

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, DECEMBER 20, 2021

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

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1. Portsmouth High School Holiday Ensemble Music Performance – The Portsmouth High School Holiday Ensemble led by Steve Cirillo performed several Holiday selections for the City Council.
2. Acceptance of Minutes – November 4, 2021; November 15, 2021; November 18, 2021 and December 6, 2021 – **Voted** to accept and approve the minutes of the November 4, 2021; November 15, 2021; November 18, 2021 and December 6, 2021 City Council meeting minutes with the December 6, 2021 minutes being modified to include Councilor Tabor's friendly amendment regarding PFAS testing for the surrounding soil of the field was accepted by the maker of the motion.
3. **Voted** to suspend the rules to bring forward item XII. 2. – Announcement of Holiday Lights Contest Winners.
4. Announcement of Holiday Lights Contest Winners – Mark Syracuse announced the three winners of \$500.00 gift cards for the Holiday Lights Contest: Most Creative (Overall) – Al Bailey; Kid's Choice (Overall) – Heather Pettis; and Best Traditional (Overall) – Tamrah Rouleau. Honorable mentioned were announced by Liam and Ansley: 580 FW Hartford Drive, 33 Madison Street, 80 Pine Street, 960 Maplewood Avenue, 139 South Street, Unit A, 373 Union Street, 485 Ocean Road, 545 FW Hartford Drive, 22 Van Buren Avenue, 68 Osprey Drive, 49 Dennett Street, 774 Middle Street, 760 State Street, Unit 1, 62 Coakley Road and 46 Buckminster Way who will all be receiving \$25.00 gift cards to various businesses.
5. Recognition and Volunteer Committee Reports – Safe Water Advisory Group (SWAG) Presentation – Deputy Public Works Director Goetz and Andrea Amico provided a review of the work by the Group since its inception on October 5, 2020. Ms. Amico spoke to the variety of topics covered by SWAG and the goals that were established. She requested that SWAG to be continued by the new City Council.
6. Recognition and Volunteer Committee Reports – Mayor's Blue Ribbon Committee on Arts and Non-Profits Presentation – Russ Grazier and Barbara Massar provided a review of the work done by the Committee in 2021. Ms. Massar spoke to the primary goals and recommendations of the Committee. Mr. Grazier and Ms. Massar expressed the need for the City to continue providing funding for the arts and non-profits in the City. Mr. Grazier requested that the Committee be extended by the new City Council for 24 months and a new cultural plan be adopted.

7. Recognition and Volunteer Committee Reports – Portsmouth Energy Advisory Committee Report Presentation – Ben DAntonio and Rebecca O'Brien spoke to the work of the Committee and their recommendation for the City to move forward with community power. Ms. O'Brien requested that the Committee be renewed by the new City Council to align with clean energy for the City.
8. Public Comment Session – There were 25 speakers: Katja Becksted; Arthur Clough, Genevieve Becksted (Thank you to Mayor and Council); Roy Helsel (Internet Postings); Peter Weeks, Zelita Morgan, Kristen Peterson, Lucia Von Letkemann, Aaron Jones (Skateboard Park); George Dempsey (Comments); Jackie Cali-Pitts (Working Together); Chris White (Audit Committee); Nancy MacDonald (Text message); Erik Anderson (Appreciation); Paul Mannle, Mark Brighton, Bill Downy (Appointments); Peter Somssich (Energy Advisory Committee); Colby Gamester (Planning Board); Sue Poldura (Proclamation); Robin Albert Lehman (Mayor's Blue Ribbon Committee on Arts and Non-Profits); Robin Huslage (Air Quality Testing); Nancy Johnson (Funding for new Police Station); Robin Rousseau (Handicap Placard); and Elizabeth Barrett (McIntyre).
9. Public Hearing and Adoption of Resolution – Resolution Authorizing a Supplemental Appropriation from Unassigned Fund Balance for Necessary Expenditures related to Construction of a Skateboard Park, Recreational Field and Pump Track. The City Council has determined that the sum of Two Million Two Hundred Thousand (\$2,200,000.00) Dollars is to be Appropriated – Held a public hearing. **On a unanimous roll call 9-0, voted** to adopt the proposed resolution as presented.
10. Public Hearing and Adoption of Resolution – Resolution Appropriating \$10,000,000.00 to Pay Costs of Acquiring the Community Campus from the Foundation for Seacoast Health including the Payment of Costs Incidental and related thereto. Using various revenue sources to include a Bond Issue, and or Notes of up to \$3,250,000.00 (This includes using various revenue funds which were accepted by the City Council at its meeting of June 21, 2021 as well as a Bond Issue and/or Notes of up to \$3,250,000.00 – **On a unanimous roll call 9-0, voted** to adopt the proposed resolution as presented.
11. Public Hearing and Adoption of Resolution – Resolution Authorizing a Supplemental Appropriation from Unassigned Fund Balance for Operating Expenditures of the Community Campus upon Acquisition for Fiscal Year ending in June 30, 2022. The City Council has determined that the sum of One Hundred Sixteen (\$116,000.00) Dollars is to be Appropriated **On a unanimous roll call 9-0, voted** to adopt the proposed resolution in the amount of \$116,000.00 as presented.
12. Third and Final Reading of Ordinance amending Chapter 1, Article IV – Commissions and Authorities, Adding Section 1.415 Cemetery Committee – **Voted** to adopt the third and final reading of the proposed amendments as presented.
13. Appointments to be Voted – Moved to approve all the appointments as presented. On a roll call vote 4-5, motion to take separately the Planning Board appointments from the overall vote **failed** to pass. Assistant Mayor Splaine, Councilors McEachern, Lazenby and Tabor voted in favor. Councilors Whelan, Kennedy, Huda, Trace and Mayor Becksted voted opposed. Main motion passed on a roll call vote 6-3. Councilors McEachern, Whelan, Kennedy, Huda, Trace and Mayor Becksted voted in favor. Assistant Mayor Splaine, Councilors Lazenby and Trace voted opposed.

