

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, JULY 15, 2024

PORTSMOUTH, NH
TIME: 7:00PM

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

III. CALL TO ORDER

Mayor McEachern called the meeting to order at 7:00 p.m.

IV. ROLL CALL

PRESENT: Mayor McEachern, Assistant Mayor Kelley, Councilors Tabor, Cook, Denton, Blalock, Bagley, Moreau and Lombardi

V. INVOCATION

Mayor McEachern asked everyone to join in a moment of silence for the assassination attempt on former President Trump and the two families that lost loved ones during the attack and also expressed sincere condolences to the family of Brigadier General Pogorek who lost his life in a tragic motor vehicle accident recently.

VI. PLEDGE OF ALLEGIANCE

Mayor McEachern led in the Pledge of Allegiance to the Flag.

PROCLAMATIONS:

1. Plastic Pollution Reduction Month

Councilor Cook read the Proclamation declaring July as Plastic Pollution Reduction Month in Portsmouth and encouraged all citizens and businesses to reduce their plastic consumption and waste by choosing reusables and an opt-in versus opt-out model for single-use items. Planning and Sustainability Director Britz accepted the Resolution with thanks and appreciation.

2. Wildlife Conservation Day in Portsmouth

Mayor McEachern read the Proclamation declaring June 20, 2024, as Wildlife Conservation Day in Portsmouth by Student Mayor Sage Stubbs.

VII. ACCEPTANCE OF MINUTES – JUNE 3, 2024 AND JUNE 17, 2024

Assistant Mayor Kelley moved to approve and accept the minutes of the June 3, 2024 and June 17, 2024 City Council meetings. Seconded by Councilor Lombardi and voted.

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

IX. PUBLIC COMMENT SESSION

Roy Helsel expressed concern regarding individuals speeding on the heavily traveled areas of the city. He asked that more enforcement be conducted by the Police Department.

Sue Polidura spoke regarding individuals wishing to change something on their home in the historic district would need to file a certificate through the Historic District Commission. She said the ordinance states that certificates will be used by the Historic District Commission and not the Planning Department. She said if the Planning Department is issuing the certificates, it would be a violation of State law.

Esther Kennedy said she agrees with Mr. Helsel regarding speeding in the city and she feels all speed limits should be 25 mph. She spoke to a recent visit to the Public Works Department with a half truck load of wood and was told there was a \$15.00 charge for disposing of the wood. She said there should have been some communication to advise residents of fee changes.

Paige Trace spoke regarding the changes to the fee structure and whether it was brought before the Fee Committee for approval. She said residents need to be informed of fee changes.

Petra Huda spoke regarding the objective of the Historic District Commission and all members of the commission should be aware the laws outlined in the city ordinance and state. She said 2.2% of the city is made up of the historic district and asked who would determine if solar panels were visible or not.

Bill Downey (via Zoom); thanked the Council for holding the line with the times building. He said if the building is compromised it is because of neglect. He said regarding the Solar Panels Ordinance, he feels Councilor Tabor and Councilor Blalock should be recusing from the vote because of a conflict of interest.

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

First Reading of Ordinances

- A. First 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

Councilor Tabor moved to pass first reading and schedule a public hearing and second reading to be held at the August 5, 2024 City Council meeting. Seconded by Councilor Moreau.

Deputy City Manager Woodland provided an overview of the zoning amendments relative to properties at least one acre in size located within CD4, CD4W, and CD5 Character District and not located within an incentive overlay district. She stated the Planning Board would have the ability to grant a Conditional Use Permit to allow an additional story (up to 15 feet in height), a house or duplex building type, and/or a mixed-use building. She indicated a property owner could qualify for this additional story, often called an incentive bonus, if certain criteria are met. She further explained that a property owner could submit an application providing community space only and qualify for an additional story as an incentive bonus. She said the amended ordinance includes the following conditional language: “if multi-family dwelling units are proposed, the development shall have ...workforce housing.” Deputy City Manager Woodland said if the City Council intended to require owners of Qualifying Properties to provide both workforce housing and community space in order to qualify for an additional story, then this amendment would be appropriate.

Motion passed.

