

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, APRIL 1, 2024

PORTSMOUTH, NH
TIME: 7:00PM

III. CALL TO ORDER

Mayor McEachern called the meeting to order at 7:05 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 silent prayer.

VI. PLEDGE OF ALLEGIANCE

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

Portsmouth High School Student Government Day Participants

Heather Wheeler & Michelle Wheeler – Portsmouth High School Teacher's



***Sofia Mohedano, Mayor
Evy Douglas, Assistant Mayor
Ryen Harrison, Councilor
Gabe Weinrieb, Councilor***

***Owen Coffey, Councilor
Nathan Delaney, Councilor
Caden Tapscott, Councilor
Maria Akalonu, Councilor***

***Lauren Ramirez, Councilor
Abby Paull, City Manager
Norah Blakey, City Clerk***

Tatum Hebert, City Attorney

***“Without volunteers, we’d be a nation without a soul.”
Rosalynn Carter***

Mayor McEachern recognized the students that will be participating in Student Government Day on April 12, 2024.

PROCLAMATIONS

1. Sexual Assault Awareness Month

Assistant Mayor Kelley read the Proclamation declaring April as Sexual Assault Awareness Month and called on our citizens to come together to reaffirm our commitment to ending sexual assault and supporting survivors.

The Prosecutor's office accepted the Proclamation from Assistant Mayor Kelley and Mayor McEachern with thanks and appreciation.

2. National Library Week

Councilor Cook read the Proclamation declaring April 7th through April 13th as National Library Week and called upon the residents of Portsmouth to get to know our library even better than they may already and to recognize our library professionals as being dedicated to elevating our minds and lives – because they know there's always "more to the story."

Library Director Christine Friese accepted the Proclamation from Councilor Cook and Mayor McEachern with thanks and appreciation.

3. National Community Development Month

Mayor McEachern read the Proclamation declaring April as National Community Development Month and commended the good work championed by all who serve the interests of our citizens through fair and effective community development.

Community Development Director Elise Annunziata accepted the Proclamation from Mayor McEachern with thanks and appreciation.

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

MAYOR'S AWARD

1. Carl Diemer – Celebrating 23 Years of Service to the Recreation Board

Mayor McEachern presented a Mayor's Award celebrating Carl's 35 Years of Service to the Recreation Board. Carl accepted the award with thanks and appreciation.

VII. ACCEPTANCE OF MINUTES

(There are no minutes on for acceptance this evening)

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

IX. PUBLIC COMMENT SESSION (*This session shall not exceed 4 minutes*) – (*participation may be in person or via Zoom*)

Nancy Novelline Clayburgh spoke about Mr. Diemer's long-term service to the City of Portsmouth. She spoke of his many accomplishments and his tireless contributions to the city.

Robert Bogardus spoke regarding Mr. Diemer's service to the City of Portsmouth and the Recreation Board. He said he became a volunteer because of Mr. Diemer and the services he has provided to Portsmouth.

David Allen said he worked with Mr. Diemer over the years, and he deserves this Mayor's Award. He then spoke to the rail trail and that he is a Board member of the Greater Alliance for NH Seacoast Greenway. He said the Greater Alliance for NH Seacoast Greenway recently received a grant and thanked City Manager Conard, Deputy City Manager Woodland, Public Works Director Rice and staff for their assistance with installing trail markers that extend to Greenland.

Jacqueline Cali-Pitts thanked Mr. Diemer for his service to the City of Portsmouth and the Recreation Board. She spoke of his expertise as Chair of the Recreation Board and his ability to listen to everyone's opinions and gave them all value to any situation.

Todd Henley, Recreation Director, thanked Mr. Diemer for being such a great advocate for the Recreation Board and all his dedication to Portsmouth. He said on behalf of his staff and former staff thank you for your service to Portsmouth.

Mayor McEachern said Mr. Diemer is a sterling example of the concept that the most important job in Portsmouth is Citizen and that those who go above and beyond as citizen volunteers are our lifeblood. He said in his 35 years of public service to the community he has contributed substantially to the quality of life enjoyed by our residents. He spoke to the many organizations he has served with and his tireless work to relocate Alumni Field and the Connie Bean Center to create this outstanding facility at the heart of our city.

X. PUBLIC HEARING AND VOTE ON ORDINANCE AND/OR RESOLUTION

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Request for First Reading Regarding Electric Vehicle Charging Station Ordinance Amendments

City Manager Conard said the Council referred draft zoning amendments to the Planning Board in November 2023 and they have been working on them since that time. She stated that the Planning Board held a public hearing and is recommending the City Council hold first reading on April 15th.

Councilor Denton moved to hold first reading of the proposed Zoning Ordinance amendments related to electric vehicle charging stations at the April 15, 2024 City Council meeting. Seconded by Councilor Bagley.

