

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, OCTOBER 6, 2025

PORTSMOUTH, NH
TIME: 7:00PM

Assistant Mayor Kelley moved to close the Non-Public Session and seal the minutes. Seconded by Councilor Cook 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, Bagley, Moreau, and Lombardi

ABSENT: Councilor Blalock

V. INVOCATION

Mayor McEachern asked everyone to join in a moment of silent prayer for the Duddy family who recently lost their son Richie.

VI. PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS

1. Domestic Violence Awareness Month

Councilor Moreau read the Proclamation declaring October as Domestic Violence Awareness Month and called on citizens to come together to reaffirm our commitment to ending domestic violence and supporting survivors. Ryan Grogan and the Prosecution Team accepted the Proclamation with thanks and appreciation.

2. Children's Environmental Health Day

Mayor McEachern read the Proclamation declaring Thursday, October 9, 2025, as Children's Environmental Health Day in Portsmouth and urged all citizens to observe this day with awareness-raising and environmental health and stewardship activities to create a healthier environment for our children. Cynthia Nichols accepted the Proclamation with thanks and appreciation.

3. Fire Prevention Week in Portsmouth

Mayor McEachern read the Proclamation declaring October 5, 2025 through October 11, 2025 as Fire Prevention Week in Portsmouth and urged the entire Portsmouth community to use and dispose of lithium batteries carefully, safely and responsibly to avoid accidental fires and to support the many public safety activities and efforts of the Portsmouth Fire Department. Fire Chief McQuillen accepted the Proclamation with thanks and appreciation.

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

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

1. Artist Live/Work Report of the Arts & Cultural Commission

Eli Kaynor and Emma Stratton of the Arts & Cultural Commission (ACC) outlined the detailed report of the Commission. Eli and Emma reported the goal is to keep Portsmouth a destination for artists by addressing rising costs and the shortage of affordable live/work housing were both identified as key threats to the city's cultural vitality. Local stakeholder engagement meetings were held with Preservation of Affordable Housing (POA), Portsmouth Housing Authority (PHA), and other cultural/community partners. They spoke to input received from local artists, housing advocates, and developers and they consulted with the Housing Committee. The Commission is requesting the City Council fund a Feasibility Study for Artist Live/Work Housing at a cost of \$65,000.00 in the Capital Improvement Plan. Also, the ACC recommends updating zoning to allow developers to satisfy affordable housing requirements through partnerships with local nonprofits. Eli and Emma said Portsmouth has the opportunity to be a leader in the arts and culture space, demonstrating how a small city can foster innovation, inclusivity, and economic vitality through strategic support of its artists.

Councilor Cook moved to send the Artist Live/Work Report of the Arts & Cultural Commission (ACC) to the Planning Board for incorporation into the Master Planning Process, namely the recommendation that zoning regulations be updated to include Artist Live/Work space in partnership with non-profits as part of an affordable housing incentive in our zoning code. Seconded by Councilor Moreau and voted.

IX. PUBLIC COMMENT SESSION

Jeffrey Cooper said we need to make it possible for artists to live and work in the community. He urged the City Council to read the report submitted by the Arts & Cultural Commission and to implement the items.

Karen Rosania said that she is a local artist and thanked the Arts & Cultural Commission for their report and listening to the needs of artists in the city. She stated that there is a critical need for artists to live and work here in the city.

Lennie Mullany stated that she is a local artist and looks at this from the standpoint of artists and the need for the city to work with the report submitted by the Arts & Cultural Commission. She spoke from a macro to a micro view and how the loss of grants from the federal government impacts artists. She stated that the City of the Open Door needs to open doors for artists to live and work and thrive in this community.

Anna Nuttal said there is a need to look at how budget cuts affect the residents.

Tyler Garzo (via zoom), spoke in support of making Congress Street two lanes. He said downtown should be a destination and not a conduit.

Emily Robichaud (via zoom), spoke on the New Franklin School PTO request for funding the replacement of the tennis courts. She said that New Franklin School has not received the same quantity of funding as Dondero and Little Harbour schools.

Councilor Bagley moved to suspend the rules to bring forward Item XIII. C. – Economic Development Commission Memorandum regarding Social Districts. Seconded by Councilor Cook and voted.

