

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, AUGUST 18, 2025

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 silent prayer.

VI. PLEDGE OF ALLEGIANCE

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

PROCLAMATION

1. National Service Dog Month

Mayor McEachern read and presented a Proclamation to Brendan Madden declaring September as National Service Dog Month in Portsmouth and called upon our residents and businesses to recognize and respect the important job they do in helping us live up to our motto of the City of the Open Door. Mr. Madden accepted the Proclamation with thanks and appreciation.

VII. ACCEPTANCE OF MINUTES *(There are no minutes on for approval this evening)*

VIII. RECOGNITION AND VOLUNTEER COMMITTEE REPORTS

1. Portsmouth Sustainability Committee Update

Co-Chairs, Jessica Blasko and Effie Malley provided an update and reviewed the roles and accomplishments of the Sustainability Committee. Jessica and Effie outlined the proposals for the Capital Improvement Plan (CIP) and spoke about what is ahead of the Committee:

- Submit requests for the CIP
- Advise and guide on Master Plan issues related to the CAP and renewable energy
- Continue work on strategies from the CAP
- Further inform the community about sustainable practices and co-benefits

IX. PUBLIC COMMENT SESSION (*This session shall not exceed 45 minutes*) – (*participation may be in person or via Zoom*)

Nancy Yarmac said in the 34 years there has not been any maintenance done to the sidewalks near her home. She said the residents in the area have signed her petition supporting the installation of sidewalks.

Roy Helsel spoke to people speeding on Middle Road. He spoke about the stop signs on Hodgdon Way and how two are too high and one is being blocked by trees and cannot be seen.

Erik Anderson said he would like to see the City reach out to surrounding towns on the issue of workforce housing. He stated the city continues to make strides, but the issues continue. He asked the City Council to take a more aggressive approach to this housing crisis.

Petra Huda said there is a problem with the bonding resolution amount and said that according to her figures there is only \$900,000.00 remaining.

Tyler Garzo spoke regarding sidewalks in front of his home and said the problem is with the width of the roadway. He expressed his support in making State Street two-way, which will make the area more walkable.

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

First Reading of Ordinance:

- A. First Reading Amending Chapter 10, ZONING ORDINANCE, CITY OF PORTSMOUTH ZONING MAP be amended as follows: rezone parcels described on the City Tax Map 138 Lot 62 and Tax Map 138 Lot 63 from Character District 5 (CD5) to Character District 4 (CD4); to change the boundary of the North End Incentive Overlay District (NEIOD) by removing City Tax Map 138 Lot 60-2, Tax Map 138 Lot 62 and Tax Map 125 Lot 16, and Tax Map 138 Lot 63 and a portion of Tax Map 138 Lot 60-3; and to amend the boundary of the Downtown Overlay District (DOD) by removing City Tax Map 138 Lot 60, a portion of Tax Map 138 Lot 60-1, Tax Map 138 Lot 60-2, Tax Map 138 Lot 60-3, Tax Map 138 Lot 61, Tax Map 138 Lot 62, Tax Map 138 Lot 63, Tax Map 164 Lot 4, Tax Map 125 Lot 17-1 and a portion of Tax Map 125 Lot 16 and Tax Map 125 Lot 17 from the DOD; to amend the building height map from 2-4 stories (50 feet) to 2-3 stories (short 4th, 45 feet) for parcels along Hill Street for City Tax Map 125 Lot 16, Tax Map 138 Lot 62 and Tax Map 125 Lot 14 and to add a building height standard of 2-3 stories (40 feet) along Rock Street to the cul-de-sac at Foundry Place for City Tax Map 138 Lot 63, Tax Map 138 Lot 60-2, and Tax Map 138 Lot 60-3. The Zoning Maps to be amended are referenced in the City's Zoning Ordinance at Chapter 10, Article 4, Zoning and District Use Regulations, Section 10.421, District Location and Boundaries, Section 10.421.10 and Chapter 10, Article 5A, Character Based zoning, Section 10.5A21.10, Content of Regulation Plan, Map 10.5A21A (Character Districts and Civic Districts) and Map 10.5A21B (Building Height Standards), collectively the "Zoning Maps".

Mayor McEachern advised the Council and the public that if first reading passes this evening the next ordinance would be nongermane.

Councilor Moreau moved to pass first reading and to schedule a public hearing and second reading at the September 8, 2025, City Council meeting. Seconded by Councilor Lombardi.

