

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, MAY 1, 2023

PORTSMOUTH, NH
TIME: 7:00 PM

Assistant Mayor Kelley moved to close the Non-Public Session and seal the minutes. Seconded by Councilor Bagley and voted.

III. CALL TO ORDER [7:00 p.m. or thereafter]

Mayor McEachern called the meeting to order at 7:10 p.m.

IV. ROLL CALL

Present: Mayor McEachern, Assistant Mayor Kelley, Councilor Tabor, Councilor Denton, Councilor Moreau, Councilor Bagley, Councilor Lombardi, Councilor Blalock and Councilor Cook.

V. INVOCATION

PROCLAMATION

1. 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 Congressman Chris Pappas to several community members who accepted with thanks and appreciation.

VII. ACCEPTANCE OF MINUTES – APRIL 3, 2023 CITY COUNCIL MEETING

Councilor Tabor moved to accept the minutes of April 3, 2023 City Council meeting. Seconded by Assistant Mayor Kelley and voted.

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

IX. PUBLIC COMMENT SESSION (*This session shall not exceed 45 minutes*) – (*participation may be in person or via Zoom*)

Beth Margeson – discussed the McIntyre building stating that the decision of the Council will have an impact on generations of citizens in the future. She stated that no vote should be taken tonight as the building isn't going anywhere and should have a special meeting on this issue separately. She concluded that the process has been a failure but it is not going away and the Council should go forward in a thoughtful and forward manner.

Sue Polidura – discussed a recent discovery brought forward by Ted Jankowski which the city may already own the McIntyre building from a senate bill 1589 in 2003-2004 which became law under HR-2673 and is a valid appropriation. She read the law and requested the Council pursue this further. She stated that the appropriation in the bill was for the government to build a new federal building, which they did not do and instead rented from Michael Kane's company.

Esther Kennedy – stated she agrees with the previous speakers and feels that we should buy the property and put deed restrictions in place. She stated we can sell the property after 3 years. She stated that 2 of the Councilor's fathers have spoken about this issue and did not want to go forward with the agreement with Kane. She further stated she was taken aback by comments made in the

press by Mr. Kane and asked if the Council saw the agreement signed by the City Manager and City Attorney. She concluded stating that the McIntyre building is ugly but it is crucial to the downtown and can be made into what we want and wants a public hearing held and research if it is already ours as previously mentioned.

Rick Becksted – stated that he doesn't feel that the current City Council knows the facts and truth about the McIntyre and discussed a non-public session held on October 27, 2021 where they all reviewed a draft letter of termination and took a unanimous vote. He stated that the process has been backwards and should have followed the same as other public/private partnerships. He stated that the GSA is a tenant of Michael Kane and talks to him daily. He concluded that the Council needs to make the decision, not the City Manager.

Petra Huda – thanked SoBo Square for their transparency regarding the McIntyre and wonders why information came from them and not the City. She stated the City Manager has not been truthful for 5 months with late-night updates that everything is fine until it wasn't. Secondly, she asked what is the rush as there is no deadline. She stated the GSA is giving a double-standard on obtaining the building. She stated the city has to pay fair-market value as determined by the GSA, but if it goes out to private sale, the bidder can offer less. Finally, regarding the report from the city staff, she stated there is bogus information from city staff in Section 4 A, cost to refurbish city hall, and asked why the amount is always doubled when it involves the city and gave examples of bids that were less. She reviewed the Assessor's assessment which used 2019 pre-pandemic figures and then stated that the post-pandemic figures for office space was dropping. She finally reviewed the bonding resolution that is transferring money to where the staff is telling them to, but encouraged the Council to use it for the Skateboard park.

Peter Whelan - stated the Council is making a big decision tonight and feels it should be done at a Special meeting as it is a 200-year decision on a critical piece of property. He stated if we want another Portwalk Place, then take the vote tonight. He stated they fired the developer at the end of their term and put it back out to bid and it is a tragedy that we can't get the property for \$1.00. He stated the residents want to preserve the property but there is more information needed.

