

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, AUGUST 19, 2024

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

ABSENT: COUNCILOR TABOR

1. **Voted** to close the Non-Public Session and seal the minutes.
2. Acceptance of Minutes – July 15, 2024 – **Voted** to approve and accept the minutes of the July 15, 2024 City Council meeting.
3. Recognitions & Volunteer Committee Reports – Public Art Review Committee on Public Art at Peirce Island – Chair Chris Dwyer provided a brief presentation for the Public Art Review Committee regarding the public art piece for Peirce Island. She reported that the Committee has selected DiBari & Associates for the creation of the artwork. She explained this artwork aims to blend the beauty of natural patterns, with the natural settings of the park, to welcome the community and create an engaging connection with the space and it will be entitled Spirling Serenity. She said the artwork’s wall will showcase a leaf pattern, giving the impression of a colossal leaf folded inwards to form a spiral shape. In its final version, the artwork will feature multiple leaf patterns, representing the various types of trees on site.

Voted that the City Council accept the recommendation of PARC Committee and vote to empower the City Manager to enter into a contract for \$140,000.00 with DiBari & Associates of Miami, Florida to design, construct, and install its proposed public artwork on Peirce Island.
4. Public Comment Session – There were 13 speakers: (Jameson French, Robin Najjar, Sam Reid, Samantha Collins, Barbara McMillan, Jessica Blasko, Lynn Vaccaro, Betsy Blaisdell, Stewart Sheppard (Cavaretta Easement); Mike Daigle (Friends of Italian Americans); Barbara Ward, Peter Bielagus, and Jake Webb (PPMTV Presentation).
5. **Voted** to suspend the rules to bring forward Item XIII. – Presentations and Written Communications.
6. Email Correspondence – **Voted** to accept and place on file.
7. Letter from Alexis Mason, Portsmouth Public Media Television, Inc. requesting to re-evaluate the Cable Franchise Fee Policy – **Voted** to request a presentation for the September 3rd City Council meeting.
8. Request and Presentation from Brian Hart, Southeast Land Trust of New Hampshire regarding Proposed Conservation Easement on the 100-Acre Woods, “Cavaretta Property” – Brian Hart of SELT spoke in support of the Cavaretta easement and its importance to the City of Portsmouth. He said this is a 100-acre parcel that is the largest undeveloped piece of land in the city. He spoke to the diverse wildlife and resources of the property.

Mr. Hart announced that there will be a Public Informational Session being held on Tuesday, August 27th at 7:00 p.m. at the Urban Forestry Center urging the public attend and learn more about this incredible piece of land.

Voted to schedule a date for a site walk at the property on August 22nd, August 23rd, August 26th, August 27th, or August 28th.

9. Letter from Ashleigh Tucker Pollock, The Music Hall, requesting permission to close off a portion of Portwalk Place on Saturday, October 19, 2024 for the New Hampshire Film Festival – **Voted** to refer to the City Manager with Authority to Act.
10. Public Hearing/Adoption of Proposed Resolution Authorizing a Supplemental Appropriation from the Parking and Transportation Fund of \$1,000,000.00 for the High Hanover Parking Garage Project – Held a public hearing. **On a unanimous roll call 8-0, voted** to authorize a supplemental appropriation of \$1 million from the Parking Division to adopt the Resolution as presented.
11. Third and Final Reading of Proposed Ordinance Amending Chapter 10, Article 5A – Character-Based Zoning, Section 10.5A43.33 regarding Building and Story Heights of the Zoning Ordinance – **Voted** to pass third and final reading of the proposed zoning amendment to Chapter 10, Article 5A, Section 10.5A43.33.
12. Update on McIntyre Litigation – City Attorney Morrell provided a lengthy update regarding the McIntyre Litigation and reported that the parties have agreed to a Stay Agreement on all proceedings.

Voted to authorize the City Manager to enter into a Stay Agreement with SOBO Square and to request the proposed GNOD ordinance be referred to both the Planning Board and the Housing Committee for review and provide recommendations back to the City Council and bring the ordinance back for first reading. Councilor Bagley voted opposed.

13. Adoption of Hazard Mitigation Plan – **Voted** to adopt the Hazard Mitigation Plan as presented.
14. Adoption of Climate Action Plan – Kate Homet of the Planning Department provided an overview of the Climate Action Plan.

Voted to adopt Portsmouth's Climate Future: A Roadmap to Net Zero Emissions and Climate Resilience as the City's Climate Action Plan and commit to the goals and strategies set forth within this document as presented.

