

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, JULY 11, 2022

PRESENT: MAYOR McEACHERN, ASSISTANT MAYOR KELLEY, COUNCILORS TABOR, DENTON, MOREAU, BAGLEY, LOMBARDI, BLALOCK AND COOK

1. Acceptance of Minutes – May 16, 2022 – **Voted** to accept and approve the minutes of the May 16, 2022 City Council meeting.
2. Portsmouth High School Career Technical Education Center (CTE) – 45th Annual SkillsUSA NH Leadership and Skills Competition & Nationals Competition – The presentation will take place at the August 1, 2022 City Council meeting.
3. Keller Williams Volunteers for their work with the Recreation Department – Mayor McEachern acknowledge and thanked the volunteers from Keller Williams for their work with the Recreation Department at Community Campus.
4. Presentation of the Sustainability Committee’s Climate Action Plan Subcommittee – John Carty spoke regarding the key points of the CAP Subcommittee and broad goals for maximum impact. Mr. Carty also addressed the timing and next steps on the review and recommendations to strengthen sustainability aspects of zoning regulations.
5. Public Comment Session – There were 13 speakers: Roy Helsel (City Public Meetings & Water Pollution); Olivia Annunziata Blaisdell, Emily Stokel, Sophia Dmytruk, Sue Polidura, Ann Jennison, Kathleen Blake (Indigenous Peoples’ Day); Christina Gallmeyer (Coakley Road); Arthur Clough (A Letter from the Mayor); Esther Kennedy (Portsmouth Small Businesses); Petra Huda (ARPA Funds); Paige Trace (Portsmouth); and Bill Downey (McIntyre);
6. **Voted** to suspend the rules to bring forward Item XIII. D. – Letter from We Speak, Portsmouth High School, requesting the City Council permanently approve Indigenous Peoples’ Day (not alongside “Columbus Day”) and support public recognitions and acknowledgments in honor of Indigenous Peoples’ lands in Portsmouth.
7. Letter from We Speak, Portsmouth High School, requesting the City Council permanently approve Indigenous Peoples’ Day (not alongside “Columbus Day”) and support public recognitions and acknowledgments in honor of Indigenous Peoples’ lands in Portsmouth – **On a roll call 8-1, voted** to permanently change Columbus Day/Indigenous Peoples’ Day to Indigenous Peoples’ Day in Portsmouth. Assistant Mayor Kelley, Councilors Tabor, Denton, Bagley, Lombardi, Blalock, Cook and Mayor McEachern voted in favor. Councilor Moreau voted opposed.
8. **Voted** to suspend the rules to bring forward Item XV. C.2. – Indigenous NH Collaborative Collective.

9. Indigenous NH Collaborative Collective – **Voted** to approve the placement of a NH Historical Highway Marker regarding the 1713 Treaty of Portsmouth within City limits on an appropriate NHDOT road.
10. **Voted** to suspend the rules to bring forward Item XIII. B. – Presentation regarding Prescott Park Master Plan Implementation.
11. Presentation regarding Prescott Park Master Plan Implementation – Tom Watson, Chair of the Prescott Park Master Plan Implementation Committee & Cassie Bethoney, Weston & Sampson, provided a detailed presentation regarding Phase 1A Scope and Target Schedule regarding the Master Plan Implementation of Prescott Park.

On a roll call 8-1, voted to concur with the modified scope for the implementation of the Prescott Park Master Plan with the anticipated construction to start spring of 2023. Assistant Mayor Kelley, Councilors Tabor, Denton, Moreau, Lombardi, Blalock, Cook and Mayor McEachern voted in favor. Councilor Bagley voted opposed.