Paige Trace – discussed the vote on the McIntyre property stating she doesn't think they should be voting this evening. She reviewed her history of serving on the subcommittee while she was a City Council member which resulted in the firing of SoBo Square from the project. She asked about City Manager Item #2 which is not in the Council packet.

Duncan MacCallum – asked the Council to continue to pursue the purchase of the McIntyre building although he had previously been against it. He stated that the city should control it through rezoning the property to limit its uses.

Paul Mannle - stated that everything that has happened up to now should be forgotten and has no bearing on going forward. He stated this is 2 acres in the downtown and it is a no-brainer to purchase the property. He referred to the City Manager's memo stating that it is all doom and gloom in regards to going forward. He stated that 15 years ago he brought forward the idea of purchasing the Frank Jones property and if we had done so, we could have put affordable housing there.

Bill Downey (via zoom) - stated that this is a significant decision and feels that there should have been a special meeting to deal with it. He continued that it is not how we start but how we finish and feels that we haven't exhausted the opportunities for this property. He stated that if we want another Portwalk

Place, then don't buy it, or we can do something to make it a vibrant area. He concluded by recalling a statement from Paul McEachern that we can't have too many parks.

Mayor McEachern closed the public comment and stated that he enjoys when people reference his father.

Councilor Lombardi moved 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. Seconded by Councilor Bagley and voted.

1. Report Back on Negotiated Sale Process and Fair Market Value for Acquisition of McIntyre Property (***Sample motions: 1) move to authorize the City Manager to communicate to the GSA that the City is not interested in participating in a negotiated sale process; or 2) move to authorize the City Manager to communicate to the GSA that the City is interested in participating in a negotiated sale process and is prepared to commit to taking the necessary procedural steps in the next ninety days to borrow the sum of up to \$25 million for the purchase price***)

Mayor McEachern read sample motion #1 as to what had been moved and postponed from the April 17, 2023 meeting.

“Move to authorize the City Manager to communicate to the GSA that the City is not interested in participating in a negotiated sale process”

City Manager Conard gave a brief outline of the memo included in the Council packet stating that the GSA is very interested in understanding where the city wishes to go with this and are looking for closure. She stated this information was worked on by many individuals within the City government. She explained that if the Council were to decide to go forward with the purchase, other projects in the Capital Improvements Plan would need to be revisited. She further stated that the term “negotiated sale” is a misnomer as the GSA has dictated what they consider fair market value. She stated we are here tonight to understand the commitment that the city needs to state to continue on the path of the negotiated sale. Regarding the competitive sales process she stated the GSA will not provide any buyer with authorization with plans in advance or conduct an appraisal. She concluded that out of 6 scenarios involving the city the one ruled out by the GSA is the option that the City purchases it and puts deed restrictions on it. She addressed Paige Trace's public comment regarding City Manager Item #2 not being included in the packet and agreed that was not included but is not a part of this discussion.

City Attorney Morrell further clarified that Item #2 addresses that the GSA has indicated that they will continue to allow the City to utilize the parking lot through Indigenous People's Day even if we do not pursue purchase of the property.

Mayor McEachern stated he sent a letter to the GSA, which is on the city website, reiterating questions as to why this is not being offered to us for \$1.00, and referenced the funding that was authorized for them to build a new facility at Pease Tradeport, etc.

Councilor Denton read the motion that he made on April 17, 2023 and offered an amendment as follows, if the second, Councilor Bagley agrees:

“Move 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 Bagley agreed to the amendment.

Councilor Denton stated that the costs to residents as outlined in the City Manager’s memo solidifies his belief that the McIntyre should go to private auction over the city having to pay fair market value. However, this small amendment will still allow the city to acquire the McIntyre if the GSA does come back and says that the building does belong to the City. He stated if it doesn’t go this way, then anyone who wants to submit a bid, including anyone who has in the past, will be able to do so.

Councilor Bagley stated that in relation to the GSA’s “negotiated” sale and “fair market value” of \$25,000,000.00, he feels we should go through the open bid process.

