

## **CITY COUNCIL MEETING**

MUNICIPAL COMPLEX  
DATE: MONDAY, MARCH 17, 2025

PORTSMOUTH, NH  
TIME: 7:00PM

**Assistant Mayor Kelley moved to close the Non-Public Session and seal the minutes. Seconded by Councilor Bagley 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 requested a moment of silence in memory of Karen Parrott who recently passed away.

### **VI. PLEDGE OF ALLEGIANCE**

Mayor McEachern asked Student Mayor's Sophie Cosgrove and Eli George to lead the Pledge of Allegiance to the Flag.

Mayor McEachern announced students that are shadowing the City Council and staff on the Dais during Student Government Day who are here this evening to sit in on the City Council meeting.

## ***Portsmouth High School Student Government Day Participants***

***Heather Wheeler & Michelle Wheeler – Portsmouth High School Teachers***



***Sophie Cosgrove & Eli George, Mayor  
Miles Borne & Olivia Crotto, Assistant Mayor  
Jacob Mead, Councilor  
Bailey Trudel, Councilor  
Nathan Delaney, Councilor  
Shaye McGrath, Councilor  
Jackson Hooper, Councilor  
Aadya Raja, Councilor***

***Lukas Dmytruk, Councilor***  
***Chase Simpson & Tatum Hebert, City Manager***  
***Hannah Williams, City Attorney***  
***Simon Noel, City Clerk***

## **VII. ACCEPTANCE OF MINUTES – FEBRUARY 18, 2025**

**Assistant Mayor Kelley moved to accept and approve the minutes of the February 18, 2025 City Council meeting. Seconded by Councilor Lombardi and voted.**

## **VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS**

### **1. Public Art Review Committee (PARC) – 2024 Annual Report**

Chris Dwyer, Chair of the Committee, provided a brief review of the 2024 Annual Report. She reviewed some of the highlights:

- PARC undertook its first percent-for-art commission with the Peirce Island project. The Committee vetted over 20 proposals and selected *Spiraling Serenity* by DiBari Associates. The project is slated for installation in Spring 2025
- PARC is working with a middle school committee to commission artwork which will be installed in late 2025
- PARC worked in conjunction with Portsmouth400 to plan and oversee Terrence Parker's *Cod and the Mortal Sea*, an installation in the kiosk of Bohenko Gateway Park which was installed in October 2024
- PARC has begun dialogue with representatives from the LGBTQ+ community about a public art project, initiated by the gift of \$10,000.00 from money raised for a PRIDE-themed artwork

Chris also reported that there are a few places that could benefit by different types of public art to bring greater interest to space, creating identification for spaces. Those aspirational locations included: additional artwork to complete Bohenko Gateway Park; the rail trail, especially the main entry way; Langdon Park across from City Hall and the entrance to Commerce Way.

## **IX. PUBLIC COMMENT SESSION**

Erik Anderson spoke regarding the request from Chris Adams for approval of a fence which has already been constructed. He said he feels this sets a precedent for others to make such requests. He said he is not aware whether this should have gone through another process. Mr. Anderson asked that the City Council reject the request.

Esther Kennedy spoke against the request of Mr. Adams and said that Assistant Mayor Kelley should recuse from voting on this matter as she is the wife of Mr. Adams. Also, Ms. Kennedy spoke against the naming of the Bohenko Gateway Park on Market Street Extension when it should have been named in honor of the Italian people that lost their homes during the urban renewal process.

Dave Cosgrove said that 65% of the budget increase has nothing to do with schools and there needs to be a deeper understanding of how much it costs to place students out of district. He said the retirement offers to teachers were premature.

Jim Lee read an article in the newspaper regarding the number of city employees making over \$100,000.00. He said in relation to other communities our employees are paid 238% higher than the average.

Dave Marvez said that the lower lot at City Hall has been chosen for the creation of Work Force Housing. He said constructing a building in the lower lot will create a canyon effect. He also addressed the increase in traffic that would be created in the area from this development.

