

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, FEBRUARY 5, 2024

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

ABSENT: COUNCILOR DENTON

1. **Voted** to leave the Non-Public Session and seal the minutes.
2. Proclamation – Black History Month – Mayor McEachern read the Proclamation hereby proclaiming the month of February 2024 in Portsmouth, New Hampshire as Black History Month and urged all citizens to champion our commitment to racial equity and inclusion and to sustain the open door of diversity throughout our community.
3. Acceptance of Minutes – December 18, 2023 – **Voted** to approve and accept the minutes of the December 18, 2023 City Council meeting.
4. Public Comment Session – There were 21 speakers: Roy Helsel (Questions on the City Taxes); Mark Brighton, Duncan MacCallum (Jim Hewitt); Christina Dubin, Rebecca O'Brien, Evy Douglass, Gabe Weinrieb, Emma Jeffrey, Jillian Richmond, Miles Borne, Tom Kelley (via Zoom); Kelsey Sullivan, Dover; Brian Yurasits, Dover; (Skip the Stuff); Jim Hewitt & Jeremy Eggleton (via Zoom) (Removal of Mr. Hewitt from the Planning Board); Julie Myers, Peter Evans (Scrap Metal Yard); Paige Trace (Portsmouth); Esther Kennedy (Why!); Petra Huda (What is Malfeasance); Mark Stettner (via Zoom) (Speed Cushions on Woodbury Avenue).
5. Public Hearing – Capital Improvement Plan (CIP) FY 2025-2030 – Held a Public Hearing. **Voted** to continue this evening's public hearing until the March 4, 2024 City Council meeting.
6. **Voted** to suspend the rules to bring forward Item XV. C.1. – Reducing Single-Use Plastic Service-ware Waste.
7. Reducing Single-Use Plastic Service-ware Waste - **Voted** 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 18th City Council meeting so that first reading can be scheduled.
8. Public Hearing on proposed Ordinance amending Chapter 6 – License – Article XVII – Outdoor Dining Encumbrance Permit, Section 6.1701 – 6.1707 – Held a Public Hearing. **Voted** to pass second reading and hold third and final reading at the February 20, 2024 City Council meeting.
9. **Voted** to suspend the rules to bring forward Item XVII. 4. – MAC Metals Scrapyard Report Back.

10. MAC Metals Scrapyard Report Back – Deputy City Attorney McCourt provided a report back regarding MAC Metals Scrapyard. No action required.
11. Request for Public Hearing on the Elderly & Disabled Exemptions – **Voted** to schedule a public hearing at the February 20, 2024 City Council meeting regarding the consideration of the elderly and disabled exemptions.
12. Two-Month Lease Extension of Existing Franchise Agreement with Comcast – **Voted** to authorize the City Manager to finalize and execute the Extension Agreement as presented.
13. Temporary Construction License for Peirce Block – **Voted** to authorize the City Manager to execute and accept a temporary construction license extension to encumber the sidewalk and roadway along High and Ladd Streets and 6 parking spaces on High Street that abut the Peirce Block as requested.
14. Request for Public Hearing on ARPA Funding for Personal Protective Equipment Inventory – **Voted** to schedule a public hearing at the February 20, 2024 City Council meeting regarding the use of ARPA funding for PPE inventory.
15. Adoption of Change to Hometown Program Loan Administration – **Voted** that the City Council affirm this recommended change in the City’s Home Town Program administration as described in the memorandum and to allow disbursements from the Portsmouth Housing Endowment Fund Trust consistent with the program rules and requirements adopted by the Portsmouth Housing Endowment Fund Advisory Board.
16. Request for Public Necessity Hearing for Property Located on Maplewood Avenue – **Voted** to schedule a public necessity hearing to begin at 5:00 p.m. on March 25, 2024 in Eileen Dondero Foley City Council Chambers,
17. Report Back on Request to Remove Salter Street from Waterfront Business District – **Voted** to refer Marcia MacCormack’s January 7, 2024 letter requesting Salter Street be rezoned from Waterfront Business to General Residence B to the Planning Board for its recommendation in a report back to City Council.
18. Request to Establish Polling Hours for the Ward 1 State Representative Special Election on March 12, 2024 – **Voted** to establish polling hours for the Ward 1 State Representative Special Election on March 12, 2024 from 8:00 a.m. to 7:00 p.m.
19. Consent Agenda – **Voted** to adopt the 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 27th 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***)

20. Presentation Regarding Revaluation Process – Rosann Lentz, Certified Assessor – Assessing Director Lentz provided a detailed presentation regarding the Revaluation Process. She reported that the process of a statistical revaluation is the review of all taxable and nontaxable properties in a municipality, using existing property data, to arrive at full and true value as of April 1. She spoke to Establishment and Monitoring of Standards. She reviewed a tentative timeline where the tax rate would be set in October 2024 with tax bills going out in November 2024 which will reflect new assessments.
21. 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 – **Voted** to refer to the City Manager with Authority to Act.
22. Letter from Joe Caldarola regarding Community Based Power: Does Opting Up reduce CO2 emissions – **Voted** to accept and place on file.
23. **Voted** to suspend the rules to hear from Chris Dwyer, Chair of the PARC to speak on the donation of Art Work from Carl Austin Hyatt.
24. Memorandum from Public Art Review Committee (PARC) regarding Proposed Donation of Art Work from artist Carl Austin Hyatt – **Voted** to accept and refer to the City Manager for placement and invite the artist such a point that a placement has been defined.
25. Email Correspondence – **Voted** to accept and place on file.
26. **Voted** to suspend the rules to continue the meeting beyond 10:30 p.m. Assistant Mayor Kelley voted opposed.

