

# CITY COUNCIL MEETING

Remote Meeting Via Zoom Conference Call

To register in advance for this meeting, click on the link below or copy and paste it into your web browser:

[https://zoom.us/webinar/register/WN\\_k4uhh4WdR\\_iBkbCR4V0bwg](https://zoom.us/webinar/register/WN_k4uhh4WdR_iBkbCR4V0bwg)

You are required to register in advance to join the meeting over Zoom, a unique meeting ID and password will be provided once you register. Please note, this meeting will also be broadcast on the City's YouTube Channel. Public comments for the Council's consideration can be emailed in advance via the City's web site: <https://www.cityofportsmouth.com/citycouncil/contact-all-city-councilors>.

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 2020-20, 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.

DATE: MONDAY, NOVEMBER 23, 2020

TIME: 7:00PM

**(CONTINUED FROM NOVEMBER 16, 2020)**

*Items stricken have been voted upon*

## **~~6:00PM – ANTICIPATED NON-PUBLIC SESSION~~**

- ~~1. BOYLE AND PUMP STATION – RSA 91-A:3 II (e)~~
- ~~2. ASSISTANT FIRE CHIEF EMPLOYMENT AGREEMENT & COLLECTIVE BARGAINING – RSA 91-A:3, II (a)~~  
[https://zoom.us/webinar/register/WN\\_WxgllxMcQK21K68ykwTFg](https://zoom.us/webinar/register/WN_WxgllxMcQK21K68ykwTFg)

## AGENDA

- ~~I. WORK SESSION – THERE IS NO WORK SESSION THIS EVENING~~
- ~~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 (There are no minutes on for acceptance this evening)~~
- ~~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~~

First Reading of Ordinances:

- A. ~~First Reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Chase Drive: northerly side, from Michael Succi Drive to a point 30 feet delete on either side and insert west of the driveway located at 355 Chase Drive~~

~~Public Hearing/Second Reading of Ordinances:~~

- B. ~~ORDINANCE AMENDING CHAPTER 7, ARTICLE IVA, SECTION 7-A.402: – BUS STOPS DESIGNATED – HANOVER STREET: SOUTHERLY SIDE OF HANOVER STREET 90 FEET EAST OF FROM FLEET STREET TO A POINT 285 FEET EAST OF FLEET STREET~~

- ~~• PRESENTATION – PORTSMOUTH & COAST~~
- ~~• CITY COUNCIL QUESTIONS~~
- ~~• PUBLIC HEARING SPEAKERS~~
- ~~• ADDITIONAL COUNCILOR QUESTIONS AND DELIBERATIONS~~

- C. ~~ORDINANCE AMENDING CHAPTER 7, ARTICLE XI, SECTION 7.1100 – SPEED LIMITS E: SPEED LIMIT: 25 MPH BY THE ADDITION OF SOUTH STREET, FROM MIDDLE ROAD TO LAFAYETTE ROAD~~

- ~~• PRESENTATION~~
- ~~• CITY COUNCIL QUESTIONS~~
- ~~• PUBLIC HEARING SPEAKERS~~
- ~~• ADDITIONAL COUNCILOR QUESTIONS AND DELIBERATIONS~~

- D. ~~ORDINANCE AMENDING CHAPTER 7, ARTICLE III, SECTION 7.330 – NO PARKING BY THE ADDITION OF DEARBORN STREET: EASTERLY SIDE, FROM THE NORTH MILL POND RUNNING NORTHERLY FOR A DISTANCE OF 25 FEET~~

- ~~• PRESENTATION~~
- ~~• CITY COUNCIL QUESTIONS~~
- ~~• PUBLIC HEARING SPEAKERS~~
- ~~• ADDITIONAL COUNCILOR QUESTIONS AND DELIBERATIONS~~

- E. ~~ORDINANCE AMENDING CHAPTER 11, ARTICLE II – SEWERS, SECTION 11.203 AND SECTION 11.204 – WAIVER FROM CONNECTION TO PUBLIC SEWER~~  
~~(Second reading was postponed from November 16, 2020 until the December 7th Council meeting)~~

- ~~• PRESENTATION~~
- ~~• CITY COUNCIL QUESTIONS~~
- ~~• PUBLIC HEARING SPEAKERS~~
- ~~• ADDITIONAL COUNCILOR QUESTIONS AND DELIBERATIONS~~