- B. First Reading of proposed Parking Omnibus Ordinance amending Chapter 7, Article III – Traffic Ordinance, Section 7.330 A. - No Parking; Article III – Traffic Ordinance, Section 7.341 - Driving on Sidewalk; and Article XI, Section 7.1100 E., Speed Limits: 25 mph – Middle Street

Councilor Cook moved to pass first reading and schedule a public hearing and second reading to be held at the August 5, 2024 City Council meeting. Seconded by Councilor Bagley and voted.

Public Hearing/Adoption of Resolutions

- C. PUBLIC HEARING/ADOPTION of Resolution authorizing a Bond Issue and/or notes of the City under the Municipal Finance Act of up to Six Hundred Fifty Thousand Dollars (\$650,000.00) for costs related to School Facilities' Capital Improvements

- **PRESENTATION**

Deputy City Manager of Finance and Administration Lunney said that the project is multi-year funded and design planning will decide where best electrical vehicle charging stations should be installed.

- **CITY COUNCIL QUESTIONS**

Councilor Cook said the Capital Improvement Plan does not have solar array on top of the school, but could it be considered during the design. Deputy City Manager of Finance and Administration Lunney responded affirmatively.

Assistant Mayor Kelley asked to take into consideration the CTE building will be going under intensive renovations. Deputy City Manager of Finance and Administration Lunney said that will be part of consideration.

Mayor McEachern read the legal notice, declared the public hearing open and called for speakers.

- **PUBLIC HEARING SPEAKERS**

With no speakers Mayor McEachern declared the public hearing closed.

- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

Councilor Denton moved to adopt the Resolution, as presented. Seconded by Councilor Blalock.

On a unanimous roll call vote 9-0, motion passed.

- D. PUBLIC HEARING/ADOPTION of Resolution authorizing a Bond Issue and/or notes of the City under the Municipal Finance Act of up to Twelve Million Nine Hundred Twenty-Five Thousand Dollars (\$12,925,000.00) for costs related to:
- Ambulance Replacement Program,
 - Police Deficiencies and Repair Project,
 - Land Acquisition,
 - South Mill Pond Playground,
 - Additional Outdoor Recreation Fields,
 - Prescott Park Master Plan Implementation,
 - Citywide Facilities Capital Improvements,
 - Greenleaf Avenue Sidewalk,
 - Russell/Market Intersection Upgrade,
 - Fleet Street Utilities Upgrade and Streetscape,
 - Citywide Storm Drainage Improvements, and
 - The Creek Neighborhood Reconstruction
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**

Mayor McEachern read the legal notice, declared the public hearing open and called for speakers.

Petra Huda said that bonds have been authorized but have gone unused. She said an update should be given on the Police Department. She spoke regarding the Russell/Market Street project asking if we are borrowing funds ahead of time and under land acquisition. She asked why funding is being requested when last year's was not spent.

Esther Kennedy said she agrees with the comments made by Petra Huda. She spoke to taxes and water/sewer bills increasing and urged the City Council to consider what projects are important.

With no further speakers, Mayor McEachern declared the public hearing closed.

- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

Councilor Bagley said on the land acquisition item the majority of the funding is for the Bellamy Reservoir. Deputy City Manager Woodland stated that we do not have land in mind, but we are looking to keep the conservation land fund available. Planning & Sustainability Director Britz said that the fund needs to be active.

Councilor Bagley expressed a desire to remove the funding for the Prescott Park project. Deputy Finance Director Purgiel said if the funding was removed a new resolution would need to be prepared. He further stated that you have two years to spend the funding once authorized. Mayor McEachern asked what the Prescott Park funds would be specifically used for. Public Works Director Rice said \$4.5 million is to provide drainage and protect the historic buildings.

Councilor Blalock moved to adopt the Resolution, as presented. Seconded by Assistant Mayor Kelley.

Councilor Tabor stated he would recuse from voting on the motion because he serves on the Prescott Park Arts Festival.

On a roll call 8-0, motion passed. Councilor Tabor recused from voting on the motion.

- E. PUBLIC HEARING/ADOPTION of Resolution authorizing a Bond Issue and/or notes of the City under the Municipal Finance Act and/or participation in the State Revolving Fund (SRF) Loan of up to Four Million Fifty Thousand Dollars (\$4,050,000.00) related to:
- Water Storage Tanks Improvements,
 - Madbury Water Treatment Plant – Facility Repair and Improvements,
 - Fleet Street Utilities Upgrade and Streetscape,
 - DPW Complex Improvements, and
 - The Creek Neighborhood Reconstruction
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**

Mayor McEachern read the legal notice, declared the public hearing open and called for speakers.

