

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, AUGUST 1, 2022

PRESENT: MAYOR McEACHERN, ASSISTANT MAYOR KELLEY, COUNCILORS TABOR, DENTON, MOREAU, BAGLEY (*participated via zoom*), LOMBARDI, BLALOCK AND COOK

1. **Voted** to close the Non-Public Session and seal the minutes.
2. Recognition and Volunteer Committee Reports – Portsmouth High School Career Technical Education Center (CTE) – 45th Annual SkillsUSA NH Leadership and Skills Competition & Nationals Competition – Mayor McEachern recognized the accomplishments of the CTE programs and presented gifts to Careers in Education teacher, Carla Frank and students Mackenzie Leonard who placed 1st in Exploring Career Support Services and Jade Remick for placing 3rd in the Job Interview competition.

The Mayor offered his congratulations to the following students who were unable to attend this evening:

- Riley Diemer and Kailyn Richards our state's 1st place team for Ethical Dilemma
 - Kendall Jaggars placed 5th Children's Literature Pre-K through Kindergarten
 - Ryan Scarlotto placed 3rd in Creative Lecture
 - Katie Law placed 2nd and Zoe Morin placed 5th Job Interview competition
 - Nick Kyrousis, Gold medal and Calvin Puglisi, Bronze medal in Power Equipment Technology
 - Ethan Lantz, Bronze medal in Diesel Equipment Technology
 - Adam Croteau, Gold medal in Automotive Service Technology
3. Acceptance of Minutes – June 6, 2022 – **On a unanimous roll call 9-0, voted** to accept and approve the City Council minutes of the June 6, 2022 meeting.
 4. **Voted** to suspend the rules in order to bring forward Items XIII. A. – McIntyre Update, XIII. B. – Presentation Re: Land Acquisition at Bellamy Reservoir and XV. C.1. – Mid-Year Report from Governance Committee.
 5. McIntyre Update – Russell Preston provided a review of the Community Vision Plan, the Evolution of the Community Vision Plan, and Site Conditions. He addressed Massing Studies and Architectural Details of the project. Mr. Preston presented slides that showed renderings and elements of the building.
 6. Presentation Re: Land Acquisition at Bellamy Reservoir – Al Pratt, Water Resources Manager – Water Resources Manager Pratt provided a detailed presentation regarding the purchase of the Fernald parcel containing 45 acres on the Bellamy Reservoir.

On a unanimous roll call 9-0, voted to authorize the City Manager to negotiate and execute a Purchase and Sale Agreement for the purchase of a conservation easement on the subject parcel.

7. Mid-Year Report from Governance Committee (powerpoint presentation) (tabled from the July 11, 2022 City Council meeting) – Councilor Cook provided the Mid-Year Report from the Governance Committee outlining the work accomplished, ongoing work, and future tasks.
8. Public Comment Session – There were 16 speakers: Roy Helsel (Taxes); Peter Whelan (Portsmouth); Sue Polidura, Chris White, Petra Huda, Duncan MacCallum, Robin Rousseau (via zoom) (Audit Committee); Susan Sterry (Cemetery); Arthur Clough (Audit/Ethics); Greg Mahanna (Ethics); Peter Somssich (Seabrook/McIntyre); Esther Kennedy (Audit/Small Business); Bill Downey, Judy Miller (via zoom) (McIntyre); Paige Trace (McIntyre/Audit); and Zelita Morgan (Statement Against Hate Speech/Ethics Ordinance).
9. First reading of Ordinance amending Chapter 1, Article III – Boards – **On a unanimous roll call 9-0, voted** to pass first reading and hold a public hearing and second reading at the August 22, 2022 City Council meeting.
10. First reading of Ordinance amending Chapter 1, Article IV – Commissions and Authorities – **On a roll call 8-1, voted** to pass first reading and hold a public hearing and second reading at the August 22, 2022 City Council meeting. Councilors Tabor, Denton, Moreau, Bagley, Lombardi, Blalock, Cook and Mayor McEachern voted in favor. Assistant Mayor Kelley voted opposed.
11. First reading of Resolution authorizing a Bond Issue regarding Sagamore Avenue Area Sewer Extension – Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance and/or participation in the State Revolving Fund (SRF) Loan of up to One Million Two Hundred Thousand Dollars (\$1,200,000.00) for costs related to Sewer Service for Sagamore Avenue Sewer Extension – **On a unanimous roll call 9-0, voted** to pass first reading of the Resolution and schedule a public hearing and adoption at the August 22, 2022 City Council meeting.
12. Second reading of Ordinance amending Chapter 1, Article VII – Code of Ethics (tabled from the July 11, 2022 City Council meeting) – Moved to pass second reading and hold third and final reading at the August 22, 2022 City Council meeting.

On a unanimous roll call 9-0, voted to amend Section 1.805 B. – Ethics Investigation Officer the last sentence by the addition of “*and with the approval of the Board of Ethics*”.

On a unanimous roll call 9-0, voted to amend Section 1.803 – Consequences of Violation, second sentence by striking the word *fine*, and amend Section 1.805 A. – Ethics Investigation Officer, line three after EIO to add “, *with approval from the Board of Ethics*,”.