27. Resignations – **Voted** to accept the resignations with regret and a letter of thanks be sent for their service to the city.

- 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

28. Appointments to be Voted – **Voted** to appoint Donald Brabant as a regular member of the Audit Committee until November 15, 2026, appointments of Jeff Abrams and Gary Lowe as regular members to the Cable and Broadband Internet Commission until April 1, 2026, appointment of Talia Sperduto as an alternate member of the Conservation Commission until April 1, 2026, and reappointment of Jody Record as an alternate member of the Zoning Board of Adjustment until December 1, 2028.

29. Appointments to be Considered – The City Council considered the appointments which will be voted upon at the February 20, 2024 City Council meeting.

- 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

30. City Council Goals 2024-2025 – **Voted** to accept the Council Goals as presented.

- Enhance the supply of housing choices, especially the supply of below-market rate housing options.
- Integrate sustainability, resilience, and climate change mitigation actions throughout City government and community.
- Invite and engage the entire community, especially those traditionally unreached, to increase participation and transparency in government.
- Support the needs of residents, businesses, nonprofits, arts and cultural institutions by leveraging City and local resources.
- Explore opportunities to support all modes of transportation options.

31. Board and Commission Assignments for City Council 2024-2025

African Burying Ground Stewardship Blue Ribbon Committee

Assistant Mayor JoAnna Kelley

Blue Ribbon Committee on Arts & Non-Profit

Councilor Kate Cook

Audit Committee

Councilor John Tabor
Councilor Kate Cook

Chamber of Commerce

Councilor Andrew Bagley

Citywide Neighborhood Steering Blue Ribbon Committee

Councilor Rich Blalock

Economic Development Commission

Assistant Mayor JoAnna Kelley
Councilor Vincent Lombardi

Blue Ribbon Energy Advisory Committee

Councilor John Tabor
Councilor Kate Cook

Ethics Board

Councilor Josh Denton

Fee Schedule Study Committee

Councilor John Tabor
Councilor Josh Denton

Governance Committee

Assistant Mayor JoAnna Kelley
Councilor John Tabor
Councilor Kate Cook
Councilor Vincent Lombardi

Historic District Commission

Councilor Rich Blalock

Housing Blue Ribbon Committee

Assistant Mayor JoAnna Kelley
Councilor John Tabor

Legislative Sub-Committee

Mayor Deaglan McEachern
Assistant Mayor JoAnna Kelley
Councilor John Tabor
Councilor Kate Cook

Parking and Traffic Safety Committee

Councilor Andrew Bagley

Pease Development Authority

Councilor Vincent Lombardi

Planning Board

Councilor Beth Moreau

Prescott Park Master Plan Implementation Committee

Assistant Mayor JoAnna Kelley

Public Access Financial Advisory Committee

Councilor Vincent Lombardi

Recreation Board

Councilor Rich Blalock

Rockingham Planning Commission

Councilor Beth Moreau

Safe Water Advisory Group Blue Ribbon Committee

Councilor Rich Blalock

Councilor Vincent Lombardi

Sister City Blue Ribbon Committee

Assistant Mayor JoAnna Kelley

Skateboard Park Blue Ribbon Committee

Councilor Rich Blalock

Sustainable Practices Blue Ribbon Committee

Councilor Kate Cook

Councilor Josh Denton

Task Force on Portsmouth Historical Archives

Councilor Vincent Lombardi

Trees & Public Greenery Committee

Assistant Mayor JoAnna Kelley

Veterans Organization

Councilor Josh Denton

32. Green Building and Infrastructure Policy – **Voted** to request updates on the exploration of 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.
33. Council Budget Guidance for FY25 Budget – **Voted** 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.
34. Charter Amendments – **Voted** 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.

35. Woodbury Avenue Speed Cushion Plan – **Voted** to refer the Woodbury Avenue Speed Cushion Plan back to the Parking & Traffic Safety Committee.
36. Parking & Traffic Safety Committee Action Sheet and Minutes of the November 29, 2023 meeting – **Voted** to approve and accept the action sheet and minutes of the November 29, 2023 Parking & Traffic Safety Committee meeting with the exception, of VII B. under Old Business – Woodbury Avenue Speed Cushion Plan.
37. 2 Russell Street – **Voted** 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.
38. Parking Principles – **Voted** 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.
39. Parking & Traffic Safety Committee Action Sheet and Minutes of the January 4, 2024 meeting – **Voted** to approve and accept the action sheet and minutes of the January 4, 2024 Parking & Traffic Safety Committee meeting.
40. Schedule first reading to consolidate all city owned surface parking into Zone A – **Voted** to refer to the Legal Department to draft an ordinance for first reading at the City Council meeting in March.
41. Donation for the Police Department for EV Vehicle and Charging Station – **Voted** to approve and accept the donation as presented.
42. Report Back on Request for Signage in Prescott Park Fence and Dock for Water Taxi – **Voted** to have the Legal Department reach out to the Attorney General office for report back.
43. Solar Panel Work Session – City Manager Conard reported that the Planning Board & Historic District Commission will be having a Joint Work Session on the installation of solar panels and the meeting is slated to take place on February 21st at 6:00 p.m. in the Levenson Room of the Library.
44. Miscellaneous Business Including Business Remaining Unfinished at Previous Meeting – Councilor Cook announced that PARC will be meeting to discuss possibilities and ideas related to the Peirce Island Project, on February 12th at Noon via Zoom and February 15th at 6:30 p.m. in the Levenson Room of the Library.
45. Adjournment – **At 11:25 p.m., voted to adjourn.**

Submitted by:

Kelli L. Barnaby, MMC/CNHMC
City Clerk