- Jesse Lynch appointment to the Audit Committee December 20, 2024
- Mika Court appointment as an Alternate to the Conservation Commission until April 1, 2022 (filling unexpired term)
- Andrew Ward appointment to the Economic Development Commission until October 1, 2025
- Jane Begala appointment to the Planning Board until December 31, 2024
- Andrew Samonas appointment as Alternate to the Planning Board until December 31, 2024
- Franco DiRienzo appointment as Alternate to the Planning Board until December 31, 2024
- Thomas Watson reappointment to the Trustees of the Trust Fund until January 1, 2025
- Paul Mannle appointment to the Zoning Board of Adjustment until December 1, 2026

14. **Voted** to suspend the rules to continue the meeting beyond 10:30 p.m.

15. City Attorney update on the latest Redgate Kane SoBow Square LLC Correspondence and Hearing in Superior Court as of 12/20/21 – City Attorney Sullivan reported the hearing will be held on January 12, 2022 at 10:00 a.m. in Superior Court. No action required.

16. Unseal Non-Public Session Minutes – Move to unseal the meeting and minutes for the last three Non-Public Session minutes regarding McIntyre.

Moved that the minutes be unsealed to the extent that unsealing the meeting minutes is approved by Attorney Connolly for his review. Moved to further amend the motion to remove “*meeting*” from the motion. On a roll call **vote 7-2**, motion to amend passed. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Tabor, Trace and Mayor Becksted voted in favor. Councilors Kennedy and Huda voted opposed.

**On a roll call 7-2, voted** to pass main motion as amended. Assistant Mayor Splaine, Councilors McEachern, Whelan, Kennedy, Tabor, Trace and Mayor Becksted voted in favor. Councilors Lazenby and Huda voted opposed.

17. To update the residents & taxpayers that previously budgeted funds have been identified for the December 6<sup>th</sup> McIntyre Resolutions to cover estimated legal expenses of \$75,000.00 & estimated Principle Group expense of \$75,000.00 = total \$150,000.00 – No action required.

18. Update on the Audit Committee – No action required.

19. General comment to residents regarding past two years – three minutes please – No action required.

20. Acceptance of Donations to Portsmouth 400<sup>th</sup>

- Michael Skelly - \$50.00
- William Becksted - \$100.00
- Susan Tober - \$250.00
- Elizabeth Moreau - \$500.00
- Jim Pender - \$1,000.00

Acceptance of Donation to the Skateboard Park

- Edmunds General Contracting, LLC - \$1,000.00

Acceptance of Donation from Ronald and Karen Fitz of a Bench in memory of Dora Orsucci to be placed adjacent to the playground on Peirce Island

**Voted** to approve and accept the donations as presented.

21. City Manager's Items Which Require Action – **Voted** to the City Manager to act.
  - Approval of 2022 City Council Meeting Calendar
  - Sale of Commercial Safe
  - Street Naming for 83 Peverly Hill Road
  - Renewal of City's Parking Lot Use and Maintenance Agreement with the St. John's Masonic Association
22. The Foundation for Seacoast Health Purchase of Community Campus Property Located at 100 Campus Drive – **Voted** to authorize the City Manager to negotiate, execute and implement the Purchase and Sale Agreement in substantial conformance with the form attached in the City Council packet.
23. Consent Agenda – **Voted** to adopt the Consent Agenda.
  - A. Letter from Maria Stephanou, Alzheimer's Association, requesting permission to hold the Annual Seacoast Walk to End Alzheimer's on September 25, 2022 (**Anticipated action – move to refer to the City Manager with Authority to Act**)
  - B. Letter from Jennie Halstead, My Breast Cancer Support, requesting permission to hold the 14<sup>th</sup> Annual Celebrate Pink 5k Walk & Run on September 18, 2022 (**Anticipated action – move to refer to the City Manager with Authority to Act**)
24. Written Communications – **Voted** to accept and place on file.
  - Email Correspondence
  - Letter regarding the need for a Taxi Commission
25. Letter from Attorney Kenneth Murphy, Rainboth, Murphy & Lown, PA, regarding Worth Lot Parking Agreement Revision – **Voted** to refer to the Legal Department for report back.
26. Materials from Kristen Mello regarding PFAS – **Voted** to refer materials to the Safe Water Advisory Group with a report back to City Council.
27. Miscellaneous Business – Councilor McEachern on behalf of the City Council presented City Clerk Barnaby with a Commendation for her service to the City and Council.

28. On a roll call vote 3-6, motion to seal the Non-Public Session minutes of December 6, 2021 subject to review by Attorney Connolly **failed** to pass. Assistant Mayor Splaine, Councilors McEachern and Lazenby voted in favor. Councilors Whelan, Kennedy, Huda, Tabor, Trace and Mayor Becksted voted opposed.
29. Presentation of Gifts to the City Council – Mayor Becksted presented to the City Council a photograph of the 2020-2021 City Council and a key to the City for their service to Portsmouth.
30. Adjournment – At 12:00 a.m., voted to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, MMC/CNHMC  
City Clerk