Esther Kennedy asked where we are at with the pipes under the Bellamy Reservoir.

Petra Huda said the funding authorized for the Great Bay water lines was less than anticipated and asked where the funds go.

Councilor Cook inquired about the status of the Fleet Street project.

With no further speakers, Mayor McEachern declared the public hearing closed.

City Engineer Fielder provided an updated on the Fleet Street project disruptions to the businesses and the impact to access businesses.

- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

Councilor Bagley moved to adopt the Resolution, as presented. Seconded by Councilor Tabor.

On a unanimous roll call vote 9-0, motion passed.

F. PUBLIC HEARING/ADOPTION of Resolution authorizing a Bond Issue and/or notes of the City under the Municipal Finance Act and/or participation in the State Revolving Fund (SRF) Loan of up to Thirty-Five Million Four Hundred Sixty-Five Thousand Dollars (\$35,465,000.00) for costs related to:

- Pease Wastewater Treatment Facility,
- Wastewater Pumping Station Improvements,
- Sewer Service Funding for Sagamore Avenue Area Sewer Extension,
- Mechanic Street Pumping Station Upgrade,
- Peirce Island Wastewater Treatment Facility,
- Fleet Street Utilities Upgrade and Streetscape,
- Citywide Storm Drainage Improvements,
- DPW Complex Improvements, and
- The Creek Neighborhood Reconstruction

- **PRESENTATION**
- **CITY COUNCIL QUESTIONS**

Mayor McEachern read the legal notice, declared the public hearing open and called for speakers.

Councilor Moreau said changes will take in account for the hazard mitigation.

- **PUBLIC HEARING SPEAKERS**

Petra Huda asked why we are putting in funding for the Fleet Street utilities when the city is applying for a grant. She asked why we would bond before a design is in place and why we are asking for another \$1.9 million for the facility. She also spoke to sludge being moved from Peirce Island to Pease.

Paige Trace spoke to the sludge removal and the odor that is in the south end. She asked if the Peirce Island Wastewater Treatment Facility is at capacity.

Esther Kennedy said when the wastewater plant was built it was to last fifty years and take care of the problems that existed but there are questions now. She asked if we were at capacity and urged the City Council to ask more questions and investigate this because it is a lot of money.

With no further speakers, Mayor McEachern closed the public hearing.

- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

Mayor McEachern said these are the funding requests for the Capital Improvement Plan projects. He stated we are applying for grants, but we must have the funding available whether we receive a grant or not. He said a treatment plant is different from building a Police Facility.

City Engineer Fielder reported that the Pease plant is at 60% capacity. He said the electrical services will need to be built up. He said the project is estimated at \$28 million and it is an old facility. He stated the project is restoring older elements and Pease was part of the valued engineering study. City Engineer Fielder said we are trucking sludge over to Pease.

Councilor Denton said in 2017/2018 Capital Improvement Plan there was a project for installing a digester for the sludge. He asked if we are still in line with the consent decree. Public Works Director Rice said the monies are for private hook ups at Sagamore Avenue for the pump systems.

Councilor Tabor asked if there is a problem surrounding our capacity at the plant. Water Director & Deputy Public Works Director Goetz said we are not exceeding capacity.

Councilor Bagley said water and sewer is based on state regulations and the plant runs 24 hours a day so there are items that need to be replaced.

Water Director & Deputy Public Works Director Goetz said regarding the Little Bay water line, last week a water supply update was provided. He said the existing values on the mains were removed and the existing pipes are in better condition than originally thought.

Councilor Moreau moved to adopt the Resolution, as presented. Seconded by Councilor Cook.

On a unanimous roll call vote 9-0, motion passed.

Public Hearing/Second Reading of Ordinances

- G. PUBLIC HEARING/SECOND READING on Proposed Ordinance amending Chapter 10, ZONING ORDINANCE – Solar Energy Panels, Article 6, Overlay District, Section 10.633.20 - Exemptions from Certificate of Approval; Section 10.633.30 – Administrative Approvals; Section 10.634.20 – Application Contents adding Section 10.634.24; Section 10.636.32 (1) – Public Hearings; Section 10.636.12 – Notice of Disapproval & Article 15, Definitions, Section 10.1530 – Terms of General Applicability

- **PRESENTATION**

Mayor McEachern read the legal notice, declared the public hearing open and called for speakers.