12. **Voted** to suspend the rules to bring forward Items XI. A.4. – Revocable License for 50 Coakley Road, XIII. A. – Presentation regarding Statistical Revaluation, XV. C.1. – Public Involvement Summary Report – Accessory Dwelling Units and X. D. – Public Hearing/Adoption of Resolution Authorizing a Bond Issue and/or Notes of up to Three Million One Hundred Thousand Dollars (\$3,100,000.00) for costs related to School Facilities Improvements and Elementary School Upgrades.
13. Revocable License for 50 Coakley Road – **Voted** to authorize the City Manager to negotiate and execute a revocable license which would authorize John and Christina Gallmeyer of 50 Coakley Road to construct and maintain a fence on the property of the City as requested and described in their email of June 14, 2022.
14. Presentation regarding Statistical Revaluation – Rosann Maurice-Lentz, City Assessor advised the City Council based on current economic conditions and the unknown economic impact to residential and commercial taxpayers within the City, the Portsmouth Assessor's office has decided to not conduct the tax year 2022 / Fiscal Year 2023 Statistical Revaluation.
15. Public Hearing/Adoption of Resolution Authorizing a Bond Issue and/or Notes of up to Three Million One Hundred Thousand Dollars (\$3,100,000.00) for costs related to School Facilities Improvements and Elementary School Upgrades – Held a public hearing. **On a roll call 7-2, voted** to adopt the Resolution as presented. Assistant Mayor Kelley, Councilors Tabor, Moreau, Bagley, Lombardi, Blalock and Mayor McEachern voted in favor. Councilors Denton and Cook voted opposed.
16. Public Involvement Summary Report – Accessory Dwelling Units – Luke Cowan, Planning Department provided a presentation regarding the Public Involvement Summary Report on Accessory Dwelling Units. He spoke to the regulatory amendment work plan and the public involvement which was held with small focus group meetings and discussed the six emerging themes. He reported that 48% of abutters would consider building an ADU themselves. He informed the City Council that individuals going before land use boards for approvals are having to pay anywhere from \$20,000.00 to \$30,000.00.
17. **Voted** to suspend the rules to continue the meeting beyond 10:30 p.m.

18. Public Hearing/Second reading of Ordinance amending Chapter 1, Article IV, Section 1.413: Trees and Public Greenery Committee – Held a public hearing. **Voted** to pass second reading and hold third and final reading at the August 1, 2022 City Council meeting.
19. Public Hearing/Second reading of Ordinance amending Chapter 1, Article VIII – Code of Ethics – Moved to pass second reading and hold third and final reading at the August 1, 2022 City Council meeting. **Voted** to amend Section 1.805 B. by replacing the word consultation with *agreement*. **Voted** to table second reading until the August 1, 2022 City Council meeting with Councilor Cook voting opposed.
20. Public Hearing/Adoption of 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 Two Million One Hundred Fifty Thousand Dollars (\$2,150,000.00) related to Well Station Improvements, Water Storage Tanks Painting, and Bartlett Street Improvements – Held a public hearing. **On a unanimous roll call 9-0, voted** to adopt the Resolution as presented.
21. Public Hearing/Adoption of 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 Seven Million Three Hundred Fifty Thousand Dollars (\$7,350,000.00) for costs related to Annual Sewer Line Replacements, Pease Wastewater Treatment Facility, Wastewater Pumping Station Improvements, Sewer Main for Sagamore Avenue Area Sewer Extension, Bartlett Street Upgrades and Fleet Street Utilities Upgrades – Held a public hearing. **On a unanimous roll call 9-0, voted** to adopt the Resolution as presented.
22. Public Hearing/Adoption of Resolution Authorizing a Bond Issue and/or Notes of up to Nine Million Five Hundred Five Thousand Dollars (\$9,505,000.00) for costs related to Police Facility Deficiencies Improvements, Outdoor Pool Aquatics Upgrade and Pool House, Citywide Fuel Station Upgrades, Greenland Road Recreation Facility (Skateboard Park), Citywide Facilities, Aerial Utilities Undergrounding and Bartlett Street Improvements – Held a public hearing. **On a unanimous roll call 9-0, voted** to adopt the Resolution as presented.
23. Approval of Agreement for Association of Portsmouth Teachers – **Voted** to approve the proposed Agreement with the Association of Portsmouth Teachers as presented.
24. Temporary Construction License for Ten State Street, Unit D – **Voted** to authorize the City Manager to execute and accept the temporary construction license regarding 10 State Street Unit D as submitted.
25. Request for Restoration of Involuntarily Merged Lots – 880 Woodbury Avenue – **Voted** to refer this request to the Planning Board and the Assessor for a report back.
26. Right to Know Request of Christopher White – **Voted** pursuant to RSA 91-A:3, to unseal the minutes of the City Council non-public session held on March 7, 2022 insofar as they relate to the Audit Committee.
27. Consent Agenda – **Voted** to adopt the Consent Agenda.

