

## CITY COUNCIL MEETING

MUNICIPAL COMPLEX  
DATE: MONDAY, AUGUST 2, 2021

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

### III. CALL TO ORDER

Mayor Becksted called the meeting to order at 7:12 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 4, 2021 & JULY 12, 2021

**Councilor McEachern moved to accept and approve the minutes of the May 4, 2021 and July 12, 2021 City Council meetings. Seconded by Councilor Whelan and voted.**

Discussion among the City Council occurred regarding meetings that take place with a quorum and whether minutes should be kept of the meeting. City Attorney Sullivan explained keeping of minutes and said if the City Council would like a policy, one would need to be written and brought forward for the Council to review.

### VIII. RECOGNITION AND VOLUNTEER COMMITTEE REPORTS

#### IX. PUBLIC COMMENT SESSION

Bob Lister spoke regarding the increased noise around Woodbury Avenue neighborhoods. He said there are significant noise issues relating to the Pannaway neighborhood. He said years ago a stockade fence was installed but never maintained and there needs to be more done to help with the noise. He asked the City Council to work with the state and neighborhood to begin a conversation on the noise issues and that he would like to see the City Council conduct a walk of the neighborhood.

Bruce Schlieper spoke to the traffic in the area of Rockingham Avenue. He said there is a report from the NH DOT which indicates the noise in the area is unacceptable. He requested something be done to address this issue.

Justin Richardson said he is three houses off of I-95 and he knew there was noise prior to purchasing his home but he did not understand what the noise would actually be like in the area. He said the installation of a sound barrier is important to the residents in the neighborhood. He spoke in support of a site walk and he suggested having the NH Delegation involved in this matter.

Michelle Wirth spoke on the Neighborhood Parking Plan and said there was not correct data or collection of information collected that the program would work. She also spoke to the issue of cars moving from parking in one neighborhood to another and how it furthers the problems that exist. She spoke opposed to the plan and having it in place.

Pat Bagley thanked the City Council and staff for navigating the City through this difficult time with COVID. She said she is grateful for the leadership shown by the City Manager and staff and for everyone working collectively for the betterment of the City.

Roy Helsel asked why the City accepts property in the wetlands and why is the City granting variances. He expressed his concerns regarding this matter.

Scott Forte provided a sheet of data regarding COVID cases from the CDC. He spoke to the various age groups and stated there is a 95% survival rate. He also addressed the categories of deaths and said wearing masks will not help children.

Nicole LaPierre said pushing parking into other neighborhoods is an acknowledgement that there is a problem. She said a great deal of time has been put in place regarding the parking issues in the area of the Islington Creek Neighborhood. She said the parking plan is a pilot and it is an ideal location for this pilot. She spoke to creating a mechanism to review the data in order to have a proactive response versus a reactive one.

Susan Saurman asked about the mosquito control program and spraying. She said she lives near the bog and there are issues with mosquitos and would like to know when spraying will occur.

Peter Somssich spoke in support of sound barriers for I-95. He also spoke in favor of a site walk for Pannaway neighborhood.

Josh Denton asked the City Council to support the Optional Tax Credit for Combat Service Resolution before them this evening. He said there is not an estimate available on the cost of the credit because we do not know the number of people that would apply.

Ken Goldman spoke regarding the parking problem and said it should treat everyone equal. He said we will need data collected to see if the parking patterns change. He suggested reviewing data and polling the neighborhood to see if they want this program.

Mark Phillips, Newington, NH spoke regarding Hodgdon Lane being used for the West End Yards development when that name currently exists off of Woodbury Avenue. He said another name should be selected.

Bill Downey said the McIntyre process has been corrupted and there is a lack of transparency. He said he has asked for the underlying data for the current design of the McIntyre and has yet to receive the information. He asked Mayor Becksted to produce the information.

Shawn George spoke regarding the need for sound barriers near I-95. He said the traffic and noise continues to increase for the New Franklin neighborhood.

Tracy George said she cannot open her windows due to the traffic and noise near I-95. She said she would like attention given to this matter.

Patrick McCartney said the noise is an issue and it is important to have noise barriers installed. He said the noise and traffic is effecting property values in the neighborhood.

Ryan Cress spoke in support of the installation of a sound barrier. He said residents cannot have a conversation in their front yards due to the noise. He requested the City Council take a walk through the neighborhood.