Councilor Moreau said that there has been a lot of discussion on these zoning changes. She spoke about the changes encompassed into the ordinance.

Councilor Bagley said he would be recusing from the vote.

Councilor Lombardi said that this is complex and has taken a lot of discussion and zoning should be simplified. He spoke regarding one property being split into two different zones.

Mayor McEachern passed the gavel to Assistant Mayor Kelley.

Mayor McEachern said that this is a good step in the right direction. He did express concern with splitting two parcels and height restrictions where property abuts Hill Street. He would like the building to go there to be the best building but not complying with the zoning height standards should be taken on broad sections.

Mayor McEachern moved to amend the motion to remove the height restrictions on Hill Street. Seconded by Councilor Blalock and voted. Councilor Moreau voted opposed, and Councilor Bagley recused from voting on this motion.

Assistant Mayor Kelley returned the gavel to Mayor McEachern.

Main motion passed as amended. Councilor Bagley voted opposed.

Second Reading of Ordinance:

- B. Second Reading of Ordinance regarding Chapter 10, Zoning Ordinance, City of Portsmouth Zoning Map be amended as follows: Rezone Parcels Described on the City Tax Map 125 Lot 16; Tax Map 138 Lot 61; Tax Map 138 Lot 62; and a portion of Tax Map 138 Lot 63 from Character District 5 (CD5) to Character District 4 (CD4); to Rezone a portion of Tax Map 138 Lot 63 from Character District 5 (CD5) to Character District L1 (CD4-L1); to change the Boundary of the North End Incentive Overlay District (NEIOD) to remove City Tax Map 138 Lot 61, Tax Map 138 Lot 60-3, and Tax Map 164 Lot 4 from the NEIOD and to Amend the Boundary of the Downtown Overlay District (DOD) to align with the amended NEIOD by removing City Tax Map 164 Lot 4, Tax Map 138 Lot 61, Tax Map 138 Lot 60-3 and a portion of Tax Map 138 Lot 63 from the DOD; to amend the Building Height Map from 2-4 stories (50 Feet) to 2-3 stories (40 feet) for parcels along Bridge Street to Foundry Place and along Hill Street for City Tax Map 125 Lot 16, Tax Map 138 Lot 62 and Tax Map 125 Lot 14 and to add a Building Height Standard of 2-3 stories (40 feet) along Rock Street to the Cul-De-Sac at Foundry Place for City Tax Map

138 Lot 63, Tax Map 138 Lot 60-2, and Tax Map 138 Lot 60-3. The Zoning Maps to be amended are referenced in the City's Zoning Ordinance at Chapter 10, Article 4, Zoning and District Use Regulations, Section 10.421, District Location and Boundaries, Section 10.421.10 and Chapter 10, Article 5A, Character Based Zoning, Section 10.5A21.10, Content of Regulation Plan, Map 10.5A21A (Character Districts and Civic Districts) and Map 10.5A21B (Building Height Standards), Collectively the "Zoning Maps"

Mayor McEachern declared the ordinance is not applicable with the passing of first reading of the previous ordinance and rules the ordinance out of order as Chair of the meeting.

Public Hearing & Second Reading of Ordinances:

C. PUBLIC HEARING and Second Reading of Chapter 1, Administrative Code – Article I, Administrative Code Ordinance Amendments:

- Section 1.102 – Administrative Organization
- Section 1.103 – Organizational Chart
- Section 1.105 – General Powers and Duties of the Department Administrators
- Section 1.106 – Specific Duties, Functions and Responsibilities of Departments
- Section 1.107 – Authority of City Manager
- **PRESENTATION**
- **CITY COUNCIL QUESTIONS**
- **PUBLIC HEARING SPEAKERS**
- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

Regulatory Counsel Woodland spoke to the legal back drop of the ordinance. She said that the ordinance creates the structure of government. She spoke to the Charter and Administrative Code that outlines the duties for which it creates. She explained the changes that the ordinance would create and said that the Police Department has some issues and language changes around Information Technology and Human Resources. She spoke to the proposed changes to the ordinance as proposed by the Legal Department.

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

Petra Huda spoke to the memorandum from the City Attorney to the City Council. She said the unique departments are the Charter Departments. She said that the superintendent is the operator not City staff. She said an elected School Board should be adopted and she does not understand how this conflicts with Human Resources.

Nancy Novelline Clayburgh, School Board Chair, asked that the City Council adopt the language voted on by the School Board last week.

