

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, NOVEMBER 14, 2022

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

ABSENT: ASSISTANT MAYOR KELLEY

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1. **Voted** to close the Non-Public Session and seal the minutes.
2. Acceptance of Minutes – August 22, 2022 – **Voted** to approve and accept the minutes of the August 22, 2022 City Council meeting.
3. Public Comment Session – There were 10 speakers: Marylou McElwain (Maplewood Avenue); Christopher Burns (Flag Poles); Zelita Morgan (Various); Mark Brighton (Apologies); Liza Hewitt (Board of Adjustment Appointment); Paige Trace, Elizabeth Bratter (ADU amendments); Rick Becksted, Arthur Clough (Land Use Committee); and Petra Huda (City Manager Informational Items Placement on Agenda).
4. First reading of Ordinance amending Chapter 12 and Chapter 15 – City’s Building Code – **Voted** to pass first reading and schedule a public hearing and second reading at the December 5, 2022 City Council meeting.
5. First reading of Ordinance amending Chapter 5, Article I – Fire Department, Section 5.101 – Personnel and Article IX – Fire Code – **Voted** to pass first reading and schedule a public hearing and second reading at the December 5, 2022 City Council meeting.
6. First reading of Ordinance amending Chapter 1, Article IV, Section 1.408 – Cable Television and Communications Commission – **Voted** to pass first reading and schedule a public hearing and second reading at the January 9, 2023 City Council meeting.
7. Public Hearing/Adoption of Resolution Appropriating Eighty-Five Thousand Dollars (\$85,000.00) from American Rescue Plan Act (ARPA) Grant to Pay Costs Associated with the Purchase of an Ambulance and the Payment of Costs Incidental and Related Thereto – Held a public hearing. **On a unanimous roll call 8-0, voted** to adopt the Resolution as presented.
8. Public Hearing/Adoption of Resolution Appropriating Eight Hundred Thousand Dollars (\$800,000.00) to purchase one Fire Apparatus, and Authorizing a Bond Issue, and/or Notes, of up to Eight Hundred Thousand Dollars (\$800,000.00) to Meet this Appropriation – Held a public hearing. **On a unanimous roll call 8-0, voted** to adopt the Resolution as presented.
9. Public Hearing/Second reading of Ordinance amending Chapter 1, Article IV – Commission and Authorities, Section 1.412 – Public Art Review Committee – Held a public hearing. **Voted** to pass second reading and hold third and final reading at the December 5, 2022 City Council meeting.

10. Public Hearing/Second reading of Ordinance amending Chapter 1, Article XVII – Funding of Public Art, Section 1.1704 – Exemption and Section 1.1707 – Funding Accepted – **Voted** to pass second reading by amending Section 1.1704 - Exemption with the removal of the strike through of Section 1.1702.
11. **Voted** to suspend the rules to bring forward Items XIII. A. 2022 Data Collection Presentation by City Assessor, XIII. B. Greater Portsmouth Recovery Ready Community Coalition Presentation, and XIII. C. Email Correspondence.
12. 2022 Data Collection Presentation by City Assessor – City Assessor Maurice-Lentz provided a brief overview of the 2022 Data Collection process that will be beginning later this week. She spoke to the need to maintain fair and equitable values with neighborhoods looked at individually.
13. Greater Portsmouth Recovery Ready Community Coalition Presentation – Larry McCullough, Executive Director, Pinetree Institute provided back ground information on the initial effort to address the crisis in their early work and having all services work together. He spoke to the summary of results such as housing, employment, access coordination of services and community education and training. He stated they're looking to build support for a 2-year implementation phase. He reported to the Council that the Coalition is seeking support from the City of \$60,000.00 per year for 2 years with half coming in January and the remaining amount in July.  
  
**Voted** to request a report back from the City Manager on funding options available to meet the request of the Greater Portsmouth Recovery Ready Community Coalition at the December 5, 2022 City Council meeting.
14. Email Correspondence – **Voted** to accept and place on file.
15. Approval of Collective Bargaining Agreement with Professional Management Association – **Voted** to approve the proposed agreement as presented.
16. Approval of Collective Bargaining Agreement with Portsmouth City Employees - Local #1386A – **Voted** to approve the proposed agreement as presented.
17. Request for Restoration of Involuntarily Merged Lots of 880 Woodbury Avenue – **Voted** to restore the property located at 880 Woodbury Avenue to its pre-merger status and direct the City GIS and Assessing staff to update the zoning and tax maps accordingly.
18. Approval of 2023 City Council Meeting Calendar – **Voted** to approve the calendar with the exception of budget work session dates. Councilor Denton will bring this item under his name for the December 5, 2022 City Council meeting.
19. Drainage Easement for 14 West Road – **Voted** to authorize the City Manager to accept and record a Drainage Easement Deed in a substantially similar form to the easement deed from West Road to the West, LLC contained in the agenda packet.

20. Temporary Construction License for 93 Pleasant Street – **Voted** to authorize the City Manager to execute and accept the temporary construction license for the term of December 1, 2022 to April 30, 2024 as requested.