**Councilor Kennedy moved to suspend the rules to take up Item XIII. D.2. – Ask the City Manager to set up a date for a Site Walk for the New Franklin/Jewel’s Neighborhood. Seconded by Councilor McEachern and voted.**

**Councilor Kennedy moved to set a date for a Site Walk of the New Franklin/Jewel’s Neighborhood and invite Representative in Congress; State Representatives, State Senator, US Senators, and the Legislative Committee to attend and provide a detailed history of the area. Seconded by Councilor Huda.**

City Manager Conard said she would provide a more detailed and thorough history of the area at the next City Council meeting.

**Motion passed.**

## **XI. PUBLIC HEARINGS AND VOTE ON ORDINANCE AND/OR RESOLUTIONS**

### Public Hearings of Ordinance and Resolutions with Adoption:

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

Mayor Becksted said we are continuing the public hearing.

City Manager Conard said the City Attorney's office and staff were charged to work with the Audit Committee and stated we have not agreed on language and we would like to continue the work.

Mayor Becksted open the public hearing and called for speakers.

David MacDonald said he has served on the Audit Committee since its inception. He addressed the bond issuance and said the City is into some issues with credit rating due to the amount and number of Resolutions approved.

Dick Bagley said the auditing world is different from municipal to outside businesses. He said the Audit Committee should select the Auditor and every firm recommends you change auditors every five years. He said the auditor's opinion stands on its own. He recommended the City Manager serve on the committee and participate which is in the best interest of the City. He also recommended considering internal controls.

Mark Brighton said this is a simple way to act in compliance with the City Charter. He stated nowhere in section 7.4 does it mention city staff. He said the City Manager has no business being part of the committee. He recommended that accounting and banking experience should be part of the committee. He stated that we need to take action this evening on this matter.

Alice Cornish White spoke in support of the Audit Committee which manages and controls finances. She said that all financials should be monitored by an independent auditor. She stated that internal controls need to be reviewed and part of the process. She stated publicly held corporations and municipalities must conduct their business in a transparent and a reliable fashion. She spoke to New York City was required to establish an independent Audit Committee as a condition of the federal government debt guarantee. She spoke to Board of Directors which are similar to a City Council from a governance point of view. She spoke to the composition of an Audit Committee where independence is very important.

Christopher White said he is honored to serve on the Mayor's Blue Ribbon Audit Committee with his financial background assisting in the process. He said the city's level of indebtedness is large and could affect the bond rating. He said the City management should not be in control over the auditor. He expressed concerns with the City Auditor being in place for 25 years.

After three calls and no further speakers, Mayor Becksted did not close the public hearing.

**Councilor Huda moved to remove Section B and replace it with the new Section B and C to be in compliance with a City Charter. Seconded by Councilor Kennedy.**

Councilor Tabor spoke opposed to the motion and stated it needs to be the City Council's responsibility and Councilor Huda has made it clear that it is the governing body's role to select an Audit Committee. He said in accordance with GFOA requirements it should be a subcommittee of the City Council.

Councilor McEachern spoke to the survey of other communities regarding an Auditor and 63% reported they did not have such a committee. He said it is the City Council's job to select an Audit Committee.

Councilor Kennedy said for clarification, if you look at other communities they have finance committees which are similar to an Audit Committee. She said that she feels staff should not select the Audit Committee.

City Manager Conard said we do not have a negative debt and we are low overall less than 3% with a triple A bond rating.

Councilor McEachern said the comments from Councilor Kennedy are illustrated in that, the problem he has had with the Audit Committee so far as it's proposed, it has had a large scope much beyond selecting an auditor with an assumption that an auditing firm would not be impartial. He said the a lot of the reasons for an audit committee to be as robust as this is that there is some belief that the auditors are not seeing something because they have worked here so long and somehow city staff is not arm's length enough. He further stated that there are a professional set of standards that an auditor must abide by in terms of how they conduct themselves. He said he would support changing the auditing firm and selecting a firm and discuss a finance committee is a separate conversation from this discussion.

Councilor Tabor said we need additional time to clarify what we are doing.

Assistant Mayor Splaine thanked Councilor Huda for bringing this to the City Council's attention and stated we may be looking at this differently than we should. He suggested that the audit function is a City Council function.

