developer outlined the specifics of the conveyance of land as well as the allocation of responsibility for construction and funding of the new public road, which is to be shared between the City and the developer.

The land swap, as previously approved by the City Council, conveyed 136,919 square feet of private land to the City in exchange for 47,470 square feet of City land. The land conveyed to the City will enable the construction of a connector road to provide direct access between Bartlett Street to the Borthwick Avenue traffic signal on the Route 1 Bypass. At the Bartlett Street end, the proposed road will follow the existing Cate Street right-of-way for approximately 250' and then travel across what is currently private property to connect to the Bypass. All of the existing properties that currently abut Cate Street will have access to the newly re-aligned road and the current connection to Cottage Street will remain.

Because the new road extension to Cate Street requires re-routing a portion of the existing Cate Street, the final step in this process is to discontinue the use of that land as a public street. Under New Hampshire state statutes, Cate Street is considered a "Class V public highway". Once public highways are created, it is presumed that the rights of the public last indefinitely, unless a formal public decision is made to discontinue those rights (RSA 231:43). The City cannot simply relocate the subject portion of Cate Street without a formal discontinuance decision from City Council.

The requirements for discontinuing a public road require that a public hearing occur and that all direct abutters of the road be sent notification via certified letter 14 days prior to the public hearing ([attached](#)).

*I recommend that the City Council vote to grant the petition of Cate Street Development, LLC to discontinue that portion of the public highway known as Cate Street defined and described in the petition, subject to the conditions contained therein.*

## ***XV. City Manager's Items which Require Action:***

### **1. Market Street Property Purchase from NH Department of Transportation:**

Department of Public Works staff have been working with the New Hampshire Department of Transportation (NHDOT) to procure a 7,834 sq. ft parcel of land on Market Street (see [attached map](#)) from the State of NH to improve stormwater maintenance associated with a pond bounded by Market Street, Maplewood Avenue, McGee Drive and the Heritage Hill Condominiums.

Purchase of this land is necessary to improve access to drainage structures that control the water level in this pond. The need for added control of this pond was identified during the stormwater design of the on-going Maplewood Avenue Reconstruction Project. The State has valued the parcel at \$1,100 which would be paid for as part of the Maplewood Avenue project cost. With Planning Board concurrence and City Council approval, City staff will work with the State to complete the purchase of this land.

*I recommend that the City Council move to refer procurement of land from the NHDOT to the Planning Board for a recommendation back to City Council.*

**2. Woodbury Avenue Signal Coordination Project:**

The City completed the Woodbury Avenue Signal Coordination Project in 2019. During the project, all of the traffic signals on Woodbury Avenue from Portsmouth Boulevard to Gosling Road were upgraded with new cabinets, new controls, new vehicular and pedestrian signal heads and all of the intersections were made fully ADA compliant including installing refuge islands in the Woodbury Avenue and Market Street intersection for the many wheelchair bound residents that cross there. In addition, the signals at the intersection of Gosling Road and Woodbury Avenue were replaced in their entirety.

As a portion of the money used to rehabilitate the signals was state-administered federal Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds, the City must follow the federal closeout procedure and formally accept the project. The Public Works Department and their consulting engineers TEC, Inc. have reviewed the entire project in depth and find no fault with the work that was performed.

*I recommend that the City Council move to accept the completed Woodbury Avenue Signal Coordination project.*

**3. Middle Street Baptist Parking Contract Renewal:**

Since 2013, the Middle Street Baptist Church has leased seventeen spaces to the City for the purposes of allowing Public Library staff the use of said space during business hours (see [attached map](#)). The annual fee is \$1,000, and the term for the [draft agreement](#) is April 1, 2020 - March 31, 2021.

*I recommend that the City Council move to authorize the City Manager to execute the Parking Lot Usage/Maintenance Agreement with the Middle Street Baptist Church.*

***XVI II. City Manager's Informational Items:***

**1. Council Update on COVID-19 Impact on FY 2020 Budget:**

I am working with the Finance Department to assess the City's projections of how the coronavirus pandemic is affecting the current budget year, and will provide a verbal report on Monday evening.