Planning Manager Stith provided an overview of the ordinance and spoke amendments that were proposed, and the Planning Board and Historic District Commission held a Work Session on February 21st and a report back was made to the Council on March 4th. He outlined the amendments that were made for certificate of approvals and exemptions and said there would be a letter from the architect required that the additional load of solar panels could be supported by the homes. He said we are also changing the term chairman to chair.

- **CITY COUNCIL QUESTIONS**

Councilor Bagley asked if the ordinance includes asphalt shingles. Planning Manager Stith said that it could.

Chair Ruedig, Chair of Historic District Commission spoke via Zoom said it is not clearly defined for every detail on the building but the type of detail which is particular to the building.

- **PUBLIC HEARING SPEAKERS**

Sue Polidura spoke opposed to leaving the Historic District Commission out of the decision process. She spoke of the 2% of the city which is made up of the historic district and the city needs to keep the history of the city in mind when considering the vote on this ordinance.

Petra Huda said this is putting a great deal of pressure on staff to approve these by an administrative approval process. She said you need to keep in mind what we are giving up here, 2.2% of our historic district.

Paige Trace said it is only 2.2% of the city but people come from all over to see the historic areas of the city. She stated you need to be aware of consequences and you should not override the Historic District Commission.

Esther Kennedy said it may only be 2.2% of the city but that is what people come to see in the city. She said the Historic District Commission has done their job when it comes to this matter. She said she does not understand why the City Council wants to change this process.

With no further speakers, Mayor McEachern declared the public hearing closed.

Councilor Denton moved to pass second reading of the proposed zoning amendments regarding solar energy panels, and schedule a third and final reading at the August 5, 2024 City Council meeting. Seconded by Councilor Blalock.

- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

Councilor Denton said it the 2% of the area that is subject to climate change.

Councilor Moreau asked the City Attorney if the ordinance is in compliance with state statute. City Attorney Morrell said the ordinance has been reviewed by the Legal Department.

Councilor Lombardi said the process of administrative approval puts it in the hands of staff and the Planning Department does not have historic backgrounds, but the Historic District Commission has the training and knowledge of historic structures. He said he would vote against the motion.

Councilor Moreau said she has concerns making administrative approvals by staff and how much pressure we would put on the staff.

Councilor Bagley said that we are to set policy. He said it is not appropriate to say someone does or does not have qualifications in any area. He said he would not support the motion.

Councilor Bagley moved to amend removing from HDC preview solar energy panels flush mounted to rooftops made of materials other than slate or wood of the existing structures which do not require other alterations to existing structures. Seconded by Councilor Blalock.

Mayor McEachern asked for a legal inquiry from a legal standpoint this would obviously require another public hearing, but the natural course of business is that Council moves forward. He said this would reverse the previous amendment, which was previously made, and he is curious if we can do that.

Councilor Tabor asked if this is a motion to reconsider which would have a time limit attached to it. Mayor McEachern said that the amendment would have needed to be made at the previous meeting, therefore it is not a legitimate motion. City Attorney Morrell said that is correct, it is not timely and is out of order.

Councilor Bagley rescinded the motion and Councilor Blalock the second to the motion.

Councilor Denton said if we move to suspend the rules to reconsider the motion it could then be made and before the Council for a vote.

Councilor Blalock moved to suspend the rules to reconsider. Seconded by Councilor Bagley.

On a roll call vote 3-6, motion failed to pass. Councilors Denton, Blalock and Bagley voted in favor. Assistant Mayor Kelley and Councilors Tabor, Cook, Moreau, Lombardi and Mayor McEachern voted in favor.

Councilor Blalock spoke to request for solar panels on the St. John's Parish House. He said that the Historic District approved 54 solar panels on Chapel Street side which are minimally visible and the 48 panels for the Bow Street side were denied that were only visible from the church's parking lot. He said they're black panels going on a dark roof with non-glare finish, and it is not on the main structure. He said the church's goal was to save some money because they're non-profit and to fight climate change. He stated he feels the ordinance is still too subjective and needs to be as subjective as possible. Councilor Blalock said that solar panels protect the asphalt shingles and extends the life of the shingles. He feels having a policy which prevents members of the community from saving money and being environmentally responsible is wrong.