Councilor Denton said he may bring some further amendments on April 15th and will include them in the Council packet for review.

Motion passed.

2. FY24 Bond Rescinding Resolution

City Manager Conard explained that the rescinding amount is \$58,635.00 from a bond for Fire Department Apparatus which the total amount did not get spent.

Assistant Mayor Kelley moved to approve rescinding the remaining borrowing authority with regards to the following Resolution #5-2020 for \$1,400,000.00 – Rescind amount \$58,635.00. Seconded by Councilor Tabor.

Councilor Cook asked City Manager Conard if we have any other outstanding bond authorizations to come back to the City Council. City Manager Conard said she has not heard from the Finance Department that there are others coming forward.

Motion passed.

3. Disposition of Real Estate: Tax Deeded Properties

City Manager Conard said that this is a complicated matter which has been outlined in the memorandum from Deputy City Attorney McCourt. She said that the property owners did not pay taxes for three years before we began the taking of the properties.

Councilor Cook moved to refer the matter of appropriate disposal options for 508 Richards Avenue, 150 Bartlett Street and 323 Islington Street to the Planning Board for a recommendation at its April 18, 2024 regular meeting. Seconded by Councilor Blalock.

Deputy City Attorney McCourt advised the City Council that a public hearing is not necessary or required in this matter.

Councilor Cook asked if there is a recommendation on moving forward with this matter. Deputy City Attorney McCourt said we are dealing with constitutional rights, and we need to return the equity back to the property owners. He recommended disposition of the properties in an auction to the highest bidder.

Mayor McEachern asked if we could make this affordable housing. Deputy City Attorney McCourt said he does not know if this is the right vehicle for affordable housing and would entail the expenditure of some substantial funds of the city.

Councilor Bagley asked for information back on where this has been done before in the city. Deputy City Attorney McCourt said the Council would be better served for a report back on how other communities have handled this type of matter in the past.

Motion passed.

XII. CONSENT AGENDA

- A. Letter from JerriAnne Boggis, Black Heritage Trail, requesting permission to use the African Burying Ground Memorial for the Juneteenth celebration on Wednesday, June 19, 2024 from 10:30 a.m. – 1:00 p.m. ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- B. Letter from Latrice Smith, National Multiple Sclerosis Society, requesting permission to hold the 2024 MS Walk on Saturday, June 1, 2024 ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- C. Letter from Ken La Valley, Out of the Darkness Portsmouth Chapter, requesting permission to hold Out of the Darkness Walk on Saturday, September 28, 2024 ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- D. Letter from Crystal Cronin, Portsmouth Babe Ruth, requesting approval for temporary signage at Leary Field for the 2024 baseball season May 1st through the end of October ***(Anticipated action – move to refer to the City Manager with Authority to Act)***

Councilor Moreau moved to adopt the Consent Agenda as presented. Seconded by Assistant Mayor Kelley and voted.

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Email Correspondence

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

XIV. MAYOR McEACHERN

1. Acceptance of Resignations:
 - Jayne Begala from the Planning Board
 - Herb Lloyd from the Sustainability Committee
 - Steve DeTrolio from the Sustainability Committee

Councilor Tabor moved to accept with regret the resignations of Jayne Begala, Herb Lloyd and Steve DeTrolio with a letter of thanks to be sent for their service to the City of Portsmouth. Seconded by Councilor Moreau.

Mayor McEachern read a statement thanking Ms. Begala for her efforts in serving on the Planning Board. He spoke about the work of the Planning Board and said we need the involvement of everyone to keep the energy up for service to the city.

Motion passed.

2. Appointments to be Voted:
 - Reappointment of Samantha Collins to the Conservation Commission
 - Reappointment of Kathleen Bergeron to the Portsmouth Housing Authority
 - Reappointment of Kathryn Lynch to the Recreation Board

Councilor Blalock voted to reappoint Samantha Collins to the Conservation Commission until April 1, 2027; reappoint Kathleen Bergeron to the Portsmouth Housing Authority until April 1, 2029; and reappoint Kathryn Lynch to the Recreation Board until April 1, 2027. Seconded by Councilor Bagley and voted.

XV. CITY COUNCIL MEMBERS

A. COUNCILOR COOK

1. Single-Use Service-ware Policy

Councilor Cook moved to send the draft Single-Use Food Service-ware or “Skip the Stuff” Policy to the Sustainability Committee for report back to the City Council in May 2024, and to the student participants at Student Government Day for their consideration on April 12, 2024. Seconded by Councilor Denton.

Councilor Cook said that she is bringing this policy forward and through discussions with the Legal Department and Sustainability Committee we heard the ordinance would be difficult to enforce and we are trying to encourage more information for the community to possibly bring an ordinance forward.

