

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, JUNE 6, 2022

PORTSMOUTH, NH
TIME: 7:00PM

Assistant Mayor Kelley moved to adjourn the Non-Public Session until the end of the City Council meeting. Seconded by Councilor Moreau and voted.

III. CALL TO ORDER

Mayor McEachern called the meeting to order at 7:00 p.m.

IV. ROLL CALL

PRESENT: Mayor McEachern, Assistant Mayor Kelley, Councilors Tabor, Denton, Moreau, Bagley, Lombardi, Blalock (7:40 p.m.) and Cook

V. INVOCATION

Mayor McEachern asked for a moment of silent prayer in memory of Quarius Dunham.

VI. PLEDGE OF ALLEGINANCE

Mayor McEachern led in the Pledge of Allegiance to the Flag.

PROCLAMATIONS:

1. Men's Health Month

Mayor McEachern read the Proclamation declaring June as Men's Health Month and Men's Health Week which is taking place on June 13-19, 2022, the week ending on Father's Day.

2. LGBTQ + Pride Month

Mayor McEachern read the Proclamation declaring June as LGBTQ + Pride Month. He stated the City of the Open Door means living up to the promises of keeping our doors open to every member of this community.

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

1. Portsmouth High School Debate Team Northeast Division Champions & National Qualifiers – Advisor Joe Kraus

Mayor McEachern recognized the Debate Team students and Advisor Joe Kraus for their accomplishments as Northeast Division Champions and for the upcoming competition at the Nationals in Louisville, KY. Each student and Advisor Kraus were provided with a gift from Mayor McEachern and the City Council.

2. Portsmouth High School 2022 Granite State Challenge Championship – Advisor Hannah Dul

Mayor McEachern recognized the Trivia Team for winning the 2022 Granite State Challenge Championship for the first time in 30 years. Mayor McEachern presented each student and Advisor Dul with a gift from the entire City Council.

3. Portsmouth High School Career Technical Education Center (CTE) Winner of 5 medals in the 45th Annual SkillsUSA NH Leadership and Skills Competition – CTE Building Instructor Courtney Ritchings

Mayor McEachern announced that the Career Technical Education Center students and instructor will be recognized at the July 11th City Council meeting.

4. Report of the Trees and Public Greenery Committee

Mayor McEachern advised the City Council that the Trees and Public Greenery Committee Report for 2021 is in the packet for their review and reference.

Councilor Tabor moved to reopen the Public Hearing on the budget. Seconded by Assistant Mayor Kelley.

Peter Whelan questioned whether the City Council really represents the taxpayers of the community. He said this budget is the largest increase ever in the City and it will drive out many long term residents.

Christina Lusky said if the budget is approved without changes it will show the taxpayers are not a high priority for the City Council. She said the Council needs to offer some relief to the taxpayers.

Rick Becksted said that there is \$3 million built into this budget and it should be deducted. He spoke to the revaluation of properties and the potential to see a 20% to 30% increase in values. He also spoke opposed to the request for 27 new positions. He urged the Council to review the budget for reductions.

Sue Polidura said there is a need to live within our means. She said there are signs that we are facing hard times.

Nancy Clayburgh & Marguax Peabody requested the support of the City Council for the School Department budget and addressed the difficult times facing the School Department due to COVID.

Zelita Morgan thanked Mayor McEachern and the City Council for recognizing the work of the students here this evening. She stated that the budget does reflect an increase which is too large for the community. She spoke to the need for affordable housing throughout the City.

Elizabeth Barrett thanked the City Council for their work on the budget and spoke to the School Department asking for 6 full time employees in this budget. She requested that the City Council support the budget put forward by the School Department.

Paige Trace said the budget as presented is large and overwhelming. She expressed concern with the potential for values of homes to increase by 30%. She said that taxpayers voted for the Council to protect their interests and you should not create a situation that will make residents have to move.

Esther Kennedy said the first job of the City Council is the budget. She asked why the City is not adding a mental health professional to the Police Department. She also addressed the revaluation process and how that will impact residents.

Petra Huda said she has not had answers to her questions previously asked. She said prices are rising and we are all affected and this is the largest budget increase the City has ever seen.

With no further speakers, Mayor McEachern closed the public hearing.

