

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: WEDNESDAY, SEPTEMBER 24, 2025 TIME: 7:00PM

Members of the public also have the option to join the meeting over Zoom, a unique meeting ID and password will be provided once you register. To register, click on the link below or copy and paste this into your web browser

https://us06web.zoom.us/webinar/register/WN_bSMLflxkT7aZ3GmAIEQzvq

**6:00PM - ANTICIPATED NON-PUBLIC SESSIONS ARE BEING HELD IN CONFERENCE ROOM A
IN ACCORDANCE WITH RSA 91-A:3, II (a), (d), (e) and (l)**

AGENDA

- I. WORK SESSION
- II. PUBLIC DIALOGUE SESSION [when applicable – every other regularly scheduled meeting]
- III. CALL TO ORDER [7:00 p.m. or thereafter]
- IV. ROLL CALL
- V. INVOCATION
- VI. PLEDGE OF ALLEGIANCE

PROCLAMATION

1. United States Constitution Week – Daughters of the American Revolution (DAR) Ranger Chapter

- VII. ACCEPTANCE OF MINUTES – AUGUST 4, 2025 (*Sample motion – move to approve and accept the minutes of the August 4, 2025, City Council meeting*)

- VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

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

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

Public Hearing & Second Reading of Ordinance:

- A. 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

- PRESENTATION
- CITY COUNCIL QUESTIONS
- PUBLIC HEARING SPEAKERS
- ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS

(Sample motion – move to pass second reading and hold third and final reading at the October 6, 2025 City Council meeting)

Public Hearings regarding Ballot Questions:

- B. PUBLIC HEARING REGARDING BALLOT QUESTION: Shall we allow the operation of social districts within the City of Portsmouth
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**
 - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**
- (Sample motion – move 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.”)*
- C. PUBLIC HEARING REGARDING BALLOT QUESTION: Shall we not allow the operation of KENO games within the City of Portsmouth
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**
 - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**
- (Sample motion – move to put the following Ballot Question on the November 4, 2025, Municipal Election Ballot: “Shall we not allow the operation of KENO games within the City of Portsmouth.”)*
- D. PUBLIC HEARING REGARDING BALLOT QUESTION: Shall we not allow the operation of games of chance within the City of Portsmouth
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**
 - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**
- (Sample motion – move to put the following Ballot Question on the November 4, 2025, Municipal Election Ballot: “Shall we not allow the operation of games of chance within the City of Portsmouth.”)*

Third and Final Reading of Ordinance:

- E. 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" (***Sample motion – move to pass third and final reading of the ordinance***)

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

City Manager's Items Which Require Action:

1. Approval of MOA for AFSCME Local #1386-A
2. Deed Restriction and Grant Acceptance from the State of New Hampshire for 3.11 Acres of City land located in Greenland
3. Approval of Sign Policy for School Fundraisers
4. *Replacement of Electronic Ballot Devices

XII. 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***

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Presentation by Pinetree Institute's Work in the Community, Amy Michaels, Coalition Director
- B. E-mail Correspondence (***Sample motion – move to accept and place on file***)

- C. 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 ***(Sample motion – move to grant the City Manager authority to amend the City License Agreement with the Music Hall consistent with this request)***
- D. 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 ***(Sample motion – move to grant the City Manager authority to amend the City License Agreement with the Music Hall consistent with this request)***
- E. Letter from Lynn Raeburn of 109 Dennett Street requesting to have her property removed from the Historic District ***(Sample motion – move 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)***
- F. Memorandum from Reagan Ruedig, Historic District Commission Chair, regarding Historic District Boundary Revision ***(Sample motion – move to refer this request for a Zoning Map change to the Planning Board for a report back to the City Council)***
- G. Letter from Zach McLaughlin, Superintendent of Schools, regarding the confirmation of School Board action on Connie Bean request ***(Sample motion – move to approve and accept the School Board recommendation for the Connie Bean Center installation)***

XIV. MAYOR McEACHERN

- 1. Appointments to be Considered:
 - 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
- 2. *Appointments to be Voted:
 - 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
- 3. *Request for a report back on the status of health insurance costs and options moving forward

4. *Request a Tour of the Three Elementary Schools (***Sample motion – move to request a tour of the three elementary schools in December 2025 with the newly elected City Council***)

XV. CITY COUNCIL MEMBERS

A. ASSISTANT MAYOR KELLEY, COUNCILOR TABOR & COUNCILOR MOREAU

1. Housing Recommendations
(***Sample motion A – move 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***)

(***Sample motion B – move to refer to the Planning Board a Council request to rezone certain streets and parcels as shown in packet from industrial and commercial to Gateway, requesting the necessary ordinance deletions and additions to present back for City Council action***)

(***Sample motion C – move 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***)

(***Sample motion D – move 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***)

B. COUNCILOR COOK

1. Report Back on a proposed Banner Program from discussions with the Legal Department and the Arts & Cultural Commission

C. COUNCILOR BAGLEY

1. Parking & Traffic Safety Committee Action Sheet & Minutes of the September 4, 2025, meeting (***Sample motion – move to approve and accept the action sheet and minutes of the September 4, 2025, Parking & Traffic Safety Committee meeting***)

D. COUNCILOR LOMBARDI

1. *Archive Update

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Grant from the New Hampshire Department of Justice for the NH Internet Crimes Against Children Task Force - \$1,300,000.00 (***Sample motion - move to approve and accept the New Hampshire Department of Justice grant in the amount of \$1,300,000.00***)
- B. Acceptance of Donations to be determined by the Otto Pizza Fundraiser to the Recreation Department (***Sample motion – move to approve and accept 10% of the proceeds from the Otto Pizza Fundraiser***)

XVII. CITY MANAGER’S INFORMATIONAL ITEMS

- 1. *Pease Development Authority Board Meeting Update
- 2. *Update on Afterschool Child Care
- 3. *Report Back on SMS/Text Notifications for City Meetings

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

XIX. ADJOURNMENT [at 10:30 p.m. or earlier]

**Indicates verbal report with no attachments*

**KELLI L. BARNABY, MMC/CNHMC
CITY CLERK**