

TO: KAREN CONARD, CITY MANAGER

FROM: VALERIE A. FRENCH, DEPUTY CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL AT THE MEETING OF DECEMBER 21, 2020 HELD VIA ZOOM AND ATTENDED AT EACH INDIVIDUAL CITY COUNCILOR'S HOME, CITY MANAGER CONARD'S OFFICE, CITY ATTORNEY SULLIVAN'S OFFICE, AND DEPUTY CITY CLERK FRENCH'S OFFICE

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

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1. At 6:00 p.m., the City Council held an Anticipated Non-Public Session regarding discussion of Pending Litigation – RSA 91-A:3 II (e).
 2. A Holiday Musical performance by the Portsmouth High School Ensemble Band opened the meeting.
 3. 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.
 4. Mayor Becksted introduced Larry Cataldo and Mark Syracuse of the Citywide Neighborhood Blue Ribbon Committee to announce the winners of the City-wide holiday light contest.
 5. Acceptance of Minutes – May 18, 2020 and June 1, 2020 – **Voted on a 9-0 roll call** to approve and accept the City Council minutes of the May 18, 2020 and June 1, 2020 meetings.
 6. Public Comment Session – There were 15 speakers: Josh Denton, Christina Dubin, Abigail Herrholz, Rebecca O'Brien, Ben Doyle, Kira Bailey, Phoebe Lunreau, Lucia Hillman, Mary Lou McElwain, Mark Brighton, Seth Sacks, (Distribution of Single-Use Disposables); Andrew Bagley, Brenna Cavanaugh (Parking); Jeremiah Johnson (Board Appointments); James Boyle (pending litigation)
 7. Public Hearing and Second Reading of Ordinance amending Chapter 10, Article 6, Overlay Districts – Flood Plain Overlay District Zoning Maps – Held a public hearing with no speakers. **On a roll call of 7-1, voted to pass** second reading and schedule a third and final reading at the January 11, 2021 City Council meeting. Councilor Kennedy voted opposed, Councilor Trace recused herself from the vote.
 8. Third and Final 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 on either side west of the driveway located at 355 Chase Drive – **Voted on a 9-0 roll call** to adopt third and final reading of ordinance amendment.
 9. Third and Final Reading of Ordinance amending Chapter 3, Article IX – Distribution of Single-Use Disposables on City Property – Effective Date: This Ordinance shall take effect on December 31, 2022 – **Voted on a 9-0 roll call to not pass** the third reading of the ordinance. **(Existing ordinance will take effect 12/31/2020)**

10. Third and Final Reading of Ordinance amending Chapter 3, Article X – Distribution of Single-Use Disposables – Citywide – Effective Date: This Ordinance shall take effect on December 31, 2022 – Voted on a 9-0 roll call to not pass the third reading of the ordinance. **(Existing ordinance will take effect 12/31/2020).** **Voted on a 9-0 roll call vote** to have staff review enforcement of the ordinance through 09/30/2021 and to institute education as they see fit.
11. Third and Final Reading of Ordinance amending Chapter 3, Article XI – Face Coverings – Effective Date: This ordinance shall take effect immediately and shall terminate June 30, 2021 – Voted on a 9-0 roll call to adopt the third and final reading of this ordinance amendment.
12. Third and Final Reading of Ordinance amending Chapter 11, Article II – Sewers, Section 11.203 and Section 11.204 – Waiver from Connection to Public Sewer – Voted on a 9-0 roll call to adopt the third and final reading of this ordinance amendment.
13. Appointments to be Voted – Voted on a 9-0 roll call to appoint David MacDonald as a regular member to the Zoning Board of Adjustment, term to expire 12/01/2025); Corey Clark and Rick Chellman as regular members to the Planning Board effective 01/01/2021 terms to expire 12/31/2023. In addition, Mayor Becksted read Section 1.310, Chapter 1 regarding consideration of alternate members to the Zoning Board of Adjustment as well as other nominees by the Mayor stating that current alternate Chase Hagaman had submitted an application and is in the council packet.
14. Voted on a 9-0 roll call, to suspend the rules to bring up Item XVII. B. – Presentation by Portsmouth Citizens Response Task Force
15. City Manager Conard gave a brief update of the newly formed Reopen Portsmouth 2021 Blue Ribbon Committee stating that they are currently looking to fill vacancies and accepting application.
16. Reopen Portsmouth 2021 Blue Ribbon Committee – City Council Representative – Mayor Becksted appointed Councilor Huda as the Council Representative to the Reopen Portsmouth 2021 Blue Ribbon Committee.
17. Assistant Mayor Splaine – Recognition of the People and History of Portsmouth’s North End – Requested City Manager explore ways to recognize the diversity and history of Portsmouth’s North End. – No action required.
18. Councilor Kennedy – Toyota of Portsmouth – ITEM WITHDRAWN
19. On a unanimous roll call 9-0, voted to suspend the rules to allow Councilor Tabor to bring forward an item inadvertently left off agenda.
20. Councilor Tabor – Request for a Work Session on January 20, 2020 for a presentation from Portsmouth Listens regarding McIntyre Building study circles. – Voted on a 9-0 roll call to schedule a Work Session on January 20, 2020 for a presentation from Portsmouth Listens regarding McIntyre Building study circles
21. Acceptance of Donation from Samuel Winebaum for Vaughan Mall Lighting - \$5,000.000 – Voted on a 9-0 roll call to approve and accept the donation from Samuel Winebaum for Vaughan Mall Lighting in the amount of \$5,000.00.