Deputy City Attorney Woodland said there is a fundamental question as who should sit as members of the auditing committee and there was a debate with the audit committee but what you see in the draft is what is being recommended by the audit committee. She stated that the Finance Department has responsibility for the procurement process. She stated there is a way to beef up the governing body's role in the selection process. She said proposals could be brought to the whole governing body or a subset of the governing body and review the selection criteria, you could interview candidate firms that are qualified so there are options for the governing body to have a more robust role to follow the procurement process and bring the Council some candidates to review. We had planned to do a robust RFP process in the fall but COVID-19 hit. She said we were trying to find a way to recognize the multiple roles and find the right balance where you would have the selection piece and staff would have the procurement piece. She said this would be in coordination with the Council's role.

Councilor Huda spoke regarding independence being the most important thing with the process. She stated that duties do not circumvent staff. She said the City Council must follow the Charter and Administrative Code.

Councilor Trace said her concern is compliance with the City Charter. She said we have responsibility to make sure the City is on sound ground and we could go to the community to help the City Council get some advice. She said ultimately it is the City Council's responsibility and it is better to continue this on another night.

**Councilor Whelan moved to continue the public hearing and second reading at the August 23, 2021 City Council meeting. Seconded by Councilor Kennedy and voted.**

**Councilor Huda move to suspend the rules to take up Item 1 under City Manager's Informational Items – Report Back on Updated Debt Limit Calculation as Requested by Councilor Kennedy. Seconded by Councilor Kennedy and voted. Councilor Lazenby voted opposed.**

City Manager Conard spoke to the debt ratio and said the authority to bond allows us to move forward.

Councilor Kennedy would like to see what we have done in the last 6 months to know where we are right now.

Finance Director Belanger reported that the debt limit will be presented in the June 30<sup>th</sup> 2020 audit. She said the current debt limit for school and other general government is 35% of the legal debt limit. She stated we have 65% allowable debt.

Councilor Tabor said given the debt we have and what we are voting on this evening do you see an issue with our triple A bond rating. Finance Director Belanger stated that we stay far below the debt limit for the State. She spoke to the policy to stay under 10% for the City. She advised the Council that we are looked at favorably by Standard and Poors.

- B. RESOLUTION AUTHORIZING A BOND ISSUE, AND/OR NOTES OF UP TO FOUR HUNDRED THOUSAND (\$400,000.00) DOLLARS FOR COSTS RELATED TO THE UPGRADE OF THE POLICE FACILITY

Mayor Becksted opened the public hearing and called for speakers.

Councilor Lazenby asked at what point do we look at a new space for the Police Department. He also asked when we stop putting funds into the facility. Councilor McEachern said we need to make the station habitable until we find a new station.

Dick Bagley said he would support the bonding and at the end of the day we have a difficult environment for people to work in and the Council is responsible for fixing it. He expressed concerns regarding the amount of money and bond projects that we did not use. He stated he would support all the bonds being requested this evening.

After three calls and no further speakers, Mayor Becksted closed the public hearing.

**Assistant Mayor Splaine moved to adopt the Resolution to be bonded as presented.  
Seconded by Councilor McEachern and voted.**

- C. RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF UP TO ONE MILLION ONE HUNDRED THOUSAND DOLLARS (\$1,100,000.00) FOR COSTS RELATED TO SCHOOL FACILITIES IMPROVEMENTS

Mayor Becksted read the legal notice, declared the public hearing open and called for speakers.

Dick Bagley said we need to do whatever is necessary to get kids back into the classrooms again. He said we need to make sure the air quality is right and other structural needs are addressed.

After three calls and no further speakers, Mayor Becksted closed the public hearing.

**Assistant Mayor Splaine moved to adopt the Resolution to be bonded as presented.  
Seconded by Councilor McEachern.**

Councilor Kennedy said COVID funds may be used for air handlers and perhaps that is something we should fund through the COVID monies to be received.

Nathan Lunney, School Department, spoke to the projects that would be funded through this bond. He spoke to air quality and climate control importance at New Franklin and Dondero Schools.

**Motion passed.**

- D. RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF UP TO THIRTEEN MILLION THREE HUNDRED THOUSAND DOLLARS (\$13,300,000.00) FOR COSTS RELATED TO PRESCOTT PARK MASTER PLAN IMPLEMENTATION, STREET AND SIDEWALK UPGRADES

Mayor Becksted read the legal notice, declared the public hearing open and called for speakers. After three calls and no speakers, Mayor Becksted closed the public hearing.

