

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, APRIL 17, 2023 TIME: 5:45PM

Members of the public also have the option to join the meeting over Zoom, a unique meeting ID and password will be provided once you register. To register, click on the link below or copy and paste this into your web browser:

https://us06web.zoom.us/webinar/register/WN_bDc5jzS3Q9GXB_nwKYF1-Q

5:45PM - ANTICIPATED NON-PUBLIC SESSIONS ARE BEING HELD IN CONFERENCE ROOM A

1. COLLECTIVE BARGAINING AGREEMENT – RSA 91-A:3, II (a)
2. CONSIDERATION OF LEGAL ADVICE – RSA 91-A:3, II (I)

AGENDA

**Regular portion of City Council meeting to begin at 7:00 p.m.*

- I. WORK SESSION – THERE IS NO WORK SESSION THIS EVENING
- II. PUBLIC DIALOGUE SESSION [when applicable – every other regularly scheduled meeting] – **N/A**
- III. CALL TO ORDER [7:00 p.m. or thereafter]
- IV. ROLL CALL
- V. INVOCATION
- VI. PLEDGE OF ALLEGIANCE

***Portsmouth High School Sophomores
Student Government Day Participants***



***Kelly Moriarty, Mayor
Maggie Pataki, Assistant Mayor
Elise Sedam, Councilor
Logan Reis, Councilor
Sophie Williams, City Manager***

***Josh Ciotti, Councilor
Isha Shah, Councilor
Oliver Fitzpatrick, Councilor
Reilly Collins, Councilor
Amanda Yusuf, City Attorney
James Johnston, City Clerk***

***“The beginning of every government starts with the education of our youth.”
Greek Philosopher - Pythagoras***

PROCLAMATIONS

1. Portsmouth Rotary Centennial Day
2. National Child Abuse Prevention Month
3. Earth Day

VII. ACCEPTANCE OF MINUTES – MARCH 31, 2023 SPECIAL CITY COUNCIL MEETING

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

1. *Recognition of former City Manager Calvin A. Canney for his 20 years of service to the City of Portsmouth
2. *Recognition of Community Members of the University of New Hampshire Cheerleaders – The 2023 National Cheerleading Association All-Girl Grand National Champions

IX. PUBLIC COMMENT SESSION *(This session shall not exceed 45 minutes) – (participation may be in person or via Zoom) (An Additional 45 minutes for public comment regarding McIntyre occurs later in the agenda)*

X. PUBLIC HEARINGS AND VOTE ON ORDINANCES AND/OR RESOLUTIONS

Public Hearing/Second Reading of Ordinance:

- A. Public Hearing/Second Reading of Ordinance amending Chapter 1, Article IV, Section 1.411 – Cemetery Committee – Membership and Term ***(Sample motion – move to pass second reading and hold third and final reading at the May 1, 2023 City Council meeting)***
- PRESENTATION
 - CITY COUNCIL QUESTIONS
 - PUBLIC HEARING SPEAKERS
 - ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS

Public Hearing/Adoption of Resolution:

- B. Public Hearing/Adoption of Resolution on a proposed Resolution Authorizing a Bond Issue and/or Notes of up to One Million Eighty-Three Thousand Five Hundred Dollars (\$1,083,500.00) for Additional Costs for Constructing the Greenland Road Recreation Facility (Skateboard Park) ***(Sample motion – move to adopt the Resolution as presented)***
- PRESENTATION
 - CITY COUNCIL QUESTIONS
 - PUBLIC HEARING SPEAKERS
 - ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS

Second Reading of Ordinance:

- C. Second Reading of Ordinance amending Chapter 10 – Accessory Dwelling Unit, Section 10.430 – Use Regulations, Section 10.440 Table of Uses – Residential, Mixed Residential, Business and Industrial Districts, Section 10.814 – Accessory Dwelling Units, Article 11 – Site Development Standards, Section 10.1110 – Off-Street Parking, Article 15 – Definitions – Section 10.1530 – Terms of General Applicability ***(Sample motion – move to amend the ordinance as presented by the Legal Department. Further, move to continue second reading and hold a public hearing at the May 1, 2023 City Council meeting)***