## Third and Final Reading of Ordinances:

- F. ~~Third and Final Reading of Ordinance amending Chapter 7, Article VI—Loading Zones, Section 7.601—Limited Hours Loading Zones—Pleasant Street: easterly side, beginning 94 feet south of the southerly curb line of Daniel Street and running southerly for a distance of 45 feet~~
- G. ~~Third and Final Reading of Ordinance amending Chapter 7, Article III—Traffic Ordinance, Section 7.336—One-Way Streets deletion of Parker Street: northerly from Tanner Court to Hanover Street~~
- H. ~~Third and Final Reading of Ordinance amending Chapter 7, Article III—Traffic Ordinance, Section 7.330—No Parking—Little Harbor Road: Both sides of the roadway, beginning at the east side of the Wentworth Coolidge Mansion driveway, running easterly for a distance of 155 feet to the gate at the end of the pavement~~
- I. ~~Third and Final Reading of Ordinance amending Chapter 7, Article III—Traffic Ordinance, Section 7.326—Limited Parking—15 Minutes~~
- ~~Daniel Street: Southerly side, deletion of first five and insert three metered spaces deletion of east from Market Square and insert running between 102 and 160 feet west of Penhallow Street~~
  - ~~Hanover Street: deletion of northerly side, first two spaces east from Bridge Street~~

## XII. ~~MAYOR BECKSTED~~

1. ~~Appointments to be Considered:~~
  - ~~Reappointment of Peter Weeks to the Trustees of the Trust Funds~~
  - ~~Reappointment of Philip Cohen to the Economic Development Commission~~
  - ~~Appointment of Devan Quinn to the Peirce Island Committee~~
  - ~~Appointment of Andrew Samonas to the Conservation Commission~~
2. ~~\*Appointments to be Voted:~~
  - ~~Appointment of Karen Bouffard to the Historic District Commission as an Alternate~~
  - ~~Reappointment of Robert Marchewka to the Economic Development Commission~~
3. ~~Resignations~~
  - ~~Mary Morin from the Citizen Response Task Force~~
  - ~~Jane Wright from the Conservation Commission~~
4. ~~\*Holiday House Decorating Contest~~
5. ~~Ordinance Amendment Re: Plastic Bag Ban (**Sample motion—move to hold first reading at the December 7, 2020 City Council meeting**)~~

## XIII. CITY COUNCIL MEMBERS

### A. ASSISTANT MAYOR SPLAINE

1. ~~\*Face Covering Requirement (**Sample motion—move that the current Portsmouth Face Covering Ordinance remain applicable through June 1, 2021, but may end sooner by a decision of the city's Health Officer**)~~

- ~~2. \*Waste Water Treatment 2050 (**Sample motion – that the City Council ask the City Manager to initiate discussions with area communities for long-term cooperative planning for Waste Water Treatment on a regional basis using evolving technologies**)~~

#### **B. COUNCILOR McEACHERN**

- ~~1. \*Report Back on the Establishment of Ad Hoc Advisory Group Re: Public Art Acquisition~~
- ~~2. \*Extending outside dining to end of December~~
- ~~3. \*McEachern Park~~

#### **C. COUNCILOR WHELAN**

- ~~1. Action Item Needing Approval by City Council:
  - ~~• Report Back on traffic calming request on Chevrolet Avenue (**Sample motion – move to respectfully request that the City Council allocate funds to the Planning and Public Works Departments to conduct a comprehensive street network plan for the Chevrolet Avenue, Brewery Lane and Albany Street area**)~~~~
- ~~2. Parking Traffic & Safety Action Sheet and Minutes of the October 8, 2020 meeting (**Sample motion – move to accept and approve the Parking Traffic & Safety Action Sheet and Minutes of the October 8, 2020**)~~

#### **D. COUNCILOR LAZENBY**

- ~~1. Extension of Mask Mandate (**Sample motions – 1) move to pass first reading and hold second reading and public hearing at the December 7, 2020 City Council meeting; - or - 2) move to hold first reading at the December 7, 2020 City Council meeting**)~~

#### **E. COUNCILOR KENNEDY**

- ~~1. \*Work Session Re: Peirce Island (**Sample motion – move to establish a work session on Peirce Island to include the Peirce Island Committee. During this meeting the following should be included but not limit to: The treatment plant, public art, return of the dog park, Peirce Island Bridge, and vegetation clean up**)~~

