

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, SEPTEMBER 19, 2022

PRESENT: MAYOR McEACHERN, ASSISTANT MAYOR KELLEY, COUNCILORS TABOR, DENTON, MOREAU, BAGLEY, LOMBARDI (*Via Zoom*), BLALOCK AND COOK (*Via Zoom*)

1. **Voted** to close the Non-Public Sessions and seal the minutes of the first item and not seal the minutes for the second matter.
2. Proclamation – Childhood Cancer Awareness Month – Mayor McEachern read the proclamation declaring September as Childhood Cancer Awareness Month.
3. Recognition of Camila Sacco 2022 Miss New Hampshire USA – Mayor McEachern recognized Camila Sacco a resident of Portsmouth and 2022 Miss New Hampshire USA, and wished her well in the competition moving forward.
4. Recognition of Thomas Kozikowski for Athletic Director of the Year – Mayor McEachern presented Koz with a City of Portsmouth Coin in recognition of being named Athletic Director of the Year.
5. Recognition of Hispanic Heritage Month – Mayor McEachern recognized September as Hispanic Heritage Month. Assistant Mayor Kelley announced that the BIPOC Festival will be held on Sunday, September 25th at Vida Cantina featuring food from a number of local restaurants and musical acts.
6. On a unanimous roll call 9-0, **voted** to suspend the rules in order to bring forward Item XIV. 1. – City Facilities Update.
7. City Facilities Update – On a unanimous roll call 9-0, **voted** to suspend City Council Rule #44 Naming of Municipal Buildings, Parks and Facilities and name the Peirce Island Boat Launch as the *Peirce Island Robert P. Sullivan Boat Launch*.
8. On a unanimous roll call 9-0, **voted** to suspend the rules to bring forward Item XVII. 5. – City Manager’s Informational Item #5 – Response regarding Unexpended Bond Proceeds.
9. Response regarding Unexpended Bond Proceeds – Councilor Bagley referred to the memorandum from Director of Finance and Administration Belanger reporting the unexpended bond proceeds for the General Fund, Parking & Transportation, Water, and Sewer funds collectively for year-end FY20, FY21, and FY22 were \$22.5, \$25.5, and \$31.3 million respectively.
10. Public Comment Session – There were 15 speakers: Rick Becksted (Friendly Reminder); Peter Weeks (Worth Lot); Mark Brighton (Park Names); Francis Cormier, James Knowles, Allyn So, Mark Brenner, Filomena Knowles, Irish Mike, Bruce Campbell, and Paula Skelley (Free Speech at Prescott Park); Esther Kennedy (Skateboard Park); Paige Trace (Portsmouth, etc.); Sue Sterry (Archive Committee) and Bill Downey (Request for Update on McIntyre).

11. First reading of Ordinance amending Chapter 10, Article 5A, Section 10.5A21B, Amend Map For Building Height Standards, Incentive Overlay Districts Sections 10.5A21.20 – Building Height Standards, Sections 10.5A21.21 & 10.5A21.22, Section 10.5A43.32 – Building and Story Heights, Section 10.1530 – Terms of General Applicability – On a unanimous roll call 9-0, **voted** to pass first reading and schedule a public hearing and second reading at the October 3, 2022 City Council meeting.
12. Second reading of Ordinance amending Chapter 1, Article IV, Section 1.414 – Commissions and Authorities – On a roll call 8-1, **voted** that Chapter 1, Article IV, Section 1.414 of the ordinances of the City be amended as described in the memorandum from the City Attorney to the City Manager on that topic dated September 13, 2022 and pass second reading with third and final reading to be held at the October 3, 2022 City Council meeting. Assistant Mayor Kelley, Councilors Tabor, Moreau, Bagley, Lombardi, Blalock, Cook and Mayor McEachern voted in favor. Councilor Denton voted opposed.
13. Approval of Welfare Guidelines – On a roll call 8-1, **voted** to amend Page 26, Item H, entitled Burials - that the Payment for burial of City indigents is limited to \$750.00 *be increased to \$1,000.00*. Assistant Mayor Kelley, Councilors, Tabor, Denton, Moreau, Lombardi, Blalock, Cook and Mayor McEachern voted in favor. Councilor Bagley voted opposed. On a roll call 8-1, **voted** to adopt the Welfare Guidelines as amended. Assistant Mayor Kelley, Councilor Tabor, Denton, Moreau, Lombardi, Blalock, Cook and Mayor McEachern voted in favor. Councilor Bagley voted opposed.
14. Temporary Construction License for 64 Vaughan Street – On a unanimous roll call 9-0, **voted** that the City Manager be authorized to execute and accept the temporary construction license to encumber 650 square feet of the alley that abuts the property and connects Hanover Street to the Worth Lot for a term of 104 days and for the use of ten (10) parking spaces in the Worth Lot for a term of 93 days as requested.
15. Approval of Employment Agreement with Fire Chief McQuillen – On a unanimous roll call 9-0, **voted** to approve the proposed agreement as presented.
16. Approval of Agreement with School Custodial Supervisors Union – On a unanimous roll call 9-0, **voted** to approve the proposed agreement as presented.
17. Request to Schedule a Work Session for Stormwater Utility Feasibility – On a unanimous roll call 9-0, **voted** to schedule a work session on October 17, 2022 at 6:00 p.m., to present the preliminary findings and recommendations of this study and discuss steps the City may take to implement a stormwater utility enterprise fund.
18. Foundry Place LLC Deed Acceptance for Property Located at 88-99 Foundry Place and 0 Deer Street – On a unanimous roll call 9-0, **voted** to authorize the City Manager to accept and record a community space deed over 88-99 Foundry Place and a Warranty Deed for Lot 2 in substantially similar form to the deeds from Foundry Place LLC contained in the agenda packet.
19. Consent Agenda – On a unanimous roll call 9-0, **voted** to adopt the Consent Agenda.
 - A. Request from Lisa DeGloria, Good Dog Gallery, to install a Projecting Sign at 135 Market Street, Unit G (***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 Chris Carragher, Seacoasts Paddleboard Club, requesting permission to hold the 5th Annual Halloween Costume Paddle on Sunday, October 30, 2022 from 10:00 a.m. to 11:30 a.m. at the Peirce Island Boat Ramp ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- C. Pro Portsmouth 2023 Various Events Request ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- D. Eversource Petitions and Pole License Requests:
- Installation of 4 poles on Peverly Hill Road #63-0696 ***(Anticipated action – move to refer to the City Manager with Authority to Act)***