**Assistant Mayor Splaine moved to adopt the Resolution to be bonded as presented.  
Seconded by Councilor McEachern.**

Public Works Director Rice reported that the numbers are generated through a paving program and the recommendation is to continue with \$2,000,000.00 each year.

Councilor Huda said the schedule tells her that we are behind on paving. Public Works Director Rice said we have a back log of road work of \$17,000,000.00 due to COVID. Councilor Huda asked if the funds would be expended. Public Works Director Rice said they would.

Councilor Kennedy asked for another update on CIP funding. She asked what will happen with Prescott Park and if the formal gardens would be touched. Public Works Director Rice said the funding does not include the gardens. He said the City Council approved the gardening plans and one of the phases is to relocate the formal gardens. He said the phased program is on the website and was presented to the City Council previously.

**Motion passed.**

At 9:55 p.m., Mayor Becksted called for a brief recess. At 10:05 p.m., Mayor Becksted called the meeting back to order.

- E. RESOLUTION AUTHORIZING THE BORROWING OF UP TO SIX MILLION THREE HUNDRED THOUSAND DOLLARS (\$6,300,000.00) THROUGH THE ISSUE OF BONDS AND/OR NOTES FOR COSTS RELATED TO THE UPGRADE OF THE HANOVER PARKING FACILITY

Mayor Becksted read the legal notice, declared the public hearing open and called for speakers.

**Councilor Kennedy moved to adopt the Resolution to be bonded as presented. Seconded by Councilor Huda.**

Dick Bagley spoke in support of the Resolution. He spoke to social media and the impact it has on projects.

After three calls and no further speakers, Mayor Becksted closed the public hearing.

**Motion passed.**

- F. RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF THE CITY UNDER THE MUNICIPAL FINANCE ACT AND/OR PARTICIPATION IN THE STATE REVOLVING FUND (SRF) LOAN OF UP TO TWELVE MILLION DOLLARS (\$12,000,000.00) RELATED TO WATER LINE UPGRADES, WATER TRANSMISSION MAIN REPLACEMENT, ISLINGTON STREET IMPROVEMENTS PHASE 2, WILLARD AVENUE UPGRADES AND UNION STREET RECONSTRUCTION

City Manager Conard said after requesting this item and publishing the legal notice we learned that the price was increasing by \$1.9 million and we will need to bring this back for another public hearing at the next City Council meeting.

**Councilor Kennedy moved to amend the Resolution amount to Thirteen Million Nine Hundred Thousand Dollars (\$13,900,000.00) and reschedule the public hearing and adoption to the August 23, 2021 City Council meeting. Seconded by Councilor Lazenby.**



Deputy Public Works Director Goetz said the increase is due to the permit from the Army Corp and DES and there was to be a silk curtain but the method has changed. He advised the City Council that there is a 30 day comment period, not a public hearing, with the Army Corp.

**Motion passed.**

- G. RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF THE CITY UNDER THE MUNICIPAL FINANCE ACT AND/OR PARTICIPATION IN THE STATE REVOLVING FUND (SRF) LOAN OF UP TO TWELVE MILLION FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$12,450,000.00) FOR COSTS RELATED TO SEWERLINE UPGRADES, PEASE WASTEWATER TREATMENT FACILITY, WASTEWATER PUMPING STATIONS, MECHANIC STREET PUMPING STATION, MARJORIE STREET WASTEWATER PUMPING STATION, SEWER SERVICE FUNDING FOR A SAGAMORE AVENUE AREA SEWER EXTENSION, ISLINGTON STREET IMPROVEMENTS PHASE 2, WILLARD AVENUE UPGRADES AND UNION STREET RECONSTRUCTION

Mayor Becksted read the legal notice, declared the public hearing open and called for speakers. After three calls and no speakers, Mayor Becksted closed the public hearing.

**Councilor Lazenby moved to adopt the Resolution to be bonded as presented. Seconded by Councilor Trace.**

Councilor Kennedy asked when the public hearing will be on the Mechanic Street Pumping Station. Public Works Director Rice said we are not changing the site at all so there is no public meeting on this matter.

Councilor Kennedy advised Public Works Director Rice that there is a concern regarding the odor coming from the treatment plant.

