

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, APRIL 21, 2025

PORTSMOUTH, NH
TIME: 7:00PM

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

III. CALL TO ORDER

Mayor McEachern called the meeting to order at 7:04 p.m.

IV. ROLL CALL

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

ABSENT: Councilor Cook

V. INVOCATION

Mayor McEachern asked for a moment of silent prayer.

VI. PLEDGE OF ALLEGIANCE

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

PROCLAMATION

1. Sexual Assault Awareness Month

Mayor McEachern requested Assistant Mayor Kelley to read the Proclamation on Sexual Assault Awareness Month.

Assistant Mayor Kelley stated she is humbled by the mayor allowing her to read the Proclamation. She stated that as a survivor of sexual assault she asked the mayor to read the proclamation stressing its importance to the community by sharing a personal statement.

She addressed the community by identifying that no one is immune to this type of violence, and reminding survivors that they're not at fault, and the only one to blame is the perpetrator.

Assistant Mayor Kelley provided statistics to the community, stating that 41% of sexual assaults are reported before the age of 18. Further disclosing that 83% of sexual assaults occur before the age of 25; in New Hampshire, the New Hampshire Violence Against Women Survey found that 22% of women and 4.9% of men have been sexually assaulted. She further disclosed the breakdown of these statistics being approximately 112,000 New Hampshire women and 24,000 New Hampshire men who have been victims of sexual assault. Assistant Mayor Kelley continued by saying the New Hampshire Violence Against Men survey 1 in 20 New Hampshire men report being sexually assaulted 68% of these assaulted occurred before the victim's 18th birthday. She stated this is not a silent problem but an epidemic within our community.

Assistant Mayor Kelley read the proclamation calling on our citizens to come together and reaffirm our commitment to ending sexual assault and supporting survivors.

Ryan Grogan and Steve Gahan from the Portsmouth Prosecution and Victim Witness Advocacy team accepted the proclamation from Mayor McEachern and City Council members with thanks and appreciation.

VII. ACCEPTANCE OF MINUTES – MARCH 3, 2025; MARCH 17, 2025; AND APRIL 7, 2025

Councilor Moreau moved to accept and approve the minutes of March 3, 2025; March 17, 2025; and April 7, 2025 City Council meetings. Seconded by Councilor Tabor and voted

Councilor Lombardi abstained from April 7, 2025, minutes because he was absent from the meeting.

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

1. The Portsmouth Special Olympics Basketball Team won the BRONZE medal in triple overtime!

Mayor McEachern congratulated the members of the Portsmouth Special Olympics by giving the following remarks:

Congratulations to the members of the Portsmouth Special Olympics Basketball team who won the Bronze Medal at the State Championship games on April 12, 2025, at Plymouth State University.

Facing a tough Fall Mountain team and a tournament challenged by a snowstorm, the members of a combined Clippers and Buccaneers team played into a tie and overtime. After the first overtime, the game was still tied, requiring free throws to determine the winner. Lindsay Veilleux with three free throws, brought the team to victory.

The Portsmouth Special Olympics program serves 52 athletes, ages 2 to 30+ plus 21 volunteers from Portsmouth and 8 surrounding towns: Greenland, Hampton, Hampton Falls, North Hampton, New Castle, Newington, Rye, Rye Beach, and Portsmouth.

The Program is part of the Special Olympics New Hampshire which offers health, wellness, athlete leadership and school-based initiatives, in addition to training and competition opportunities in 17 sports, to 3,024 athletes across the state. All completely free of charge.

Mayor McEachern said as you know, he is a great believer from my own experience in all the benefits team sports provide. The Special Olympics culture rewards participants across a wide range of abilities by stressing inclusion, insight and understanding among its members, along with athletic excellence, determination, health and personal achievement.

On behalf of the City Council and the people of Portsmouth I celebrate your accomplishment!

Mayor McEachern with the assistance of City Clerk Barnaby handed out City of Portsmouth t-shirts to the coaches and teammates congratulating them on their victory.

Councilor Bagley moved to suspend the rules to allow Theodore Porter and other 5th Graders of Little Harbour School to address the City Council with a proposal of establishing a Crossing Guard Appreciation Day in the City of Portsmouth. Seconded by Councilor Denton and voted.

Theodore Porter thanked the City Council for their time this evening, stating he is here with the support of his peers from across the school district to propose the City Council make the 2nd Tuesday in the month of May, Crossing Guard Appreciation Day.

Theodore stated he wants to recognize how much crossing guards do to ensure the safe arrival and departure of students, stating that crossing guards deserve special acknowledgements for all they do; especially when standing outside all morning and afternoon even in bad weather.

