

TO: KAREN S. 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 WEDNESDAY, SEPTEMBER 24, 2025

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

ABSENT: COUNCILOR TABOR

1. **Voted** to close the Non-Public Session and seal the minutes.
2. Proclamation – United States Constitution Week – Mayor McEachern read the Proclamation declaring the week of September 17th through September 23rd as United States Constitution Week and asked citizens to revisit and reaffirm the ideals the framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through the declaration of our rights and liberties.
3. Acceptance of Minutes – August 4, 2025 – **Voted** to approve and accept the minutes of the August 4, 2025, City Council meeting.
4. **Voted** to suspend the rules and bring forward Item XV. D. – Archive Update and Item XIII. A. – Presentation by Pinetree Institute's Work in the Community, Amy Michaels, Coalition Director.
5. Archive Update – Councilor Lombardi provided an update regarding Archives and the importance to protect, preserve, and make accessible the history that defines our community. He reported that the Committee has filed for a 501-3c Tax Exemption Non-Profit Organization to be known as Portsmouth Archive Center.

Voted to suspend the rules to allow public comment.

Tom Hardiman, Keeper & Executive Director of Portsmouth Athenaeum; Linnea Grim, President and CEO, Strawberry Banke; Emma Stratton, Executive Director, Portsmouth Historical Society; each spoke regarding the importance to preserve the collections by the three organizations and the City of Portsmouth.

6. Presentation by Pinetree Institute's Work in the Community – Amy Michaels, Coalition Director of Pinetree Institute, Ms. Michaels spoke regarding the importance of the matching grants from the City of Portsmouth and Rotary and the results of that support. She addressed the creation of the Greater Portsmouth Recovery Coalition which also enabled the creation of the Greater Portsmouth Youth Wellness Coalition. She stated that drug prevention efforts are part of our community's response to reducing future rates of dropout, unemployment, and healthcare costs, among others. She spoke regarding local efforts with education and awareness, parental and family engagement, access to mental health and support services, policy and environment and youth leadership. She said together, we can safeguard our youth's mental health and future.

7. Public Comment Session – There were four speakers: Christine Lusky (Downtown), Brianna Martin (Support for our immigrant residents); Peter Somssich (Flag-Lowering), and Tyler Garzo (Resident Parking Program).
8. Public Hearing & Second Reading of Chapter 10, Zoning Ordinance, Article 5A Character-Based Zoning, Section 10.5A43.45, Special Building Footprint Provisions; Section 10.5A43.46, Redevelopment of Existing Buildings and Article 15, Definitions, Building footprint, to permit exceeding the building footprint maximum without a Conditional Use Permit – Held a public hearing. Motion to pass second reading and hold third and final reading on October 6, 2025, City Council meeting **failed** to pass on a voice vote with all the City Council voting opposed.
9. Public Hearing Regarding Ballot Question: Shall we allow the operation of social districts within the City of Portsmouth – Held a public hearing. **Voted** to put the following Ballot Question on the November 4, 2025, Municipal Election Ballot. “Shall we allow the operation of social districts within the City of Portsmouth.” Councilor Cook and Councilor Moreau voted opposed.

Voted to establish a Public Hearing October 6, 2025, City Council meeting in reference to the Ballot Question “Shall we allow the operation of social districts within the City of Portsmouth” for the November 4, 2025, Municipal Election.
10. Public Hearing Regarding Ballot Question: Shall we not allow the operation of KENO games within the City of Portsmouth – Held a public hearing. **Voted** to amend the language from “not allow” to “*prohibit*.” Motion passed. Councilor Denton voted opposed.

Voted to put the following Ballot Question on November 4, 2025, Municipal Election Ballot. “Shall we prohibit the operation of KENO games within the City of Portsmouth.”

Voted to establish a Public Hearing for the October 6, 2025, City Council meeting in reference to the Ballot Question “Shall we prohibit the operation of KENO games within the City of Portsmouth” for the November 4, 2025, Municipal Election.
11. Public Hearing Regarding Ballot Question: “Shall we not allow the operation of games of chance within the City of Portsmouth” – Held a public hearing. **Voted** to put the following question on the November 4, 2025, Municipal Election ballot “Shall we prohibit the operation of games of chance within the City of Portsmouth.”