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

City Manager's Items Which Require Action:

1. *Paperless Billing Initiative

XII. CONSENT AGENDA

(Proper Motion for Adoption of Consent Agenda – move to adopt the Consent Agenda)

- A. Letter from Brian Miller, New England Run For The Fallen, requesting permission to hold the 3rd Annual Run For the Fallen on Sunday, August 20, 2023 ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- B. Letter from Richard Mason, Veterans Count, requesting permission to hold the “On the Tarmac” event on Friday, September 8, 2023 from 5:00 p.m. to 9:00 p.m. ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- C. Letter from Sandi Clark Kaddy, Seacoast African American Cultural Center, requesting permission to hold the 2nd Juneteenth Walk on Sunday, June 19, 2023 at 9:30 a.m. ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- D. Request from Emily Rives, Aster House, to install a Projecting Sign at 142 Fleet 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*

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. *Presentation Regarding the City's Community Engagement – Monte Bohanan, Director of Communications & Community Engagement
- B. Email Correspondence ***(Sample motion – move to accept and place on file)***

XIV. MAYOR McEACHERN

1. *McIntyre
 - Special Public Comment Session ***(This session shall not exceed 45 minutes)***
 - Deliberation regarding Disposition ***(Sample motion – move to schedule a public hearing to identify funds for acquisition of the property at fair market value, or in the alternative, move to advise the GSA that the City will not be proceeding with a negotiated sale)***

XV. CITY COUNCIL MEMBERS

A. COUNCILOR DENTON

1. Portsmouth Sustainability Fair

B. COUNCILOR BAGLEY

1. *ADU Ordinance (***Sample motion #1 – move to remove all optional aesthetic requirements for attached ADUs as is allowed by the RSA except in HDC districts. Keep design standards for the HDC districts***)

(Sample motion #2 – move to remove any parking requirements for ADUs as this will trigger the 3 parking space required rule, decrease permeable land, and increase the city’s heat signature for a relatively small increase in housing as well as replace green space with parking in our residential neighborhoods)

(Sample motion #3 – move to increase ADU size to a maximum of 850 sq ft.)

XVI. APPROVAL OF GRANTS/DONATIONS

- A. *Acceptance of Health Trust Wellness Reward - \$2,000.00 (***Sample motion – move to approve and accept the Wellness Reward as presented***)
- B. *Acceptance of FY24 Community Development Block Grant Funds – \$529,546.00 (***Sample motion – move to accept and expend a Community Development Block Grant in the amount of \$529,546.00 from the U.S. Department of Housing and Urban Development***)

XVII. CITY MANAGER’S INFORMATIONAL ITEMS

(There are no City Manager Informational Items this evening)

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

XIX. ADJOURNMENT [at 10:30 p.m. or earlier]

**Indicates verbal report*

**KELLI L. BARNABY, MMC/CNHMC
CITY CLERK**



CITY OF PORTSMOUTH

City Hall, One Junkins Avenue
Portsmouth, New Hampshire 03801
kconard@cityofportsmouth.com
(603) 610-7201

Karen S. Conard
City Manager

Date: April 13, 2023

To: Honorable Mayor McEachern and City Council Members

From: Karen S. Conard, City Manager *KSC*

Re: City Manager's Comments on City Council Agenda of April 17, 2023

X. Public Hearings and Votes on Ordinances and/or Resolutions:

A. Public Hearing and Second Reading of Ordinance Amending Chapter 1, Article IV, Section 1.411 – Cemetery Committee – Membership and Term:

Attached please find an amendment to Chapter 1, Article IV, Section 1.411 – Cemetery Committee – Membership and Term.

I recommend that the City Council move to pass second reading, and hold a third and final reading at the May 1, 2023 City Council meeting.