Councilor Tabor stated he does support a negotiated sale even though it is the riskier way to go. He stated any chance to create a public space is the way we should proceed. He stated that \$25,000,000.00 is not a good number to start with, but if we buy the pie and keep a piece, then we can control what happens and have a public, green space.

Councilor Cook clarified that the GSA is looking for the Council decision prior to the next meeting with them tomorrow. City Manager Conard confirmed.

Mayor McEchern asked if we tell the GSA that we are going to schedule a Special Meeting to allow more public comment, will the negotiated sale option be taken away.

City Attorney Morrell stated that the indications are that the GSA has lost patience with the process and would be surprised if they allow another delay.

Councilor Blalock thanked the staff for putting this report together and asked for clarification that none of the current CIP projects could be utilized in the McIntyre. City Manager Conard confirmed.

Councilor Blalock stated the building was very attractive for \$1.00 but not for \$25,000,000.00. He stated the path to purchasing the building now is too risky and too narrow as it does not provide any of the services that the City should provide. He feels we have learned a lot through this long process and referenced former Councilor Lown, Former Mayor Blalock and Paul McEachern, that the City should not be a property developer.

Councilor Lombardi stated that if we paid the fair market value as well as the remediation costs of the building, then it would be too much. He stated he is still struggling on which way to vote because the property is very valuable to the city but the impact to the tax rate and the bonding of other projects in front of us, could all be impacted by this.

Councilor Moreau asked for more explanation of the 106 program and what the restrictions would mean going forward. City Manager Conard stated the restrictions will run with the property regardless.

Deputy City Manager Woodland referred to an example of a covenant included in the packet and explained that there are a number of covenants and environmental risks, not only historic, related to the conveyance of the property and the GSA have started the 106 process which means that whoever purchases the property will have to go back to the Division of Historic Resources for approval. We are looking to let the GSA know that the City wants to be a part of the 106 process. She stated that we

have dealt with this with other projects such as the Dobles Center, the Armory, etc. so we are familiar with it.

Councilor Moreau asked if those negotiations and restrictions will affect the value of the property and the price we can get for it. Deputy City Manager Woodland stated yes.

Councilor Bagley appreciates all of the public input received and stated that we have been working on this for a long time, which means we haven't worked on other issues. He stated that it would cost potentially \$500.00 per household, per year if we went through with the purchase. He stated that many of our parks have been donated to the city and feels that there are upcoming financial hardships coming due to the ending of COVID funding which could be addressed with this money.

Councilor Cook stated she has thought about what the ideal is for this property and would love to see a legacy property and park space with public benefit, but if purchased for the asking price, it doesn't include any improvements or whether we can resell pieces for even close to that value. She continued that it doesn't take into account that it has inherent remediation issues and historic restrictions. She stated we would be on the hook for more money than for just the park that if we were to just purchase another parcel of land. She continued that just a couple of blocks away is Prescott Park and we have not been able to fund the improvements that have been recommended in the Master Plan. She stated expending these funds would delay other improvements being planned in the city including park/field improvements, police facility, street repairs, etc. She stated that in the south end of the city, a \$500.00 impact usually doubles for that neighborhood. She stated if she was going to spend a significant amount of money on a park, she would like to see it be done in an area where there aren't any currently.

Councilor Tabor reiterated he is advocating buying the building and keeping a portion for a public space and the rest would become a taxable income stream.

Assistant Mayor Kelley stated she agrees with much of what Councilor Cook said regarding the many projects that are still waiting to be done and this is the best decision for the long run.

Mayor McEachern asked Principal Planner Cracknell to update the Council on innovative zoning as had been presented previously.

Principal Planner Cracknell provided a report on innovative zoning to better assure the community on how to achieve better results whether for this project or others in the downtown area and gateway zone. He stated that through this process we could recalibrate the carrots and sticks that go with the incentives and adjust the numbers to achieve most, if not all, of the public benefits being envisioned with the community plan for the McIntyre property. He stated this would allow private developers to provide these benefits through the conditional use permit process, through fair trade with the city, and make sure the code requires what we are looking for to improve outcomes.