21. Request for Public Arts Trust Funds to be Reallocated to the Bohenko Park Sculpture Garden from the Foundry Place Public Art Project – **Voted** to find that the Bohenko Park Sculpture Garden is a public art purpose consistent with the Public Art Ordinance of the City and that the Council approve the reallocation of remaining Foundry Art Funds in the amount of **\$21,100.00** from the Public Arts Trust be used for the Bohenko Gateway Park Sculpture Garden. Be it further moved that the City Manager is authorized to take any and all steps necessary to accomplish the reallocation of the forgoing Trust Funds.

22. Consent Agenda – **Voted** to adopt the Consent Agenda.

- A. Request from James Gaudreault, Bryce Harrison and Ian Lubkin , J & B Food Services LLC, d/b/a Cheese Louise to install a Projecting Sign at 76 Congress 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***

23. Approval of Employment Agreement with City Manager Conard – Voted to approve the proposed Employment Agreement as presented.

24. Appointment to be Considered – Appointment of David Rheume to the Zoning Board of Adjustment – The City Council considered the appointment of David Rheume to the Zoning Board of Adjustment which will be acted upon by the City Council at the December 5, 2022 meeting.

25. Appointments to be Voted – **Voted** to appoint Stewart Sheppard as a regular member until April 1, 2024 and Brian Gibb as an Alternate member until April 1, 2025 to the Conservation Commission; appointment of Assistant Mayor Kelley and Marylou McElwain to the DOT Public Advisory Committee for Route 1 Bypass; appointment of Anne Weidman as a regular member of the Economic Development Commission until October 1, 2026; appointments of Charles Doleac, Kristen Peterson, Emma Stratton, Thomas Watson and Lawrence Yerdon to the Task Force to Study Private/Public Historical Archive.

26. Vintage Christmas Shuttle – Mayor McEachern announced that a Vintage Christmas Shuttle will be running a downtown loop on weekends beginning Saturday, December 3, 2022 through Saturday, December 18, 2022.
27. Community Power Survey Planned for December – No action required. Councilor Tabor announced that a survey regarding Community Power is planned for December but it may be delayed until January due to the holidays.
28. Amend All Veterans Tax Credit – **Voted** to draft a resolution increasing the Optional Veterans' Tax Credit from \$500.00 to \$750.00 be brought back with any necessary changes to the City Council for readoption before March 31, 2023.  
  
**Voted** the draft a resolution expanding the All Veterans Tax Credit eligibility to those that currently serve be brought back with any necessary changes to the City Council for readoption before March 31, 2023.
29. Phase 2 ADU and Assisted Living Amendments – **Voted** to refer Phase 2 ADU amendments to the Planning Board for recommendations and bring recommended amendments back to the City Council for first reading. Councilor Bagley and Councilor Cook voted opposed.
30. Parking and Traffic Safety Committee Action Sheet and Minutes of the October 6, 2022 meeting (Tabled at the October 24, 2022 City Council meeting) – **Voted** to postpone until the December 5, 2022 City Council meeting.
31. Holiday Parking Enforcement – The City Council agreed to bring this item back at the December 5, 2022 City Council meeting under Councilor Bagley's name.
32. NH Department of Natural and Cultural Resources/Division of Historical Resources Moose Plate Conservation Grant for Repair of North Cemetery Wall - \$20,000.00 – **Voted** to approve and accept the grant from the New Hampshire Division of Historical Resources in the amount of \$20,000.00.
33. InvestNH Municipal Planning and Zoning Housing Opportunity Grant - \$82,000.00 – **Voted** to accept the InvestNH Housing Opportunity Grant funding and authorize staff to enter into a formal grant agreement.
34. Donation to the Annual Tree Planting from Robert Grantham & Cynthia Nix for future planting of trees - \$5,000.00 – **Voted** to approve and accept the donation from Robert Grantham and Cynthia Nix for Annual Tree Planting - \$5,000.00.
35. McIntyre Update – City Manager Conard reported last week the City and the Development Team of Redgate Kane did receive some cost estimates from three firms that were mutual agreed upon. She stated they are now as a team, evaluating those numbers and how they impact the project, as the community plan. She stated they will keep the City Council and public apprised of that work as information comes forward. She also stated the City Council and public should know the next check-in with the General Services Administration is scheduled for next Tuesday, November 22, 2022.

36. Miscellaneous Business Including Business Remaining Unfinished at Previous Meeting – City Manager Conard reported that 293 people participated in Household Hazardous Waste Day on Saturday. She stated we include the Town of Greenland and Town of Newington in that effort and we had representation from all communities.

Councilor Blalock announced that a Public Input Session on the Recreation Needs Study will be held on Wednesday, November 16, 2022 at Community Campus beginning at 6:00 p.m.

37. Adjournment – At 9:55 p.m., **voted** to adjourn.

Respectfully submitted:

Kelli L. Barnaby, MMC/CNHMC  
City Clerk