

## CITY COUNCIL MEETING

MUNICIPAL COMPLEX  
DATE: MONDAY, JULY 12, 2021

PORTSMOUTH, NH  
TIME: 7:00PM [or thereafter]

### **III. CALL TO ORDER**

Mayor Becksted called the meeting to order at 7:08 p.m.

### **IV. ROLL CALL**

PRESENT: Mayor Becksted, Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Kennedy, Huda, Tabor and Trace

### **V. INVOCATION**

Mayor Becksted asked everyone to join in a moment of silent prayer.

### **VI. PLEDGE OF ALLEGINANCE**

Mayor Becksted led in the Pledge of Allegiance to the Flag.

### **VII. ACCEPTANCE OF MINUTES – MAY 10, 2021 & JUNE 21, 2021**

**Councilor McEachern moved to accept and approve the minutes of the May 10, 2021 and June 21, 2021 City Council meetings. Seconded by Councilor Whelan and voted.**

### **VIII. RECOGNITION AND VOLUNTEER COMMITTEE REPORTS**

#### **1. Mayor's Blue Ribbon Committee to Reopen Portsmouth 2021 Final Report**

James Petersen provided a detailed report on what the Reopen Portsmouth Mayor's Blue Ribbon Committee has been working on over the last six months. He outlined the work of the Committee from outdoor dining, to construction of planters for the barriers, the number of dining permits issued to identifying the needs under COVID. He advised the City Council to date there are 51 outside dining permits that have been issued. He informed the City Council one of the major takeaways from the Committee was the need to start earlier for 2021, which they did under the guidance and efforts of the City Manager and staff. He also spoke to the loss of Co-Chair Mark Stebbins. He said Mark's talents, knowledge, strengths, and efficiencies had a tremendous impact on the Committee. He also spoke to how much Mark meant to the Committee and what a loss it has been for the community.

Mayor Becksted expressed his sincere gratitude to James, Mark, and the Committee for getting us through the pandemic.

Assistant Mayor Splaine spoke to the Blue Ribbon Committee becoming an Ad-Hoc Committee and having James remain involved. He suggested the Committee find ways to encourage a partnership with businesses. He spoke to Committee's outstanding work, efficiencies and creativity, and asked James to communicate with the group what the City needs in the next few months and moving forward into 2022.

James indicated the Committee could keep meeting through the end of year and that he would communicate Assistant Mayor Splaine's request to them.

## **IX. PUBLIC COMMENT SESSION**

Duncan MacCallum spoke in support of the Charter change regarding the budget adoption being recommended by Councilor Kennedy. He spoke to the increases he has seen in budgets over the years and that the budget recently passed was over the rate of inflation. He stated that the City Council should have the final say on the budget and not the City Manager. Mr. MacCallum recommended that this question be placed on the November 2, 2021 Municipal Election ballot.

Zelita Morgan spoke in support of the Charter amendment being proposed by Councilor Kennedy. She stated that the amendment would provide more opportunity for collaboration with the City Council and staff. She spoke to the amazing job the City Council has done since taking office. She said the Council has shown respect and heard everyone's voices when speaking regarding matters of concerns.

Roy Helsel spoke regarding the budget process and stated some questions were asked and answers were not provided. He also addressed Peverly Hill Road and his support for sidewalks along the YMCA side of the road.

Donald Jones said the sidewalks should be on one side of Peverly Hill Road. He stated residents on Peverly Hill Road are looking for a multi-purpose lane and the speed limit to be reduced. He indicated he would like to see the current proposal put in place.

Mark Brighton said the Charter belongs to the residents and if the City Council does not trust the residents then those Councilors need to step down.

Andrew Bagley said if we lose the DSA lawsuit it would cost the City \$4.5 million currently. He stated his concerns with the reduction to the School Department budget, which caused the loss of seven teachers, and spoke to students needing support more than ever. He said he would not support the proposed Charter change regarding the budget.