Theodore presented the City Council with a petition signed by 354 students, and majority of 5th graders, kids from Portsmouth Middle School, and Portsmouth High School.

Owen Beer spoke in support of his good friend Theodore Porter proposing a Crossing Guard Appreciation Day. He stated our community is so lucky that we have nice, friendly and caring crossing guards.

Councilor Bagley moved to authorize Mayor McEachern to proclaim the 2nd Tuesday in May, Crossing Guard Appreciation Day. Seconded by Assistant Mayor Kelley and voted.

Mayor McEachern asked for additional City Council questions.

Councilor Blalock thanked the fifth graders for getting all the signatures, organizing and speaking in public stating that the effort is impressive.

Assistant Mayor Kelley stated the efforts do not go unnoticed, adding that it is awesome they not only obtained signatures from New Franklin School but also Portsmouth Middle School, and High School. She stressed the importance of consensus when trying to appreciate people.

Councilor Tabor stated how he hopes the crossing guards realize what wonderful support they have and how the hundreds of names they acquired shows how much they're cared about.

Mayor McEachern reminded everyone, especially the fifth graders that although this may be their first time in City Hall, hopefully it won't be their last, stating that all on the Dais has a boss and it's the citizens of Portsmouth and expressed his hope that the fifth graders have learned a little about engaging with other folks as the path they chose doesn't always result in an invitation to City Hall. Mayor McEachern additionally stated that there's a lot of things the governing body tries to fix because they're broken but coming to City Hall to take time out of their day to express their gratitude for people keeping the Children of Portsmouth safe, acknowledging his own daughters and the faith Crossing Guards provide to our community.

Motion passed.

IX. PUBLIC COMMENT SESSION

Sarah Cornell spoke on the topic of Protecting Immigrant Neighbors. She called upon the City Council, Police Department and citizens of Portsmouth to refuse cooperation with Ice. Ms. Cornell referenced Bill 511 actively under deliberation with the New Hampshire Senate Judiciary requiring all New Hampshire Municipalities to cooperate with ICE. She spoke further, stating Bill 71 and Bill 62 would deem this request illegal. She additionally spoke to the alternative ways for police cooperation and expressed her opinion of abolishing ICE, and the importance of the community recommitting to the right of due process and equal protection under the law.

Kendra Ford spoke on the topic of Protecting Immigrant Neighbors but first spoke on the appreciation of the meeting thus far acknowledging the celebration of our community and watching our youth learn how to properly engage in our democratic process. She spoke to being a Unitarian Universalist minister and working for 350 New Hampshire which is a grassroots climate organization. Ms. Ford stated she has thus far spent her life ensuring things go right for people, and asking the City Council and Police Department to resist cooperation with ICE. She spoke about recent seizures that have taken place.

Michelle Wirth spoke on the topic of Railroad Crossing and although the City loves its tourism and the services it provides that true engine that drives our economy is commerce speaking to our active port and the cargo trains. Ms. Wirth lives behind the Foundry Garage and acknowledged some of her neighbors have come before the City Council to complain about the trains. She expressed her growing concern about the new development on the corner of Maplewood Avenue and Deer Street and the request for Railroad Crossing arms to be installed to add an extra layer of security to our community.

Nicole LaPierre spoke on the topic of Zoning but first expressed her support for the speakers before participating in democracy. She spoke to the Planning Board meeting held on April 17, 2025, where the board voted to table the proposed zoning amendment to the Islington Creek Neighborhood. Ms. LaPierre expressed how the Planning Board voted after 10:00 p.m. on a Thursday night, refusing public comment and claiming the issue would be addressed during the city's master plan process. She spoke to city officials who have publicly acknowledged the oversight to the neighborhood's legitimate interest.

Sue Polidura spoke on the topic of Portsmouth. She reminded the City Council that a few months ago she spoke in favor of enacting a Blue-Ribbon Committee regarding the commemoration for the State of New Hampshire's celebration.

Elizabeth Bratter spoke on the topic of Rezoning and requested the City Council put a rezoning of The Hill and Hanover Street on the next meeting's agenda. Ms. Bratter stated in 2018 the city made a land trade and expressed the neighbor was sold out. She spoke to the significance of conforming and non-conforming lots within the Islington Creek Neighborhood.

Robin Hustlage spoke to the rezoning and last week's Planning Board meeting. She spoke to having come before the City Council on August 5, 2024, where she requested the rezoning of Islington Creek and a transitional zone.