X. PUBLIC HEARING AND VOTE ON ORDINANCE AND/OR RESOLUTION

Adoption of Proposed Budget Resolutions:

A. Adoption of Budget Resolutions for Fiscal Year July 1, 2022 through June 30, 2023 (FY23)

- Resolution No. 10-2022 – Municipal Fees

Councilor Denton moved to adopt Resolution #10-2022 – Municipal Fees. Seconded by Assistant Mayor Kelley.

On a unanimous roll call vote 9-0, motion passed.

- Resolution No. 11-2022 – General Fund Expenditures

Councilor Bagley moved to adopt Resolution #11-2022 – General Fund Expenditures in the amount of \$131,774,911.00. Seconded by Councilor Blalock.

Discussion followed among the City Council regarding the CIP relative to the skateboard park and staffing needs for the IT Department.

On a roll call vote 8-1, motion passed. Assistant Mayor Kelley, Councilors Denton, Moreau, Bagley, Lombardi, Blalock, Cook and Mayor McEachern voted in favor. Councilor Tabor voted opposed.

GENERAL FUND EXPENDITURES

Department	Appropriation
General Government	\$22,835,740.00
Police	\$12,981,078.00
Fire	\$10,099,433.00
School	\$55,802,082.00
Collective Bargaining	\$3,137,450.00
Uniform Police Salary Adjustment	\$287,278.00
Uniform Fire Salary Adjustment	\$223,894.00
Transfer to Indoor Pool	\$150,000.00
Transfer to Prescott Park	\$272,255.00
Transfer Community Campus	\$360,788.00
Non-Operating	\$25,624,913.00
Total	\$131,774,911.00

- Resolution No. 12-2022 – Water Fund Expenditures

Assistant Mayor Kelley moved to adopt Resolution #12-2022 – Water Fund Expenditures. Seconded by Councilor Blalock.

On a unanimous roll call vote 9-0, motion passed.

Appropriated sum of \$11,422,585.00 to defray expenses for the operations of the water

- ***Cash requirement of \$12,241,173.00 to defray expenses for the purpose of principal debt repayment, the purchase of assets, and to defray expenses for the operations of the water system***
- ***Water user rate effective July 1, 2022, is \$4.54 per unit for the first 10 units of water consumed per month, and \$5.46 per unit for all units consumed thereafter to yield a position of revenue to meet the cash requirements for the operation of the City of Portsmouth's water system***
- ***Water irrigation user rate effective July 1, 2022, is \$5.46 per unit for the first 10 units of water consumed per month, \$10.30 for consumption over 10 and up to 20 units consumed, and \$12.71 per unit for all units consumed thereafter to yield a portion of revenue to meet the cash requirements for the operation of the City of Portsmouth's water system***

- Resolution No. 13-2022 – Sewer Fund Expenditures

Councilor Lombardi moved to adopt Resolution #13-2022 – Sewer Fund Expenditures. Seconded by Councilor Bagley.

On a unanimous roll call vote 9-0, motion passed.

- ***Appropriated sum of \$20,620,867.00 to defray expenses for the operation of the sewer***
- ***Cash requirements of \$23,461,898.00 for the purpose of principal debt repayment, purchase of assets, and to defray expenses for the operations of the sewer system.***
- ***Sewer user rate effective July 1, 2022 is \$15.78 per unit for the first 10 units of consumption per month, and \$17.36 per unit for all units used thereafter to yield a portion of revenue to meet the cash requirements for the operation of the City of Portsmouth's sewer system***

- Resolution #14-2022 – Special Revenues, Debt Service, Fund and Committed Fund Balances for Necessary Expenditures

Councilor Denton moved to adopt Resolution #14-2022 – Special Revenues, Debt Service, Fund and Committed Fund Balances for Necessary Expenditures of Special Revenues including the use of American Rescue Plan Act (ARPA) funds, Debt Service, and Committed Fund Balance. This allows the City to expend from donations, State and Federal Grants as they are accepted and received, pay principal and interest associated with Betterment Assessments from a Debt Service Fund, and expend from Committed Fund Balance for the Fiscal Year Ending June 30, 2023. Seconded by Assistant Mayor Kelley.

On a unanimous roll call vote 9-0, motion passed.

- Resolution #15-2022 – Investment Policy

Assistant Mayor Kelley moved to adopt Resolution #15-2002 – Investment Policy for the Fiscal Year Ending June 30, 2023. Seconded by Councilor Moreau.