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

### **Third and Final Reading of Ordinances:**

- A. Third and Final Reading of Ordinance amendment to Chapter 10, Zoning Ordinance, by Striking Article 5, Measurement Rules, Section 10.515.14; by Amending Section 10.515.13; and by Adding new Sections 10.811.6 and 10.811.61, relating to Accessory Uses to Permitted Residential Uses of the Ordinance of the City of Portsmouth

**Councilor Tabor moved to pass third and final reading of the ordinance as presented. Seconded by Councilor Denton.**

Councilor Moreau spoke regarding the amendments made during second reading and the concerns expressed by the Planning Board.

Mayor McEachern passed the gavel to Assistant Mayor Kelley.

Mayor McEachern said he appreciates the feedback from the Planning Board. He is pleased with the HVAC system. He said we could have a high trust community or a highly regulated community. He stated that he did not think that a 7-foot fence would be more regulated than an 8-foot fence. He said he would like the Master Plan to be put forward, and that we should trust as others to do the right thing.

Councilor Bagley said he agrees with Mayor McEachern. He said going before a board can be intimidating.

Councilor Cook said she would support the changes. She said much of the feedback was helpful but not relevant in her neighborhood. She said having to go before the Historic District Commission and the Zoning Board of Adjustment for a shed in the historic district area is difficult. She said we must trust our neighbors because we all need to live together.

**Motion passed.**

Assistant Mayor Kelley returned the gavel to Mayor McEachern.

- B. Third and Final Reading of Ordinance amending to Chapter 10 – Zoning Ordinance – Zoning Map, Article 4, Zoning District and Use Regulations, Section 10.421 – District Location and Boundaries, Section 10.421.10, be amended to remove 185 Orchard Street, Tax Map 152, Lot 2-1 from the Historic District Overlay

**Councilor Blalock moved to pass third and final reading of the ordinance as presented. Seconded by Councilor Cook.**

Councilor Blalock said that this ordinance is a clean up of items and is being recommended by the Historic District Commission and the Planning Board.

**Motion passed.**

## **XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION**

### **A. CITY MANAGER CONARD**

1. Easement and License for Public Deck Access Located at 99 Bow Street

City Manager Conard said that this will expand the current deck for public access and the deck must comply with ADA regulations.

**Councilor Moreau moved to authorize the City Manager to accept and approve a Quitclaim Deed of Easement and License for Public Access in substantially similar form to the Deed from Martingale, LLC contained in the agenda packet. Seconded by Councilor Tabor.**

Councilor Moreau said that the Planning Board had a long discussion on this matter as access through the building is required. Councilor Cook asked if there is a sign addressing the access area. Councilor Moreau said that there is a sign in place.

**Motion passed. Councilor Blalock abstained from voting on this matter.**

2. Request for Public Hearing Regarding Fernald Easement Financing

City Manager Conard said that this is a request for a public hearing at the next meeting. She stated the easement is part of the parcel near Bellamy reservoir and the grant would cover the acquisition of the land.

**Councilor Bagley moved to schedule a public hearing during the April 7, 2025 City Council meeting to consider bonding of up to \$1,478,000.00 to allow for the purchase of the Fernald Easement prior to or in lieu of the disbursement of grant funds. Seconded by Councilor Blalock.**

Councilor Tabor requested for the hearing the City Council to receive a statement on the debt limit. City Manager Conard said that this would come from the water fund so it would not apply.

Councilor Cook asked if we received notice of not receiving the funds.

City Manager Conard said no but we want to make sure we close on the land in a timely manner.

**Motion passed.**

3. Third Extension of Temporary Construction License for EightKph, LLC at 70 Maplewood Avenue

City Manager Conard said that this is a third extension that will be for 60 days.

**Councilor Denton moved to authorize the City Manager to execute and accept the Third License Extension to encumber the sidewalks along Maplewood Avenue and Deer Street that abut 70 Maplewood Avenue as requested. Seconded by Councilor Lombardi.**

Councilor Cook asked if any further extensions would be needed. The owner of the property said it is not expected to require additional extensions.