Councilor Tabor said the simple guidelines that we asked the HDC to develop and were implemented in the right way for St. John's request. He said the HDC decided that the solar panels on Chapel Street are minimally visible from the street.

Councilor Cook said that we have been operating under a false dichotomy that solar panels and historic preservation are two opposite sides of a debate when they are not, in fact the National Park Service guidelines for historic preservation have a whole section on placing solar panels in historic districts despite the betrayal of our Historic District Commission as opposing solar. She said they regularly approve solar panels, the HDC rarely rejects applications for solar panels, instead opting to get to yes through adjustments and proposals to help owners better preserve their structure while gaining the benefits of solar energy. She further spoke relative to this matter. In closing, she said she is a fierce proponent of climate mitigation and adaptation measures but when we create animosity and disdain in our community for values that others hold, like a love of historic preservation and a passion for preserving our history we create division and risk a backlash against the very efforts we are passionate about implementing. She said historic preservation is a major pillar in the recently adopted cultural plan and it was the most important concern of the respondents in our surveys around the Arts and Cultural priorities for the city. She said it is a priority for residents just as sustainability is also a priority. Councilor Cook said the green revolution we need is one that is inclusive of all community interests and focuses on those changes that have the most impact while supporting members of our community who need the financial help to make changes that benefit them and serve us all, that's why I'm opposing the changes.

Councilor Denton said on January 6, 2016, he spoke at an HDC meeting pushing for solar array guidelines in the historic district. He stated eight years later some guidelines from the HDC itself are in front of us for a vote. He said they are not perfect, they are not what Councilor Blalock, Councilor Bagley or myself wanted, likewise they are not what Councilor Cook, Councilor Moreau, or Councilor Lombardi is asking for but what they are is a compromise and they are far better than the status quo. He said it is progress to allow individual homeowners to do what they can to mitigate against climate change on their property and he asked everyone to please support the ordinance.

Councilor Bagley said he disagrees with Councilor Cook and Councilor Denton and feels it creates more bureaucracy and its going to discourage the adoption of solar panels. He said it is eminently important that we do things to fight climate change and here's a tool that we could have that would cost the city zero dollars. He said to do something good for the environment is worth something and I think what the Council is saying today is that that's not worth something and we value asphalt shingles higher than those things.

Councilor Blalock said to sit on the HDC and to prevent a non-profit to receive relief from their electricity bill and to be the body that is preventing that he will not support the motion.

Mayor McEachern passed the gavel to Assistant Mayor Kelley.

Mayor McEachern said people look to the Council to move the puck forward. He stated the administrative approvals are not being done. He further stated we are making small improvements and are going to continue to preserve historic structures.

Assistant Mayor Kelley returned the gavel to Mayor McEachern.

On a roll call vote 5-4, main motion passed. Assistant Mayor Kelley, Councilors Tabor, Denton, Blalock and Mayor McEachern voted in favor. Councilors Cook, Bagley, Moreau and Lombardi voted opposed.

At 9:30 p.m., Mayor McEachern called for a brief recess. At 9:43 p.m., Mayor McEachern called the meeting back to order.

Councilor Blalock moved to suspend the rules to bring forward third and final reading of the ordinance. Seconded by Assistant Mayor Kelley and voted.

Councilor Blalock moved to pass third and final reading of the ordinance. Seconded by Assistant Mayor Kelley.

On a roll call vote 5-4, motion passed. Assistant Mayor Kelley, Councilors Tabor, Denton, Blalock and Mayor McEachern voted in favor. Councilors Cook, Bagley, Moreau and Lombardi voted opposed.

Public Hearing Regarding Cable Franchise Agreement

H. PUBLIC HEARING to consider a Cable Television Renewal Franchise Agreement with Comcast (“Franchise Agreement”). The proposed Franchise Agreement is for a 10-year term beginning August 1, 2024, and ending July 31, 2034. The proposed Franchise Agreement allows Comcast to continue to serve existing and new customers without limiting competition. The City would continue to collect a 5% Franchise Fee

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

Mayor McEachern read the legal notice, declared the public hearing open and called for speakers. With no speakers, Mayor McEachern closed the public hearing.

