

TO: KAREN CONARD, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL RECESSED MEETING HELD BY ZOOM ON MONDAY, AUGUST 3, 2020 MEETING AT EACH INDIVIDUAL CITY COUNCILOR'S HOME, CITY MANAGER CONARD'S OFFICE, CITY ATTORNEY'S OFFICE, AND CITY CLERK'S HOME

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

1. Mayor Becksted recited that this is a 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, as extended by Executive Order 2020-10, and Emergency 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.
2. Acceptance of Minutes – April 20, 2020, May 4, 2020 & May 6, 2020 – **On a unanimous roll call 9-0, voted** to accept and approve the minutes of the April 20, 2020, May 4, 2020 and May 6, 2020 City Council meetings.
3. Public Comment Session – There were 18 speakers: Gerald Duffy (Ethics Complaint and Bike Lanes); Paul Ringuette (Pop Up NH); Rick Horowitz and Jacqueline Cali-Pitts (Mask Ordinance); Byron Matto, Barbara Jenny , Zelita Morgan, Mark Brighton, Brian Kelly, Patrick Ellis and Clare Kittredge (Ethics Complaint); James & Jody Gould (Involuntary Merged Lot – 246 Thornton Street); Kate Hatem (Ethics Complaint); Arthur Clough (Ethics Complaint & Pop Up NH); Shantel Surlis (Face Coverings); Andrew Bagley (Pop Up NH); Marie Nelson (Bike Lanes); and Kaitlin Deyo (Pop Up NH/Prescott Park).
4. Public Hearing and Second Read of Ordinance amending Chapter 7, Article I, Section 7.102 – Parking Meter Zones; Chapter 7, Article I, Section 7.105 – Parking; Chapter 7 , Article III, Section 7.324 – Limited Parking – One Hour; Section 7.325 – Limited Parking – Thirty Minutes; Section 7.326 – Limited Parking – Fifteen Minutes; Section 7.327 – Limited Parking – Two Hours; Section 7.328 – Limited Parking – Three Hours; Section 7.328-1 – Utilization of Multiple Parking Spaces; and Section 7.329 – Limited Parking – Four Hours (Stay and Pay) – Held a public hearing. **On a unanimous roll call 9-0, voted** to amend Section 7.102 to add the following language after the word *apply* at the end of the first paragraph to read “*are designated as parking meter zones.*”

On a unanimous roll call 9-0, voted to pass second reading of the Ordinance as amended.

On a roll call 7-2, voted to suspend the rules in order to take up third and final reading of the Ordinance. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Tabor, Trace and Mayor Becksted voted in favor. Councilors Kennedy and Huda voted opposed.

On a roll call 7-2, voted to pass third and final reading of the Ordinance as amended with the ordinance taking effect on August 17, 2020. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Huda, Tabor and Trace voted in favor. Councilor Kennedy and Mayor Becksted voted opposed.

5. **On a unanimous roll call 9-0, voted to suspend the rules in order to take up Item XVII. Presentations A. – C.**
6. Presentation by Health Officer Kim McNamara regarding COVID-19 Update – Health Officer McNamara reported that the United States leads globally in COVID-19 cases. She said that there were 26 new cases reported in NH today and Portsmouth currently has 9 current cases with a total of 92 reported cases of COVID-19 thus far. She stated that the CDC is calling on people to wear masks because COVID is extraordinarily wide spread and face coverings are the most powerful tool we have to stop the spread.
7. Update on the Portsmouth Citizens Response Task Force – James Petersen, Mark Stebbins, Russ Grazier and Ann Birner provided an update on Pop Up NH and the various work that is taking place for the opening on Thursday, August 6th. Ms. Birner reported there is so much data on the virus and the focus is on the number of cases regionally as well as the hot spots outside New England. She advised the City Council a letter has been sent to Governor Sununu regarding face masks/coverings and they will continue to request letters of support from surrounding communities to be sent to Governor Sununu.
8. Presentation regarding Census Reporting – Richard Perrin, US Census Bureau – Mr. Perrin provided a status update on the Census Reporting. He explained the process that is followed to gather information and reported that Portsmouth is at 70%. He requested that the census tool kit and information regarding the census be placed on our website for the public to access and reference.
9. Appointments to be Considered – The City Council considered the appointments as outline below and they will be voted on at the August 31, 2020 City Council meeting.
 - Appointment of Thaddeus Jankowski to the Conservation Commission
 - Appointment of Adam Webster to the Conservation Commission
 - Appointment of Jane Wright as an Alternate to the Conservation Commission
10. Appointment to be Voted – Reappointment of Erica Wygonik to the Parking & Traffic Safety Committee as an Alternate – **On a unanimous roll call 9-0, voted** to reappoint Erica Wygonik to the Parking & Traffic Safety Committee until August 4, 2023.
11. That Mill Pond way be named for former Portsmouth Assistant Mayor Paul McEachern – **On a roll call 8-0, voted** to suspend the rules to name the City owned parcel of land (143-8) after Paul McEachern. Councilor McEachern abstained.