Councilor Blalock said he is interested in hearing what the students will do with this at Student Government Day on April 12th.

Motion passed.

At 8:07 p.m., Mayor McEachern declared a brief recess. At 8:15 p.m., Mayor McEachern called the meeting back to order.

B. COUNCILOR BAGLEY

1. Establish a Renters’ Resource Page on the City Website

Councilor Bagley moved to create a dedicated webpage on the Portsmouth City website, designed specifically for renters. This page will feature a comprehensive collection of helpful links and resources, including but not limited to state and city housing ordinances, guidelines, and regulations. Additionally, the page will offer valuable information for first-time homebuyers and other relevant topics deemed beneficial by the city, catering to the needs and interests of our renting community. Seconded by Councilor Lombardi.

Councilor Bagley said there can be an impression from some renters that their voices are not heard in the way that property owners are.

Councilor Blalock said there is a substantial portion of members of the community that don't even know that they are allowed to vote.

Councilor Tabor said we are facing an increase in long term renters, and it would be great to have renters participating in the community. He said it would be helpful to know if you discussed with staff what would be the most important things on the page.

Councilor Bagley explained it would be outreach to renters in the community and letting them know what is available to them.

Assistant Mayor Kelley asked where Councilor Bagley sees this page landing on the website. Councilor Bagley said the banner section and Community Engagement. He would like to see a page for first time buyers.

Discussion followed regarding the location of such a page on the website and the type of information that the page would contain. It was noted that this would take a great deal of time creating and maintaining such a page.

Councilor Denton said that City Manager Conard should decide what staff should manage the page.

City Manager Conard said that she would work internally with staff and provide an informative report back to the Council on this matter.

Motion passed.

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Approval of Wellness Reward for Wellness Coordinators Initiatives - \$2,000.00

Councilor Tabor moved to approve and accept the Wellness Award in the amount of \$2,000.00 as presented. Seconded by Councilor Cook and voted.

- B. Acceptance of Donation to the Fire Department for EMS Improvements in Memory of Edward Markiewicz - \$500.00

Councilor Moreau moved to approve and accept the donation for the Fire Department as presented. Seconded by Councilor Denton and voted.

- C. ARPA Funded Grant Amendment No. 1 for Mechanic Street Pump Station Improvements

Assistant Mayor Kelley moved to authorize the City Manager to enter into Amendment No. 1 of the ARPA Grant Agreement with the New Hampshire Department of Environmental Services for modification of the anticipated project substantial completion date to the Mechanic Street Pump Station Improvements Project by six months to a completion date of January 21, 2025. Seconded by Councilor Blalock and voted.

D. ARPA Funded Grant Amendment No. 1 for Sewer Rehabilitation Project

Councilor Lombardi moved to authorize the City Manager to enter into Amendment No. 1 of the ARPA Grant Agreement with the State of New Hampshire Department of Environmental Services for modification of the anticipated project substantial completion date to the Sewer Rehabilitation Project by six months, to a completion date of March 31, 2025. Seconded by Councilor Bagley and voted.

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

1. Update on Community Policing Facility

Public Works Director Rice reported that they are working on modifications needed to driveways and making progress along with consultants and the Police Department with right sizing. He stated that they should have a presentation for the City Council sometime in May.

2. Report of Donations

City Manager Conard reported we received four donations for the maintenance of the City's historic cemeteries in the amount of \$170.00.

Councilor Cook thanked City Manager Conard for the report on the donations and said she likes the layout of the report.

3. Upcoming April Environmental Events

City Manager Conard announced five events taking place in April:

- Household Hazardous Waste Collection Day – Saturday, April 13th between 8:00 a.m. and 12:00 p.m. at the Department of Public Works.
- Sustainability Fair – Sunday, April 14th from 12:00 p.m. to 3:00 p.m. at the Portsmouth Public Library.
- "Water Has a Memory" Exhibit – Late April marks the opening of the enhanced exhibit at Strawberry Banke Museum.
- Arbor Day – Friday, April 26th at 8:30 a.m. the Department of Public Works Parks and Greenery Division will host its annual celebration of Arbor Day with tree planting and reading of the Mayor's Arbor Day Proclamation.
- Earth Week – Portsmouth High School Eco-Club will celebrate Earth Week from May 5th to May 11th.

4. DPW Fuel Station Replacement Update

City Manager Conard said the project to replace the Department of Public Works Fuel Station is underway and is anticipated to take three to four months. She said during that time you will see city vehicles fueling up at commercial gas stations.

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

Assistant Mayor Kelley said that she assists the business group for Future Business Leaders of America and this is the first time in ten years that they will participate in the competition with other schools, and the competition begins tomorrow.

XIX. ADJOURNMENT

At 8:45 p.m., Assistant Mayor Kelley moved to adjourn the meeting. Seconded by Councilor Moreau 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