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

(There are no Ordinances and/or Resolutions on this agenda this evening)

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Cemetery Committee Upcoming Memorial Event

City Manager Conard advised the City Council that descendants of Dinah Chase Whipple have been working with representatives of the Cemetery Committee, Black Heritage Trail and the City to schedule an appropriate time for the celebration and installation next to her husband Prince Whipple in the North Cemetery. The event will take place on Friday, June 13, 2025, at 1:00 p.m. at North Cemetery.

Assistant Mayor Kelley spoke to the excitement of this event as the committees were able to locate direct descendants of Dinah Chase Whipple. She spoke to the historical context of Ms. Whipple stating she was an enslaved woman here in Portsmouth and was freed and married her husband, Prince Whipple. Assistant Mayor Kelley spoke to the speaker line up: Sam Tombarelli from Portsmouth High School, Mrs. Roylene Edwards, and Laurel Yansy. She spoke about the significance of honoring a past time, although not some of our proudest moments that we're able to honor Dinah Chase Whipple and our Black Heritage.

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

2. 179 Pleasant Street Sewer Easement Reformation

City Manager Conard stated the city owns a sewer line easement constructed back in 1964 crossing Pleasant Street in front of 179 Pleasant Street. She advised the City Council that recently the property owners at Mel View Pond, LLC sought to construct a pool and patio area when it was discovered that the existing easement and agreement on the property contained multiple outdated clauses which unduly restrict use of the property and have the potential to cause undue expense to the City and therefore is seeking the City Council's approval.

Councilor Blalock moved to authorize the City Manager to release the Agreement and Easement from Charles and Elizabeth Thayer, dated September 10, 1964, and to accept a reformed sewer line easement from Mill Pond View LLC in a form approved by the Legal Department. Seconded by Councilor Moreau and voted.

XII. CONSENT AGENDA

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

- A. Letter from Mike Effenberger, Seacoast Jazz Society, requesting permission to hold Jazz In The Streets for the dates listed below at three locations: the Vaughan Mall stage, the open area by the tugboats, and Market Square in front of the North Church:
- Saturday, July 5, 2025 – 12:30 p.m. to 2:00 p.m.
 - Saturday, July 12, 2025 – 12:30 p.m. to 2:00 p.m.
 - Saturday, July 26, 2025 – 12:30 p.m. to 2:00 p.m.
 - Saturday, August 2, 2025 – 12:30 p.m. to 2:00 p.m.
 - Saturday, August 16, 2025 – 12:30 p.m. to 2:00 p.m.
- (Anticipated action - move to refer to the City Manager with Authority to Act)***
- B. Letter from Michelle James, Yoga in Action, requesting permission to hold their annual series, “Yoga in the Park” for a free, one-hour class in Prescott Park each Tuesday at Noon for the months of June, July and August ***(Anticipated action - move to refer to the City Manager with Authority to Act)***

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Email Correspondence

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

- B. Letter from Attorney Alec McEachern regarding Request of Black Oak Realty, LLC that City Request Transfer of Portion of Frenchman’s Lane from the State of New Hampshire

Councilor Denton moved to request reports back from Planning Board, Planning Department, Department of Public Works and Legal Department at a future City Council meeting. Seconded by Councilor Lombardi and voted.

XIV. MAYOR McEACHERN

1. Appointments to be Considered:
- Appointment of Heather Loney to the Arts & Cultural Commission
 - Appointment of Cassandra Lund to the Arts & Cultural Commission
 - Reappointment of Peter Splaine to the Cemetery Committee
 - Appointment of Oliver Chag as an Alternate to the Conservation Commission
 - Reappointment of Scott Chaudoin to the Recreation Board
 - Reappointment of Kory Sirmaian to the Recreation Board
 - Appointment of Ian Hanley to the Trees & Public Greenery Committee
 - Reappointment of Jeffrey Mattson to the Zoning Board of Adjustment

The City Council considered the appointments which will be acted upon at the next City Council meeting.

2. Appointments to be Voted:
 - Appointment of Logan Roy – Alternate to the Planning Board

Councilor Tabor moved to appoint Logan Roy as an Alternate to the Planning Board. Seconded by Councilor Moreau and voted.

3. Resignation letter from Everett Eaton from the Economic Development Commission

Councilor Lombardi spoke to serving on the Economic Development Commission with Everett Eaton and was an invaluable member of our community serving for 20 years and is deserving for this retirement.

Mayor McEachern stated that Mr. Eaton has served on the Economic Development Commission for 25 years and stated his stewardship on the EDC will be missed.

Councilor Lombardi moved to accept with regret the resignation of Everett Eaton. Seconded by Assistant Mayor Kelley and voted.

