

TO: KAREN CONARD, CITY MANAGER
FROM: KELLI L. BARNABY, CITY CLERK
RE: ACTIONS TAKEN AT THE PORTSMOUTH CITY COUNCIL MEETING HELD IN THE EILEEN DONDERO FOLEY COUNCIL CHAMBERS ON MONDAY, AUGUST 23, 2021
PRESENT: MAYOR BECKSTED, ASSISTANT MAYOR SPLAINE, COUNCILORS McEACHERN, WHELAN, LAZENBY, KENNEDY, HUDA, TABOR AND TRACE

1. Acceptance of Minutes – August 2, 2021; November 16, 2020 & November 23, 2020 – **Voted** to accept and approve the minutes of the August 2, 2021; November 16, 2020 and November 23, 2020 City Council meeting.
2. Recognition of Finance Director and Finance Department for GFOA Triple Crown Medallion – City Manager Conard, Mayor Becksted and City Council recognized Finance Director Judie Belanger, Deputy Finance Director Andrew Purgiel, Assistant to Finance Director Abby Mills, and Finance staff for their achievement of being awarded the GFOA Triple Crown Medallion.
3. Public Comment Session – There were 8 speakers: Cathy Baker, Rick Horowitz, Dick Bagley (COVID Vaccines); George Dempsey (Audit Independence); Sue Polidura, Susan Sterry (Cemetery Committee); Charles Moreno (Parking Program); and Andrew Bagley (Parking/Garden Water Line Request).
4. First Reading of Proposed Ordinance Amendments to Chapter 7, Article IX, Section 7.901 – Penalties, Forfeitures and Separability – **Voted** to pass first reading, and to schedule a public hearing and second reading of these ordinance amendments at the September 7, 2021 City Council meeting. Mayor Becksted voted opposed.
5. Public Hearing/Ordinance Amending Chapter 1, Article IV – Commissions and Authorities, Section 1.414 Audit Committee – Held a public hearing. Moved to pass second reading and hold third and final reading at the September 7, 2021 City Council meeting.

Moved to amend the motion to add the City Manager as a Non-Voting member of the Committee.

Moved to amend the motion that the Audit Committee membership would be 5 City Councilors, 1 member from the public and the City Manager. **On a roll call vote 4-5, motion failed to pass. Assistant Mayor Splaine, Councilor McEachern, Lazenby and Tabor voted in favor. Councilors Whelan, Kennedy, Huda, Trace and Mayor Becksted voted opposed.**

Moved to postpone second reading and public hearing until the next City Council meeting. **On a roll call vote 6-3, motion passed. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Tabor and Trace voted in favor. Councilors Kennedy, Huda and Mayor Becksted voted opposed.**

6. **Voted** to suspend the rules in order to take up Items XIII. D.1. – Portsmouth Cemeteries; XV. A.1. – Approval of School Paraeducators Collective Bargaining Agreement; and XV. A.2. – Approval of School Cafeteria Collective Bargaining Agreement.

7. Approval of School Paraeducators Collective Bargaining Agreement – **Voted** to ratify the agreement as presented with the School Department Paraeducator Employees.
8. Approval of School Cafeteria Collective Bargaining Agreement – **Voted** to ratify the agreement as presented with the School Department Non-Supervisory Cafeteria Employees.
9. Portsmouth Cemeteries – **Voted** to set up a Blue Ribbon Committee for Cemeteries with six citizens and one Councilor.

Councilor Kennedy announced her recommendation for five of the six citizens to serve – Sue Polidura, Susan St. Kranium, Sherry Brandsema, Michael Griffin, Ramona Charland to serve on the Cemeteries Blue Ribbon Committee.

Voted to have the City Manager set up a site walk of the North Cemetery for Council and staff to be led by Sue Polidura.

10. 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 Thirteen Million Nine Hundred Thousand Dollars (\$13,900,000.00) related to Water Line Upgrades, Water Transmission Main Replacement, Islington Street Improvements Phase 2, Willard Avenue Upgrades and Union Street Reconstruction – Held a public hearing. **On a roll call vote 7-2, motion passed. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Tabor, Trace and Mayor Becksted voted in favor. Councilors Kennedy and Huda voted opposed.**
11. Appointments to be Considered – The City Council considered the appointments listed below with action to take place at the September 7, 2021 City Council meeting.
 - Marylou McElwain reappointment to the Parking and Traffic Safety Committee
 - Stephen Pesci reappointment to the Parking and Traffic Safety Committee
 - Harold Whitehouse reappointment to the Parking and Traffic Safety Committee
 - Mark Syracuse appointment to the Parking and Traffic Safety Committee
12. Appointments to be Voted – Voted to appoint Jason Brewster to the Peirce Island Committee until December 31, 2021 and Deborah Chag to the Trees and Public Greenery Committee until August 23, 2024.
13. What Initiatives and Approaches can the City of Portsmouth take to encourage vaccinations and other responses to reduce the spread of COVID-19 and Variants? – Assistant Mayor Splaine requested that this question be answered and that Health Officer McNamara provide an update regarding COVID at the September 7, 2021 City Council meeting. No action required.
14. Parking & Traffic Safety Committee Action Sheet and Minutes of the July 8, 2021 meeting – **Voted** to accept and approve the Action Sheet and Minutes of the July 8, 2021 Parking & Traffic Safety Committee meeting. Councilors Kennedy and Huda voted opposed.
15. Creation of Energy Advisory Committee – **Voted** to suspend the rules to allow Henry Herndon of Community Power Coalition of New Hampshire to speak briefly to the City Council regarding Community Power.

