

TO: KAREN CONARD, CITY MANAGER

FROM: VALERIE A. FRENCH, DEPUTY CITY CLERK

RE: ACTIONS TAKEN AT THE PORTSMOUTH CITY COUNCIL MEETING HELD IN THE EILEEN DONDERO FOLEY COUNCIL CHAMBERS ON MONDAY, NOVEMBER 13, 2023

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

1. **Voted** to Leave the Non-Public Session and seal the minutes.
2. Public Comment Session – There were **11** speakers: Jim Lamond, Kent Hubbard, Chris Hackett, Brian and Lindsay Pappas, Leslie Allen, Jeff Dyer, David Marvez, Dick Bagley, Pat Bagley, Cliff Hodgdon (Proposed locations of Police Facility, opposed to Clough Drive)
3. First Reading of Ordinance amending Chapter 6, Article XVII, Sections 6.1701-61707- Outdoor Dining Encumbrance Permit – **Motion** to pass first reading and schedule a public hearing and second reading at the December 4, 2023 City Council meeting was **rescinded**.

Voted to refer back to the legal department for revisions to reflect the Economic Development Commission recommendations at the January 16, 2024 City Council meeting.

4. First Reading of Ordinance amending Chapter 1, Article III, Section 1.304 – Recreation Board Membership – **Voted** to pass first reading and hold second reading and public hearing at the December 4, 2023 City Council meeting.
5. First Reading of Ordinance amending Chapter 1, Article IX, Section 1.901 – Municipal Officials Disclosure -**Voted** to pass first reading and hold second reading and public hearing at the December 4, 2023 City Council meeting.
6. Second Reading of Ordinance amendment Chapter 1, Article IX – Conflict of Interest/Mandatory Financial Disclosure, Section 1.902, Election Candidate Financial Disclosure –
 - **Voted** to split the motion to exclude Item C, (*blue text*)-of ~~\$100.00 or more~~, ~~in excess of \$100.00~~, from the vote.
 - **Voted** to adopt Councilor Denton amendments (*blue text*) in Items B and F on a 9-0 roll call vote.
Remaining amendment Item C (*blue text*):
 - **Voted** to add back the deleted text and change to “each contribution **of \$100.00 or more and candidates will disclose the number of donations under \$100.00 and the total sum thereof**, since the last municipal election..... and “all such contributions **in excess of \$100.00** shall be reported...
 - **Voted** on a 6-3 roll call to change the amount in Item C from ~~\$100.00~~ to **\$50.00**. Asst. Mayor Kelley, Councilors Tabor and Lombardi voted opposed.
 - **Voted** on a 5-4 roll call to amend Item I. Public Records: by eliminating the proposed (*red text*) amendment ...**and shall be published on the City website.**, Councilors Tabor, Denton, Bagley and Cook voted opposed.

- **Voted** to hold second reading and public hearing on the ordinance amendment as amended including remaining **red text** items from original amendment at the December 4, 2023 City Council meeting.
7. Approval of the 2024 City Council Calendar –**Voted** to approve the proposed schedule for 2024 meetings as presented.
 8. Grays Lane Right of Way Easement – **Voted** to authorize the City Manager to accept a right of way easement over land at 219 Sagamore Avenue from Thomas and Deirdre Hammar (Tax Map 221 Lot 19)
 9. Revocable License for 217 Austin Street - **Voted** to authorize the City Manager to execute and deliver a Revocable License allowing owners of 217 Austin Street to replace their existing steps and install pavers on City property.
 10. Consent Agenda – **Voted** to adopt the Consent Agenda as presented.
 - A. Request from Ashley Dumont, Coastal Thyme Holistic Skin + Wellness, to install a Projecting Sign at 208 Market 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 Andrea Schwanbeck, Brass Tacks Photography, to install a Projecting Sign at 78 Fleet 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***
 11. Email Correspondence – **Voted** to accept and place on file.
 12. Letter from John Stebbins, Procon, requesting for accent lighting to be affixed o the city street light pole at the corner of Maplewood Avenue and Raynes Avenue to illuminate the sculpture, Hard on the Wind – **Voted** to refer to the City Manager with Authority to Act.