Ned Raynolds spoke regarding the Peverly Hill Road project indicating that the City Council makes policy decisions and follow through with those decisions, which is in the long term best interest of the City. He said the City Council needs to rely on the excellent City staff because they're the experts. Mr. Raynolds stated he supports the Complete Street process for Peverly Hill Road and encouraged the Council to move forward with the project.

Julia Russell spoke in support of the current plan for Peverly Hill Road. She said she would like small changes to the shared lane and stated the City Council needs to move forward without any delays.

Dr. Peter Somssich spoke on the Peverly Hill Road project and the need for sidewalks. He said the residents are in strong support to proceed with safety improvements and a multi-use path. He expressed his support for the current proposal.

Robin Husslage spoke in support of the Neighborhood Parking Program for Islington Street. She said it would provide an increase in fees to the City and relief for the Islington Creek residents. She also expressed support for the Peverly Hill Road project.

## **XI. PUBLIC HEARING AND VOTE ON ORDINANCE AND/OR RESOLUTION**

### Public Hearing and Second Reading:

#### **A. ORDINANCE AMENDING CHAPTER 1, ARTICLE IV – COMMISSIONS AND AUTHORITIES, SECTION 1.414 AUDIT COMMITTEE**

- **PRESENTATION**

Mayor Becksted read the legal notice, declared the public hearing open and called for speakers. The presentation on the ordinance was done at first reading.

- **CITY COUNCIL QUESTIONS**

Councilor Trace asked the City Council how they felt regarding not having a member of staff at the meetings. She indicated a staff member should be present as a reference and that the Council needs to trust staff for the experts that they are.

City Attorney Sullivan spoke regarding the drafting of the ordinance with Councilor Huda and that he put forth the language she requested.

Councilor Huda spoke regarding the need for independence with the Committee and that presently the City does not have an Audit Committee.

City Attorney Sullivan said he is concerned under the Charter that it is the City Council that has authority over outside auditors and it would place the decision with residents and not the City Council. He stated the City Council needs to be involved in the process from the beginning. He expressed concern regarding under the ordinance that the Audit Committee could hire their own lawyers. He indicated that the Committee is a good idea.

Councilor Huda said the Audit Committee should be independent from staff because they are hiring people that will audit them. She addressed GFOA standards and indicated that the factor of independence is a major issue in accounting. She addressed City Attorney Sullivan's concerns on bringing in outside legal counsel.

Councilor McEachern asked Councilor Huda to walk through how it comes back to the City Council and where does the City Council make the decision on the auditors.

Councilor Huda explained the preparation of the RFP with staff and the process that was followed. Further discussion followed regarding an Audit Committee and their processes and procedures.

Councilor McEachern said he feels we are trying to solve a problem where there is none. He stated we are not creating power or giving up oversight.

Councilor Huda said currently the auditor's report to the staff who in turn audits the staff's work.

Councilor Trace spoke in support of Councilor McEachern's comments.

Councilor Tabor said the City Council is in charge of getting an independent auditor. He stated the City Council picks the auditor and they conduct its independent work and comes back to the Council for action.

City Manager Conard said as staff, we want to support in context the language and would like to work with Councilor Huda on this process.

Councilor Huda asked what the status would be for the City Council to receive GFOA booklets for their reference and review. City Manager Conard said that staff is working to order those books for the Council.

- **PUBLIC HEARING SPEAKERS**

Mayor Becksted called for speakers.

Mark Brighton said we want the Audit Committee independent from staff as much as possible.

With no further speakers, Mayor Becksted closed the Public Hearing.

- **ADDITIONAL COUNCILOR QUESTIONS AND DELIBERATIONS**

Councilor McEachern spoke regarding auditing the books by the auditor. Councilor Huda explained that the Audit Committee would meet with the auditor to review the information on a quarterly basis. Councilor McEachern said we need to create transparency for the City. He said if we need an Audit Committee to point out what things are a concern then we need a better auditor. He stated the ordinance needs more work.