Mayor McEachern passed the gavel to Assistant Mayor Kelley.

Mayor McEachern stated that there are a lot of people who care very passionately about this issue and have spent a lot of time talking about a building, but it is really about our future. He stated it is about our downtown that sometimes feels like it belongs to the economic drivers and not the residents. He stated the alternative to change is to not change, and then fade away. He stated that there have been many, many hours spent over the last 3 Councils on this issue but he is sure that the control that we would have in spending \$25,000,000.00 is not worth it and would not provide clarity. He stated he would like to better understand the zoning issues and if they have any bearing on the fair market value.

He stated that the GSA is giving us the opposite of a negotiated sale and not telling us the price, and not where that figure comes from or taking into account the remediation issues, restrictions etc. He stated that it is important where this ends after 20 years, and it is frustrating that we can't get answers. He stated the process is prohibitive for the city to be able to participate in the open bid process because we have to have a public hearing to spend the money. He concluded that he cannot support the motion because we have to deliver this to the GSA in this fashion with so many uncertainties.

Assistant Mayor Kelley returned the gavel to Mayor McEachern.

Discussion ensued regarding various scenarios of counter offers and possible time extensions. City Manager Conard and City Attorney Morrell clarified that the GSA was expecting a decision from the Council this evening but they would be glad to bring forward the Council suggestions if directed to do so.

Motion passed on an 8-1 roll call vote. Councilor Tabor voted opposed.

Recess/Reconvened 8:55 p.m. – 9:05 p.m.

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 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)

Mayor McEachern read the legal notice and explained that the presentation was given at a recent work session. He opened the public hearing asking if anyone wished to speak:

Esther Kennedy – asked for clarification that there have been no additional changes to the ordinance which was confirmed by City Attorney Morrell and Mayor McEachern. Ms. Kennedy continued stated that a lot of people have done a lot of work on this ordinance and hopes it will be adopted so we can move on to other things.

Peter Loughlin – stated he is in favor of the proposed changes that have been thoughtfully worked out and the precise wording the committee has worked out is very important. He stated that people often speak about how much Portsmouth has changed but he feels it hasn't changed that much in many areas with the exception of the North End. He stated the residential neighborhoods that surround the various gateways/entrances to the city remain unchanged but is concerned if the ADU ordinance is poorly handled, for example, eliminate the minimum parking requirements, it could impact every block of every residential neighborhood in the city. He stated it is a false choice to ask if we want people or parking and should not be directed by the market but made through the City Council.

Liza Hewitt – stated she agrees with Mr. Loughlins’ comments and thanked the Land Use Committee members for accepting all ideas and appreciates Councilors Moreau, Assistant Mayor Kelley and Councilor Blalock for accepting all public comment and not dismissing ideas that are different from theirs. She stated it was a good discussion and a good process.

Paige Trace – also thanked Peter Loughlin for his comments. She stated that she was surprised by Councilor Cooks’ comments that some people who spoke during the process were taking too long or weren’t from the city but appreciates Councilor Moreau for a good process. She stated that having design elements are useful for people traveling from one spot to an ADU spot.

Petra Huda – stated she participated in most of the meetings and thanked those who listened and for the Planning staffs’ hard work. She thanked the Council for not accepting the amendments previously brought forward.

Seeing no one else wishing to speak, the Mayor closed the public hearing.

Councilor Moreau moved to pass second reading and hold third and final reading at the May 15, 2023 City Council meeting, seconded by Assistant Mayor Kelley.

Councilor Bagley stated that Richmond, Virginia voted 12-0 to eliminate parking minimums as have Dover, NH, Auburn, ME and other cities/towns but although it is not going to be the case here in Portsmouth, he will support this ordinance as currently there are only two ADU applications a year.

Mayor McEachern stated that Dover does have other parking programs in place and we can certainly look at other options in the future. He thanked the Land Use Board and the citizens who participated.

