

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, JUNE 5, 2023  
PRESENT: MAYOR McEACHERN, ASSISTANT MAYOR KELLEY, COUNCILORS TABOR, DENTON, MOREAU, BAGLEY, LOMBARDI, BLALOCK, AND COOK

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1. On a unanimous voice vote 9-0, **voted** to close the Non-Public Session and seal the minutes.
2. Proclamation – Juneteenth 2023 – Mayor McEachern read the Proclamation declaring Juneteenth 2023 in Portsmouth and urged all members of the community to learn more about the Emancipation Proclamation and the history behind this holiday. To join in celebrations, commemorations and other programs and tributes organized by community members including the Black Heritage Trail of NH, the Seacoast African American Cultural Center, Black Lives Matter Seacoast, the Seacoast NAACP, the Racial Unity Team, the Business Association for People of Color and so many others.  
  
Mayor McEachern presented the Proclamation to Nora Lewis and Barbara Ward of the Black Heritage Trail who accepted it with thanks and appreciation.
3. Acceptance of Minutes – May 8, 2023 and May 15, 2023 City Council meetings – **Voted** to accept and approve the minutes of the May 8, 2023 and May 15, 2023 City Council meetings.
4. Public Comment Session – There were 11 speakers: Rich Duddy (Recreation Department Budget); Roy Helsel (Budget Publication); Peter Officer (Sherburne); Jim Lee (First Amendment); Sue Polidura (Clarification); Sue Sterry (Historic Cemeteries); Esther Kennedy (Land Use Committee); Petra Huda (Sherburne Process) Lisa Hagerty-McMahon (Union Street Sewer Separation & 77 Meredith Way Development); Paige Trace (Portsmouth); and Francis Cormier (Patterns Emerging).
5. **Voted** to suspend the rules to bring forward Item XI. A.1. – Town of New Castle Sewer Agreement.
6. Town of New Castle Sewer Agreement – **Voted** to authorize the City Manager to accept all changes to the draft wholesale sewer agreement as proposed, to finalize and execute it.
7. Reconvened Budget Public Hearing – Finance Director Belanger provided a presentation that reviewed the five-year budget history. She reported that the average increase over five years was 3.75%. Certified Assessor Lentz reviewed the equalized assessed valuation and how the Department of Revenue adjusts every community's Modified Assessed Valuation annually by the Weighted Mean Sales Ratio. She addressed commercial versus residential growth and how growth offsets the tax rate. Finance Director Belanger spoke to how the use of Fund Balance offsets resident's taxes. She reported that budgetary use of Fund Balance from FY17 to proposed FY24 is \$21,335,879.00. She completed her presentation by discussing the recommended 3.67% increase for this budget if approved by the Council.  
  
Mayor McEachern reopened the public hearing on the budget. There were five speakers. With no further speakers, Mayor McEachern closed the public hearing on the budget.
8. Adoption of Budget Resolution #9-2023 – Municipal Fees – **On a unanimous roll call 9-0, voted** to adopt Resolution #9-2023 – Municipal Fees.

9. Adoption of Budget Resolution #10-2023 – General Fund Expenditures – On a unanimous roll call **9-0, voted** to adopt Resolution #10-2023 - General Fund Expenditures.

**GENERAL FUND EXPENDITURES**

<b>Department</b>	<b>Appropriation</b>
General Government	\$25,761,255.00
Police	\$13,392,993.00
Fire	\$10,460,307.00
School	\$60,577,961.00
Collective Bargaining	\$563,000.00
Transfer to Indoor Pool	\$200,000.00
Transfer to Prescott Park	\$243,653.00
Transfer to Community Campus	\$476,443.00
Non-Operating	\$25,607,763.00
<b>Total</b>	<b>\$137,283,375.00</b>

10. Adoption of Budget Resolution #11-2023 – Water Fund Expenditures – On a unanimous roll call **9-0, voted** to adopt Resolution #11-2023 – Water Fund Expenditures.