**Councilor Kennedy moved this matter to the City Attorney to work with Councilor Huda to update the motion and hold second reading open for discussion on the ordinance and allow public comment. Seconded by Councilor Huda.**

Councilor Kennedy stated she did research on this matter and other communities have this type of Committee for creating RFP's. She expressed concern that we have had the same auditors for the last 20 years, it is time to switch and then start a rotation of different auditors. She said she hopes City Attorney Sullivan, City Manager Conard and Councilor Huda can come forward with changes for the ordinance.

City Attorney Sullivan said if the motion passed then he and Councilor Huda, City Manager Conard, and staff would get together and propose amendments by the comments made by the City Council. He stated the ordinance would remain at second reading.

Assistant Mayor Splaine expressed concern with politics becoming part of the process and in the selection of an Audit Committee.

Councilor McEachern said no member of the Audit Committee would be a member of a firm as an auditor.

Councilor Lazenby stated keeping second reading open is good. He would like to know what other NH cities have an Audit Committee and what they are responsible for.

Assistant Mayor Splaine said that the NH Municipal Association could assist with this and suggested City Manager Conard contact them.

**Motion passed.**

**Councilor McEachern moved to suspend the rules and bring Item XVII. A. – Peverly Hill Road Improvement Project: Presentation following Neighborhood Meeting on June 28, 2021 – Peter Rice, Public Works Director, Suzanne Woodland, Deputy City Attorney. Seconded by Councilor Lazenby and voted.**

XVII. A. Peverly Hill Road Improvement Project: Presentation following Neighborhood Meeting on June 28, 2021 – Peter Rice, Public Works Director; Suzanne Woodland, Deputy City Attorney; and Brian Colburn, McFarland Johnson Project Manager

Brian Colburn reported they looked at installing a sidewalk on Peverly Hill Road and right of way impacts as well as the cross section of road. He addressed the current design and reduced width. He said easterly with YMCA on the left, a 6 foot sidewalk could be installed on one side with 10ft shared path on the other side. He stated they're looking to reduce the 10 feet to 5 feet for 2 locations. He addressed the previous design with a sidewalk and shared use path. He spoke to the reduced project width at 515 Peverly Hill Road. He outlined reasons for the North side only path not preferred:

- 17 Parcels & 3 Streets on North Side
- 10 Parcels & 1 Street on South Side
- Reduced Driveways and Streets is Safer
- No Ability to Limit Impacts on South Side by Reducing Path Width or Eliminating Grass Strip

Deputy City Attorney Woodland spoke to right-of-way questions. She outlined Right-of-Way Process Questions:

- The City Council Must Hold a Public Necessity Hearing to Advance the Project
- Any Improvements on Peverly Hill Road will Require a Public Necessity Hearing
- A Public Necessity Hearing Provides the City with the Ability to Use Eminent Domain as Necessary
- Federal Funding does not Allow the City to Negotiate Easements Prior to a Public Necessity Hearing
- A Multi-Use Shared Path Only Option Would Still Require Permanent and Temporary Easements
- The City has Used the Eminent Domain Process for Other Recent Projects

Councilor Lazenby said the path on the north side would only be 29 feet from the traffic.

Brian Colburn spoke regarding the engineer study and said if we change that we would need to go back to step #1. He also addressed environmental and corridor impacts.

Councilor Lazenby asked how much was have invested in the process thus far. Director of Public Works Rice said \$435,000.00 with \$87,000.00 by the City with the remainder from the State.

Councilor McEachern asked about house #297 and the impacts of a shared use path and the position of the cars. Brian Colburn said we can't move it closer to the road because it would make their home driveways inaccessible.

**Councilor Lazenby move to schedule a public necessity hearing to allow the Peverly Hill Project to move to final design. Seconded by Assistant Mayor Splaine.**

**Councilor Huda moved to amend the motion to put an 8 foot wide multi-use path to be located on the north side to match and align with the existing sidewalk on Peverly Hill road between the YMCA and Mirona Road and between Mirona Road and the DPW driveway, making the path 8 foot in areas of concern and 10 foot where it can be accommodated. Seconded by Councilor Kennedy.**

Councilor McEachern expressed concern regarding shifting the road and bringing it closer to the travel lane.

