

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH  
DATE: MONDAY, FEBRUARY 5, 2024 TIME: 5:30PM

*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\\_524VQ9LLSFCy4SojW4pAsQ](https://us06web.zoom.us/webinar/register/WN_524VQ9LLSFCy4SojW4pAsQ)

**5:30PM – ANTICIPATED NON-PUBLIC SESSIONS ARE BEING HELD IN CONFERENCE ROOM A**

1. INFORMATION TECHNOLOGY – HOMELAND SECURITY – RSA 91-A:3, II (i)
2. COLLECTIVE BARGAINING AGREEMENT IN ACCORDANCE WITH RSA 91-A:3 II (a)
3. CONSIDERATION OF LEGAL ADVICE IN ACCORDANCE WITH RSA 91-A:3, II (I)

## AGENDA

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

### I. WORK SESSION

- 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

### PROCLAMATION

1. Black History Month

### VII. ACCEPTANCE OF MINUTES – DECEMBER 18, 2023

### 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)*

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

#### Public Hearing – Capital Improvement Plan (CIP):

- A. CAPITAL IMPROVEMENT PLAN (CIP) FY 2025-2030
  - **PRESENTATION** *(Presentation was held at the January 17, 2024 Work Session)*
  - **CITY COUNCIL QUESTIONS**
  - **PUBLIC HEARING SPEAKERS**
  - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

*(Action on CIP will take place at the March 4, 2024 City Council meeting)*

***(Sample motion – move to continue this evening’s public hearing until the March 4, 2024 City Council meeting)***

## **Public Hearing – Outdoor Dining Encumbrance Permit Ordinance**

B. Public Hearing on proposed Ordinance amending Chapter 6 – License – Article XVII – Outdoor Dining Encumbrance Permit, Section 6.1701 – 6.1707

- **PRESENTATION**
- **CITY COUNCIL QUESTIONS**
- **PUBLIC HEARING SPEAKERS**
- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

*(Sample motion – move to pass second reading and hold third and final reading at the February 20, 2024 City Council meeting)*

### **XI. CITY MANAGER’S ITEMS WHICH REQUIRE ACTION**

#### **A. CITY MANAGER CONARD**

##### **City Manager’s Items Which Require Action:**

1. \*Request for Public Hearing on the Elderly & Disabled Exemptions
2. Two-Month Lease Extension of Existing Franchise Agreement with Comcast
3. Temporary Construction License for Peirce Block
4. Request for Public Hearing on ARPA Funding for Personal Protective Equipment Inventory
5. Adoption of Change to Hometown Program Loan Administration
6. Request for Public Necessity Hearing for Property Located on Maplewood Avenue
7. Report Back on Request to Remove Salter Street from Waterfront Business District
8. \*Request to Establish Polling Hours for the Ward 1 State Representative Special Election on March 12, 2024

### **XII. CONSENT AGENDA**

A. Request from Raphael Roman, Roman Law Group/Fleet Street Title & Closing, to install a Projecting Sign at 51 Islington Street, Unit 1A (***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. Letter from Jodie Tsekrekas, Cystic Fibrosis Foundation, requesting permission to hold the CF Cycle for Life for 2024 on Saturday, July 13, 2024 **(Anticipated action – move to refer to the City Manager with Authority to Act)**
- C. Letter from Rich Clyborne, Gundalow Company, requesting permission to conduct the Round Island Regatta on Saturday, July 20, 2024 at the Peirce Island Boat Ramp from 10:00 a.m. to 12:45 p.m. **(Anticipated action – move to refer to the City Manager with Authority to Act)**
- D. Letter from Ashley Healy, David Krempels Brain Injury Center, requesting permission to hold the 27<sup>th</sup> Annual Cisco Brewers Portsmouth Memorial Day 5K on Sunday, May 26, 2024 at 11:00 a.m. **(Anticipated action – move to refer to the City Manager with Authority to Act)**

### **XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS**

- A. \*Presentation Regarding Revaluation Process – Rosann Lentz, Certified Assessor
- B. Letter from Warren Widener, Seacoast Lacrosse Club, requesting permission to exhibit temporary signage on the fences at the Portsmouth Recreation Athletic Field for the spring 2024 lacrosse season **(Sample motion – move to refer to the City Manager with Authority to Act)**
- C. Letter from Joe Caldarola regarding Community Based Power: Does Opting Up reduce CO2 emissions **(Sample motion – move to accept and place on file)**
- D. Memorandum from Public Art Review Committee (PARC) regarding Proposed Donation of Art Work from artist Carl Austin Hyatt **(Sample motion – move to accept and refer to the City Manager for placement)**
- E. Email Correspondence **(Sample motion – move to accept and place on file)**

### **XIV. MAYOR McEACHERN**

1. Resignations:
- Elaine Apatang-Butts from the Citywide Neighborhood Committee
  - Kathleen Boduch from the Citywide Neighborhood Committee
  - Lori Soloway from the Citywide Neighborhood Committee
  - Paul Burke from the Public Art Review Committee
  - Robert White from the Public Art Review Committee

**(Sample motion – move to accept the resignations with regret and a letter of thanks be sent for their service to the city)**