**2. Report Back on Questions Posed by Councilor Huda on March 16, 2020:**

The following is in response to the questions placed on the March 16, 2020 City Council agenda under Councilor Huda's name. The Councilor's questions/comments are in **orange**.

**Annual Budget Spending Request by Department**

**Does that mean the Department Manager has the ability to spend those dollars on anything as long as they stay within the budget dollars appropriated to them?**

- **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 budgets. Do these transfers require the approval of with 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.**

The following will address all of the above questions and are in accordance with Article VII – FINANCE AND REVENUE of the City Charter.

The annual proposed budget for the ensuing fiscal year is prepared by each department and submitted by the City Manager to the City Council. The budget is adopted by the following resolutions: General Fund Appropriations; Fee Schedule; Special Revenue Appropriations; Sewer Fund Appropriations; Water Fund Appropriations.

Each department head is responsible for the operations and expenditures of their bottom line budget following purchasing procedures outlined in the purchasing manual developed and maintained by the City Manager. The policy clearly identifies the procedures and authorizations required for all purchases within the department head's budget. The policy also provides the procedures required for larger purchases or services outside of the department head's budget such as rolling stock items and capital project expenditures requiring competitive bidding.

The head of any department, with the approval of the City Manager, may transfer any unencumbered balance of any portion thereof from one fund or agency within the department. As the departmental budgets are approved on a bottom line basis, department heads are authorized to over-expend a line item as long as a corresponding under-expenditure can be reflected in another line item within the particular budget. This will assure that the department bottom line budget is not over-expended.

**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?**

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

For additional clarity, Section 7.23 of the City Charter reads:

SECTION 7.23 – INFORMATION MANAGEMENT TECHNOLOGY The Administrative Code shall provide that a single municipal department shall direct acquisition, maintenance and coordination of Information Management Technology for all elements of City government including the Charter Departments. (ADOPTED THIS SECTION BY REFERENDUM VOTE NOVEMBER 7, 2000).

And, Section 1.106 H of the Administrative Code (“Information Technology”) reads:

H. INFORMATION TECHNOLOGY – The Information Technology Department shall be responsible for acquisition, maintenance and coordination of all computer hardware, software and related information technology for all elements of the municipal government, including the Charter Departments, except that the Charter Departments shall retain those Information Technology functions which by law or practice are unique and specific to the particular Charter Department. In its exercise of this authority, the Information Technology Department, or a Charter Department as appropriate, shall secure prior approval from the Finance Department for all technology acquisitions. (Adopted 3/19/2001)

Finally, the reference to “Charter Departments,” noted above includes the Police, School, and Fire Departments.

The Information Technology Department is a single department that was created in 2001. Since its inception, Alan Brady has been a member of that department, coordinating and managing IT purchasing and issues across all departments. He provides oversight of all IT purchases to ensure the City is making the most cost-effective investments – Council reviews all capital IT purchases, plus annual replacement stock, under a single IT umbrella. While Charter Departments may employ their own IT staff to fulfill their operational needs, we see no conflict between the charter and the administrative code, and feel the City is carrying out the IT function pursuant to both.

**3. Summary of Parking Holiday and Revenue Impacts:**

The following is a brief summary of parking revenues and projections for Fiscal Year 2020 (FY 20). As the result of social distancing measures, closures of most downtown businesses and the parking fee holiday until April 6th, the Parking Division’s revenue collection has been seriously reduced. As implemented, the parking holiday has stopped all parking revenues from meters, garages and monthly passes. This loss of revenue will impact both the Parking Division’s operations and the City’s General Fund.

As of March 1, 2020 the Parking Division revenues were at \$6.4M or 69% of \$9.2M total revenue projection for FY20.