15. Request for Approval of Memorandum of Agreement with Firefighters Association of Portsmouth, New Hampshire, Local #1313 – **Voted** to approve and accept the proposed MOA with the Firefighters Association of Portsmouth, New Hampshire – Local #1313 as presented.
16. Request for Approval of Reclassification of Assistant Fire Chief Gionet's Current Contract – **Voted** to approve and accept the proposed reclassification as presented.

17. FY 2025/TY 2024 Elderly and Disabled Recommended Exemption Levels – **Voted** to schedule a Public Hearing and Adoption at the September 3, 2024 City Council meeting on the elderly and disabled exemptions recommended exemption levels for FY 2025 /TY 2024 pursuant to RSA 72:37-b and RSA 72:39-b.
18. Temporary Construction License for the B.P. Auger Building Company, LLC at 70 Pleasant Point Drive – **Voted** that the City Manager be authorized to execute and accept the temporary construction license to encumber the dead-end portion of Pleasant Point Drive as requested.
19. Lease Extension for Community Campus Tenants – **Voted** to accept the Second Extension of Amendment to Lease Agreements with Seacoast Outright, the Krempels Center and Child Advocacy Center of Rockingham County, Inc. to extend the lease terms through November 30, 2024, as presented.
20. Street Naming for 686 Maplewood Avenue – **Voted** to authorize the use of Eden Lane as the private Street name for the development at 686 Maplewood Avenue.
21. Middle Street Baptist Church Parking Lot Usage/Maintenance Agreement – **Voted** to approve the Middle Street Baptist Church Parking Lot Usage/Maintenance Agreement as presented.
22. Appointments to be Voted – Scott Chaudoin to the Recreation Board and Deborah Chag to the Trees and Public Greenery Committee – **Voted** to appoint Scott Chaudoin to the Recreation Board and reappoint Deborah Chag to the Trees and Public Greenery Committee.
23. Public Art Ordinance – **Voted** to schedule first reading at the September 3rd City Council meeting of the ordinance changes combining the Public Art Policy, Public Art Review Committee Ordinance, and the Funding for Public Art Ordinance.
24. Parking and Traffic Safety Committee Action Sheet and Minutes of the August 1, 2024 meeting – **Voted** to approve and accept the action sheet and minutes of the July 15, 2024, Parking & Traffic Safety Committee meeting.
25. Blue Ribbon Committee for Historical Archives Memorandum of Understanding – **Voted** to authorize the City Manager to execute a Historical Archives Memorandum of Understanding in substantially similar form to the draft included in the City Council packet.
26. City Manager's Informational Items:
 - Community Policing Facility Update – Public Works Director Rice reported that significant progress has been made and they anticipate coming back on September 23, 2024, with a presentation and a more robust update.
 - Update on the Sherburne Property Request for Proposals – City Manager Conard reported that staff and the Housing Committee met and discussed feedback received by the City Council. She announced that the RFP for the Sherburne property will be going out before August 30th.

Legislation Regarding HB1014 and State Holidays – City Manager Conard reported that HB1014 was recently passed by the Legislature effective September 10, 2024, which creates a new statute that addresses holiday designation and requires all schools and municipalities that adopt a holiday described in RSA 288:1 shall use the name in that statute in official communication, publication, document or calendar and would define the holiday on the 2nd Monday in October as Columbus Day.

Pease Development Authority Board Meeting Verbal Update – City Manager Conard reported the recent board meeting had a large turnout regarding the ARPA funding for the Rye Harbor Marine Facility Retail Platform and support for the proposed Portsmouth fish pier building replacement project. She stated that she will serve as Chair of the Airport Committee and the Capital Improvement and Land Committee. She announced in FY25 there will be a slight increase in fuel flowage fees from \$.6 to \$.8 which is significant but keeps us competitive. She announced that Pease is hosting the trials for Portsmouth High School Varsity and JV Golf Teams and will host the JV meet. She spoke to the robust turnout for the Eagle Coast Guard Cutter that had close to 10,000 visitors and that the long awaited salt vessel is set to arrive on August 26th.

27. Miscellaneous Business Including Business Remaining Unfinished at Previous Meeting – Councilor Blalock congratulated PHS Girls Track Coach Stan Lyford who is being inducted into the NHIA Hall of Fame. He said that Coach Lyford has been coaching the Girls Track team since 1974.

Assistant Mayor Kelley thanked all residents and businesses that celebrated the 4th Annual New England BiPOC Festival on Sunday which had over 5,000 people in attendance. She also expressed thanks to the Police Department, Strawberry Banke Museum, and all sponsors.

28. Adjournment – At 9:40 p.m., **voted** to adjourn the meeting.

Respectfully submitted:

Kelli L. Barnaby, MMC/CNHMC
City Clerk