#### **F. COUNCILOR TABOR**

- ~~1. Ethics Board Observations/Recommendations for the Future~~

#### **G. COUNCILORS LAZENBY & COUNCILOR TABOR**

- ~~1. \*Diversity and Inclusion Training (**Sample motion – move to request the City Manager to Schedule Diversity and Inclusion Training for Elected Officials and members of Boards and Commissions**)~~

#### XIV. APPROVAL OF GRANTS/DONATIONS

- A. \*Approval of Moose License Plate Conservation Grant for FY21 (\$9,760.00) (**Sample motion – move to accept this grant from the New Hampshire State Library, as presented**)
- B. Approval of New Hampshire Internet Crimes Against Children Task Force (ICAC) from the Federal FY '20 Forensic Shield-COVID Cares Act Grant - \$1,000,000.00 (**Sample motion – move to accept this grant as presented, and authorize the City Manager to expend these funds subject to the terms of any offer, rules, or regulation pertaining to such funds in cooperation with the Police Department**)
- C. Approval of Bureau of Justice Assistance Patrick Leahy Bulletproof Vest Partnership Grant - \$5,999.88 (**Sample motion – move to accept this grant as presented**)
- D. Approval of Federal Office of Juvenile Justice & Delinquency Prevention Grant (OJJDP) - \$334,969.00 (**Sample motion – move to accept this grant as presented**)

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

##### A. CITY MANAGER CONARD

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

- 1. Approval of 2021 Council Meeting Calendar
- 2. ~~Ratification of Assistant Fire Chief Employment Agreement~~
- 3. Request to Name Private Unnamed Street Located Off Gosling Road
- 4. Parking Agreement for Deer Street Associates
- 5. Request to Schedule First Reading on Floodplain Overlay District Zoning Maps
- 6. ~~Temporary Construction License for 111 Maplewood Avenue, LLC for Property Located at 145 Maplewood Avenue~~
- 7. Revocable License for 241 South Street
- 8. ~~Request for Public Hearing for Five Bond Resolution Authorizations~~
  - ~~General Fund – Police Facility Improvements – \$400,000.00~~
  - ~~General Fund – School Facility Improvements – \$1,000,000.00~~
  - ~~General Fund – Outdoor Pool and City Street and Sidewalk Upgrades – \$3,640,000.00~~
  - ~~Water Fund – FY21 Water Projects – \$3,600,000.00~~
  - ~~Sewer Fund – FY21 Sewer Projects – \$5,250,000.00~~
- 9. 60 Penhallow Street (Brick Market) Amended Temporary Construction License

## XVI. CONSENT AGENDA

- A. Request for License to Install a Projecting Sign for owner Helen Marks for Spiritual Reader & Advisor for property located at 90 Fleet Street (***Anticipated action - move to approve the aforementioned Projecting Sign License as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreement for this request***)

### Planning Director's Stipulations

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

- B. Request for License to Install two Projecting Signs for owner John Reece for Fidelity Investments Center for property located at 54 Maplewood Avenue (***Anticipated action - move to approve the aforementioned Projecting Sign Licenses as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreement for this request***)

### Planning Director's Stipulations

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

- C. 89-99 Foundry Place (aka 181 Hill Street, "Lot 6") Easements

- D. 1600 Woodbury Avenue – Sidewalk and Signal Easements

- E. 160 Court Street (Portsmouth Housing Authority) – Community Space Easements

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

- A. ~~\*Presentation by Health Officer Kim McNamara regarding COVID-19 Update~~

- B. \*Update on the Portsmouth Citizens Response Task Force (*to include recommendation re: extended use of outdoor dining*)

- C. Memo from Citizen Response Task Force Endorsing Extension of Mask Ordinance
- D. Paper Street Request from Glenn Lael re: 45 Cliff Road (***Sample motion – move to refer to the Planning Board for Report Back***)
- E. Email Correspondence (***Sample motion – move to accept and place on file***)
- F. Letter from John Akar, Cava requesting permission to continue the use of space on Commercial Alley for 4 tables through the month of December

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

- 1. Update on Draft Great Bay Total Nitrogen General Permit

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

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

*\* Indicates verbal report*

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