Esther Kennedy (via zoom) spoke to the history of commissions and said in 1895 the Governor and community put in a Police Commission. She said that the School Board is obligated under RSA 189. She said that the School Board can go before the Attorney General after this vote and ask why we are doing this at this point. She believes that this is a power grab. She also spoke in support of the School Boards language to be included.

Petra Huda said that the School Board and the Chair had not received this information.

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

Councilor Bagley asked who someone could go to if they have problems or do not agree.

Mayor McEachern said the School Department is a City Department and our legal counsel is the School Boards legal counsel. He said that there is no independent entity.

Councilor Cook moved to amend the proposed changes to Chapter 1, Section 1.106 (G) to reflect the changes proposed by the Legal Department. Seconded by Councilor Moreau.

Chapter 1, Section 1.106 (G) relative to responsibilities of Information Technology Department be modified as follows:

- *Delete last sentence which reads “All technology acquisitions must receive prior approval from the Information Technology Department, in addition to the Finance Department*
- *Replace second sentence of the proposed new language with the following: “The CIO has authority to establish and ensure compliance with IT standards for cybersecurity, system resilience, and operational efficiency.”*

Motion passed.

Councilor Cook moved to pass second reading as amended and schedule third and final reading at the September 8, 2025, City Council meeting. Seconded by Councilor Moreau and voted.

- D. PUBLIC HEARING and Second Reading of Chapter 2, Seal, Deeds and Elections – Article II, Deeds, Section 2.201 – Execution to be amended by deleting the section in its entirety
- **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 declared the public hearing closed.

Assistant Mayor Kelley moved to pass second reading of the proposed changes to Chapter 2 and schedule a third and final reading for the September 8, 2025, City Council meeting. Seconded by Councilor Cook and voted.

- E. PUBLIC HEARING and Second Reading of Omnibus Vehicles, Traffic and Parking Ordinance Amendments:
- Chapter 7, Article III, Section 7.326 – Limited Parking – 15 Minutes – Hanover Street and State Street
 - Chapter 7, Article III, Section 7.330 – No Parking – State Street and Sagamore Avenue
 - Chapter 7, Article IVA, Section 7A.408 – Taxi Stands Designated – Pleasant Street
 - Chapter 7, Article VI – Limited Hours Loading Zones – Penhallow Street
- **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.

Parking Engineer Eby provided a detailed presentation outlining the changes which have been in place over the last twelve months.

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

Councilor Bagley moved to pass second reading and schedule a third and final reading at the September 8, 2025, City Council meeting. Seconded by Councilor Blalock and voted.

Councilor Bagley moved to suspend the rules to bring third and final reading of the ordinance forward for action. Seconded by Councilor Moreau and voted.

Councilor Bagley moved to pass third and final reading of the ordinance. Seconded by Councilor Blalock and voted.

Councilor Moreau moved to suspend the rules to bring forward Items XIV. 3. – Providing After-School Child Care in Portsmouth and XIII. A. – Capital Improvement Plan Kickoff. Seconded by Councilor Blalock and voted.

XIV. MAYOR McEACHERN

3. Providing After-School Child Care in Portsmouth

Mayor McEachern passed the gavel to Assistant Mayor Kelley.

Mayor McEachern said he reached out to the YMCA and had a productive conversation with the City Manager.

Mayor McEachern moved to authorize the City Manager to enter into an agreement with the Granite YMCA to provide after school childcare services to families of the city. Seconded by Councilor Blalock.

Councilor Cook thanked Mayor McEachern for bringing the matter forward. She spoke to after school care and its importance.

Councilor Blalock said he is pleased we are taking this matter up today. He said childcare is becoming more expensive and hopes the solution works well.

Mayor McEachern said this will require all organizations to work collectively together and we need to provide the best solution.

Motion passed.

Assistant Mayor Kelley returned the gavel to Mayor McEachern.

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

A. Capital Improvement Plan Kickoff

Acting City Manager Lunney reported that the CIP is a long-term multi-year financial and infrastructure planning tool that is used to maintain safe city infrastructure and to coordinate financial strategies for capital projects and to aid in the achievement of the Council's Citywide goals. He said the CIP process and document communicates the city needs, contributes information to the development of the annual budget, promotes maintenance of and safe access to city infrastructure throughout the community. An outline of what qualifies as a CIP project was reviewed and how projects are evaluated and prioritized. He spoke to the City's annual goal for the Capital Outlay funding is not more than 2% of the prior year budget and for FY26 Capital Outlay is at 1.08%. The City's goal for Net Debt Service is to remain below 10% of the Budget and the FY26 Net Debt Service is 7.97%. He reviewed the 10-year outlook for the CIP and projects. An outline of the CIP timeline was announced and key dates for the City Council are the Joint Public Hearing with the Planning Board on November 17th and adoption of the CIP on December 8th.