- ***Appropriated sum of \$11,944,697.00 to defray expenses for the operations of the water system***
- ***Cash requirement of \$12,392,452.00 to defray expenses for the operations of the water system***
- ***Water user rate effective July 1, 2023, is \$4.74 per unit for the first 10 units of water consumed per month, and \$5.70 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***
- ***Water irrigation user rate effective July 1, 2023, is \$5.70 per unit for the first 10 units of water consumed per month, \$10.76 for consumption over 10 and up to 20 units consumed, and \$13.28 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***

11. Adoption of Budget Resolution #12-2023 – Sewer Fund Expenditures – On a unanimous roll call **9-0, voted** to adopt Resolution #12-2023 – Sewer Fund Expenditures.

- ***Appropriated sum of \$21,684,216.00 to defray expenses for the operation of the sewer system***
- ***Cash requirements of \$24,700,040 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, 2023 is \$16.49 per unit for the first 10 units of consumption per month, and \$18.14 per units 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***

12. Adoption of Budget Resolution #13-2023 – Special Revenues (Including American Rescue Plan Act (ARPA)), Debt Service Fund, and Committee Fund Balance for Necessary Expenditures – **On a unanimous roll call 9-0, voted** to adopt Resolution #13-2023 – Special Revenues (Including American Rescue Plan Act (ARPA)), Debt Service Fund, and Committed Fund Balance for Necessary Expenditures for the Fiscal Year Ending June 30, 2024.

- ***Appropriated supplemental funding from the General Fund Committed Health Insurance Fund Balance to defray the expenses of Health Insurance costs in excess of General Fund Appropriations for Health Insurance Premiums for Fiscal Year ending June 30, 2024***
- ***Appropriated supplemental funding from the General Fund Committed Leave at Termination Fund Balance to defray the expenses of Leave at Termination in excess of General Fund Appropriations for Leave at Termination for Fiscal Year ending June 30, 2024***
- ***Appropriated supplemental funding from any other General Fund Committed Fund Balance to defray expenses for Fiscal Year ending June 30, 2024***
- ***Appropriated any sums necessary to pay debt service associated with Betterment Assessments, to include principal and interest, from a Debt Service Fund for Fiscal Year ending June 30, 2024***
- ***Appropriated in Governmental or Enterprise Funds any Special Revenues received. Special Revenues include, but not limited to, Parking & Transportation, Community Campus, Indoor Pool, Stormwater, Prescott Park, Federal, State, and Local Grants and Donations for Fiscal Year ending June 30, 2024***
- ***Appropriated any sums received from Special Revenue Sources, to a maximum of \$38,000,000.00 for the purpose for which such sums may be lawfully expended to include***
- ***Appropriation of Special Revenue Funds will include the use of American Rescue Plan Act (ARPA) funds in the amount of \$909,000.00***

13. Adoption of Budget Resolution #14-2023 – Investment Policy – **On a unanimous roll call 9-0, voted** to adopt Resolution #14-2023 – Investment Policy for the Fiscal Year Ending June 30, 2024.

14. First reading of Ordinance amending Chapter 4, Article I – Food Licensing and Regulations, Section 4.101 – Adoption of the FDA 2022 Food Code, Section 4.102 – Amendments, Additions and Deletions to Food Code, Section 4.103 – Adoption of Specific Parts He-P 2300, as amended, and Section 4.107 – Term of License – **Voted** to pass first reading and schedule a public hearing and second reading for June 20, 2023 City Council meeting.

15. Temporary Construction License for Lucky Thirteen Properties, LLC 147 Congress Street – **Voted** to authorize the City Manager to execute and accept the temporary construction license to encumber the sidewalks along Congress Street and Maplewood Avenue that abut 147 Congress Street as requested.