Councilor Moreau stated she is proud of this ordinance compromise. She stated she knows it is not perfect and there may be more improvements coming forward in the future.

Motion passed on a 9-0 vote.

Councilor Moreau moved to suspend the rules to hold third and final reading. Seconded by Assistant Mayor Kelley and voted.

Councilor Moreau moved to pass third and final reading. Seconded by Assistant Mayor Kelley and voted.

Third and Final Reading of Ordinance:

- B. Third and Final Reading of Ordinance amending Chapter 1, Article IV, Section 1.411 – Cemetery Committee – Membership and Term

Councilor Lombardi moved to pass third reading of the ordinance as presented. Seconded by Assistant Mayor Kelley and voted.

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Report Back on Negotiated Sale Process and Fair Market Value for Acquisition of McIntyre Property (Previously addressed)
2. Approval of License Agreement with GSA

Councilor Tabor moved to authorize the City Manager to execute the proposed license agreement with GSA, seconded by Councilor Bagley.

Mayor McEachern stated that it was previously referenced that this document was not a part of the Council packet and how do we move forward if that is the case.

City Manager Conard clarified that things were still being finalized at the time of the publication of the packet and wasn't included. She stated that this can be brought back at the May 15th meeting.

Councilor Denton asked if this can be extended for 2 weeks before action is taken on the new agreement.

City Manager Conard stated she will convey verbal approval to the GSA and that it will be voted on May 15th.

Councilor Tabor rescinded the motion, Councilor Bagley as seconder agreed.

3. Resolution for the Authorization for Transfer of Balance of Bond Proceeds After Completion of the Project

City Manager Conard explained this is to transfer bond proceeds that are no longer needed for a project for which they were initially borrowed to pay the costs of another capital project in accordance with RSA 33:3-a (II) and a two-thirds vote is required to authorize this transfer of bond proceeds.

Councilor Bagley moved to adopt the resolution as presented, seconded by Councilor Blalock.

Councilor Moreau asked why we are using it for the DPW fueling station and not something else.

Public Works Director Rice explained that we have received notice for the Department of Environmental Services to address the fuel station which is used by Fire, Police and Department of Public Works and is a major asset. He stated that the bid came in higher than anticipated but it is ready to move forward.

Councilor Bagley referred to a public comment that we could use the funds for the skateboard park but clarified that is already funded.

City Manager Conard stated that the first phase has been funded.

Motion passed.

4. Month-to-Month South Meeting House Lease Agreement for Portsmouth Public Media, Inc. (PPMtv)

City Manager Conard explained that this is a short-term agreement as they are looking for a new location.

Assistant Mayor Kelley moved to approve the attached month-to-month lease of the South Meeting House for PPMtv, seconded by Councilor Bagley.

Councilor Cook recused herself as she is a member of the Friends of the South End.

Deputy City Manager Woodland explained that it has been a challenge for the tenants to maintain the structure which is a requirement per the agreement so they have made some payment to the City.

Councilor Bagley asked what is the process to have a new tenant.

City Manager Conard stated we will assist PPMtv find a new location and then will come back to the Council for a long-term use of the building.

Mayor McEachern asked that the Council be notified when they will be vacating the building.

Motion passed 8-0, Councilor Cook recused.

5. Bicycle Pedestrian Path Easement for Property Located at 2255 Lafayette Road

Councilor Moreau moved 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, seconded by Councilor Blalock.

Councilor Moreau stated that charging stations will be installed.

Motion passed.

XII. CONSENT AGENDA

Councilor Blalock moved to adopt the Consent Agenda. Seconded by Councilor Lombardi and voted.

- 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***)

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

A. Email Correspondence

Councilor Bagley moved to accept and place on file. Seconded by Councilor Lombardi and voted.

- B. 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

Councilor Denton moved to refer to City Manager with authority to act and waive any associated fees, seconded by Councilor Bagley.

Councilor Cook asked about the timing of the event and whether there would be a concert being held at the same time.

City Manager Conard stated they will address the logistics with the organization.

Motion passed on an 8-0 voice vote. Councilor Blalock out of Chambers.