**Councilor Kennedy moved to suspend the rule to continue the meeting beyond 10:30 p.m., Seconded by Councilor Huda and voted. Assistant Mayor Splaine voted opposed.**

**XII. MAYOR BECKSTED**

1. Appointments to be Considered:
  - Jason Brewster to the Peirce Island Committee
  - Deborah Chag to the Trees and Public Greenery Committee

The City Council considered the appointments of Jason Brewster to the Peirce Island Committee and Deborah Chag to the Trees and Public Greenery Committee to be voted on at the August 23, 2021 City Council meeting.

2. Appointment of New Members for the Mayor’s Blue Ribbon Skate Park Committee. These students will be supporting the committee while our seniors are off to college.
  - John Flynn
  - Jesse Court
  - Henry Purple

**Councilor Kennedy moved to appoint John Flynn, Jesse Court, and Henry Purple to the Mayor’s Blue Ribbon Skate Park Committee. Seconded by Councilor Huda and voted.**

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

#### **A. ASSISTANT MAYOR SPLAINE**

1. “Portsmouth Outdoors Year-Round”

Assistant Mayor Splaine requested a report back from the City Manager on what Portsmouth Outdoors Year-Round would look like. No action taken.

2. North Mill Pond Land Availability

Assistant Mayor Splaine requested the City Manager provide a report back in the next month or two on land availability at the North Mill Pond. No action taken.

3. Rainbow Crosswalks

Assistant Mayor Splaine indicated he would bring this item back at a future meeting before the end of this year. No action taken.

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

1. Public Access to Water / Shoreline in Portsmouth

**Councilor McEachern moved that the City Manager identifies public access to waterfront and marks waterfront access and overflow areas with signage. Seconded by Assistant Mayor Splaine.**

Councilor McEachern said he would like Portsmouth to mark their waterfront, access areas, and overflow areas.

Councilor Kennedy said she would like to have neighborhood meetings were applicable, prior to signs being installed.

Councilor McEachern said he would like all areas identified and placed on the City website. Councilor Huda said she would like large signs marking the South Mill Pond as an overflow area near the dog park.

**Motion passed.**

2. Work Session with Portsmouth Housing Authority

**Councilor McEachern moved to request a work session with the PHA to discuss below market rate housing opportunities and funding sources available to the City of Portsmouth. Seconded by Assistant Mayor Splaine.**

Councilor McEachern said there is a lot we could discuss on how do we bond and move on some of the statutes.

Assistant Mayor Splaine said that this is an excellent idea and he would like to see us work towards work force housing and dormitory housing.

Councilor Huda asked if we were going to ask the City to bond to give money to the Portsmouth Housing Authority to do this.

Councilor McEachern said the work session would be to discuss bonding options available to the City. He stated we could bond and give money to the PHA for the purpose of building housing for.

Councilor Huda asked if PHA is a department of the City. City Attorney Sullivan stated that is a statute that authorizes the City to donate money to the housing authority.

Councilor Kennedy said she would like questions brought forward on what the definition is for fair market value.

**Motion passed.**

3. Acknowledge Portsmouth Resident Michelle Sechser and her accomplishments at the 2020 Tokyo Summer Games

Councilor McEachern recognized Portsmouth resident Michelle Sechser and her partner Molly Reckford for their accomplishments at the 2020 Tokyo Summer Games. No action taken.

**C. COUNCILOR WHELAN**

1. **Action Item Needing Approval by City Council:**

- Request to review Islington Creek Neighborhood Parking Program Summary

**Councilor Whelan moved to adopt for six months the Islington Creek Neighborhood Parking Program Summary, as amended to include south side of Islington Street between Dover and Bridge Street, as a temporary parking regulation. Seconded by Councilor Trace.**

Councilor Whelan said the neighborhood has been looking for relief due to all the development that has happened in the North End. He stated we have listened to the residents and finally are at a point where a majority are in favor of the plan. He said this is a pilot program. He stated that Parking Director Fletcher and City Manager Conard will be able to make adjustments, if necessary. He said this could be a model for the rest of the City. Councilor Whelan stated that a parking permit does not guarantee a parking space on street but a way to hunt for spots.

Councilor Kennedy said messages were sent expressing concern with non-residents. Councilor Whelan said no non-residents will be issued a permit because the permit is tied to the vehicle registration.

Parking Director Fletcher said counts have been taken since 2017 and counts are taken three times throughout the day.

Discussion followed regarding aspects of the program and that it will be governed as it is currently.

Councilor Huda asked about the \$100,000.00 for the start of the program. Parking Director Fletcher said a previous City Council voted to expend the \$100,000.00.