XV. CITY COUNCIL MEMBERS

A. ASSISTANT MAYOR KELLEY

1. Trees and Greenery Report Out – Arbor Day, April 25th

Assistant Mayor Kelley announced that the proclamation for Arbor Day will be read on Friday, April 25, 2025, at 9:30 a.m. at the Loughlin Tree Farm off of Thaxter Road. Assistant Mayor Kelley spoke about the recent retirement of Peter Loughlin from the Tree's and Public Greenery Committee where he served as chair since its inception for 22 years. Additionally, spoke to the City Council having donated a piece of granite which will be transitioned into a bench on the family tree farm. She extended the public invitation to the community. She announced that the City of Portsmouth has been nominated as a Tree USA City and thanked Public Works Director Peter Rice and the arborist team.

Councilor Lombardi spoke about the beauty of the Loughlin Family Tree Farm, and how the Loughlin family has given the community a park to enjoy.

Mayor McEachern spoke of his daughter Tiernan having a preschool friend during the Covid Pandemic whose parents came to him to share their amazing experience with the Loughlin Family Tree Farm opening their property to the neighborhood children to run around and enjoy. He shared his excitement of hearing we still maintain the Tree City title.

B. ASSISTANT MAYOR KELLEY/COUNCILOR BLALOCK/COUNCILOR BAGLEY

1. City Manager Evaluation

Councilor Blalock announced the successful results of City Manager Conard's Evaluation and spoke to her accomplishments the City Council has witnessed since her last evaluation.

C. COUNCILOR BAGLEY

1. Parking & Traffic Safety Committee Action Sheet and Minutes of April 3, 2025, meeting

Councilor Bagley moved to accept and approve the action sheet and minutes of the April 3, 2025, Parking & Traffic Safety Committee meeting. Seconded by Councilor Denton and voted.

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Donation for the Senior Activity Center by the Portsmouth Garden Club - \$300.00

City Manager Conard congratulated Director Todd Henley and the Recreation Department team for receiving the Outstanding 2025 Aquatics Program Award.

Councilor Tabor moved to approve and accept the donation as presented. Seconded by Assistant Mayor Kelley and voted.

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

1. Update Regarding ACLU Lawsuit

City Manager Conard called upon City Attorney Morrell to give a brief update regarding the ACLU Lawsuit advising that the City of Portsmouth will not be joining but will continue to monitor the lawsuits progress.

2. 2025 Outstanding Aquatics Program Award for the Recreation Department

City Manager Conard congratulated Director Todd Henley and the Recreation Department team for receiving the Outstanding 2025 Aquatics Program Award.

Mayor McEachern stated he was dropping his daughter off at swimming lessons and was excited to see the award and had taken a picture.

3. Recap of Sustainability Fair

City Manager Conard spoke to the success of this year's Sustainability Fair.

4. Pease Development Authority Board Meeting Update

City Manager Conard Updated the City Council regarding last week's PDA meeting which resulted in the convening of the PDA Planning Board regarding Thermo Fisher Scientific request for a two-lot subdivision and site plan approval to construct an aircraft hangar. She spoke to a meeting with PDA auditor Barry Dunn to discuss the pre-audit presentation and engagement letter. The City Manager advised that the golf course is officially open for the season. Lastly, informing the City Council that Pease Airport has seen an increase in normal activity due to not only troop flights but leisure travel.

5. Update on the Study of a Jones Avenue Landfill Solar Array and the Wind Energy Feasibility Study

City Manager Conard called upon Public Works Director Peter Rice to give an update regarding Jones Avenue Landfill. Director Rice spoke to the possibility of installing solar array and the Wind Energy Feasibility Study.

6. Serve with Liberty Mutual Community Project

City Manager Conard advised that Liberty Mutual volunteers will be participating in painting projects at North and Union Cemeteries under the supervision of the Department of Public Works on Friday, May 9, 2025, from 9:00 a.m. to 12:00 p.m.

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

Councilor Moreau wanted to mention to the community that the Rockingham Planning Commission is working on an update to the region master plan and they have an online survey and the information was released to the press for all who wish to participate.

Councilor Blalock wanted to mention to the community that 2025 marks the 40th anniversary of the Sister City Agreement between Portsmouth and Nichinan, Japan and this Thursday, April 24, 2025, 25 Portsmouth High School students and 7 teachers are departing for Nichinan, Japan and will be carrying greetings from Mayor McEachern, the Mayor's Blue Ribbon Sister Cities Committee and the Japan American Society of New Hampshire and wished them safe travels.

XIX. ADJOURNMENT

At 8:26 p.m., Councilor Moreau moved to adjourn the meeting. Seconded by Councilor Bagley and voted.

June Philbrook

JUNE PHILBROOK
DEPUTY CITY CLERK