Parking revenue losses were projected using FY19 revenue data. Based on revenues generated from March 17th through April 6th of 2019, a loss of approximately \$430,000 has been estimated. If the decision is made to continue the parking holiday through the Governor's recommended date of May 4th, we anticipate an additional \$730,000 loss of revenue or a total shortfall of approximately \$1,160,000 or roughly 13% of pre-virus projections. Based on last year's revenues, if we continue the parking holiday until the end of the fiscal year we anticipate a total loss of approximately \$2.5M in revenues.

A loss of \$2.5M will jeopardize the stability of the City's Parking fund. Even without the continued parking holiday, the decline in business will significantly impact revenues. Parking Revenues contribute \$2.4M to the City's General Fund, plus approximately \$1.8M in additional services to the City (for example: senior transportation; Coast Buses; police; fire, school; school crossing guards; snow removal and downtown trash collection). These contributions equal an average reduction in taxes to the median valued home of approximately \$330/year. Given the financial challenges the City is facing, City staff does not recommend the continuation of a parking holiday.

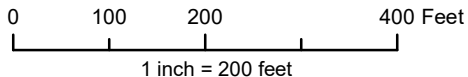
To address this revenue shortfall, the Parking Division is cutting expenditures and holding off on capital expenditures. If these measures are insufficient, use of Parking Fund Balance will be necessary.

CM Action Item #1



NHDOT Surplus Land  
0217-0002-000B

The City of Portsmouth provides these Geographic Information System maps and data as a public information service. Every reasonable effort has been made to assure the accuracy of these maps and associated data. The maps and data being provided herein are intended for informational purposes only. No guarantee is made as to the accuracy of the maps and data and they should not be relied upon for any purpose other than general information.



**NHDOT Surplus Land  
0217-0002-000B**

Printed: 3/9/2020  
Map prepared by Portsmouth Department of Public Works

**PARKING LOT USAGE/MAINTENANCE AGREEMENT**

Middle Street Baptist Church, 18 Court Street, Portsmouth, New Hampshire (hereinafter " Church"), and the City of Portsmouth a municipal corporation with an address of 1 Junkins Avenue, Portsmouth, New Hampshire, (hereinafter "City"), hereby enter this agreement with respect to the parking lot owned by the Church (Map 127, Lot 2) (hereinafter "the Lot") for the purposes and under the terms and conditions contained herein.

1. This agreement shall commence in effect on April 1, 2020 and continue in effect until March 31, 2021.
2. During the period in which this agreement is in effect the 17 parking spaces in the Lot shown on the attached plan shall be available at the direction of the City for the purpose of allowing employees of the Portsmouth Library to park.
3. Parking under this Agreement shall be limited from Monday through Friday of each week and from the hours of 8:30 a.m. to 9:30 p.m. each day. Except, however, that by prior written notice delivered to the Library Director not less than twenty-four (24) hours in advance, the Church may have use of the seventeen (17) spaces for specific Church events during these hours up to eight (8) times per calendar year. Such use of the spaces by the Church beyond the eight (8) times shall be at the discretion of the City.
4. The City shall post and maintain signage in a manner to be approved by the Church to designate the 17 spaces for library employee parking. The signs shall include information about the hours and days when such employees are permitted to use the spaces.
5. The City shall have the authority to provide regular and consistent enforcement of its rules and regulations governing the use of these parking spaces during the times stated to ensure that the parking spaces are only being used by authorized permit holders.
6. The City shall install a key-locked security gate in the existing chain link fence in a manner subject to the reasonable approval of the Church. Keys to the gate shall be provided to the Church and to the Library employees. The City shall remove the security gate upon termination of the Agreement and restore the existing chain link fence to its original character.
7. The City shall plow snow, apply salt and sand, and remove snow as necessary from the Lot in accordance with its normal practices for City parking lots.
8. Except as described in this agreement all other the use of the lot shall be under the control of the Church.



