

TO: KAREN CONARD, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD BY ZOOM ON MONDAY, APRIL 19, 2021 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. At 6:00 p.m., a Work Session was held regarding the Peirce Island Master Plan.
2. 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 2020-25, and Emergency Order #12, Section 3. Members will be participating remotely and will identify their location. All votes will be by roll call.
3. Acceptance of Minutes – March 15, 2021 – **On a unanimous roll call 9-0, voted** to accept and approve the minutes of the March 15, 2021 City Council meeting.
4. Recognition of Bram Hepburn – NH DOT Bridge Operator – City Manager Conard, Mayor Becksted and City Council issued a joint statement with the Town of Kittery in recognition and thanks to Bram Hepburn, NH DOT Bridge Operator for saving the life of a person who fell from the bridge on Sunday, April 4, 2021.
5. Public Comment Session – There were 22 speakers: Vinnie Amico; Liza Hewitt; Nancy MacDonald, Mark Brighton; Jim Lee; Andrew Bagley; Amy Court; Nelson Wormstead; Brendan Eaton; Byron Matto; Lucia Von Letkemann; Tracy George; and Hatcher Caron (Skateboard Park); Andrea Amico (PFAS Lawn Signs); Peter Somssich (Spinnaker Point Facility); Julia Russell, Noah Hester, Matthew Glenn, John Tilton and Donald Jones (Peveryly Hill Road Complete Street Project); Roy Helsel (North Mill Pond Project/Conservation Commission); and Robin Rousseau (Proposed Increase to Parking Fines).
6. **On a unanimous roll call 9-0, voted** to suspend the rules in order to take up Items XIII. D.1. – Presentation regarding Skateboard Park Improvements, XIII. D.2. – Skate Board Park, XIII D.3. – Blue Ribbon Committee and XVII. B. – Presentation and Report Back on Peveryly Hill Road Complete Street Project.

7. Presentation regarding Skateboard Park Improvements – Dave Cosgrove, Oliver Sieve, and Seamus Durkin provided a Presentation regarding Skateboard Park Improvements. The Presentation included the importance of this action sport for the community and how it involves all ages and genders. The importance of significant mental health benefits and how this activity follows people into adulthood. A review of a current park design was provided for review by the City Council.
8. Skate Board Park – **On a unanimous roll call 9-0, voted** that the Portsmouth City Council have the City Manager put out an RFP and fund a Skate Board Park using federal, state, and local funds, for a Skate Board Park and a community recreation field. Given the Recreation Board recommendation, this park will be placed in the area that we now call the Portsmouth Stump Dump off of Route 33.
9. Blue Ribbon Committee – **On a unanimous roll call 9-0, voted** to ask the Mayor to set up a Blue Ribbon Committee to include six individuals and one city councilor to support the city in the creation of the Portsmouth skate board park.

Councilor Trace requested Mayor Becksted include Seamus Durkin, Oliver Sieve, Dave Cosgrove and Chris Rice as members of the Blue Ribbon Committee.

10. Presentation and Report Back on Peverly Hill Road Complete Street Project – A detailed presentation was provided by Brian Colburn of McFarland Johnson regarding the Peverly Hill Road Project.

On a unanimous roll call 9-0, voted to have a public meeting scheduled with the neighborhood for the Peverly Hill Road Complete Street Project.

11. First Reading of Ordinance amending Chapter 7, Article IX, Section 7.901 – PENALTIES, FORFEITURES AND SEPARABILITY – Moved to pass first reading and schedule a public hearing and second reading at the May 3, 2021 City Council meeting.

On a roll call vote 3-6, motion to refer ordinance back to Parking and Traffic Safety Committee to review issuing multiple parking tickets per day **failed** to pass. Assistant Mayor Splaine, Councilor McEachern and Mayor Becksted voted in favor. Councilors Whelan, Lazenby, Kennedy, Huda, Tabor and Trace voted opposed.