Mayor Becksted said the amendment would require a redesign and cost more money.

Councilor Kennedy said she has listened to the residents living with this every day. She stated if someone did not want to take their land through eminent domain it would be difficult. She said we need a multi-path. She said she feels this is a nice compromise, it is on the same side as the YMCA and continues the process. She indicated that the motion came from one of the residents.

Councilor Lazenby asked if the amendment passes would it delay the project by one year. Mr. Colburn said yes. Councilor Lazenby said this is counter to what the neighbors have requested in meetings and we need to allow the rest of the process to continue forward.

Councilor McEachern said he does not support the single path. He said we should not move the flow of traffic 5 feet closer to the homes. He said there are more driveways on the north side and he does not feel this is a good compromise. He stated he would like to have a public necessity hearing.

Councilor Whelan said he would not support the amendment. He stated the north side have 17 parcels and driveways.

Assistant Mayor Splaine said he would not support the amendment. He said he took neighborhood walks on Peverly Hill Road and we need to have the necessity hearing. He stated we need to move forward.

Councilor Kennedy said she has been told by our Legal Department that if people question eminent domain we would stop the project. She said she wanted to move this forward and has tried to achieve what everyone wants on Peverly Hill Road.

Councilor Trace spoke regarding the storm drain abatements and their impacts on home owners. Deputy City Attorney Woodland said storm drains would need to be addressed, and it will impact 2 properties. Councilor Trace asked if the City would still have to address putting in the storm water drain systems. Deputy City Attorney Woodland said as soon as you make improvements to the road you trigger the need to deal with storm water. Councilor Trace said you would need to take the land to put the drains in. Deputy City Attorney Woodland said the point is to keep the project moving. She stated that you can't let one property owner hold the process hostage.

Mayor Becksted asked if a 10 foot path would affect the funding. Mr. Colburn said the City Council is saying you have more conflict points on the north side and it would need to be presented to the public, but he does not feel it would affect the funding. Mayor Becksted said the funding was the main issue. He said the City Council was not able to be part of the last input session. He stated we would have a win-win with a compromise and be able to move the project forward. Mayor Becksted said he will not do an eminent domain process.

**On a roll call vote 3-6 the amendment failed to pass. Councilors Kennedy, Huda and Mayor Becksted voted in favor. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Tabor and Trace voted opposed.**

**On a roll call vote 6-3, main motion passed. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Tabor and Trace voted in favor. Councilors Kennedy, Huda and Mayor Becksted voted opposed.**

**Assistant Mayor Splaine moved to suspend the rules to take up Item XV. A.6. – Tooley License and Easement. Seconded by Councilor McEachern and voted.**

XV. A.6. Tooley License and Easement

City Manager Conard explained the request to amend the license and allow for a stone wall, a brick drive and other improvements. She further stated the easement would allow a small deck encroachment.

**Councilor Kennedy moved to authorize the City Manager to execute and deliver the First Amendment to the License Agreement dated September 23, 2010 to David and Vasilia Tooley, as presented and refer the easement request of David and Vasilia Tooley to the Planning Board for report back. Seconded by Councilor Huda and voted.**

At 9:45 p.m., Mayor Becksted called for a brief recess. At 9:55 p.m. Mayor Becksted called the meeting back to order.

### **XIII. CITY COUNCIL MEMBERS**

#### **A. COUNCILOR WHELAN**

1. Request to Renew Valet Parking License Agreement for The 100 Club

Councilor Whelan stated that this is an action item from Parking & Traffic Safety Committee.

**Councilor Whelan moved to recommend renewal of valet parking license agreement for The 100 Club for a term of one year contingent upon staff working out the details with the property owners. Seconded by Councilor McEachern and voted.**

2. Report Back on Aldrich Road Traffic Calming Recommendations

Councilor Whelan reported that there were 40 residents at the public informational meeting held and that Public Works will do the work on this project in-house.