- 9. The City agrees to indemnify and hold the Church harmless with respect to any and all claims for liability arising out of any use of the parking which is sanctioned, arranged, sponsored or conducted by the City, to the extent and under the terms and conditions under which the City itself is entitled to indemnification from the New Hampshire Local Government Center, Property and Liability Trust, under the terms of its member agreement as it may be in effect from time to time.
- 10. In exchange for the foregoing the City shall pay to Church the total annual compensation of \$1,000.00, which shall be due no later than July 31 of each year of the Agreement.
- 11. This Agreement may be terminated by the Church in the event that the City fails to maintain its obligations under it, after the City has been given written notice of such failure and a thirty (30) day period to cure it.

**For the City of Portsmouth**

**For Middle Street Baptist Church,  
Portsmouth, NH**

\_\_\_\_\_  
Karen Conard, City Manager

\_\_\_\_\_  
\_\_\_\_\_,

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

Pursuant to vote of the City Council  
on \_\_\_\_\_

Pursuant to vote of the Middle Street Baptist  
Church Board of Trustees on  
\_\_\_\_\_

**CM Action Item #3**

**17 SPACES**



## CITY COUNCIL E-MAILS

March 16, 2020 (after 4:00 p.m. – April 2, 2020 (9:00 a.m.)

### April 6, 2020 Council Meeting

**Below is the result of your feedback form. It was submitted by andy richmond**  
([arichmond1963@gmail.com](mailto:arichmond1963@gmail.com)) on Tuesday, March 17, 2020 at 16:29:17

-----  
address: 44 cliff rd

comments: Keep the bike lanes, keep the pedestrian bridge on Market St. Reversing this type of infrastructure would be exactly that--backwards. Portsmouth has made some strides toward addressing alternative and vulnerable users. Undoing that progress would be a huge and costly mistake. Climate and health would both suffer and the city would take a big step backward in awareness, enlightenment and coolness.

includeInRecords: on  
Engage: Submit

-----  
Below is the result of your feedback form. It was submitted by Matthew Glenn ([matthglenn@gmail.com](mailto:matthglenn@gmail.com)) on Thursday, March 19, 2020 at 13:53:30

-----  
address: 34 Harrison

comments: Dear Council members,  
I want to first of all thank you for your many great efforts to do what is best for our city during this time of pandemic. I'm writing to you today about a much less urgent and global issue, but one that I feel also impacts the safety of our residents-- the Middle Street redesign. I was really discouraged by many of the comments made by my neighbors at last week's public input meeting. Clearly a number of people are upset with how the buffered bike lanes look and how they have changed their perception of safety as drivers. Some commented that they wouldn't themselves bike in the lanes, claiming it is some way unsafe to ride "near the gutter" or be in a place cars might not be looking for them. I'd like to say just the opposite-- Middle Street was very unsafe for bike riders previously, and riding in the buffered lanes today (as I do on about half of my daily commutes) I feel perfectly safe and visible at all intersections. I've pulled my children down Middle Street on the way to Prescott Park in a bike trailer, and look forward to them riding the lane very soon on their own. Safety needs to be our top priority, and many in the room last week said they are concerned about the safety of the design. However, it is impossible to deny that a bike rider is much safer when physically separated from cars moving at 35 or 40 mph. I'm sure those who came to comment are cautious and careful drivers; however, there are around 11,000 more daily drivers on Middle Street and we know that far too many are distracted by their smartphones and not paying attention to the road. It would be far better for them to hit a bollard (or perhaps a car mirror, although the statistics show this type of accident has not increased) than a bicycle rider. A few people suggested that we should simply shift the parking back to the curb and paint a "normal" bike lane between the parked cars and the travel lane. They mentioned feeling unsafe opening the driver side door in those parking spots-- having to carefully check mirrors for moving cars before opening the door. That is what they need to do when parking on many other normal-width city streets, and exactly the habit that would save hundreds of cyclists from injury or death each year when "doored" by careless drivers exiting their cars. When this Safe Routes to School project was first considered in November 2014 the death of bicyclist John Kavanaugh in Durham three months prior was fresh in many of our minds. A driver had parked in a spot on Durham's Main Street with a newly painted bike lane on his left, and he opened his door into the lane without looking, throwing Kavanaugh into the road and killing him. We do not have an unsafe lane like that-- we have an excellent, buffered lane-- and if we can extend it into a larger network we will really see ridership increase. Across the country bicycle ridership is growing, and unfortunately bicycle and pedestrian deaths are also increasing. Please don't believe the perception by some drivers that it is unsafe-- that feeling of a narrower roadway with parked cars close to the travel lane is meant