On roll call 7-2, voted to pass main motion. Councilors Whelan, Lazenby, Kennedy, Huda, Tabor, Trace and Mayor Becksted voted in favor. Assistant Mayor Splaine and Councilor McEachern voted opposed.

Councilor Huda requested a report back and review of the other 5% of safety issue violations. City Manager Conard said she would work with Mayor Becksted to bring something forward for the Parking and Traffic Safety Committee meeting in May.

12. Portsmouth Outdoors, Year Round – No action required. Assistant Mayor Splaine requested a report back by City Manager Conard in July regarding having Portsmouth Outdoors, Year Round.
13. Update from the Recreation Board and recommendations of the ‘Stump Dump’ as preferred skate park location – No action required. Councilor McEachern provided a brief report regarding summer events, status of pickle ball courts, and an update on Spinnaker Point Center HVAC system issues.
14. Request for Public Placement of PFAS Health Study Lawn Signs – **On a unanimous roll call 9-0, voted** that the City Council approve placement on City property of lawn signs and that City Manager Conard relax the enforcement regulations for signs on private property related to the CDC/ATSDR PFAS Health Study for a period of up to three months beginning April 20, 2021. The signs will measure 24” L x 18” H with graphics as contained in the City Council packet. Signs will be provided at no cost to the City of Portsmouth and will be placed by Pease CAP volunteers in locations approved by city staff. At the end of the approved period, all sign materials will be retrieved by Pease CAP volunteers.
15. Request for Public Hearing Related to Indigenous Peoples’ Day – **On a unanimous roll call 9-0, voted** to schedule a public hearing for the City of Portsmouth to recognize Indigenous Peoples’ Day each year instead of what has been typically designated by the State of New Hampshire as Columbus Day.
16. Planted for the Planet – Earth Day 2021 – No action required. Councilor Lazenby encouraged people to eat more plant based foods to benefit the planet during April 22nd – 25th, 2021 Eating Event.
17. **On a roll call 8-0, voted** to suspend the rules in order to continue the meeting beyond 10:30 p.m. Councilor Tabor could not voice his vote relative to this item due to internet issues he was experiencing.
18. New Auditor RFP and Mayor’s Blue Ribbon Audit Committee Status Report – No action required. The City Council discussed the need for a process to set up an Audit Committee.
19. Bond Issuance - **On a roll call 8-0, voted** for a report back from the City Manager to residents and City Council on the recently completed Bond Issuance of approximately \$30 million. (In preparation of the Work Session on May 4th regarding Bonds)

The purpose of this report is for the residents to see what projects are going to be funded by the issuance of these bonds and for the staff to provide the residents with the “Best Estimate Timeline” for the projects that are important to each neighborhood

This report should include the following:

- CIP Projects Funded by the new Bond Issuance Including:
- Name
- Amount
- Timeline
- Project Estimated Start Date
- If an ongoing project – Please include the current % complete status of the project to be funded (i.e. what phase of the project is this bond funding – Phase 1 – 2 – 3 or the remaining 40% of Phase 1)
- Other relevant data that would assist residents in following their CIP projects

Councilor Tabor could not voice his vote relative to this item due to internet issues he was experiencing.

20. Intersection at Congress – **On a unanimous roll call 9-0, voted** for a report back from City Staff on plans to resequence the traffic signals / pedestrian signals at Congress Street intersection at junction of Islington/Maplewood/Middle Street. Further, report back on how to change the traffic signal to mirror the traffic signals on the Deer and Maplewood Intersection where there is a flashing yellow signal or the reverse of Islington Street.
21. Acceptance of a Donation to the Portsmouth Fire Department in memory of Vernon Boardman - \$150.00 – **On a unanimous roll call 9-0, voted** to accept a donation to the Portsmouth Fire Department in the amount of \$150.00.
22. South Church Temporary Construction License and License Fee Waiver Request – **On a unanimous roll call 9-0, voted** that the City Manager be authorized to execute and accept the temporary construction license regarding the South Church.