XIV. MAYOR McEACHERN

1. Reappointments to be Voted to the Cemetery Committee
- Eva Boice
 - Celeste Brooks
 - Deirdre (Dee) Forte
 - Michael Griffin
 - Duncan MacCallum
 - Sue Polidura
 - Susan Sterry

Assistant Mayor Kelley moved to reappoint the above listed members to the Cemetery Committee in accordance with Chapter 1, Section 1.411. Seconded by Councilor Bagley and voted.

2. Appointment to be Considered:
- Peter Splaine to the Cemetery Committee

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

3. Acceptance of Resignations
- Jason Huett from the Cable and Broadband Internet Commission

Assistant Mayor Kelley moved to accept with regret and to send a letter of thanks and appreciation for his service to the city. Seconded by Councilor Bagley and voted.

- Dave McDonald from the Zoning Board of Adjustment

Assistant Mayor Kelley moved to accept with regret and to send a letter of thanks and appreciation for his service to the city. Seconded by Councilor Blalock and voted.

XV. CITY COUNCIL MEMBERS

A. COUNCILOR DENTON

1. Climate Action Plan Event Flier

Councilor Denton stated that the Climate Action Plan event will be held on May 4, 2023 in the City Council Chambers.

Mayor McEachern asked if there should be a Notice of Quorum posted for any Council members that may attend.

City Manager Conard stated yes, and she will work with the City Clerk's office.

B. COUNCILOR COOK

1. Donation Policy

Councilor Cook moved to adopt the amended policy as presented, seconded by Councilor Bagley.

Councilor Cook explained that there was a change under scope 2.1 and 2.2 as the Trustees of the Trust Funds have their own policy.

Councilor Lombardi stated that a lot of time and input from experts has been put into this and feels it has been a good effort.

Motion passed.

2. Review and Recommend Changes to Parking Requirements in City Ordinance

Councilor Cook moved to request a review by the Land Use and the Parking, Traffic & Safety Committees of the City parking requirements, and request a report back by the August 7th City Council meeting on recommendations that would increase housing affordability and reduce dependency on motor vehicles, seconded by Councilor Bagley and voted.

XVI. APPROVAL OF GRANTS/DONATIONS

(There are no items under this section of the agenda this evening)

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

1. Pease Development Authority Update

City Manager Conard gave a brief update on various Pease Development Authority issues discussed at the recent PDA meeting.

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

Councilor Blalock stated that he will be requesting funding for School Resource Officers in the upcoming budget. He discussed his positive experience with “Officer Friendly” during his school days and whether the funds will be allocated from School, Police, donations, etc. it needs to be funded.

Assistant Mayor Kelley congratulated the Portsmouth Debate Team who will be attending the Nationals in Kentucky and asked everyone to support the students. She stated it is important to honor academic achievement as well as sports.

Councilor Lombardi stated he would like to revisit making an offer to the GSA in an amount represented by remediation costs subtracted from the city’s appraisal cost.

Councilor Tabor stated he would second that as a motion.

After further discussion, City Attorney Morrell and Deputy City Manager Woodland clarified that the GSA expects a decision to be presented at the meeting tomorrow morning and that the only option presented to the City is purchase at fair market value which they state is \$20-25 million.

Mayor McEachern stated that the Council accomplished what they wanted to do tonight and are sending a clear message and if they come back with a counter-offer, a special meeting can be called for consideration. He stated that as Facilities Manager Joe Almeda and Public Works Director Rice have left the meeting, questions regarding remediation issues cannot be addressed at this time.

Councilor Lombardi clarified that he did not make a motion. No action taken.

Councilor Tabor announced that the Community Power letters will be arriving in mailboxes today.

Mayor McEachern announced the upcoming Letter Carrier “Stamp out Hunger” can drive is being held on May 13, 2023.

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

Assistant Mayor Kelley moved to adjourn at 10:27 p.m. Seconded and voted unanimously.

Respectfully submitted:

Valerie A. French
Deputy City Clerk