Councilor Whelan advised the City Council that the program is free for the first six months.

**On a roll call vote 8-1, motion passed. Assistant Mayor Splaine, Councilors McEachern, Whelan, Kennedy, Huda, Tabor, Trace and Mayor Becksted voted in favor. Councilor Lazenby voted opposed.**

2. Parking & Traffic Safety Committee Action Sheet and Minutes of the July 22, 2021 meeting

**Councilor Whelan moved to accept and approve the Action Sheet and Minutes of the July 22, 2021 Parking & Traffic Safety Committee meeting. Seconded by Councilor Trace and voted. Councilors Kennedy and Huda voted opposed.**

#### **D. COUNCILOR KENNEDY**

2. Ask the City Manager to set up a date for a Site Walk for the New Franklin/Jewel's Neighborhood

Councilor Kennedy requested that the City Manager schedule a date for a Site Walk for the New Franklin/Jewel's Neighborhood and would like to invite the Legislative Delegation.

**E. COUNCILOR HUDA**

1. The Final FY21 Budget Surplus/Deficit Amounts by Budget Unit Estimate @ June 30, 2021: Police, Fire, Municipal, School

Councilor Huda requested the final FY21 Budget Surplus/Deficit Amounts by Budget Unit Estimate at June 30, 2021 for the Police, Fire, Municipal and School Departments.

City Manager Conard advised Councilor Huda that the auditor's will not be in place until August and we will honor the request as soon as we have the information available.

Councilor Huda said she is asking for estimates, as we already have a trial balance and doesn't understand why an estimate cannot be given.

No motion taken.

**F. COUNCILOR TRACE**

1. A report from City Manager and Head of Planning Department on the number of Conditional Use Permits (CUP's) issued in the last four years. Along with a discussion of the impact on development in the city due to issuance of the CUP's

**Councilor Trace moved for a report back from City Manager and Head of Planning Department on the number of Conditional Use Permits (CUP's) issued in the last four years, along with a discussion of the impact on development in the city due to issuance of the CUP's. Seconded by Assistant Mayor Splaine and voted.**

2. A report by City Manager/Planning Department on the number of upcoming/ongoing development projects and the number of living units/office space per project and the number of parking spaces provided per development where appropriate

Councilor Trace requested a report back by the City Manager/Planning Department on the number of upcoming/ongoing development projects and the number of living units/office spaces per project and the number of parking spaces provided per development where appropriate. No action taken.

3. Report on possibility of a joint work session with nonprofits providing shelter, services and help to those of our city who find themselves homeless

**Councilor Trace moved to hold a joint work session with nonprofits providing shelter, services and help to those of our city who find themselves homeless. Seconded by Assistant Mayor Splaine.**

Councilor Lazenby requested that city staff attend the session.

**Motion passed.**

**XIV. APPROVAL OF GRANTS/DONATIONS**

- A. 2018 Homeland Security Grant Program Award – EMS Warm Zone Equipment – Fire Department - \$6,000.00

**Assistant Mayor Splaine moved to accept and approve the grant for the Fire Department in the amount of \$6,000.00 as presented. Seconded by Councilor Kennedy and voted.**

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

**A. CITY MANAGER CONARD**

- 1. Sale of Surplus Police Vehicles and DPW Equipment

**Assistant Mayor Splaine moved to approve the disposal of the items listed on the attached table in the Council Packet through the GovDeals online auction website. Seconded by Councilor McEachern and voted.**

- 2. Request for First Reading of Proposed Ordinance Amendments to Chapter 7, Article IX, Section 7.901 – Penalties, Forfeitures and Separability

**Assistant Mayor Splaine moved to schedule a first reading regarding these ordinance amendments at the August 23, 2021 City Council meeting. Seconded by Councilor Whelan and voted.**

- 3. 60 Penhallow Street (Brick Market) Temporary Construction License Extension

**Assistant Mayor Splaine moved that the City Manager be authorized to execute and accept the temporary construction license for the term of August 1, 2021 to January 31, 2022 for use of the sidewalks on Daniel Street and Penhallow Street that immediately abut 60 Penhallow and three (3) parking spaces on Daniel Street for a five day term of August 2, 2021 through August 6, 2021 as requested. Seconded by Councilor Whelan.**

Councilor Kennedy said we owe it to the neighborhood to have time to work and speak with developers and have a neighborhood meeting before this moves forward.