to slow cars down, which benefits pedestrians, bikes, and all users. So far it has improved safety and lowered car speeds slightly, and we need to give it more time. Thank you all for your time in these challenging days.  
Matthew Glenn

referenced above: <https://www.wmur.com/article/bicyclist-dies-after-crashing-into-car-door/5192623>

includeInRecords: on  
Engage: Submit

---

Below is the result of your feedback form. It was submitted by petar ramadanovic ([petarr@unh.edu](mailto:petarr@unh.edu)) on Friday, March 20, 2020 at 08:00:34

-----  
address: 393 Union St

comments: Dear City Council,  
I was at Hannaford's yesterday, the only person with a face mask. I have to have it because my wife is immunocompromised but a friend made a point that she could not get a mask since pharmacies run out of them. So the question is who should get a mask for the town? and you are the only ones I could think of. You need to provide them. N-95 is quite effective. Please make it possible for your city to have them. Masks will slow down the transmission of the virus.  
thanks in advance

includeInRecords: on  
Engage: Submit

---

Below is the result of your feedback form. It was submitted by Sarah Smith ([sarah.uhl@gmail.com](mailto:sarah.uhl@gmail.com)) on Sunday, March 22, 2020 at 12:33:51

-----  
address: 969 Banfield Rd

comments: Dear City Council Members,

I am writing to express my concern about the continuation of operations at the Portsmouth Naval Shipyard, given the COVID19 pandemic and the indication that reducing crowd numbers is an important way to stop the transmission of the virus. I recognize that the shipyard is not a city facility, but I am asking you to weigh in with Senators Shaheen and Hassan and Governor Sununu; I believe your voices will carry more weight and help prevent a serious outbreak that would impact the city we love.

The CDC has advised that gatherings should not exceed 50 persons and others have advised to limit crowd size further. Governor Sununu closed all public schools for three weeks and most daycares are now closed. Businesses are closing to reduce the opportunities for virus transmission.

Why is the Shipyard continuing business as usual? They have allowed those with pre-existing health conditions or who are 60 years or older to stay home. From what we are learning about COVID-19, however, this is not enough. There is a bigger national security risk to the Shipyard continuing to require its 5,000+ workforce to come to work daily, as this could be the source of major transmission affecting hospitals and communities in New Hampshire, Maine, and Massachusetts. I urge you to reach out to the Shipyard command and the DoD to stand down the workforce and curtail operations for the next two weeks, to mirror what state governments are doing to curtail the spread.

Thank you for your help.

Sarah  
includeInRecords: on  
Engage: Submit

Below is the result of your feedback form. It was submitted by Sarah Holly ([s.holly.nh@gmail.com](mailto:s.holly.nh@gmail.com)) on Monday, March 23, 2020 at 05:26:11

---

address: 122 Thaxter Road

comments: Dear Councilors,

I am writing to express grave concern about the continued operations at the Portsmouth Naval Shipyard. Governor Sununu has closed all public schools, limited bars and restaurants to take out and delivery, and banned re-usable grocery bags in attempt to slow the spread. PSNY risks becoming an infection cluster as there are roughly 5,000 employees there, who live in NH, Maine, and Massachusetts. This will overwhelm hospital systems in three different states if action is not taken now. This places shipyard families and our communities at unnecessary risk and the decision of the shipyard command to continue operations is reckless and runs counter to PSNY purpose of protecting our country. Please take action, please raise this with the shipyard command and coordinate with Governor Sununu on putting pressure for a two week closure that mirrors what other organizations are doing. Thank you. Be well.

includeInRecords: on

Engage: Submit

---

Below is the result of your feedback form. It was submitted by Gerald Duffy ([Gduffy44@gmail.com](mailto:Gduffy44@gmail.com)) on Monday, March 30, 2020 at 20:04:59

---

address: 428 Pleasant Street, Portsmouth

comments: Dear Mayor and Councilors:

I congratulate the City Manager and her staff on doing a first-job in responding to the current unprecedented crisis and providing clear information communications. Truly inspiring.