16. Consent Agenda – Councilor Cook requested to remove Item D. from the Consent Agenda to vote on it separately.

**Voted** to adopt the Consent Agenda.

- A. Request from James Nadeau, LandVest, to install a Projecting Sign at 56 State Street (***Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning & Sustainability 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 Elizabeth Andrews, Market Square Jewelers, to install a Projecting Sign at 124 Congress Street (***Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning & Sustainability 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 Cristine More, Wentworth-Douglass Hospital, requesting permission to hold the 10<sup>th</sup> Annual Seacoast Cancer 5K Festivities at the Pease Tradeport on Saturday, September 23, 2023 and Sunday, September 24, 2023 (***Anticipated action – move to refer to the City Manager with Authority to Act***)

17. Letter from Mike Effenberger, Seacoast Jazz Society, requesting permission to hold a street performance in three locations – the Vaughan Mall stage, Market Square (by the North Church) and the open space area by the tugboats, for Jazz In The Street on 5 Saturdays this summer (July 1, 2023; July 7, 2023; July 28, 2023; August 5, 2023 and August 19, 2023) from 12:30 p.m. – 2:00 p.m. **Voted** to refer to the City Manager with Authority to Act. Councilor Cook abstained from voting on this matter.

18. Email Correspondence – **Voted** to accept and place on file.

19. Letter from Sam Accardi, Yellow Fin Events LLC, requesting permission to hold the Bikes & Beers Cycling event with Cisco Brewers to benefit the Bike Walk Alliance of New Hampshire on Saturday, July 22, 2023 at the Pease Tradeport – **Voted** to refer to the City Manager with Authority to Act.

20. Letter from Valerie Rochon, Managing Director, Portsmouth NH 400<sup>th</sup>, Inc., requesting permission to install lawn signs on municipal property, primarily in gateway areas at the end of June and removed before snow falls as part of the PNH400's overall marketing initiatives – **Voted** to refer to the City Manager with Authority to Act.
21. Appointments to be Considered – The City Council considered the appointments outlined below and will be acted upon at the June 20, 2023 meeting.
- Appointment of Linnea Grim to the Arts and Nonprofits Committee, President & CEO of Strawberry Banke Museum Representative
  - Reappointment of Jessica Blasko to the Conservation Commission
  - Appointment of Adam Fitzpatrick to the Conservation Commission
  - Reappointment of Abigail Gindele to the Conservation Commission
  - Reappointment of Barbara McMillan to the Conservation Commission
  - Reappointment of Allison Tanner to the Conservation Commission
  - Reappointment of Lynn Vaccaro to the Conservation Commission
  - Appointment of Linnea Grim to the Prescott Park Master Plan Implementation Blue Ribbon Committee
22. Appointments to be Voted – **Voted** to reappoint David Adams to the Historic District Commission until June 1, 2026.
- Voted** to reappoint Peter Britz to the Rockingham Planning Commission.
23. Resignation of Ernie Carrier from the Planning Board – **Voted** to accept with regret the resignation of Ernie Carrier from the Planning Board.
24. Portsmouth Community Power launch: June statistics on enrollment and customer savings – Councilor Tabor reported that over 800 residents have joined Community Power and informed the Council that this cleaner power is currently saving customers \$9.00 per month. He also announced that the rates will reset on August 1<sup>st</sup>.
25. Report Back on Land Use Committee meeting of June 2, 2023 – Councilor Moreau provided a detailed report regarding the June 2<sup>nd</sup> meeting of the Land Use Committee. She spoke to the presentation by Portsmouth Housing Authority Executive Director Welch and Adam Ruedig, President of PHA Housing Development, Limited Directors regarding workforce housing.
- Moved to invite Portsmouth Housing Authority to provide a presentation at the June 20, 2023 City Council meeting reporting on options for the Sherburne School site, taking into account the feedback we received during the previous work session held at the Sherburne School site.
- Voted** to amend the motion that city staff provide estimates for engineering costs of the site.
- Main motion passed as amended.**
26. **Voted** to suspend the rules to continue the meeting beyond 10:30 p.m.
27. Acceptance of Donation to the Senior Activity Center from Service Credit Union to support refreshments for our Veterans Coffee Afternoons - \$1,200.00 – **Voted** to approve and accept the donation as presented.

28. Acceptance of Donation to the Skateboard Park from Lisa Morse - \$1,000.00 – **Voted** to approve and accept the donation as presented.

29. Adjournment – At 10:50 p.m., **voted** to adjourn the meeting.

Submitted by:

Kelli L. Barnaby, MMC/CNHMC  
City Clerk