

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, OCTOBER 18, 2021

PRESENT: MAYOR BECKSTED, ASSISTANT MAYOR SPLAINE, COUNCILORS McEACHERN, WHELAN, LAZENBY, KENNEDY, HUDA, TABOR AND TRACE

1. Acceptance of Minutes – October 4, 2021 – **Voted** to accept and approve the minutes of the October 4, 2021 meeting as presented.
2. Public Comment Session – There were 13 speakers: Roy Helsel (McIntyre & City Boards); Josh Denton (Optional Tax Credit); Ted Jankowski, Andrea Amico, Diana Carpinone – Dover, NH; Dianne Woelke – Oceanside, CA; and Melissa Paly – Conservation Law Foundation (Testing for PFAS on Playing Field); Arthur Clough (Affordable Housing); Zelita Morgan (Thank you to City Council); Tricia Donohue (Community Garden); Robin Huslage (Railroad noise and propane tanks); William Downing (McIntyre); and Jeffrey Desantis – York, Maine (Best Walkable Small City).
3. **Voted** to suspend the rules in order to take up Item XV. A.4. – Resolution Regarding Optional Tax Credit for Combat Service and XV. A.5. – Approval of Community Garden License Agreement.
4. Resolution Regarding Optional Tax Credit for Combat Service – **Voted** to schedule a public hearing and adoption of the Optional Tax Credit for Combat Service Resolution at the November 15, 2021 City Council meeting.
5. Approval of Community Garden License Agreement – **Voted** to authorize the City Manager to execute the Community Garden License Agreement as presented.
6. Third and Final Reading of Ordinance amending Chapter 7, Article XI, Section 7.1100 – SPEED LIMITS Sub-section E – Speed Limit: 25 MPH – Chevrolet Avenue – **Voted** to pass third and final reading of the ordinance as presented.
7. Third and Final Reading of Ordinance amending Chapter 7, Article XII, Section 7.1200 – Parking for the Walking Disabled – **Voted** to pass third and final reading of the ordinance as presented.
8. Appointments to be Considered – The City Council considered the appointments of Hawk Furman and Christopher White to the Audit Committee which will be voted upon at the November 15, 2021 City Council meeting.
 - Hawk Furman appointment to the Audit Committee (2 year term)
 - Christopher White appointment to the Audit Committee (3 year term)
9. Appointment to be Voted – Sarah Lachance reappointment to the Economic Development Commission – **Voted** to reappoint Sarah Lachance to the Economic Development Commission until October 1, 2025.

10. Appointment to the Mayor's Blue Ribbon Cemetery Committee (Not on Agenda) – Mayor Becksted announced the appointment of Eva Boice to the Mayor's Blue Ribbon Cemetery Committee.
11. Testing for PFAS On Artificial Turf Playing Fields – Moved that the City Council requires the City Manager to commission independent third party test for PFAS on the new playing field. As recommended by independent experts, the testing shall use the non-targeted PFAS analysis and total oxidizable precursor (TOP) assay methods to look for the presence of PFAS in the synthetic turf, shock pad, and infill material. The results will be provided to the City Council within 30 days.

Voted to amend the motion that Mayor Becksted work with City Manager Conard to come up with a date and time up to a week before the next City Council meeting for a Work Session regarding this matter.

Assistant Mayor Splaine requested at the time of the Work Session that it is totally understood that Ted Jankowski, Andrea Amico and others that Mr. Jankowski may want to invite are equal to participate in the discussions.

12. Letter requesting air quality testing in the immediate vicinity of the city railways – **Voted** to request the City Manager to send a letter to the Department of Environmental Services requesting air quality testing in the neighborhoods abutting an active railroad.
13. Donation to the Portsmouth 400th - \$10.00 – **Voted** to approve and accept the donation from Valerie Rochon in the amount of \$10.00 as presented.
14. Request from Pontine Theatre for Shed – **Voted** that the City Manager be authorized to approve Pontine's installation of the shed and to make such minor adjustments to the existing lease document as may be necessary to reference this new structure.
15. Surplus Granite and Portsmouth Housing Authority – **Voted** that the City Manager be authorized to release to the Portsmouth Housing Authority granite pieces for benches to be installed in the public community space areas as part of the Court Street work force housing project.
16. Eversource Pole and Vault License Request – **Voted** that the City Manager be provided with the authority to negotiate and approve a preliminary license agreement with Eversource for the excavation, conduit installation and other work needed ahead of the final pole licensing submission by Eversource.
17. Consent Agenda – **Voted** to refer to the City Manager with Authority to Act.
 - A. Letter from Adam Benoit, The Greg Hill Foundation, requesting permission to hold the 9th Annual Jingle All The Way 5K Road Race on Saturday, December 4, 2021 at 10:00 a.m. – 11:30 a.m. (**Anticipated action – move to refer to the City Manager with Authority to Act**)

- B. Request for License to Install Projecting Sign for owner Emily Stearns of The Drift Collective LLC, for property located at 50 Daniel 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***

- C. Letter from Nick Diana, requesting permission to host the 5th annual Running Road Race on Saturday, April 23, 2022 from 9:30 a.m. to 11:30 a.m. (***Anticipated action – move to refer to the City Manager with Authority to Act***)

18. Presentation Regarding Conditional Use Permits by Interim Planning Director, Peter Britz and Principal Planner, Nicholas Cracknell – Principal Planner Cracknell provided a detailed presentation regarding the Use of Conditional Use Permits for New Development in Portsmouth's Character Districts.

Councilor Trace requested a presentation in the future on Wetland Conditional Use Permits similar to the one provided this evening.

19. Email Correspondence – **Voted** to accept and place on file.
20. **At 9:37 p.m., on a unanimous roll call 9-0, voted** to enter into Non-Public Session with City Attorney Sullivan to discuss McIntyre.
21. **At 10:30 p.m., voted** to leave Non-Public Session, seal the minutes of the Non-Public Session and adjourn.

Respectfully submitted by:

Kelli L. Barnaby, MMC/CNHMC
City Clerk