XI. CITY MANAGER’S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Cable Television Franchise Agreement with Comcast

Councilor Tabor moved to authorize the City Manager to finalize and execute the Cable Television Franchise Renewal Agreement as presented. Seconded by Councilor Moreau.

Deputy City Manager Woodland reported that a public hearing is required under the law. She said a survey was conducted and we had many complaints against Comcast and continue to work with them on service matters. She said this is a 10-year agreement. Deputy City Manager Woodland advised that the FCC regulates the internet.

Mayor McEachern read the legal notice, declared the public hearing open and called for speakers. With no speakers, Mayor McEachern closed the public hearing.

Motion passed.

2. Request for Capital Improvement Plan (CIP) Process Kick Off Work Session

Assistant Mayor Kelley moved to schedule a work session on Monday, August 19, 2024 at 6:00 p.m. Seconded by Councilor Bagley and voted.

3. Lease Agreement with AIDS Response of the Seacoast

Deputy City Manager Woodland said that AIDS Response of the Seacoast will be transferring to Community Campus in August.

Councilor Cook moved to authorize the City Manager to finalize and execute the Lease Agreement with AIDS Response in a form similar to what is presented. Seconded by Councilor Blalock.

Councilor Cook expressed concern with the 5% increase in the lease. Deputy City Manager Woodland said 5% is what is needed for capital improvements. She also indicated that this is a longer-term lease. Councilor Cook said that this is a 5-year lease. Deputy City Manager Woodland said it is a 5-year lease, but some other leases will be for 10-years.

Motion passed.

4. Sidewalk and Traffic Easement from Saint John's Masonic Association

Deputy City Manager Woodland said that this is a new easement document.

Councilor Denton moved to authorize the City Manager to execute the Sidewalk and Traffic Signal Easement Deed with Saint John's Masonic Association to enlarge an existing easement area at the corner of Miller Avenue and Middle Street for a traffic signal light as presented. Seconded by Councilor Bagley and voted.

5. Authorization to Trade Vehicles and Equipment

Deputy City Manager Woodland explained how the Department of Public Works would like to trade in vehicles versus auctioning them. She advised the City Council that trade values offered by dealers are slightly more advantageous to the City.

Councilor Blalock moved to authorize the Department of Public Works to dispose of the used vehicles identified through the trade in process as described. Seconded by Councilor Moreau.

Councilor Cook asked if there are opportunities to change larger vehicles from gas powered too electric. Public Works Director Rice said that the electric versus gas powered for the larger vehicles doubles in price.

Motion passed.

XII. CONSENT AGENDA

- A. Request from Ashley Lyons, Chic Boutique Consignments, to install a Projecting Sign at 108 Penhallow 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 no cost 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 Nicole Snow, Darn Good Yarn, to install a Projecting Sign at 238 State 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 no cost 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 Jonathan Barachowitz, Marathon Sports, to install a Projecting Sign at 104 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 no cost 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 Katelyn Moran, Leukemia & Lymphoma Society, requesting permission to hold the annual Light the Night event on Saturday, September 28, 2024 from 4:30 p.m. – 7:30 p.m. (**Anticipated action – move to refer to the City Manager with Authority to Act**)

- E. Letter from Brian Miller, New England Run for the Fallen, requesting permission to hold the 4th Annual Run on Sunday, August 18, 2024 (***Anticipated action – move to refer to the City Manager with Authority to Act***)

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

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Email Correspondence

Councilor Moreau moved to accept and place on file. Seconded by Assistant Mayor Kelley and voted.

- B. Information provided by Joe Caldarola regarding Guidelines for Solar Energy and Renewable Energy

Councilor Denton moved to accept and place on file. Seconded by Councilor Blalock and voted.

- C. Letter from Curtis Hermann, New Hampshire Sons of the American Revolution, requesting permission to hold the Commemoration of the Bicentennial Anniversary of General Lafayette's visit on Sunday, September 1, 2024

Councilor Cook moved to refer to the City Manager with Authority to Act. Seconded by Councilor Tabor and voted.

- D. Letter from Elizabeth Bratter requesting if any of the City lands surrounding 361 Hanover Street are asked to be used or purchased, by any of 361 Hanover Street entities, please require a public hearing and notification of abutters by certified mail, of what is being proposed and public comment for consideration of the proposal

Councilor Moreau moved to accept and place on file. Seconded by Councilor Denton and voted.