22. On a unanimous roll call 9-0, voted to suspend the rules to bring up Item XVII. A. – Presentation by Health Officer Kim McNamara regarding COVID-19 Update.
23. Presentation by Health Officer Kim McNamara regarding COVID-19 Update – Health Officer McNamara provided a brief presentation reporting on the current statistics in New Hampshire and the implementation of a vaccine.
24. Request for a Work Session regarding Peirce Island with the Peirce Island Committee – **Voted on a 9-0 roll call** to establish a Peirce Island Work Session on February 8, 2021 at 6:00 p.m.
25. Request to Name Private Subdivision Road Located off Banfield Road– **Item withdrawn**
26. Request to Name New Public Street Located between Cate Street and Route 1 Bypass– **Voted on a 9-0 roll call** to name the new public road extending between Cate Street and US Route 1 Bypass as Hodgdon Way.
27. 46 Maplewood Avenue – Temporary Construction License – **Voted on a 9-0 roll call** that the City Manager be authorized to execute and accept the temporary construction license regarding 46-64 Maplewood Avenue as submitted.
28. **Voted on a 9-0 roll call** to suspend the rules to allow the meeting to go past 10:30 p.m.
29. Consent Agenda – **On a 9-0 roll call**, voted to adopt the Consent Agenda.
- A. Letter from Linda Carter, Big Brothers Big Sisters of New Hampshire, requesting permission to close Pleasant Street on Saturday, September 25, 2021 from 1:00 p.m. – 4:00 p.m. and hold the 12th Annual Stiletto Sprint (**Anticipated action – move to refer to the City Manager with Authority to Act**)
 - B. Letter from Nick Diana, New Castle 10K, requesting permission to hold the 3d Annual New Castle 10K Road Race from 9:30 a.m. – 11:30 a.m. (**Anticipated action – move to refer to the City Manager with Authority to Act**)
 - C. Banfield Woods Development Conservation Easement and Water Access Easement (**Anticipated action -move to grant authority for the City Manager to accept and execute the water access easement and conservation easement deed and plans on behalf of the City in a form similar to those attached**)
 - D. Request for License to Install a Projecting Sign for Owner Larry Booz for The Mercantile Portsmouth 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**)
30. Email Correspondence – **Voted on a 9-0 roll call** to accept and place on file.
31. Miscellaneous Business – Discussion of Holiday Parking – No action
32. Adjournment – At 11:00 p.m. voted on a 9-0 roll call to adjourn.

Respectfully submitted by:
Valerie A. French, CNHMC
Deputy City Clerk