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Report Back from the Planning Board Regarding Frenchman's Lane

Acting City Manager Lunney said the Planning Board is recommending both sections of Frenchman's Lane.

Councilor Moreau moved to direct the City Manager and Legal Department to negotiate, execute, and record documents necessary for the rights to both sections of Frenchman's Lane. Any cost to the transaction shall be borne by the owners of 833 Islington Street. Seconded by Councilor Lombardi. Councilor Cook voted opposed.

2. Request for Public Hearing Regarding Amendment to Resolution #6-2022 Regarding Funding Scope for the Police Station and Municipal Complex Feasibility Study and Design

Acting City Manager Lunney spoke to the Resolution and said that bond counsel advised the language to be amended to change the scope of the bonding. He reported that the authorization is for \$1.4 million and \$900,000 has been used and \$500,000 has not been used but was authorized.

Councilor Blalock moved to schedule a public hearing on September 8, 2025, regarding the amendment to Resolution. Seconded by Assistant Mayor Kelley and voted. Councilor Bagley voted opposed.

3. Approval of School Superintendent McLaughlin's Employment Contract

Acting City Manager Lunney recommended approval of the Superintendent's Employment Contract.

Councilor Lombardi moved to approve the employment contract for the School Superintendent. Seconded by Councilor Bagley.

On a roll call 6-1, motion passed. Assistant Mayor Kelley, Councilors, Blalock, Bagley, Moreau, Lombardi and Mayor McEachern voted in favor. Councilor Cook voted opposed.

4. *Reschedule City Council Meeting of September 22, 2025

Councilor Cook moved to suspend the rules to take action to reschedule the September 22nd City Council meeting to September 24th at 7:00 p.m. Seconded by Councilor Moreau and voted.

Councilor Cook moved to reschedule the September 22nd City Council meeting to September 24th at 7:00 p.m. Seconded by Councilor Moreau and voted.

5. 1 Raynes Avenue Access Easement for Water Services

Acting City Manager Lunney said that this is an easement for water services. He said the easement will allow the City to access property.

Assistant Mayor Kelley moved to authorize the City Manager to accept and record an Access Easement for Water Services in similar form to the deed contained in the agenda packet. Seconded by Councilor Blalock and voted.

6. Report Back from the Planning Board Regarding Proposed Amendments to Building Footprints in the Downtown

Acting City Manager Lunney reported on the footprints in the downtown.

Councilor Lombardi moved to schedule a first reading at the September 8, 2025, City Council meeting. Seconded by Councilor Bagley.

Councilor Moreau advised the City Council that the Planning Board had a robust discussion on this matter, and this corrects an oversight.

Mayor McEachern said he wants to make sure that this solves the problem. He requested a report back by the Planning Department at first reading regarding the number of properties this would affect.

Deputy City Attorney McCourt said if the report cannot be made at the first reading it would come back at second reading.

Councilor Moreau moved to amend the motion to allow a report back at the earliest convenience of the Planning Department and Legal Department on the number of property owners this would potentially affect. Seconded by Councilor Bagley and voted.

Main motion passed as amended.

XII. CONSENT AGENDA

- A. Letter from Terrence Hyland, Jr., Krempels Brain Injury Center, requesting permission to hold the Doc King Adaptive Tour (DKAT) on Sunday, October 19, 2025, at 10:30 a.m. ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- B. Letter from Matt Junkin, Seacoast Rotary, requesting permission to hold the Seacoast Turkey Trot 5k on Thursday, November 27, 2025, at 7:00 a.m. ***(Anticipated action – move to refer to the City Manager with Authority to Act)***

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

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

B. E-mail Correspondence

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

- C. Letter from Attorney John Bosen, Donahue, Tucker & Ciandella, PLLC, requesting the City Council authorize the execution of the Consent to Non-Industrial Use for property located at 45 Coach Road**

Councilor Moreau moved to refer to the City Manager with Authority to Act. Seconded by Assistant Mayor Kelley and voted.

D. Petition by Residents along Islington Street requesting Sidewalk Restoration

Assistant Mayor Kelley moved request for report back from the Department of Public Works. Seconded by Councilor Blalock.