- A. Request from SOL, LLC, River Wharf, LLC d/b/a SOL, LLC to install a Projecting Sign at 111 State 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 Patrick Lavoie, Port City Barbers to install a Projecting Sign at 295 Maplewood Avenue (***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. Request from Bob Richard, Circle Furniture to install a Projecting Sign at 40 Bridge 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***

28. Email Correspondence – **Voted** to accept and place on file.
29. Letter from Oksana Karcha requesting permission to set up pop-up tent in Market Square in front of North Church to vend as part of the Peace Vigils for Ukraine on the following Sunday's – July 17th or July 31st, August 14th or August 28th and September 11th or September 25th – **Voted** to refer to the City Manager.
30. Appointment of Nancy Brown to the COVID Response Task Force Blue Ribbon Committee – Mayor McEachern announced that he is appointing Nancy Brown to the COVID Response Task Force Blue Ribbon Committee.
31. Appointment to be Considered – Johanna Landis as an Alternate to the Historic District Commission – The City Council considered the appointment of Johanna Landis as an Alternate to the Historic District Commission to be voted upon at the next City Council meeting.
32. Community Power: Authorize Portsmouth Energy Aggregation Committee to draft Power Plan to implement in 2023 – **Voted** that the City Council authorize the Portsmouth Energy Advisory Committee to create an Energy Aggregation Plan per RSA 53-E, including two public hearings, for review and vote of the council.
33. Community Power: CPCNH Joint Power Agreement changes to allow bylaw amendments to be voted by the full membership at times other than just the Annual Meeting – **Voted** that the City Council approves the amendment to Article XVI, Section 2 of the Joint Powers Agreement of the Community Power Coalition of New Hampshire as presented in the Council Packet dated July 11, 2022.
34. Request to hold Portsmouth's 3rd Annual Electric Vehicle Show one day over the last weekend in September or First weekend in October – **Voted** to refer the request to the City Manager with power.
35. Mid-Year Report from Governance Committee (powerpoint presentation) – **Voted** to table until the August 1, 2022 City Council meeting.
36. Work Session on ARPA Funds Requests – **Voted** to schedule a City Council Work Session on current request from staff and city committees for ARPA funds allocation.
37. Athletic Turf Field – Manufacturer's Representations – **Voted** to authorize a letter to be sent on behalf of the City Council to the manufacturer of the artificial turf field components regarding statements made during the procurement process.
38. Acceptance of Donation for the Skate Board Park Lights from Pioneers Board Shop - \$500.00 – **Voted** to approve and accept the donation as presented.
39. Use of ARPA Funds – City Manager Conard advised that the City has recently updated its ARPA funding webpage to better identify the amounts that have already been appropriated and the balance remaining. She stated the updated page also serves to advise the community that a public input process is being developed.

40. Miscellaneous Business including business remaining unfinished at previous meeting – Mayor McEachern advised the City Council that he authorized a letter of condolences to be sent to Honorable Kyohei Sakita, Mayor of Nichinan, Japan regarding the assassination of Japanese Prime Minister Shinzo Abe.
41. Adjournment – At 12:10 a.m., **voted** to adjourn the meeting.

Respectfully submitted by:

Kelli L. Barnaby, MMC/CNHMC
City Clerk