**Motion passed.**

4. Street Naming for Newberry Way

City Manager Conard said a request to change the name of Haven Court to Newberry Way and reported that we maintain access from the easement and the Public Works Department, Police and Fire Departments do not have an issue with the request.

**Councilor Moreau moved to authorize the use of Newberry Way as the private street name between High Street and Fleet Street formerly named Haven Court. Seconded by Councilor Tabor and voted.**

5. 2025 Seacoast Eat Local (SEL) Farmers' Market License

City Manager Conard said that this is the 29<sup>th</sup> season of the Farmers' Market and this is similar to the request from last year.

**Assistant Mayor Kelley moved to authorize the City Manager to execute the License Agreement as presented, allowing SEL to operate a Farmer's Market at the Municipal Complex on Saturday mornings from May 3, 2025, through October 25, 2025, and that the City Manager is further authorized to negotiate and execute any amendment to the Agreement that she deems consistent with its purpose. Seconded by Councilor Cook and voted.**

6. Amendment to Lease with the Players' Ring

City Manager Conard said this would be an amendment to request a second extension to finalize the next 10 years of capital improvements, which is roughly equal to the taxes.

**Councilor Cook moved to authorize the City Manager to negotiate and enter into Lease Amendment 3 with the Players' Ring in a form similar to the Lease in the City Council packet. Seconded by Councilor Moreau and voted.**

## XII. CONSENT AGENDA

- A. Request from Ken Schmidt of Eiger Insurance Services to install a Projecting Sign at 28 Deer Street (***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 signs, 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 signs, 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***

- B. Request from John & Cari Karonis of Fair Winds Home, LLC to install a Projecting Sign at 19 Market Street (***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 signs, 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 signs, 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***

- C. Letter from Jodie Tsekrekas, Cystic Fibrosis Foundation, requesting permission to hold the CF Cycle for Life on Saturday, July 12, 2025 (***Anticipated action – move to refer to the City Manager with Authority to Act***)

- D. Letter from Russ Grazier, Portsmouth Music and Arts Center, requesting permission to have a small parade from Portsmouth's African Burying Ground to the Vaughn Mall on Friday, April 11, 2025 at Noon as part of Jazz Appreciation Month Celebrations (***Anticipated action – move to refer to the City Manager with Authority to Act***)

- E. Letter from Michelle Wall & Derrick Perreault, Red Bull Distribution Company, requesting permission to hold a charitable event “Wings for Life World Run” at Peirce Island on Sunday, May 4, 2025 at 7:00 a.m. ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- F. Letter from Ken La Valley, AFSP Out of the Darkness, requesting permission to hold the Out of the Darkness Walk at Peirce Island on Saturday, September 20, 2025 at 9:00 a.m. ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- G. Letter from Curtis Hermann, New Hampshire Sons of the American Revolution, requesting permission to hold a ceremony unveiling markers at the gravesites of 5 Patriots on Saturday, September 13, 2025 *(This request reschedules the November 16, 2024 event previously approved)* ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- H. Letter from Jonathan Day, Portsmouth Halloween Parade, requesting permission to hold the 30<sup>th</sup> Portsmouth Halloween Parade on Friday, October 31<sup>st</sup> ***(Sample motion – move to refer to the City Manager with Authority to Act)***

**Councilor Blalock voted to adopt the Consent Agenda. Seconded by Councilor Lombardi and voted.**

### **XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS**

- A. Email Correspondence

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

- B. Request from Chris Adams for a License Agreement at 66 Coakley Road for the purpose of installing, maintaining and replacing a fence, and for ordinary yard maintenance

**Councilor Tabor moved to authorize the City Manager to negotiate and execute a revocable license to Chris Adams of City owned property adjacent to 66 Coakley Road for the purposes of installing, maintaining and replacing a fence, and for ordinary yard maintenance. Seconded by Councilor Denton.**

Assistant Mayor Kelley said the property was purchased before she and Chris met and advised him that he should seek a license for the fence. She stated she will be abstaining from the vote.