The Council meets tomorrow in yet another non-public session (how many is it now?) to discuss the McIntyre lawsuit, which is not pending — it's filed. If the unavoidable litigation — with all the financial risks involved and the chance of eventually losing the McIntyre site altogether — did not make any sense before coronavirus, it DEFINITELY makes absolutely no sense now, to a City whose revenues will soon be severely impacted by the coming economic fallout.

Please come together in good faith and do the right thing. Agree to rescind your rejection of the ground lease, get back to the table with Redgate Kane, safe our money, and come up with a design we can all live with.

Best wishes and stay safe.

Gerald Duffy

includeInRecords: on

Engage: Submit

---

Below is the result of your feedback form. It was submitted by Dixie Tarbell ([dixiemcleantarbell@gmail.com](mailto:dixiemcleantarbell@gmail.com)) on Monday, March 30, 2020 at 20:17:10

---

address: 25 Driftwood Lane

comments: Dear City Councilors,

With the COVID 19 crisis, fiscal foresight is even more important than ever. Collaborating with Redgate-Kane is the wise choice. Throwing away money (which is unlikely to be recouped via liability insurance) would be a shortsighted choice which will hurt us residents badly. I was born in Portsmouth and am going on 41 years in

my current home. It would be a travesty if wrangling over the McIntyre Project in court resulted in tax payers like me needing to leave their homes. It would also be a shame if the city had to cut teachers's jobs and the like which contribute so much to the quality of life for Portsmouth families, all for a fight about opposing personal opinions over one space in downtown Portsmouth which will matter far less than continuing to have quality education, police protection, fire safety, public works and all the services and infrastructure which keep Portsmouth a great place to live!

includeInRecords: on  
Engage: Submit

---

Below is the result of your feedback form. It was submitted by Andrew Bagley ([Acbagley@yahoo.com](mailto:Acbagley@yahoo.com)) on Monday, March 30, 2020 at 20:31:45

-----  
address: 40 Chauncey street

comments: Drop the project and focus on the crisis. Not a time to play at being a developer.

includeInRecords: on  
Engage: Submit

---

Below is the result of your feedback form. It was submitted by Effie Malley ([Effie.malley@gmail.com](mailto:Effie.malley@gmail.com)) on Tuesday, March 31, 2020 at 09:03:01

-----  
address: 428 Pleasant Street

comments: For the non-public city council meeting tonight, I want to be sure to let you know how important it is that you take immediate steps to avoid the lawsuit with Redgate Kane. Particularly with the Corona public health crisis, the City's revenues will have higher priority demands. This lawsuit is unnecessary; please act responsibly on behalf of your city. Thanks for the work you do!

includeInRecords: on  
Engage: Submit

---

Below is the result of your feedback form. It was submitted by Colleen Wolfe ([cwolfe@drhorne.com](mailto:cwolfe@drhorne.com)) on Tuesday, March 31, 2020 at 12:11:37

-----  
address: 159 Woodbury Ave, #2

comments: Hello,  
I am writing again to urge the Council to take necessary action to prevent a protracted legal battle with Redgate Kane. Portsmouth faces immediate economic challenges as a result of the COVID-19 pandemic - please do not add the financial burden of a costly lawsuit to the burden taxpayers will have to bear. Please don't let a central lot in our beautiful downtown sit vacant for years. Developing that lot could be a crucial part of a successful economic recovery plan for Portsmouth after the pandemic. Please listen to advice of council, act in good faith, and honor your contractual obligations to the developer.