On a unanimous roll call vote 9-0, motion passed.

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Middle Street Baptist Church Parking Agreement Renewal

City Manager Conard reported that the City has had an agreement with the Middle Street Baptist Church since 2013.

Councilor Tabor moved to approve the Middle Street Baptist Church Parking Use/Maintenance Agreement renewal as presented. Seconded by Councilor Moreau and voted.

2. Release of City Trust Funds related to Portsmouth NH 400th Celebration

Councilor Moreau moved to authorize the expenditure of \$9,166.00 from the 400th Anniversary Trust for projects referenced in the supporting material. Seconded by Assistant Mayor Kelley and voted.

3. Temporary Construction License for 75 Congress Street

City Manager Conard reported that this is a 30-day extension.

Assistant Mayor Kelley moved to authorize the City Manager to waive the license fee and execute and accept the temporary construction license to encumber the sidewalk with pass through staging at 75 Congress Street as requested. Seconded by Councilor Blalock and voted.

XII. CONSENT AGENDA

- A. Request from Nina Braun, Local Anchor 603, to install a Projecting Sign at 62 Market 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 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. Request from Kyle Reilly, RNR Partners, to install a Projecting Sign at 54 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 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 Allan Scholtz, Portsmouth Professional Firefighters Local 1313, requesting permission to hold Fill-the-Boot “toll booth”, in Market Square, on Saturday, August 13, 2022 between the hours of 8:00 a.m. to 4:00 p.m. **(Anticipated action – move to refer to the City Manager with Authority to Act)**
- D. Letter from Monte Bohanan, President of Portsmouth Halloween Parade, requesting permission to hold the Portsmouth Halloween Parade on Monday, October 31, 2022 at 7:00 p.m. **(Anticipated action – move to refer to the City Manager with Authority to Act)**
- E. Request from Brian Miller, New England Run For the Fallen, requesting permission to come through Portsmouth on Sunday, August 21, 2022 **(Anticipated action – move to refer to the City Manager with Authority to Act)**
- F. Letter from Lilia Potter-Schwartz, Race to Educate, requesting permission to hold the 6th annual Race to Educate on Saturday, July 30, 2022 **(Anticipated action – move to refer to the City Manager with Authority to Act)**
- G. Letter from Richard Mason, Veterans Count, requesting permission to hold the Pack & Boots 5k Road Race at Pease on Monday, July 4, 2022 at 8:00 a.m. **(Anticipated action – move to refer to the City Manager with Authority to Act)**
- H. Letter from Sandi Clark Kaddy, Seacoast African American Cultural Center, requesting permission to hold the Juneteenth Parade on Sunday, June 19, 2022 at 11:00 a.m. **(Anticipated action – move to refer to the City Manager with Authority to Act)**

Councilor Denton moved to adopt the Consent Agenda. Seconded by Councilor Bagley and voted.

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

A. Email Correspondence

Councilor Moreau moved to accept and place on file. Seconded by Councilor Bagley and voted.

At 9:15 p.m., Mayor McEachern called a brief recess. At 9:25 p.m., Mayor McEachern called the meeting back to order.

XIV. MAYOR McEACHERN

1. Appointment to be Considered:

- Reappointment of Martin Ryan to the Historic District Commission

The City Council considered the reappointment of Martin Ryan to the Historic District Commission with action taking place at the June 21, 2022 City Council meeting.

2. Appointments to be Voted:

- Appointment of Herb Lloyd to the Sustainable Practices Blue Ribbon Committee
- Reappointment of Margot Doering to the Historic District Commission
- Reappointment of Reagan Ruedig to the Historic District Commission
- Reappointment of Jonathan Wyckoff to the Historic District Commission

Councilor Lombardi moved to appoint Herb Lloyd to the Sustainable Practices Blue Ribbon Committee, reappointment of Margot Doering, Reagan Ruedig and Jonathan Wyckoff to the Historic District Commission until June 1, 2025. Seconded by Councilor Blalock and voted.

XV. CITY COUNCIL MEMBERS

A. ASSISTANT MAYOR KELLEY

1. Trees and Public Greenery Ordinance

Assistant Mayor Kelley moved to refer to the Legal Department to draft an Ordinance for first reading at the June 21, 2022 City Council meeting that would add a City Council Representative to the membership. Seconded by Councilor Bagley and voted.