2. \*Appointments to be Voted:
  - Donald Brabant as a regular member of the Audit Committee
  - Jeff Abrams as a regular member of the Cable and Broadband Internet Commission
  - Gary Lowe as a regular member of the Cable and Broadband Internet Commission
  - Talia Sperduto as an alternate member of the Conservation Commission
  - Jody Record reappointment as an alternate member of the Zoning Board of Adjustment

***(Sample motion – move to appoint Donald Brabant to the Audit Committee, Jeff Abrams and Gary Lowe to the Cable and Broadband Internet Commission, Talia Sperduto as an alternate to the Conservation Commission and reappoint Jody Record as an alternate to the Zoning Board of Adjustment)***

3. Appointments to be Considered:
  - Appointment of Jessica Dickey as an Alternate to the Arts & Cultural Commission
  - Appointment of Andrew Samonas as a regular member of the Planning Board
  - Appointment of Ernie (Ernestine) Greenslade to the Public Art Review Committee
  - Appointment of Robin Lurie-Meyerkopf to the Public Art Review Committee
  - Appointment of Megan Corsetti to the Housing Blue Ribbon Committee
  - Appointment of Tracy Kozak to the Housing Blue Ribbon Committee
  - Appointment of Mary Loane to the Housing Blue Ribbon Committee
  - Appointment of Byron Matto as the School Board Representative to the Housing Blue Ribbon Committee
  - Appointment of Dagan Migirditch to the Housing Blue Ribbon Committee
  - Appointment of Jen Stebbins Thomas to the Housing Blue Ribbon Committee

4. Council Goals ***(Sample motion – move to accept the Council Goals as presented)***

5. \*Board and Commission Assignments for City Council

## **XV. CITY COUNCIL MEMBERS**

### **A. COUNCILOR TABOR, COUNCILOR COOK AND COUNCILOR DENTON**

1. Green Building and Infrastructure Policy ***(Sample motion – move to request updates on the exploration on the feasibility of incorporating electrical infrastructure & conduit pathways for EV charging stations AND on the basic design and cost for solar array covered parking at the Portsmouth High School in accordance with the 2023 Green Building and Infrastructure Policy)***

### **B. COUNCILOR TABOR AND COUNCILOR LOMBARDI**

1. \*Council Budget Guidance for FY25 Budget ***(Sample motion – move that the Council adopt a range of 3.5% - 4.5% increase in total expenditures as guidance for the FY25 budget, with no additional headcount unless the positions are self-funded)***

*As the elected body, it is the City Council's role to balance the staff needs with the taxpayer's ability to pay for them. If this target requires reductions in the current high level of services, the city manager and staff should advise the council during the all-day budget presentation, review and listening session.*

**C. COUNCILOR COOK**

1. Reducing Single-Use Plastic Service-ware Waste (***Sample motion – move to send the draft Single-Use Food Service-ware Reduction Ordinance included in your packet to the Sustainability Committee and the Legal Department for simultaneous review and report back at the March 18<sup>th</sup> City Council meeting so that first reading can be scheduled***)
2. \*Charter Amendments (***Sample motion – move to request the Governance Committee review potential charter amendments to address legal interpretation in the case of perceived or actual conflicts between charter and state law***)

**D. COUNCILOR BAGLEY**

1. **Action Item Needing Approval by City Council:**
  - Woodbury Avenue Speed Cushion Plan
2. Parking & Traffic Safety Committee Action Sheet and Minutes of the November 29, 2023 meeting (***Sample motion – move to approve and accept the action sheet and minutes of the November 29, 2023 Parking & Traffic Safety Committee meeting***)
3. **Action Item Needing Approval by City Council:**
  - 2 Russell Street (***Sample motion – move to approve requested changes to on-street parking on Deer Street and Russell Street as presented on approved site plans for project with modifications as proposed by DPW, with the inclusion of bicycle signage at locations as approved by the DPW Traffic Engineer, and the continuation of sharrows on Russell Street to Market Street***)
  - Parking Principles (***Sample motion – move to approve proposed changes to City Parking Principles as recommended by DPW and Planning Department. Original 2012 Parking Principles and recommended revised Parking Principles attached for Council review and approval***)
4. Parking & Traffic Safety Committee Action Sheet and Minutes of the January 4, 2024 meeting (***Sample motion – move to approve and accept the action sheet and minutes of the January 4, 2024 Parking & Traffic Safety Committee meeting***)
5. \*Schedule first reading to consolidate all city owned surface parking into Zone A (***Sample motion – move to refer to the Legal Department to draft an ordinance for first reading at the City Council meeting in March***)

**XVI. APPROVAL OF GRANTS/DONATIONS**

- A. Donation for the Police Department for EV Vehicle and Charging Station (***Sample motion – move to approve and accept the donation as presented***)

**VII. CITY MANAGER'S INFORMATIONAL ITEMS**

1. Water Service Line Inventory
2. Report Back on Request for Signage in Prescott Park Fence and Dock for Water Taxi
3. \*Solar Panel Work Session
4. MAC Metals Scrapyard Report Back

**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**