Councilor Cook requested that the type and size of the sidewalks that could be installed be sent to the Capital Improvement Plan Subcommittee for their review of projects.

Assistant Mayor Kelley accepted this as a friendly amendment with Councilor Blalock agreeing as the second to the motion.

Motion passed to request a report back from the Department of Public Works on the type and size of the sidewalks that could be installed and sent to the Capital Improvement Plan Subcommittee for their review of projects.

- E. Letter from Mike Daigle, Friends of Italian Americans, requesting permission to use public space to hold an Italian Festa Celebration on Monday, October 13, 2025, from Noon to 4:00 p.m.**

Assistant Mayor Kelley moved to refer to the City Manager with Authority to Act. Seconded by Councilor Bagley and voted.

XIV. MAYOR McEACHERN

1. Appointment to be Voted:
 - Appointment of Anna Howard as a regular member of the Economic Development Commission filling an unexpired term until October 1, 2026

Councilor Blalock moved to appoint Anna Howard as a regular member of the Economic Development Commission filling an unexpired term until October 1, 2026. Seconded by Councilor Cook and voted.

2. Acceptance of Resignation of Kelly Delekta from the Board of Library Trustees

Councilor Cook moved to accept with regret the resignation of Kelly Delekta from the Board of Library Trustees and to send a letter of thanks and appreciation for her service to the city. Seconded by Councilor Moreau and voted.

XV. CITY COUNCIL MEMBERS

A. COUNCILOR BAGLEY

1. Parking & Traffic Safety Committee Action Sheet and Minutes of the August 7, 2025, meeting

Councilor Bagley moved to approve and accept the action sheet and minutes of the August 7, 2025, Parking & Traffic Safety Committee meeting. Seconded by Councilor Lombardi.

Councilor Bagley reported on the actions taken by the Parking & Traffic Safety Committee.

Motion passed. Councilor Blalock voted opposed.

B. COUNCILOR MOREAU

1. Requesting Report Back on the status of turning State Street into a two-way street

Mayor McEachern asked if there are things we could do without structural changes and to look at it on a temporary basis.

Councilor Moreau moved to request a status update and report back by staff where the matter currently stands on turning State Street into a two-way street either temporarily or long term. Seconded by Councilor Cook.

Councilor Blalock said that this would be a lot of work with not much improvement or benefit.

Assistant Mayor Kelley said we need to look at enforcement of loading zones and make sure that the policies are adhered to by delivery trucks.

Councilor Cook said enforcement is important.

Councilor Bagley said he supports the report and feels it is best analyzed when putting sewer lines in place.

Motion passed. Councilor Blalock voted opposed.

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Donation of Memorial Bench in Honor of Danielle Marie French to be Installed at Maple Haven Park

Councilor Moreau moved to accept a memorial bench from Candace French and family in memory of Danielle Marie French to be installed at Maple Haven Park. Seconded by Councilor Blalock and voted.

- B. Acceptance of New Hampshire Highway Safety Grant to support highway safety initiatives, including enforcement patrols and Community Outreach & Betterment Presentations - \$24,100.00

Councilor Blalock moved to approve and accept the Highway Safety Grant in the amount of \$24,100.00. Seconded by Councilor Cook and voted.

- C. Acceptance of an In-kind Donation of 21 Bicycle Helmets from the Brain Injury Association of New Hampshire to Support the Portsmouth Police Department's E-Bike Safety Initiative

Assistant Mayor Kelley moved to accept an in-kind donation of 21 bicycle helmets from the Brain Injury Association. Seconded by Councilor Moreau and voted.

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

- 1. Household Hazardous Waste Collection Day – September 6, 2025

Acting City Manager Lunney announced that the Department of Public Works will hold the Household Hazardous Waste Collection Day on Saturday, September 6, 2025, from 8:00 a.m. to Noon.

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

Assistant Mayor Kelley thanked everyone in the city who helped make the Bi-Poc Festival a success.

Councilor Blalock announced that Portsmouth High School Football will be selling gold cards if you wish to support the team.

Assistant Mayor Kelley announced that the cheerleaders are also fundraising by holding a tag day this weekend.

XIX. ADJOURNMENT

At 10:25 p.m., Councilor Moreau moved to adjourn the meeting. Seconded by Councilor Bagley and voted.

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

KELLI L. BARNABY, MMC/CNHMC
CITY CLERK