**Councilor Whelan moved to recommend a raised intersection at Boss Avenue be added to the CIP and two more on Aldrich Road with locations to be determined. Seconded by Assistant Mayor Splaine.**

Councilor Whelan stated the goal is to get Boss Avenue done this summer.



Councilor Huda asked if funding is in the CIP currently for the first project on Boss Avenue. Public Works Director Rice said paving and sidewalk funding is in the CIP. He indicated that bond funds would be used for Boss Avenue.

**Motion passed.**

3. Parking & Traffic Safety Committee Action Sheets and Minutes of the May 6, 2021 and June 3, 2021 meetings

**Councilor Tabor moved to accept and approve the May 6, 2021 and June 3, 2021 Parking & Traffic Safety Committee actions and minutes as presented. Seconded by Councilor Lazenby and voted. Councilors Kennedy and Huda voted opposed.**

4. Request for Approval of a Neighborhood Parking Program for the Islington Creek Area

Councilor Whelan said there are some questions of legality and fees for which Parking & Traffic Safety will meet on July 19<sup>th</sup> to review. He said on June 10<sup>th</sup> a neighborhood meeting was held and all information was taken back. He reported on August 2<sup>nd</sup> the full program will be part of the packet and it will be brought forward for approval by the City Council.

No action was required at this time however, a full report back will take place after the pilot program has been in place for 6 months.

Councilor Trace said she would like to make sure that some consideration is taken into account for small businesses. Councilor Whelan said that this is a pilot program for 6 months and a full report will be provided back to the Council.

**B. COUNCILOR KENNEDY**

1. Requested Charter Change for the November 2, 2021 Municipal Election

Councilor Kennedy said this would be a question on the November 2, 2021 Municipal Election ballot.

**Councilor Kennedy moved to place the following question on the November 2, 2021 Municipal Election – The budget shall be finally adopted not later than the last day of the fiscal year currently ending. Should the Council take no further action on or prior to such day, the budget of the current ending fiscal year shall be renewed and shall be deemed to have been finally adopted by the Council as the budget for the next fiscal year with a public hearing to be held on August 23, 2021. Seconded by Councilor Huda.**

Councilor Kennedy said many communities have this in place. She said that this will focus everyone to look at finances and bring them down to an appropriate amount. She said she wants to make it so everyone has to do their best to not increase taxes.

Councilor McEachern said we would need to make cuts if there were hold outs for the budget. He said he has concerns around specific language of such a change.

Discussion followed regarding the budget process and City Attorney Sullivan stated that the budget process starts with the City Manager.

City Manager Conard said this would change the role of the City Manager and the current role of government. She stated currently there is not a problem with how we adopt the budget. She indicated that this would violate contracts and agreements.

Assistant Mayor Splaine said what we currently have in place works and this would be a dramatic change which would take away years of success. He spoke to the impact such a change would have. He said he would support a public hearing on this matter and not just send it to the November 2, 2021 ballot.

City Attorney Sullivan stated that a public hearing is mandatory.

Assistant Mayor Splaine said he wants to hear from NHMA and what other communities do.

Councilor Whelan spoke opposed to the change and said the City Manager should have the ability to set up her own budget and this would be a big change in process.

Councilor Huda said many other communities do this. She spoke in support of the change.

Assistant Mayor Splaine said he does not want to see us negatively impact the City Manager and City Councils of the future.

Councilor Lazenby said he is not sure why this is coming forward when there doesn't seem to be a problem.

Councilor Tabor said that this is not a wise policy. He said we managed as a City Council to take responsibility of a budget and manage the spending.

Councilor Trace said she agrees that the Charter is the residents Charter. She stated we are elected by residents and all work together on the budget to come up with the best budget we can.