B. Public Hearing and Adoption of Resolution Authorizing a Bond Issue and/or Notes of Up To One Million and Eighty-Three Thousand and Five Hundred Dollars (\$1,083,500) for Additional Costs for Constructing the Greenland Road Recreation Facility (Skateboard Park):

Attached please find a proposed Resolution for the costs of the Skateboard Park.

I recommend that the City Council move to adopt the Resolution as presented.

C. Second Reading of Ordinance Amending Chapter 10 – Accessory Dwelling Unit, Section 10.430 – Use Regulations, Section 10.440 Table of Uses – Residential, Mixed Residential, Business and Industrial Districts, Section 10.814 – Accessory Dwelling Units, Article 11 – Site Development Standards, Section 10.1110 – Off-Street Parking, Article 15 – Definitions – Section 10.1530 – Terms of General Applicability:

Attached please find an amendment to Chapter 10 – Accessory Dwelling Unit, Section 10.430 – Use Regulations, Section 10.440 Table of Uses – Residential, Mixed Residential, Business and Industrial Districts, Section 10.814 – Accessory Dwelling Units, Article 11 – Site Development Standards, Section 10.1110 – Off-Street Parking, Article 15 – Definitions – Section 10.1530 – Terms of General Applicability.

I recommend that the City Council move to amend the second reading of the ordinance as presented. Further, move to postpone the public hearing and second reading as amended until the May 1, 2023 City Council meeting.

XI. City Manager's Items Which Require Action:

1. Paperless Billing Initiative:

NH RSA 76:11 allows for electronic billing with the approval of the governing body. In response to the City's goal of sustainability, citizens' convenience, and reducing costs, the Finance Department is ready to move forward with its initiative of electronic delivery of bills, known as paperless billing, for property Tax and Water Sewer bills. Judie Belanger, the City's Director of Finance and Administration will provide a brief presentation regarding this option at this evening's meeting.

Enrollment in paperless billing is completely optional and is "opt-in."

I recommend that the City Council move to approve the optional paperless billing initiative according to NH RSA 76:11.

XII. Consent Agenda:

D. Projecting Sign License – 142 Fleet Street:

Permission is being sought to install a projecting sign at [142 Fleet Street](#) that extends over the public right of way, as follows:

Sign dimensions: 36" x 36"

Sign area: 9 sq. ft.

The proposed sign complies with zoning requirements. If a license is granted by the City Council, no other municipal approvals are needed. *Therefore, I recommend approval of a revocable municipal license, subject to the following conditions:*

- a) The license shall be approved by the Legal Department as to content and form;*
- b) Any removal or relocation of the sign, for any reason, shall be done at no cost to the City; and*
- c) Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the signs, 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.*

XIII. Presentations and Written Communications:

A. Presentation Regarding the City’s Community Engagement:

Monte Bohanan, the City’s Director of Communications and Community Engagement will provide a brief presentation regarding the City’s recent and future efforts to engage with the community.

XVI. Approval of Grants/Donations:

A. Acceptance of Health Trust Wellness Reward - \$2,000:

The City of Portsmouth has received \$2,000 from HealthTrust to be used by the City’s Wellness Coordinators for initiatives.

The goal of the HealthTrust Wellness program, Slice of Life, is to reduce health risk factors and promote a healthier lifestyle of our employees. To realize this goal, the City, through its Wellness program, will provide health and safety initiatives, as well as education to its employees to improve the quality of their lives. This money will be utilized to promote wellness activities throughout the city.

I recommend that the City Council move to approve and accept the Wellness Reward as presented.

B. Acceptance of FY24 Community Development Block Grant Funds – \$529,546:

The U.S. Department of Housing and Urban Development (HUD) has informed the City that a Community Development Block Grant (CDBG) in the amount of \$529,546, which is an increase of \$5,840 from the current fiscal year, will be made available to Portsmouth for FY 2024. The grant funds are awarded annually and are used to carry out a variety of social services, public facility/infrastructure improvements, accessibility projects, and other CDBG-eligible projects targeted to benefit low-income populations in the City.

I recommend that the City Council move to accept and expend a Community Development Block Grant in the amount of \$529,546 from the U.S. Department of Housing and Urban Development.