On a roll call 8-0, voted to name a City owned parcel of land (143-8) formerly known as Mill Pond Way on the North Mill Pond as the Paul McEachern Park. Councilor McEachern abstained.

12. Request First Reading of an Ordinance Requiring That Face Coverings Be Worn At Specific Times In The City of Portsmouth – **On a unanimous roll call 9-0, voted** to pass first reading of the Face Coverings Ordinance and hold a Special City Council meeting on Tuesday, August 18, 2020 at 7:00 p.m. with a public hearing and second reading of the Ordinance.
13. **On a unanimous roll call 9-0, voted** to suspend the rules in order to continue the meeting beyond 10:30 p.m. and recessing the meeting at 12:00 a.m. with all remaining items to be listed on the agenda after the public hearing and second reading of the Face Coverings Ordinance.
14. Report Back on Request of Restoration of Involuntary Merged Lot – 246 Thornton Street – **On a unanimous roll call 9-0, voted** to reconsider the Restoration of Involuntary Merged Lot at 246 Thornton Street.

On a roll call 8-1, voted to unmerge the lots at 246 Thornton Street. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Kennedy, Huda, Tabor and Trace. Mayor Becksted voted opposed.
15. Report Back on Request of Restoration of Involuntary Merged Lot – 1240 Islington Street – Assistant Mayor Splaine withdrew this request.
16. Resolution that the City Council Supports our Educators as they take the Necessary Steps to Keep Both Children and Themselves Safe – **On a unanimous roll call 9-0, voted** to adopt the Resolution.
17. Parking and Traffic Safety Committee Action Sheet and Minutes of the July 9, 2020 meeting (With Summary Sheet: Stay and Pay Recommended for Approval to City Council) – **On a roll call 7-2, voted** to postpone action on this item until the August 18, 2020 City Council meeting. Assistant Mayor Splaine, Councilors McEachern, Kennedy, Huda, Tabor, Trace and Mayor Becksted voted in favor. Councilors Whelan and Lazenby voted opposed.
18. Report Back on Request of Restoration of Involuntary Merged Lot – 1240 Islington Street – **On a unanimous roll call 9-0, voted** to table this request until the August 18, 2020 Special City Council meeting.
19. Permitting Fee Relief for Businesses and Outdoor Use – Councilor Lazenby withdrew this item from the agenda.
20. Request for explanation of Ethics Complaint process and update on current status – City Attorney Sullivan explained the process and indicated they are within the 30 day cycle of review.
21. Middle Street Bike Lanes Current Implementation for Safety in Lieu of the Recent Accident – **On a unanimous roll call 9-0, voted** to postpone this matter until the Special City Council meeting on August 18, 2020 in order to provide more details on this issue.
22. **On a unanimous roll call 9-0, voted** to suspend the rules to bring forward Items XV. A.2. – Establish Polling Hours for the State Primary Election and XV. A.6. – Temporary Construction License for 111 Maplewood Avenue.

23. Establish Polling Hours for the State Primary Election – **On a unanimous roll call 9-0, voted** to approve the polling hours of 8:00 a.m. to 7:00 p.m. for the State Primary Election on September 8, 2020 as recommended by the City Clerk.
24. Temporary Construction License for 111 Maplewood Avenue – **On a unanimous roll call 9-0, voted** that the City Manager be authorized to execute and accept the temporary construction license regarding 111 Maplewood Avenue as presented.
25. **On a unanimous roll call 9-0, voted** at 12:00 a.m., to recess the meeting until the Special City Council meeting on August 18, 2020.

Respectfully submitted by:

Kelli L. Barnaby, MMC, CNHMC
City Clerk