Best,  
Colleen Wolfe

includeInRecords: on  
Engage: Submit

---

Below is the result of your feedback form. It was submitted by Gerald Duffy ([Gduffy44@gmail.com](mailto:Gduffy44@gmail.com)) on Wednesday, April 1, 2020 at 04:14:30

-----  
address: 428 Pleasant St.

comments: Mr Mayor and Councilors:

None of us knows yet just how bad the economic fallout from this current crisis will be for the residents of this City. But the fact that you have chosen to hire a top Boston law firm as outside counsel to fight Redgate Kane is unconscionable.

Given what we already know about the future and its enormous economic stresses, every penny the City is spending of our tax money on \$1,000 per hour lawyers should be diverted to where it's needed: to help relieve the people and businesses of Portsmouth.

Gerald Duffy

includeInRecords: on  
Engage: Submit

-----  
Below is the result of your feedback form. It was submitted by BILL HAMILTON ([phineasgraphics2@gmail.com](mailto:phineasgraphics2@gmail.com)) on Wednesday, April 1, 2020 at 09:18:20

-----  
address: 108 PENHALLOW ST

comments: Dear City Councilors,

I'm writing to express my gratitude to you in moving forward in a most positive way to defend the City of Portsmouth against the spurious lawsuit initiated by Kane/Redgate regarding the McIntyre project.

Your choice of Hinckley Allen and, especially, of partner Michael Connolly, demonstrates, to me, your firm resolve to bring in the best outside legal team to address this issue.

Again, my sincere thanks to you and my hope that this may move quickly so that the McIntyre project can proceed to a far better outcome.

Best,

Bill Hamilton

includeInRecords: on  
Engage: Submit

-----  
Below is the result of your feedback form. It was submitted by Ryan Costa ([Ryancosta89@gmail.com](mailto:Ryancosta89@gmail.com)) on Wednesday, April 1, 2020 at 13:49:30

-----  
address: 126 Hill St.

comments: Hello-

While I may not agree with a lot of what this city council is doing at the moment, I wish Councilor Trace a speedy recovery. I hope that she tests negative for the virus, and that you are all safe as well.

Thank you

includeInRecords: on  
Engage: Submit

Below is the result of your feedback form. It was submitted by Brad ([lown@nhtrialattorneys.com](mailto:lown@nhtrialattorneys.com)) on Wednesday, April 1, 2020 at 15:03:59

---

address: 439 Middle Street

comments: Dear Councilors - the City is now mulcted in what could be an endless, time-consuming and hugely expensive morass of litigation. It doesn't matter who filed suit first, and the outcome is almost irrelevant. The City has hired outside counsel – you should all demand to know the hourly rate of that lawyer in the amount of the bills every month. The taxpayers should know it, and they will be shocked. The City should file a request to stay the litigation so that the parties can mediate immediately, seriously, and in good faith. With all due respect, rejecting the ground lease without giving any reason was unwise and imprudent.

includeInRecords: on  
Engage: Submit

---

Below is the result of your feedback form. It was submitted by Zelita Morgan ([zelita.morgan@gmail.com](mailto:zelita.morgan@gmail.com)) on Wednesday, April 1, 2020 at 15:18:46

---

address: 39 Richards Avenue

comments: Dear Mayor and Councilors  
I hope you, your family and loved ones are doing well.

I would like to thank the City Council for establishing virtual city council meetings. Yes!!!

I want to thank our City Administration for sending informative bulletins, and securing continuity of basic services, and thanks to those employees who are out there but making it possible.

Last, but certainly not least, this Council did well in securing an independent law firm to support negotiations and upcoming decisions on the McIntyre matter. I don't understand why this wasn't done the moment you took office, when pre-greeted by the developer with a threat of lawsuit late December 2019. Anyway, I am glad it is done, and it was a wise and sound decision.

Be safe and healthy, and thanks for all you have been doing for the benefit of our community.

Zelita Morgan

includeInRecords: on  
Engage: Submit

---