Mr. Adams said there was a separate fence, and he spoke with Eversource and did not know he would require a license through the city. He also stated that the lot is not a buildable lot.

Councilor Cook said if this moves forward that other properties in the area would be treated the same and require a license.



**Motion passed. Assistant Mayor Kelley abstained from voting on this matter.**

At 8:00 p.m. Mayor McEachern declared a brief recess to allow students to leave the meeting. At 8:05 p.m., Mayor McEachern called the meeting back to order.

**XIV. MAYOR McEACHERN**

1. Appointments to be Considered:
  - Appointment of Mandela Pruettt – Arts & Cultural Commission
  - Reappointment of Kara Anne Rodenhizer – Portsmouth Housing Authority

The City Council considered the appointments listed below and will take action on the appointments at the April 7, 2025, City Council meeting.

2. Resignation
  - Eva Boice – Cemetery Committee

**Councilor Lombardi moved to accept the resignation of Eva Boice from the Cemetery Committee with regret and requested a letter be sent thanking Eva for her service to the city. Seconded by Councilor Blalock and voted.**

3. Boards, Commissions and Committees 2024 Attendance Records

**Assistant Mayor Kelley moved to accept the 2024 Boards, Commissions, and Committee Attendance Records. Seconded by Councilor Moreau and voted.**

**Councilor Moreau moved to suspend the rules to bring forward a request for a letter to be sent by Mayor McEachern supporting the workers at the Portsmouth Naval Shipyard. Seconded by Assistant Mayor Kelley and voted.**

**Councilor Moreau moved to draft a letter of support to the workers at the Portsmouth Naval Shipyard. Seconded by Councilor Cook and voted.**

**XV. CITY COUNCIL MEMBERS**

**A. COUNCILOR COOK**

1. Bird Flu Health Issues

**Councilor Cook moved to request a report back on any potential health issues posed by the bird flu in relation to geese or geese droppings located on Peirce Island or in Prescott Park. Seconded by Assistant Mayor Kelley.**



Councilor Cook said there are a lot of droppings and expressed concern regarding any potential health issues.

City Manager Conard reported that there is not a high risk for human transmission but to avoid contact with avian droppings as recommended by Health Officer McNamara.

Councilor Cook withdrew her motion as City Manager Conard provided the report back.

### **C. COUNCILOR BAGLEY**

1. Parking & Traffic Safety Committee Action Sheet and Minutes of the March 6, 2025 meeting

**Councilor Bagley moved to accept and approve the action sheet and minutes of the March 6, 2025 Parking & Traffic Safety Committee meeting. Seconded by Councilor Denton and voted. Councilor Blalock voted opposed.**

### **XVI. APPROVAL OF GRANTS/DONATIONS**

- A. Acceptance of Donation to support the acquisition and installation of a memorial for Dinah Chase Whipple at North Cemetery from Appledore Marine Engineering LLC (The Webs Foundation) - \$1,000.00

**Councilor Moreau moved to accept the donation as presented. Seconded by Councilor Blalock.**

Assistant Mayor Kelley said that a celebration will be held on June 13<sup>th</sup> at 1:00 p.m. She said Sue Sterry of the Cemetery Committee has been instrumental in preparing for the celebration.

Mayor McEachern welcomed everyone to attend the celebration.

**Motion passed.**

### **XVII. CITY MANAGER'S INFORMATIONAL ITEMS**

1. Pease Development Authority Board Meeting Update

City Manager Conard reported that the driving course opened today at Pease and new rates will take effect on May 4<sup>th</sup> and stated the price has not increased in four years. She stated that Portsmouth | Pease is the 6<sup>th</sup> busiest airport in the world.

### **XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING**

Councilor Blalock reported that construction of the sound barrier on I-95 has started

**XIX. ADJOURNMENT**

**At 8:20 p.m., Assistant Mayor Kelley moved to adjourn. Seconded by Councilor Blalock 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