

## SPECIAL CITY COUNCIL MEETING

MUNICIPAL COMPLEX  
DATE: OCTOBER 13, 2021

PORTSMOUTH, NH  
TIME: 6:30PM

### I. CALL TO ORDER

Mayor Becksted called the meeting to order at 6:30 p.m.

### II. ROLL CALL

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

### III. IT IS ANTICIPATED THAT THE CITY COUNCIL WILL ENTER INTO AN ANTICIPATED NON-PUBLIC SESSION – RSA: 91-A:3, II (c) and/or (l)

Mayor Becksted read the RSA and cited the purpose for this Non-Public Session.

**Councilor Kennedy moved to enter in Non-Public Session. Seconded by Councilor Huda.**

Councilor Lazenby said with the two references cited he asked who the person is that may have their reputation adversely effected.

City Attorney Sullivan stated these are the two RSA's he felt were appropriate for the Non-Public Session. He said he does not feel he could indicate the name because of confidentiality.

Mayor Becksted said that there may also be an update on Deer Street Associates this evening.

Councilor McEachern said not being able to discuss the contents of the meeting is it City Attorney Sullivan's belief if there was more topics do you think narrowly stating what was discussed in Non-Public Session could call the reputation into question. City Attorney Sullivan said confidentiality is protected. He does not feel that things could not be discussed in a public setting unless the City Council votes differently.

Mayor Becksted said maybe we should have reconvened our meeting last Monday. He agreed in Non-Public Session to take a couple steps and maybe he should have made a decision to go into Non-Public Session and not finish up on the same night.

City Attorney Sullivan said he sees this as a continuation of the last Non-Public Session and these were the two laws cited.

Councilor Lazenby did not feel it need to be in Non-Public Session last meeting. He said it is a reasonable conversation to have in person.

**Councilor McEachern moved to amend the motion to separate the two RSA's out. Seconded by Councilor Lazenby.**

**On a roll call vote 4-5, motion failed to pass. Assistant Mayor Splaine, Councilors McEachern, Lazenby and Tabor voted in favor. Councilors Whelan, Kennedy, Huda, Trace and Mayor Becksted voted opposed.**

**On a roll call vote 5-4, main motion passed. Councilors Whelan, Kennedy, Huda, Trace and Mayor Becksted voted in favor. Assistant Mayor Splaine, Councilors McEachern, Lazenby and Tabor voted opposed.**

Respectfully submitted by:

Kelli L. Barnaby, MMC/CNHMC  
City Clerk