Voted to establish a Public Hearing for the October 6, 2025, City Council meeting in reference to the Ballot Question “Shall we prohibit the operation of games of chance within the City of Portsmouth” for the November 4, 2025, Municipal Election.”

12. Third and Final Reading of 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, Tax Map 125 Lot 16, 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; 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" – **Voted** to pass third and final reading of the ordinance. Councilor Blalock voted opposed. Councilor Bagley recused from the vote.
13. Approval of MOS for AFSCME Local #1386-A – **Voted** to approve the proposed MOA as presented.
14. Deed Restriction and Grant Acceptance from the State of New Hampshire for 3.11 Acres of City land located in Greenland – **Voted** to authorize the City Manager to execute and record a Grant Agreement with the State of New Hampshire regarding City-owned property on Post Road in Greenland, in substantially the same form as the version contained in the agenda packet. **Voted** to accept a \$90,000.00 grant from the State of New Hampshire Drinking Water Trust Fund.
15. Approval of Sign Policy for School Fundraisers – **Voted** to approve the Sign Policy for School Fundraisers as presented. Councilor Cook recused from the vote.
16. Replacement of Electronic Ballot Devices – **Voted** to authorize the Office of the City Clerk to utilize new electronic ballot devices by VotingWorks to be deployed at the Municipal Election on Tuesday November 4, 2025.
17. Consent Agenda – **Voted** to adopt the Consent Agenda.
- A. Request from Dava Davin of Portside Real Estate Group LLC. to install a Projecting Sign at 89 Foundry Place, Unit 15 (***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(s), 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(s), 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***

18. E-mail Correspondence – **Voted** to accept and place on file.
19. Letter from Ashleigh Tucker Pollock, The Music Hall, requesting to hold the 23rd annual New Hampshire Film Festival on October 16, 2025, through October 19, 2025, in various downtown Portsmouth locations. Also, request to close a portion of Portwalk Place for a Hospitality Party and allow alcoholic beverages to be purchased and consumed inside the event's enclosure – **Voted** to grant the City Manager authority to amend the City License Agreement with the Music Hall consistent with this request.
20. Letter from Lynn Raeburn of 109 Dennett Street Requesting to have her property removed from the Historic District – **Voted** to refer the removal of 109 Dennett Street from the Historic District to the Planning Board and the Historic District Commission for recommendation back to the City Council.
21. Letter from Ashleigh Tucker Pollock, The Music Hall, requesting to close Chestnut Street on Wednesday, October 29, 2025, for The Seacoast Culinary Challenge from 5:30 p.m. to 10:00 p.m. with street closure requested from 10:00 a.m. to 10:00 p.m. to allow for set-up and breakdown – **Voted** to refer to the City Manager with Authority to Act.
22. Memorandum from Reagan Ruedig, Historic District Commission Chair, regarding Historic District Boundary Revision – **Voted** to refer this request for a Zoning Map change to the Planning Board for a report back to the City Council.
23. **On a roll call 5-3, voted** to suspend the rules to continue the meeting beyond 10:30 p.m. Councilors Cook, Denton, Bagley, Moreau, and Mayor McEachern voted in favor. Assistant Mayor Kelley, Councilors Blalock, and Lombardi voted opposed.
24. Letter from Zach McLaughlin, Superintendent of Schools, regarding the confirmation of School Board action on Connie Bean request – **Voted** to approve and accept the School Board recommendation for the Connie Bean Center installation.
25. Appointments to be Considered – The City Council considered the appointments listed below that will be voted upon at the next City Council meeting.

- Reappointment of Sarah Lachance to the Economic Development Commission
- Reappointment of Andrew Ward to the Economic Development Commission
- Appointment of Brighid “Briggs” Brady to the Cemetery Committee
- Appointment of Barbara Sadick as an alternate to the Parking & Traffic Safety Committee

26. Appointments to be Voted – **Voted** to reappoint Robert Capone to the Cable & Broadband Internet Commission until April 1, 2028; reappoint Katinka de Ruiter to the Board of Library Trustees until October 1, 2028; and appoint Jolanda Fannin to the Board of Library Trustees until October 1, 2026; filling the unexpired term of Kelly Delekta.