On a unanimous roll call 9-0, voted to suspend the rules to reopen the public hearing regarding the Code of Ethics Ordinance.

On a unanimous roll call 9-0, voted to pass second reading, as amended and hold third and final reading at the August 22, 2022 City Council meeting.
13. **On a unanimous roll call 9-0, voted** to suspend the rules in order to continue the meeting beyond 10:30 p.m.
14. Third and final reading of Ordinance amending Chapter 1, Article IV, Section 1.413: Trees and Public Greenery Committee – **On a unanimous roll call 9-0, voted** to pass third and final reading as presented.

15. Polling Hours for State Primary Election – **On a unanimous roll call 9-0, voted** to establish polling hours for the September 13, 2022 State Primary Election from 8:00 a.m. to 7:00 p.m.
16. Conservation Easement and Street Naming Request of 3400 Lafayette Road – **On a unanimous roll call 9-0, voted** to authorize the City Manager to negotiate, accept and record a conservation easement in substantially similar form to the easement deed from Juniper Commons LLC contained in the agenda packet.
- On a unanimous roll call 9-0, voted** to approve naming of a private street to Juniper Lane per the attached request and exhibits contained in the City Council packet for August 1, 2022.
17. Access and Water Service Easements for Property Located at Hemlock Way f/k/a Patricia Drive – **On a unanimous roll call 9-0, voted** to grant the City Manager authority to negotiate and accept easements necessary to serve the recently approved subdivision as set forth in the plan contained in the agenda packet.
18. Consent Agenda – **On a unanimous roll call 9-0, voted** to adopt the Consent Agenda.

- A. Request from Chris Erickson, Aland Realty, to install a Projecting Sign at 175 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. Letter from Trevor Bartlett, Portsmouth NH 400th Executive Team, requesting permission to hold a community parade on Saturday, June 3, 2023 (***Anticipated action – move to refer to the City Manager with Authority to Act***)
- C. Letter from Tina Sawtelle, The Music Hall, requesting permission for the closure of Chestnut Street on Friday, September 16, 2022 through Sunday, September 18, 2022 for the annual Telluride by the Sea Film Festival (***Anticipated action – move to refer to the City Manager with Authority to Act***)
- D. Letter from Tina Sawtelle, The Music Hall, requesting permission for the closure of Chestnut Street on Thursday, October 6, 2022 through Sunday, October 9, 2022 for the annual New Hampshire Film Festival (***Anticipated action – move to refer to the City Manager with Authority to Act***)

19. Letter from Steven P. Wilson requesting acquisition of city property in relation to redevelopment of 361 Hanover Street – **On a unanimous roll call 9-0, voted** to authorize the City Manager to negotiate a Purchase and Sale Agreement for a portion of property located at 361 Hanover Street.
20. Email Correspondence – **On a unanimous roll call 9-0, voted** to accept and place on file.
21. Appointment to be Voted – Johanna Landis – **On a unanimous roll call 9-0, voted** to appoint Johanna Landis as an Alternate to the Historic District Commission until June 1, 2025.
22. Traffic Flow of State Street – **On a unanimous roll call 9-0, voted** to request that Parking and Traffic Safety Committee, study and report back on changing State Street to a two way street, and moving the Route 1 southbound traffic onto State Street then to Middle Street, as now exists for the northbound traffic. Included in this report should be feasibility and estimated cost to complete these changes along with projected timelines for these changes.
23. Parking and Traffic Safety Committee Action Sheet and Minutes of July 7, 2022 – **On a unanimous roll call 9-0, voted** to accept and approve the action sheet and minutes of the July 7, 2022 Parking and Traffic Safety Committee meeting.
24. Additional Parking Enforcement Holiday for Juneteenth – **On a unanimous roll call 9-0, voted** to approve Juneteenth as a parking enforcement holiday.
25. Acceptance of Various Donations – **On a unanimous roll call 9-0, voted** to approve and accept the donations listed below.
 - Donation to the Fire Department – Emergency Equipment - \$250.00
 - Donation to the Skateboard Park Lights - \$2,910.80
 - Donation to the Skateboard Park Lights - \$2,686.00
 - Donation to the Cemetery Committee – South Church Charity Fund - \$1,500.00
 - Donation to the Police Honor Guard - \$5,000.00
26. Acceptance of Grant to the Fire Department from the Governor's Office of Emergency Relief & Recovery ARPA SFRF Locality Equipment Matching Program - \$50,000.00 – **On a unanimous roll call 9-0, voted** to accept and approve the Grant from the Governor's Office of Emergency Relief & Recovery ARPA SFRF Locality Equipment Matching Program - \$50,000.00.
27. Report Back on Community Engagement – City Manager Conard presented the Report on Community Engagement for the City Council's review and reference.
28. Adjournment – **On a unanimous roll call 9-0, voted** to adjourn the meeting at 11:35 p.m.

Submitted by:

Kelli L. Barnaby, MMC/CNHMC
City Clerk