**On a roll call vote 3-6, motion failed. Councilors Kennedy, Huda and Mayor Becksted voted in favor. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Tabor and Trace voted opposed.**

**Councilor Lazenby moved to suspend the rules in order to continue the meeting beyond 10:30 p.m. Seconded by Councilor Kennedy and voted. Assistant Mayor Splaine voted opposed.**

2. Waterfront and Building Siting

**Councilor Kennedy moved to refer the attached memo in the July 12, 2021 Council packet to the Planning Board for review with a report back to the City Council at the August 23, 2021 meeting. Seconded by Councilor Huda and voted.**

**C. COUNCILOR HUDA**

1. Status of Requests regarding Peverly Hill Road Project

Action was taken earlier by the City Council.

Councilor Huda stated she does not believe the resident's requests were heard.

**D. COUNCILOR TRACE**

1. Peverly Hill Road Complete Street Public Input Meeting

Councilor Trace requested a report back from City Manager Conard on the Peverly Hill Road Complete Streets Public Input Meeting held on Monday evening June 28, 2021 at One Junkins Avenue in City Council Chambers. Specifically as to attendance by Council Members and what will be done in the future to assure that the City Council will be welcome to attend and those in attendance will be announced when a member of the public asks. Also from a standpoint of transparency, a list of which City Councilors were in attendance at that meeting.

City Manager Conard said we will ensure that a notice of quorum is provided for the meeting.

Councilor Huda said there were no copies of the presentation for the public to review. She requested that presentations be provided in a timely manner and that verification of the notification be done.

2. Creation of a Public Facebook Page

No motion required as a Facebook Page has been established.

Councilor Trace said the Facebook Page would be used for the dissemination of information.

Councilor McEachern stated we should have a City of Portsmouth Facebook Page and not a City Hall Facebook Page.

Councilor Kennedy said the page would be for people to gather information. She thanked City Manager Conard for creating the Facebook Page.

Mayor Becksted said he does not support social media because it will bring out the worst in people.

**XIV. APPROVAL OF GRANTS/DONATIONS**

- A. ARPA Grant for Library - \$3,450.00

**Councilor Kennedy moved to approve and accept the grant in the amount of \$3,450.00. Seconded by Assistant Mayor Splaine.**

City Manager Conard said this grant is based on population.

**Motion passed.**

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

**A. CITY MANAGER CONARD**

1. Resolution for the Authorization for Transfer of Balance of Bond Proceeds After Completion of Various Projects

City Manager Conard said the resolution is for projects that are no longer needed as outlined below.

Projects Original Description  
*Lafayette Pump Station*  
*Goose Bay Drive Sewer Line*  
*Fire Apparatus*  
*Foundry Parking Garage*

Allocate to Project  
*Islington Street Phase 2*  
*Islington Street Phase 2*  
*Fire Apparatus*  
*Hanover Parking Garage*

**Councilor Tabor moved to adopt the resolution as presented. Seconded by Councilor Lazenby and voted.**

2. Request for Public Hearing Regarding Various Bonding Resolutions for Projects to Begin in FY22

City Manager Conard stated we will need a public hearing at the next City Council meeting for the following resolutions:

**GENERAL FUND**

Police Facility Improvements - \$400,000.00  
Elementary School Upgrade - \$1,100,000.00 (*New Franklin School*)  
Prescott Park Master Plan Implementation and City Facility Street and Sidewalk Upgrades - \$13,300,000.00

**PARKING FUND**

Hanover Parking Facility – Capital Improvements - \$6,300,000.00

WATER FUND

FY22 Water Projects - \$12,000,000.00

SEWER FUND

FY22 Sewer Projects - \$12,450,000.00

**Assistant Mayor Splaine moved to authorize the City Manager to bring back for public hearing and adoption, the various proposed CIP Projects, as presented, for the August 2, 2021 City Council meeting. Seconded by Councilor Whelan and voted.**

3. Request to Schedule a Work Session Regarding the Building of a New Police Department Facility

**Assistant Mayor Splaine moved to schedule a work session on September 7, 2021 at 6:00 p.m. Seconded by Councilor Whelan and voted.**

4. Approval of 1386B Collective Bargaining Agreement

City Manager Conard advised the City Council that this is a one year agreement.