20. Email Correspondence – On a unanimous roll call 9-0, **voted** to accept and place on file.

21. Request to Rename the North Mill Pond Park in Honor of Mark Stebbins – On a unanimous roll call 9-0, **voted** to schedule a work session to consider this request.

22. Request for Paper Street for Joffre Avenue – On a unanimous roll call 9-0, **voted** to refer to the Planning Board and Assessor for report back.

23. Letter from Peter Weeks regarding Worth Lot – On a unanimous roll call 9-0, **voted** to refer to the City Manager for report back.

24. Appointments to be Voted – On a unanimous roll call 9-0, **voted** to appoint Luis Rodriguez to the Cable Television & Communications Commission until April 1, 2024; appointment of Torey L. Brooks to the Sustainable Practices Blue Ribbon Committee; reappointment of Patricia Bagley to the Trees and Public Greenery Committee until September 3, 2025; and appointment of Jeffrey Mattson as an Alternate to the Zoning Board of Adjustment until December 1, 2023.

25. Legislative Subcommittee's recommendations on the NHMA 2023-2024 Proposed Legislative Policy Positions and Principles – On a unanimous roll call 9-0, **voted** to appoint the Mayor or his designee to act as a delegate at the NHMA Legislative Policy Conference and move to accept and approve NHMA's Proposed Legislative Principles and the 2023-2024 Proposed Legislative Policy Positions as recommended by the Legislative Subcommittee.

26. Removal of taxi only parking spots downtown and across the city as the taxi commission has been dissolved – On a unanimous roll call 9-0, **voted** to refer to the Parking and Traffic Safety Committee for report back at the October 24, 2022 City Council meeting.

27. Request for a Report back from Recreation and Department of Public Works on creating a disc golf course at Community Campus – On a unanimous roll call 9-0, **voted** to refer the request for report back to the Recreation Department and Department of Public Works on creating a disc golf course at Community Campus.
28. The 3rd Annual Portsmouth EV Show – Councilor Denton reported the 3rd Annual Portsmouth EV Show will be held at the Bridge Street Lot on October 2, 2022 from 10:00 a.m. to 1:00 p.m. No action required.
29. Parking and Traffic Safety Committee Action Sheet and Minutes of September 1, 2022 – On a unanimous roll call 9-0, **voted** to accept and approve the action sheet and minutes of the September 1, 2022 Parking and Traffic Safety Committee meeting.
30. Portwalk Place request for renewal of valet license agreements, by business owner – On a unanimous roll call 9-0, **voted** to approve renewal of valet license agreement for Parade Residence Hotel, LLC for a term of 1 year and to approve renewal of valet license agreement for Portsmouth HI, LLC for a term of 1 year.
31. Archive Historical Documents – On a unanimous roll call 9-0, **voted** to establish a Blue Ribbon Task Force to Study the Establishment of a Private/Public partnership to Properly Archive Historical Documents relating to the City of Portsmouth. The details related to the need for the work of the Task Force are outlined in the agenda packet.
32. Approval of Critical Flood Risk Infrastructure Grant from NHDES - \$275,000.00 – On a unanimous roll call 9-0, **voted** to accept the grant in the amount of \$275,000.00 as presented.
33. City Manager's Informational Items – City Manager Conard reminded the public that the CPI deadline is September 30th and reported that the Recycling Center is now accepting credit cards.
- City Manager Conard provided a brief update on McIntyre. She reported we continue to track on schedule with the time line initiated back in March of this year and we expect to achieve 50% design by mid-October. She said this week we anticipate drafts from outside counsel relative to the Development Agreement and Ground Lease from which we will continue to work on the proforma and understanding the financial contributions for both sides.
- City Manager Conard provided an update regarding the renovations at the Outdoor Pool and announced the pool is slated to reopen Wednesday, October 5th.
- Mayor McEachern referred to City Attorney Sullivan's memorandum regarding Prescott Park Public Forum Areas which clarifies our rules surrounding public assembly.
34. Miscellaneous/Unfinished Business – Assistant Mayor Kelley announced that Big Brother Big Sister Annual Stiletto Race is being held downtown on Saturday, September 24, 2022.
35. Adjournment – At 9:25 p.m., voted to adjourn.

Submitted by:

Kelli L. Barnaby, MMC/CNHMC
City Clerk