On a unanimous roll call 9-0, voted to waive the license fee relative to the South Church encumbrances during the construction period.
23. One Year Extension of Portsmouth Public Media Inc.'s (PPMtv) Lease of the South Meeting House – **On a unanimous roll call 9-0, voted** to approve the one year extension of PPMtv's lease of the South Meeting House with the City.
24. Lafayette Trail Interpretive Marker Proposal – **On a unanimous roll call 9-0, voted** to grant the City Manager authorization to work with the Lafayette Trail organization for acceptance and installation of a donated historic marker in the City.

25. Request to Manage Contract for Seacoast Stormwater Coalition – **On a roll call 8-1, voted** to authorize the City Manager to accept funds from the Southeast Watershed Alliance/Seacoast Stormwater Coalition for the purpose of administering a contract with VHB for the stormwater management purposes described. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Huda, Tabor, Trace and Mayor Becksted voted in favor. Councilor Kennedy voted opposed.
26. Portsmouth Brewery and Gaslight Temporary License for Relocating Dumpsters to Public Parking Lot – **On a roll call 7-2, voted** that the City Manager be authorized to execute and accept a temporary license to allow the placement of two dumpsters on a City public parking lot and that any applicable license fees be waived. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Tabor, Trace and Mayor Becksted voted in favor. Councilors Kennedy and Huda voted opposed.
27. Tuscan Market Request for Sidewalk Café License – **On a roll call 7-2, voted** to deny the request. Mayor Becksted, Councilors McEachern, Whelan, Kennedy, Huda, Tabor and Trace voted in favor. Councilor Lazenby and Assistant Mayor Splaine voted opposed.
28. FY21 Bond Rescinding Resolution – **On a unanimous roll call 9-0, voted** to approve rescinding the remaining borrowing authority with regard to the following resolutions:
General Fund:
 i. Resolution #5-2019 for \$2,500,000 – Rescind amount \$439,185.24
Sewer Fund:
 ii. Resolution #15-2019 for \$7,145,000 – Rescind amount \$93,642.35
Water Fund:
 iii. Resolution #16-2019 for \$4,623,000 – Rescind amount \$60,576.97

(The total amount to be rescinded would be \$593,404.56)
29. Consent Agenda – **On a unanimous roll call 9-0, voted** to adopt the Consent Agenda.
- A. Letter from Sara Curry requesting permission to hold Summer Yoga Series in Prescott Park on Tuesday's at Noon from June through August
(Anticipated action – move to refer to the City Manager with Authority to Act)
- B. Letter from JerriAnne Boggis, Black Heritage Trail of New Hampshire, requesting permission to hold the annual Juneteenth Celebration on Saturday, June 19, 2021 at 3:00 p.m. at the African Burying Ground Memorial
(Anticipated action – move to refer to the City Manager with Authority to Act)

30. Email Correspondence – **On a unanimous roll call 9-0, voted** to accept and place on file.
31. Presentation from Peter Somssich regarding Real-Time Monitoring in NH of Radioactive Emissions in the 10-Mile Evacuation Planning Zone around the Seabrook Nuclear Facility – No action required. Peter Somssich provided a brief presentation regarding Real-Time Monitoring in NH of Radioactive Emissions.
32. Letter from Julia & Abigail Gindele, regarding 105 Bartlett Street Proposal – **On a roll call 8-1, voted** to refer to the Planning Department for a report back to the City Council. Assistant Mayor Splaine, Councilors McEachern, Whelan, Kennedy, Huda, Tabor, Trace and Mayor Becksted voted in favor. Councilor Lazenby voted opposed.
33. Request by Paul & Kimi Gormley of 56 Salter Street for expansion of tidal docking structure within the Salter Street ROW and ROW setback – **On a unanimous roll call 9-0, voted** to refer to the City Attorney for report back to the City Council.
34. Adjournment – **On a unanimous roll call 9-0, voted** to adjourn at 12:00 a.m.

Respectfully submitted by:

Kelli L. Barnaby, MMC/CNHMC
City Clerk