**Assistant Mayor Splaine moved to ratify the agreement as presented with the Portsmouth City Employees, Local 1386B. Seconded by Councilor Whelan and voted.**

5. Naming of Private Subdivision Road to Watson's Landing

City Manager Conard advised the City Council that the Planning Board granted subdivision approval for a four-lot subdivision off of Clark Drive located on a newly private road called Watson's Landing.

**Assistant Mayor Splaine moved to approve naming the private road as Watson's Landing. Seconded by Councilor Lazenby and voted.**

7. Acceptance of Dedicated Way on Walker Bungalow Road

**Councilor Kennedy moved to adopt the proposed resolution, attached, to resolve this title issue. Seconded by Councilor Huda and voted.**

## XVI. CONSENT AGENDA

*(Proper Motion for Adoption of Consent Agenda - move to adopt the Consent Agenda)*

- A. Letter from Maria Bernarda Salguero, New Generation, requesting permission to hold a 5K Walk/Run on Saturday, October 23, 2021 from 8:00 a.m. to Noon ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- B. Request for License to Install Projecting Sign for owner Carrie Jose of CJ Physical Therapy for property located at 25 Maplewood Avenue Unit 102 ***(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***
- C. Request for License to Install Projecting Sign for owner Peter T. Henry of Market Square Jewelers, Inc. for property located at 124 Congress 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***

- D. Letter from Allan Scholtz, Portsmouth Professional Firefighters Local 1313, requesting permission to hold a Boot Drive on Saturday, August 14, 2021 in Market Square from 8:00 a.m. to 4:00 p.m. (***Anticipated action – move to refer to the City Manager with Authority to Act***)
- E. Letter from Maria Leach, North Church of Portsmouth, requesting permission to hold the Seacoast Area Crop Walk on Sunday, October 17, 2021 (***Anticipated action – move to refer to the City Manager with Authority to Act***)

**Councilor Kennedy moved to adopt the Consent Agenda. Seconded by Assistant Mayor Splaine and voted.**

#### **XVII. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS**

- B. Email Correspondence

**Councilor Kennedy moved to accept and place on file. Seconded by Assistant Mayor Splaine and voted.**

- C. Letter from Nancy and Kearn Knowles regarding Neighborhood Parking Program Pilot

**Councilor Kennedy moved to accept and place on file. Seconded by Assistant Mayor Splaine and voted.**

#### **XVIII. CITY MANAGER'S INFORMATIONAL ITEMS**

- 1. Report Back on Portsmouth Workforce Housing Trust Fund and Housing Needs Assessment

Councilor McEachern requested a work session be held in October/November with Craig Welch, Portsmouth Housing Authority Director and the Portsmouth Housing Authority Board.

- 3. Memorandum from City Attorney Sullivan Regarding Keno

**Assistant Mayor Splaine moved to place the Keno Question on the November 2, 2021 Municipal Election Ballot with a public hearing to be established by Mayor Becksted and the City Attorney. Seconded by Councilor Kennedy and voted.**

#### **XIX. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMANING UNFINISHED AT PREVIOUS MEETING**

Assistant Mayor Splaine requested a report back from the City Manager on how rainbow crosswalks could be implemented in the City of Portsmouth by the Public Works Department.

Assistant Mayor Splaine requested the City Manager provide a list of properties along the North Mill Pond that the City of Portsmouth could consider purchasing.

Councilor Lazenby suggested that the PFAS lawn signs approval be extended until September 19, 2021.

**Councilor Lazenby moved to extend the April 19<sup>th</sup> approval for the PFAS Health Study Lawn Signs on City property until September 19, 2021. Seconded by Assistant Mayor Splaine.**

Councilor Kennedy requested an update from the City Manager on the Pannaway Sound Barriers Walk.

**XX. ADJOURNMENT**

**At 11:30 p.m., Councilor McEachern moved to adjourn. Seconded by Assistant Mayor Splaine and voted.**

A handwritten signature in black ink that reads "Kelli L. Barnaby". The signature is written in a cursive, flowing style.

KELLI L. BARNABY, MMC/CNHMC  
CITY CLERK