XIV. MAYOR McEACHERN

1. *Appointment to be Voted:
- Appointment of Andrew Samonas as the Planning Board Representative to the Housing Committee
 - Appointment of Mary Carey Foley to the Mayor's Blue Ribbon Sister City Committee
 - Appointment of Robert F. Conard, Jr., to the Mayor's Blue Ribbon Sister City Committee

Assistant Mayor Kelley moved to appoint Andrew Samonas as the Planning Board Representative to the Housing Committee; Mary Carey Foley and Robert F. Conard, Jr., to the Mayor's Blue Ribbon Sister City Committee. Seconded by Councilor Moreau and voted.

2. Resignation:
 - Chuck Raye from the Citywide Neighborhood Committee

Councilor Bagley moved to accept with regret the resignation of Chuck Raye from the Citywide Neighborhood Committee with a letter of thanks and appreciation for his service to the city. Seconded by Councilor Blalock and voted.

3. Request for report back on Community Oyster Programs in the City of Portsmouth and identifying funding sources

Mayor McEachern said he would like a report back on funding opportunities available for Community Oyster Programs.

Councilor Blalock moved to request a report back on Community Oyster Programs in the City of Portsmouth and identify funding sources. Seconded by Councilor Denton and voted.

XV. CITY COUNCIL MEMBERS

A. COUNCILOR COOK

1. Single-Use Food Service-ware Reduction or “Skip the Stuff” Policy

Councilor Cook moved to adopt the Single-Use Serviceware, or “Skip the Stuff” Policy. Seconded by Councilor Denton.

Councilor Cook said that this was first considered as an ordinance but with some challenges we decided to make this a policy.

Motion passed.

2. Request to Establish Work Session Re: Market Square Master Plan

Councilor Cook moved to schedule a work session with the Market Square Master Plan consultants and City staff to discuss progress on planning and provide City Council input to the process. Seconded by Councilor Blalock.

Councilor Cook said the process started last spring but not all City Councilors could participate, and it is important that everyone is heard and provides input in the process.

Motion passed.

B. COUNCILOR BLALOCK

1. Sister Cities Trust Fund

Councilor Blalock moved to request that the Legal Department report back with a recommendation. Seconded by Councilor Moreau and voted.

C. COUNCILOR BAGLEY

1. Parking & Traffic Safety Committee Action Sheet and Minutes of June 6, 2024

Councilor Bagley moved to approve and accept the action sheet and minutes of the June 6, 2024 Parking & Traffic Safety Committee meeting. Seconded by Councilor Lombardi and voted.

XVI. APPROVAL OF GRANTS/DONATIONS

(There are no grants or donations on for approval this evening)

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

1. Community Policing Facility Update

Public Works Director Rice advised that a report back to the City Council should be taking place in September.

2. Sherburne Property Update

Deputy City Manager/Regulatory Counsel Woodland reported there were 8 proposals received and staff has ranked them into the top 4 firms that are being interviewed. She advised the City Council that a report back will be held at the August 5th meeting.

3. South Meeting House Update

Deputy City Manager/Regulatory Counsel Woodland reported that proposals are due on July 17th and there was a good turnout at the recent open house.

4. Hazard Mitigation Plan Update

Deputy City Manager/Regulatory Counsel Woodland referred to the draft plan contained in your Council packets for review. She stated there would be a public comment period held over the next two weeks and feedback should be sent directly to Fire Chief McQuillen. She also indicated that the plan will be coming back for adoption in an upcoming City Council meeting.

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

Mayor McEachern announced that Genevieve Aichele has been named New Hampshire's new Artist Laureate.

Mayor McEachern extended congratulations on behalf of the City Council to Assistant Mayor Kelley on her engagement.

Councilor Blalock announced that 10/11/12 Little League District Teams are headed into the District Championship Rounds.

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

At 10:35 p.m., Assistant Mayor Kelley moved to adjourn the meeting. Seconded by Councilor Tabor and voted.

A handwritten signature in black ink that reads "Kelli L. Barnaby". The signature is written in a cursive, flowing style.

KELLI L. BARNABY, MMC/CNHMC
CITY CLERK