- Reappointment of Robert Capone to the Cable & Broadband Internet Commission
- Reappointment of Katinka de Ruiter to the Board of Library Trustees
- Appointment of Jolanda Fannin to the Board of Library Trustees

27. Request for a report back on the status of health insurance costs and options moving forward – **Voted** to request a report back from the City Manager regarding insurance costs and other possible avenues to explore.

28. Request a Tour of the Three Elementary Schools – **Voted** to request a tour of the three elementary schools in December 2025 with the newly elected City Council.

29. Housing Recommendations – **Voted** to refer to the Planning Board a Council request to put parking review for residential projects with three or more units into the site review process, and draft appropriate ordinance changes for City Council action.

Voted to refer to the Planning Board a Council request to rezone certain streets and parcels as shown in the packet from industrial and commercial to Gateway, requesting the necessary ordinance deletions and additions to present back for City Council action.

Voted to ask the Planning Board to modify zoning section 10.812 to eliminate the requirement that it apply only to houses built before 1980, and look at including Rural, SRA and SRB as permitted zones, and changing General Residence districts from Special Exception to Permitted in order to create more affordable housing.

Voted to request a report back from the Legal Department on appropriate hearings and ordinance language to adopt New Hampshire RSA 79-E as a way to encourage/incentive more affordable and market rate housing.

30. Report Back on a proposed Banner Program from discussions with the Legal Department and the Arts & Cultural Commission – Councilor Cook reported that the Legal Department and Arts & Cultural Commission are working on a draft policy for review by the City Council. She stated in addition to the policy, the language will be added to the draft Encumbrance Ordinance, currently in review by the Governance Committee, to provide more guidelines for the implementation of the program. She advised that the next report back to the Council will include the final draft policy language.
31. Parking & Traffic Safety Committee Action Sheet & Minutes of the September 4, 2025, meeting – **Voted** to approve and accept the action sheet and minutes of the September 4, 2025, Parking & Traffic Safety Committee meeting.
32. Acceptance of Grant from the New Hampshire Department of Justice for the NH Internet Crimes Against Children Task Force - \$1,300,000.00 – **Voted** to approve and accept the New Hampshire Department of Justice grant in the amount of \$1,300,000.00.
33. Acceptance of Donations to be determined by the Otto Pizza Fundraiser to the Recreation Department – **Voted** to approve and accept 10% of the proceeds from the Otto Pizza Fundraiser.
34. City Manager Informational Items

Pease Development Authority Board Meeting Update

- *PDA received a tremendous amount of public comments regarding the ICE flights out of Portsmouth Airport*
- *The golf course had a record setting month in August with 1,400 rounds*
- *There are eight remaining major events, and the golf course will remain open through Halloween. The airport saw tremendous activity through the end of July with flights from Orlando and Fort Meyers*
- *Flights to Raleigh-Durham International Airport will start in December*
- *American Cruise Lines have had eight out of their ten visits with no negative impact to the downtown*
- *She and staff will tour the Portsmouth Fish Pier tomorrow which is substantially complete, and fuel operations will be back in service*

Update on Afterschool Child Care

City Manager Conard reported that all the groups have met collectively and separately and understand that the need has been met for now. She said Granite stands poised to accept additional children at the Camp Gundalow Facility should their services be needed.

Report Back on SMS/Text Notifications for City Meetings

City Manager Conard announced that on September 15, 2025, the city launched a new SMS and email notification system to enhance public access to meeting information. She stated that the public can now sign up to receive notifications when meeting materials are posted, ensuring timely updates and improved transparency. She reported that notifications will include agendas, minutes, and meeting packets, and will help residents stay connected. She stated at the launch of the program we included the Land Use Boards and City Council, and other boards, committees, and commissions will soon be added.

35. Adjournment – **At 10:50 p.m., voted** to adjourn the meeting.

Respectfully submitted:

Kelli L. Barnaby, MMC/CNHMC
City Clerk