13. Memo from Public Arts Review Committee regarding “Love Locks” Fence – **Voted** to suspend the rules to receive input from Public Arts Review Committee member Chris Dwyer who reviewed the report from PARC which concluded that the “Love Locks” Fence does not meet the qualifications of public art, but there are alternatives in dealing with these installations which are all over the world. **Voted** to accept and place on file.
14. Letter from Heath Market, LLC, requesting to hold an Outside Beer Garden Event at Hearth Market from 2:00 p.m. to 8:00 p.m. on December 2, 2023 – **Voted** to refer to the City Manager with Authority to Act.
15. Resignations: **Voted** to accept the following resignations with regret and letter of appreciation to be sent.
- Michelle Consolazio from the Citizens Advisory Committee
 - Jonathan Sandberg from the Citizens Advisory Committee
 - Allison Tanner from the Conservation Commission
 - A. Robert Thoresen from the Public Art Review Committee
 - John Kennedy from the Sustainable Practices Blue Ribbon Committee
16. Appointments to be Considered: The following appointment applications were considered and will be voted at the December 4, 2023 City Council meeting.
- Herb Lloyd to the Sustainability Committee
 - Aubrey Gewehr to the Sustainability Committee
 - Effie Malley to the Sustainability Committee
 - Jessica Blasko to the Sustainability Committee
 - Steve De Trolio to the Sustainability Committee
 - Bert Cohen to the Sustainability Committee
 - Torey Brooks to the Sustainability Committee
 - William Lyons (application submitted) to the Sustainability Committee
 - Chas Sullivan (application submitted) to the Sustainability Committee
17. Appointments to be Voted – **Voted** the following appointments:
- Annelise Hartley to the Citizens Advisory Committee
 - Kirsten Barton to the Citizens Advisory Committee
 - Sachiko Akiyama to the Cultural Planning Subcommittee
18. Request Report Back regarding Status of Jones Avenues MAC Metals – **Voted** to refer for report back at the December 4, 2023 City Council meeting.
19. Councilor Denton and Councilor Cook Item 1: Draft Solar Array Overlay District – **Voted** for the City Manager to report back on the best way to pursue the creation of a Solar Array Overlay District in our zoning ordinance.
20. Parking and Traffic Safety Committee Action Sheet and Minutes of the October 5, 2023 meeting – **Voted** to accept and approve the action sheet and minutes of the October 5, 2023 Parking and Traffic Safety Committee meeting.

21. Parking and Traffic Safety Committee Action Sheet and Minutes of the November 2, 2023 meeting – **Voted** to accept and approve the action sheet and minutes of the November 2, 2023 Parking and Traffic Safety Committee meeting.
22. Councilor Bagley Item 3 – State Street Two-Way Study-Results – Councilor Bagley gave an update of the State Street Two-Way Study results. **No Action taken.**
23. Councilor Cook Item 1 – Draft Changes to Sidewalk Policy– **Voted** to approve the Governance Committee recommended changes to the City Council Sidewalk Policy.
24. Councilor Cook Item 2 – Ethics and Transparency Policy– **Voted** to approve the Governance Committee recommended new Ethics and Transparency Policy created to provide guidance on Ethics and Transparency matters.
25. Acceptance of the Pre-Disaster Mitigation Grant - \$965,333.33 – **Voted** to authorize the City Manager to enter into a Grant Agreement with the State of New Hampshire Department of Safety to accept \$965,333.33 with a city match of 25% from the Pre-Disaster Mitigation Grant Program.
26. Acceptance of the Internet Crimes Against Children (ICAC) Grant, Supplement 2 - \$381,221.00 – **Voted** to approve and accept the grant as presented.
27. Acceptance of the Bulletproof Vest Grant - \$11,437.50 – **Voted** to approve and accept the grant as presented.
28. Acceptance of Donation to the Police Department of a Television Monitor from the Home Depot for investigative purposes – **Voted** to approve and accept the donation as presented.
29. Acceptance of Donation for maintenance of historic cemeteries from Elise Parham in honor of Portwalk Place - \$100.00 – **Voted** to approve and accept the donation as presented.
30. Adjournment – At 9:30 p.m., **voted** to adjourn.

Submitted by:

Valerie French, CNHMC
Deputy City Clerk