Voted to approve the creation of the Portsmouth Energy Advisory Committee (PEAC) in the form of a Mayor's Blue Ribbon Committee (BRC) with appointments by September 20th. The PEAC mission will be to research the risks and opportunities of a Community Power program for Portsmouth under RSA 53-E, which allows towns and cities to aggregate their customer demand and purchase electricity in bulk for savings and a more rapid shift to renewables. PEAC will report back to the City Council with an assessment and recommendations, including whether to join the Community Power Coalition of New Hampshire (CPCNH). If the Council votes to proceed, PEAC will guide creation of a Community Power Plan per RSA 53-E, with input from at least two public hearings, for final approval by City Council vote.

16. Skate Board Park – **Voted** to have the City Manager and staff work with the Skate Board Park Committee on a fund raising event for October 20, 2021. Given, the committee would like to use Portsmouth city property for part of the event.
17. Law Suits – **Voted** to have an update on every lawsuit that is currently filed against the city with a date for a report back by September 7, 2021 City Council meeting.
18. Work Session Re: Zoning – **Voted** to have a work session with Planning Department on the same topics proposed for a work session at Planning Board Meeting this week to include Wetland Buffer Zone; types of Zoning currently within the downtown; types of Gateway Zoning; and zoning affecting perimeter residential areas in Portsmouth. The work session also to include types of necessary zoning to facilitate affordable and workforce housing.
19. Traffic Calming – **Voted** to refer to Parking & Traffic Safety Committee on what can be done to create safer and slower streets for residents in the Echo Avenue area. Specifically traffic calming with Woodbury Avenue in the same manner as was achieved with Maplewood Avenue with a possible site walk with the neighborhood.
20. Acceptance of Memorial Bench Donation in Memory of Pat Bertrand - \$2,200.00 – **Voted** to accept and approve the Memorial Bench Donation in memory of Pat Bertrand, as presented.
21. Temporary Construction License for 409 Franklin Pierce Highway, LLC, 205 Market Street – **Voted** that the City Manager be authorized to waive the license fee and execute and accept the temporary construction license for the term of 93 days to encumber the sidewalk with pass through staging at 205 Market Street as requested.
22. Consent Agenda – **Voted** to adopt the Consent Agenda.
 - A. Letter from Melissa Walden, American Lung Association, requesting permission to hold the 13th annual American Lung Association Cycle the Seacoast ride on Sunday, May 1, 2022 (**Anticipated action – move to refer to the City Manager with Authority to Act**)
 - B. Letter from Hershey Hirschkop, Seacoast Outright, requesting permission to hold Portsmouth PRIDE on Sunday, October 10, 2021 (**Anticipated action – move to refer to the City Manager with Authority to Act**)

- C. Request for License to Install Projecting Sign for owner David Ronka of Closette for property located at 72A 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. Request for License to Install Projecting Sign for owner Gretchen DesAutels of A Pleasant Shoppe, LLC for property located at 79 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***

23. Email Correspondence – **Voted** to accept and place on file.

24. Letter from the Coakley Landfill Group (CLG) requesting the City Council join the CLG to allow the public to access meetings remotely and Letter from Steven Smith, Chairman, Board of Selectman, Town of Greenland, requesting the City Council join the Town of Greenland to allow the public to access Coakley Landfill meetings remotely – City Manager Conard announced that Chair Spear will allow for remote access to Coakley Landfill meetings. No action required.

25. Letter from Tricia Donohue, Portsmouth Community Garden, requesting support to fund the water installation in proposed community garden – **Voted** to instruct the City to pay the \$7,130.00 give or take, to install line as explained in the letter by Ms. Donohue and to forward this request to the City Manager for report back at the September 7, 2021 City Council meeting and further to have an agreement with the City for the use of the land prepared by the Legal Department.

26. Letter from Tom Morgan regarding bicycle infrastructure designs – **Voted** to refer the letter to the Parking & Traffic Safety Committee for report back.
27. Adjournment – **At 11:30 p.m. voted to adjourn.**

Respectfully submitted by:

Kelli L. Barnaby, MMC/CNHMC
City Clerk