B. COUNCILOR TABOR

1. Community Power information night at 3S June 29th (*Informational item only*)

Councilor Tabor announced that Community Power will be holding an Informational Night on Wednesday, June 29th at 3S Artspace at 7:00 p.m. and urged the City Council to attend.

C. COUNCILOR BAGLEY

1. COVID Response Task Force

Councilor Bagley moved to establish the COVID Response Task Force Blue Ribbon Committee for six months to evaluate challenges and identify low-cost, high-impact recovery solutions that use ARPA monies. The CRTF will be composed of Citizens of Portsmouth, local Non-Profit Representatives, and the City Manager as an ex-officio member who can incorporate city staff and resources.

The initial objective of the CRTF would be to meet, discuss, and survey the needs of the community and incorporate their findings into a recovery plan. The CRTF will be fashioned so that input from residents is well defined and simple to do with public meetings in various locations and times throughout the city. There would also be a dedicated webpage on the city site that outlines the proceedings and has a contact button for residents to make recommendations and suggestions.

The CRTF will allow the City of Portsmouth to “build a strong, resilient, and equitable recovery by making investments that support long-term growth and opportunity.”

Applications will be accepted through Wednesday, June 15th at Noon to appear on the June 21, 2022 City Council meeting. Seconded by Councilor Denton.

He stated that applications will be brought forward at the next meeting.

Councilor Cook said she would like a report back to the City Council on the requests for ARPA funds. She said we need to have realistic views on ARPA funds.

Councilor Bagley said an example of what he would like to see through this process is Little Harbour School’s Sunshine Group duplicated in New Franklin and Dondero Schools to help the students.

Mayor McEachern said that this is a Blue Ribbon Committee and applications will be due by the Wednesday prior to the City Council meeting and we may need to extend when applications are due.

Motion passed.

D. COUNCILOR COOK

1. Ethics Ordinance

Councilor Cook moved to schedule first reading for revisions to the Ethics Ordinance at the June 21, 2022 City Council meeting. Seconded by Councilor Tabor.

Councilor Cook spoke to the work of the Governance Committee on the Ethics Ordinance. She said much thought has gone into the work on this ordinance.

Councilor Lombardi said there has been a great deal of input on the ordinance. He thanked City Attorney Sullivan and Deputy City Attorney Woodland for their work on the ordinance.

Councilor Bagley said if there are suggestions to send them to the Committee for consideration.

Councilor Tabor said the process of ordinance changes has included more due process.

Councilor Denton said he likes a majority of the changes.

Mayor McEachern thanked Councilor Cook and the Committee for their work on this. He said there are some good additions to the ordinance and we will have ample opportunity to review the ordinance.

Motion passed.

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Donation from Alex Choquette for the Portsmouth Police Honor Guard - \$5,000.00

Councilor Moreau moved to approve and accept the donation for the Police Honor Guard as presented. Seconded by Councilor Blalock and voted.

- B. Acceptance of Donation from Deirdre Forte to the Cemeteries - \$5.00

Assistant Mayor Kelley moved to approve and accept the donation as presented. Seconded by Councilor Blalock and voted.

- C. Acceptance of Donation from Stephen T. Pesci to the Portsmouth NH 400th - \$40.00

Councilor Moreau moved to approve and accept the donation as presented. Seconded by Assistant Mayor Kelley and voted.

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

- 1. Report from the Cemetery Committee Co-Chair regarding Headstone Cleaning Project

City Manager Conard reported on the success of the Headstone Cleaning Project that was held on May 7th. She indicated that the members of USS Cheyenne would like to work with the Cemetery Committee on the project.

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

Councilor Blalock announced that the Skateboard Park will be holding a silent and live auction on Thursday, June 9th at 3S Artspace for the lighting at the park. He urged the City Council and members of the community to attend this event which is for a great cause.

XIX. ADJOURNMENT

Councilor Moreau moved to adjourn the meeting to enter back into Non-Public Session at 10:00 p.m. Seconded by Assistant Mayor Kelley and voted.

At 10:50 p.m., Councilor Moreau moved to adjourn the Non-Public Session and seal the minutes. Seconded by Councilor Blalock and voted.

A handwritten signature in black ink that reads "Kelli L. Barnaby". The signature is written in a cursive, flowing style.

KELLI L. BARNABY, MMC/CNHMC
CITY CLERK