

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, MAY 1, 2023
PRESENT: MAYOR McEACHERN, ASSISTANT MAYOR KELLEY, COUNCILORS TABOR, DENTON, MOREAU, BAGLEY, LOMBARDI, BLALOCK AND COOK

1. On a unanimous voice vote 9-0, **voted** to close the Non-Public Session and seal the minutes.
2. Proclamation – Jewish American Heritage Month - Mayor McEachern read the Proclamation declaring the month of May 2023 as Jewish American Heritage Month and presented the Proclamation and letter from Representative Chris Pappas to several community members.
3. Acceptance of Minutes – April 3, 2023 City Council Meeting – **Voted** to accept and approve the minutes of the April 3, 2023 City Council meeting.
4. Public Comment Session – There were 10 speakers: Beth Margeson, Esther Kennedy, Rick Becksted, Peter Whelan, Duncan MacCallum, Paul Mannle, Bill Downey (via zoom) (McIntyre); Sue Polidura (Appropriation); Petra Huda (various); Paige Trace (Portsmouth).
5. **Voted** to suspend the rules to bring forward Item XI.A.1 – Report Back on Negotiated Sale Process and Fair Market Value for Acquisition of McIntyre Property.
6. Report Back on Negotiated Sale Process and Fair Market Value for Acquisition of McIntyre Property – **Voted** on an 8-1 roll call to authorize the City Manager to communicate to the GSA that the City will not be proceeding in a negotiated sale process at fair market value. Councilor Tabor voted opposed.
7. Public Hearing/Second Reading of Ordinance amending Chapter 10 – Accessory Dwelling Unit, Section 10.430 – Use Regulations – Use is permitted by right through Administrative Approval, Section 10.440 Table of Uses – Residential, Mixed Residential, Business and Industrial Districts – Administrative Approval, Section 10.814 – Accessory Dwelling Units – Purpose and Eligibility, Section 10.814.40 – Additional Standards for Detached Accessory Dwelling Units, Section 10.814.50 – Architectural Design Standards, Section 10.814.60 – Review and Approval Process, Section 10.814.70 – Post-Approval Requirements, Article 11 – Site Development Standards, Section 10.1110 – Off-Street Parking – Location of Parking Facilities on a Lot, Article 15 – Definitions – Section 10.1530 – Terms of General Applicability – Accessory Building or Structure, Accessory Dwelling Unit (ADU), Deletion of Garden Cottage and Addition of Gross Living Area (GLA) – Public Hearing was held with 5 speakers. **Voted** to pass second reading and hold third and final reading at the May 15, 2023 City Council meeting. **Voted** to suspend the rules to take up third and final reading of ordinance. **Voted** to pass third and final reading of ordinance as presented.
8. Third and Final Reading of Ordinance amending Chapter 1, Article IV, Section 1.411 – Cemetery Committee – Membership and Term – **Voted** to pass third and final reading of the ordinance as presented.

9. Approval of License Agreement with GSA – *Item will be brought back at the May 15, 2023 City Council meeting.*
10. Resolution for the Authorization for Transfer of Balance of Bond Proceeds After Completion of Project. – **Voted** to adopt the resolution as presented.
11. Month-to-Month South Meeting House Lease Agreement for Portsmouth Public Media, Inc. (PPMtv) – **Voted** on a voice vote of 8-0 to approve the attached month-to-month lease of the South Meeting House for PPMtv. Councilor Cook recused herself from the vote.
12. Bicycle Pedestrian Path Easement for Property Located at 2255 Lafayette Road – Voted to authorize the City Manager to accept and record a Bicycle/Pedestrian Path Easement in substantially similar form to the easement deed from Mastoran Restaurants, Inc. contained in the agenda packet.
13. Consent Agenda – **Voted** to adopt the Consent Agenda.

- A. Request from Joe Kelley, Thirsty Moose Taphouse, to install a Projecting Sign at 15 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***

- B. Request from Aaron Smith, Salud LLC, to install a Projecting Sign at 90 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***

- C. Request from Alex Budd, OTTO Portsmouth, to install a Projecting Sign at 110 Brewery Lane (**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**
- D. Letter from Tina Sawtelle, The Music Hall, requesting permission for the closure of Chestnut Street on Friday, May 12, 2023 for TEDxPortsmouth and Tuesday, May 16, 2023 for Primex3 Making Waves Summit (**Anticipated action – move to refer to the City Manager with Authority to Act**)
- E. Letter from Allan Scholtz, Portsmouth Professional Firefighters Local 1313, requesting permission to hold a boot drive for Muscular Dystrophy Association on Saturday, August 12, 2023 (**Anticipated action – move to refer to the City Manager with Authority to Act**)

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

15. Letter from Tom Taylor, Honored American Veterans Afield (HAVA), requesting permission to reserve space at the Prescott Park Dock on July 12, 2023 for event to promote awareness of veterans' mental health & suicide issue – **Voted** on an 8-0 voice vote **to** refer to City Manager with authority to act and to waive any associated fees. *Councilor Blalock out of Chambers.*

16. Reappointments to be Voted to the Cemetery Committee – **Voted** to reappoint the following individuals to the Cemetery Committee

- Eva Boice
- Celeste Brooks
- Deirdre (Dee) Forte
- Michael Griffin
- Duncan MacCallum
- Sue Polidura
- Susan Sterry

17. Appointment to be Considered – The appointment of Peter Splaine to the Cemetery Committee was considered and will be voted at the May 15, 2023 City Council meeting.

18. Acceptance of Resignation of Jason Huett from the Cable and Broadband Internet Commission – **Voted** to accept the resignation with regret and to send a letter of thanks and appreciation for his service to the city.

19. Acceptance of Resignation of Dave McDonald from the Zoning Board of Adjustment – **Voted** to accept the resignation with regret and to send a letter of thanks and appreciation for his service to the city.
20. Councilor Denton – Climate Action Plan Event Flier – Councilor Denton announced the Climate Action Plan Event will be held on May 4, 2023 at 6:30 p.m. in City Council Chambers. A notice of quorum will be posted as City Councilors may be in attendance.
21. Councilor Cook – Donation Policy – **Voted** to adopt the amended policy as presented.
22. Councilor Cook – Review and Recommend Changes to Parking Requirements in City Ordinance – **Voted** to request a tandem review by the Land Use and the Parking, Traffic & Safety Committees of the City parking requirements, and request a report back by the end of year on recommendations that would increase housing affordability and reduce dependency on motor vehicles.
23. City Manager Informational Item #1 – Pease Development Authority Update – City Manager Conard gave a brief update on various Pease Development Authority issues.
24. Miscellaneous Business Including Business Remaining Unfinished at Previous Meeting
 - Councilor Blalock stated he will be requesting funding for School Resource Officers during the budget process.
 - Assistant Mayor Kelley asked people to support the Portsmouth Debate Team who will be attending the Nationals in Kentucky.
 - Discussion ensued regarding the GSA negotiated sale process with no further action taken.
 - Councilor Tabor announced that the Community Power letters are arriving in the mail today.
 - Mayor McEachern announced the upcoming Letter Carrier “Stamp Out Hunger” can drive is being held May 13, 2023.
25. Adjournment – At 10:27 p.m., **voted** to adjourn.

Submitted by:

Valerie A. French
Deputy City Clerk