Assistant Mayor Splaine said City Manager Conard could work with developers without holding a neighborhood meeting.

Deputy City Attorney Woodland said the concerns have been addressed with the developer and they would be willing to hold a neighborhood meeting on this matter.

**Motion passed. Councilors Kennedy and Huda voted opposed.**

4. 55 Hanover Street Temporary Construction License

**Councilor Lazenby moved that the City Manager be authorized to execute and accept the temporary construction license for the term of nine days from August 3-6, 2021 and August 9-13, 2021 for use of two 15 minute parking spaces that immediately abut 55 Hanover Street as requested. Seconded by Councilor Whelan and voted.**

5. Acquisition of Sewer Line Easements and Proposed Release of Paper Street

**Councilor McEachern moved to refer these easement requests, and the request to release the paper street known as Ruth Street where it abuts 28 Thornton Street, to the Planning Board for its review and recommendation. Seconded by Councilor Whelan and voted.**

**XVI. CONSENT AGENDA**

- A. Request for License to Install Projecting Sign for owner Scott Prevost of Viacals LLC, DBA Cowabunga Media for property located at 55 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***

- B. Letter from Donna Hepp, Granite State Wheelmen, Inc., requesting permission to hold the 47<sup>th</sup> annual Seacoast Century Bicycle Ride on Saturday, September 25, 2021 (***Anticipated action – move to refer to the City Manager with Authority to Act***)

**Councilor Lazenby moved to adopt the Consent Agenda. Seconded by Councilor Whelan and voted.**

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

- A. Email Correspondence

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

- B. Letter from Matthew Reichl requesting a quit claim from the City to release its interest in the “paper street” portions of Sylvester Street adjoining his parcels at 15 Marjorie Street

**Assistant Mayor Splaine moved to refer to the Planning Board and Assessor for report back. Seconded by Councilor Whelan and voted.**

- C. Letter from Linda Conti, Seacoast Jazz Society, requesting permission to hold a street performance in two locations on Sunday, August 15, 2021 and Sunday, August 22, 2021 from Noon to 2:00 p.m.

**Councilor Kennedy moved to refer to the City Manager with Authority to Act. Seconded by Assistant Mayor Splaine and voted.**

- D. Letter from Josh Denton, Commander V.F.W. Post 168, requesting that the City Council pass an Optional Tax Credit for Combat Service Resolution

**Assistant Mayor Splaine moved to refer to the Legal Department and Assessor for a projection of cost with a report back. Seconded by Councilor Whelan and voted.**

- E. Letter from Brian Walsh, Knights of Columbus, requesting permission to hold a Boot Drive on Saturday, September 11, 2021

**Assistant Mayor Splaine moved to refer to the Legal Department. Seconded by Councilor McEachern and voted.**

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

- 2. Report Back on Bartlett Street and Cate Street Intersection as Requested by Mayor Becksted

Mayor Becksted ask for clarification on meetings with residents on where we stand.

Public Works Director Rice said the intersection is challenging and a complex issue. He said we are working with design engineers overall and reported that the intersection is working well but one section is an area of concern for the crosswalks. He stated we are working with the engineer on modifications and adjusting the island for distance. Public Works Director Rice said he should be able to report back at the August 23, 2021 City Council meeting.

Councilor Kennedy said the yellow lines are causing confusion for people.

Councilor McEachern requested to hear the pros and cons to the crosswalk and whether there is an ability for a speed table or any alternative measures that were considered for the current crosswalk. Also, if there are any steps or measures to be taken to promote the new flow of traffic and break the habit of people just going up Bartlett Street.



Councilor Lazenby asked about the naming of the street. City Manager Conard said the staff went to the state and received approval by the DOT. Public Works Director Rice said the home on Hodgdon Way has been changed to a Woodbury Avenue address.

Mayor Becksted asked about the spraying for mosquitos. Public Works Director Rice said he would provide a report back regarding this issue.

Councilor Kennedy requested that more education on mosquito spraying be included in the City Manager's Newsletter.

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

Mayor Becksted and the City Council congratulated the 8-10 year old Little League State Champions and Legion Post 6 State Champions.

**XX. ADJOURNMENT**

**Assistant Mayor Splaine moved to adjourn at 12:05 a.m. Seconded by Councilor Whelan and voted.**



KELLI L. BARNABY, MMC/CNHMC  
CITY CLERK