

TO: KAREN CONARD, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING OF DECEMBER 14, 2020 WHICH CONTINUED THE RECESSED DECEMBER 7, 2020 CITY COUNCIL MEETING THAT WAS HELD BY ZOOM AND ATTENDED 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 2020-20, 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.
2. Second reading of Ordinance amending Chapter 11, Article II – Sewers, Section 11.203 and Section 11.204 – Waiver from Connection to Public Sewer (Postponed Second Reading at the November 16, 2020 City Council meeting) – On a unanimous roll call 9-0, voted to amend the current draft by adding after the first sentence in Section 11.204 (E) the following new sentence: The City Engineer may extend the period to connect from ninety (90) days to no more than one hundred and fifty (150) days or winter conditions or other good cause.

On a unanimous roll call 9-0, voted to pass second reading as amended and hold third and final reading at the December 21, 2020 City Council meeting.

3. Third and Final Reading of Ordinance amending Chapter 7, Article IVA, Section 7-A.402 – BUS STOPS DESIGNATED – D. Hanover Street: southerly side of Hanover Street 90 feet east of from Fleet Street to a point 285 feet east of Fleet Street – On a roll call 8-1, voted to pass third and final reading. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Kennedy, Huda, Tabor and Trace voted in favor. Mayor Becksted voted opposed.
4. Third and Final Reading of 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 – On a unanimous roll call 9-0, voted to pass third and final reading.
5. Third and Final Reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – A: Unless otherwise designated by ordinance, parking shall be prohibited at all times in the following described streets and locations: Dearborn Street: a. westerly side from Maplewood Avenue to the easterly end of Dearborn Lane (entire westerly side) b. easterly side, from the North Mill Pond running northerly for a distance of 25 feet – On a unanimous roll call 9-0, voted to pass third and final reading.

6. Appointments to be Considered – The City Council considered the appointments to be voted on at the December 21, 2020 City Council meeting.
 - Appointment of David MacDonald as a regular member to the Zoning Board of Adjustment
 - Appointment of Corey Clark as a regular member of the Planning Board
 - Appointment of Peter Harris as a regular member of the Planning Board
 - Appointment of Rick Chellman as a regular member to the Planning Board
7. Appointments to be Voted – On a unanimous roll call 9-0, voted the reappointment of Peter Weeks to the Trustees of the Trust Funds until January 1, 2024; reappointment of Philip Cohen to the Economic Development Commission until October 1, 2024; appointment of Devan Quinn to the Peirce Island Committee and appointment of Andrew Samonas to the Conservation Commission until April 1, 2023.
8. Governor’s Council on Housing Stability – Mayor Becksted reported Governor Sununu is creating a commission regarding homelessness in the state. No action required.
9. Request for Update on Availability of Winter Portsmouth Warming Centers – City Manager Conard reported that Operation Blessing would be a warming center. No action required.
10. Extend Citizen Response Taskforce to June 30, 2021 with input from Council and consideration of Citizen Response Task Force recommendations – Moved to extend outdoor dining until December 31, 2021, including the public realm on March 1, 2021, weather permitting, and extend the Citizens Response Task Force through June 30th to coordinate the safe reopening.

On a unanimous roll call 9-0, voted to suspend the rules to hear from members Citizen Response Task Force Mark Stebbins and James Petersen.

On a unanimous roll call 9-0, voted to amend the main motion that effective immediately, the Health Subcommittee, become a Mayor’s Blue Ribbon Committee working in support of the City of Portsmouth Health Department; that Portsmouth’s emergency dining model of 2020 for outdoor restaurant dining on streets and sidewalks be reinstated effective March 1, 2021 weather permitting, through November 2021, with appropriate permitting and necessary implementation overseen by the City Manager and City Staff reporting directly to the Mayor & City Council; and that effective immediately, the Citizen’s Response Task Force become a Mayor’s Blue Ribbon Committee, known as Reopen Portsmouth 2021 Citizen Response Task Force with one non-voting City Councilor added as appointed by the Mayor. The committee to report back to the City Council on January 25th with a defined plan moving forward. Both Blue Ribbon Committees to be answerable to the Mayor and to report regularly to the City Council.

11. Request for 30 minute spaces on Court Street near Fleet Street, by Portsmouth Housing Authority (PHA) – On a unanimous roll call 9-0, voted to temporarily designate two spaces as 30 minute parking and one space as handicapped parking in front of the Feaster Apartments during construction, which should be complete in April 2022.

12. Parking Traffic & Safety Action Sheet and Minutes of the November 5, 2020 meeting – On a roll call 6-3, voted to accept and approve the Parking, Traffic & Safety Action Sheet and Minutes of the November 5, 2020 meeting. Assistant Mayor Splaine, Councilor McEachern, Whelan, Lazenby, Tabor and Trace voted in favor. Councilors Kennedy, Huda and Mayor Becksted voted opposed.

13. Reports & Year End Status Updates – On a unanimous roll call 9-0, voted to send the information to the City Manager for report back.

- Report Back on the Date Availability for the Final FY20 Actual Detail
- Report Back on FY21 CIP Including the Following:
 - November 2020 & 6 Months Ended December 2020 CIP Balances to Include:
 - FY21 CIP Distribution by Line Item Amount
 - Year to Date Spend
 - Year to Date Encumbered
 - Remaining Balance
 - Report Back on the Status of the Middle Street Bike Lane Study (Expected Delivery Date of Report)
 - Report Back on the current Status of Public Art on City Property
 - Report on the Services and/or Projects Completed by the former City Manager- John Bohenko over the 12 Month Period Ending December 31st Per the Agreed Upon Consultant Contract and Verify Contract End Date, and what City Responsibilities Remain with his Contract
 - A 6 Month Update Report on the Status of CARES Act Funding to Include:
 - A Guide to the Taxpayers & Council on CARES Act Funds in the Monthly & Year-to-Date Reports
 - Total Amounts Submitted/Received for Reimbursement
 - Current Balance at December 1st by Funding Source
 - Update on any other COVID related Funds that are Available to the City from the State of New Hampshire
 - Status of the Boyle Case
 - What is the Current Status of the Sagamore Creek Project
 - Please provide for Review – The Contracts of the Auditors and all Legal Contracts or Retainers currently on file

14. Acceptance of New Hampshire Highway Safety Grant for Dedicated patrol enforcement operations - \$17,641.00 – On a unanimous roll call 9-0, voted to approve and accept the New Hampshire Highway Safety Grant to the Portsmouth Police Department as presented.

15. Consent Agenda – On a unanimous roll call 9-0, voted to adopt the Consent Agenda.

- A. Request for License to Install a Projecting Sign for owner Sandra Cole for Backstreet Barbers LLC d/b/a/ The Clip Joint Barbers for property located at 10 Ladd 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. Letter from Jennie Halstead, My Breast Cancer Support, requesting permission to hold the 13th Annual Celebrate Pink 5k Walk & Run on Sunday, September 19, 2021
(Anticipated action – move to refer to the City Manager with Authority to Act)

16. Letter from Attorney Bernard Pelech, Bosen & Associates, PLLC, on behalf of property owners at 138 Leavitt Avenue, requesting the Restoration of Involuntarily Merged Lots fronting Peverly Hill Road and Lots which front on Leavitt Avenue – On a unanimous roll call 9-0, voted to refer to the Planning Board and Assessor for report back to the City Council.

17. Email Correspondence – On a unanimous roll call 9-0, voted to accept and place on file.

18. Adjournment – On a unanimous roll call 9-0, at 9:06 p.m. voted to adjourn.

Respectfully submitted by:
Kelli L. Barnaby, MMC, CNHMC – City Clerk