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

C. Economic Development Commission Memorandum regarding Social Districts

Tom Watson, Economic Development Commission (EDC) Chair, reported that the EDC believes that the concept of a social district, with thoughtful regulations put in place by the City Council, could potentially benefit the business community in downtown Portsmouth, the West End, and other areas of the City. He indicated that the EDC believes that social districts should be explored as a tool that could be used to enhance economic vitality and benefit the business community in Portsmouth.

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

Public Hearings on Ballot Questions:

- A. BALLOT QUESTIONS #1: - "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**

The City Council voted at the September 24, 2025, City Council meeting to place this question on the Municipal Election Ballot, therefore, no action is required this evening.

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

Assistant Senior City Attorney Ferrini explained that this public hearing is being held as required by enabling legislation. She said if this was to pass the City Council would need to create a management and maintenance plan.

Councilor Moreau asked if a business would have to be connected into a social district to operate. Assistant Senior City Attorney Ferrini said it would need to be in an area of the social district.

Assistant Mayor Kelley asked if the question failed what would be the next steps to bring the matter forward again. Assistant Senior City Attorney Ferrini said the same manner as before, through the next Municipal Election as a ballot question.

Amy Michaels expressed serious concerns regarding this ballot question. She said allowing alcohol to be out in open areas could be interpreted by our youth to be acceptable. She stated Portsmouth is a place to come and we need to protect the health and wellness of our community.

Patricia Bagley, (via zoom), stated there is confusion on how to vote on the question due to its wording. She said she looked to the Economic Development Commission (EDC) for guidance on how to proceed forward. She spoke to the impact this would have on our Department of Public Works and Police Department and said the question should read: "Shall we allow people to carry alcohol."

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

Councilor Cook stated she voted not to place this on the ballot because there are too many questions. She thanked the EDC for the work they have done on this matter. She said she feels we need guidance to put this in place, if it were to pass.

Councilor Tabor asked Assistant Senior City Attorney Ferrini if we must create a plan. Assistant Senior City Attorney Ferrini said a plan should be created.

Mayor McEachern thanked the EDC for their work on this as well as Assistant Senior City Attorney Ferrini. He said there are ways currently to enjoy those kind of activities currently through events held in the community.

- B. BALLOT QUESTION #2 – "SHALL WE PROHIBIT THE OPERATION OF KENO GAMES WITHIN THE CITY OF PORTSMOUTH?"
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**
 - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

The City Council voted at the City Council meeting on September 24, 2025, to place this question on the Municipal Election Ballot, therefore, no action is required this evening.

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

Assistant Senior City Attorney Ferrini said this question has been on previous ballots but did not pass. She explained the question thoroughly.

Eli Sokorelis spoke in support of allowing KENO in Portsmouth. He said that this game has been in the State of New Hampshire for several years. He said the funds from KENO go to funding all-day kindergarten and said it is no more than an electronic bingo game.

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

- C. BALLOT QUESTION #3 – "SHALL WE PROHIBIT THE OPERATION OF GAMES OF CHANCE WITHIN THE CITY OF PORTSMOUTH?"
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**
 - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

The City Council voted at the September 24, 2025, City Council meeting to place this question on the Municipal Election Ballot, therefore, no action is required this evening.

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

Assistant Senior City Attorney Ferrini explained that Games of Chance are table games and outlined what would be considered a game of chance under the question.

With no speakers, Mayor McEachern closed the public hearing.

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Request for Public Hearing and Borrowing Authorization for a New Fire Apparatus

City Manager Conard said we are trying to raise awareness on the procurement of these types of vehicles. She reported that production time for this vehicle is taking 5 years to complete. She stated that we would like to get in line for the building of this vehicle and this vote allows us to procure the funding.

Assistant Mayor Kelley moved to schedule a public hearing and the authorization of a borrowing authorization of up to \$2,500,000 for the purchase of a new Fire Apparatus at the October 20, 2025, City Council meeting. to schedule a public hearing and the authorization of a borrowing authorization of up to \$2,500,000 for the purchase of a new Fire Apparatus at the October 20, 2025, City Council meeting. Seconded by Councilor Lombardi.

Councilor Cook said we would not receive the new truck until 2030.

Fire Chief McQuillen reported that this is a nationwide problem around this type of apparatus. He stated that 36 months ago we put in line a bumper truck and is now on the assembly line. He stated that this is the best solution we have to move forward.

Motion passed.

2. Amendment to Extend Term for License with Coast Guard Vessel to Dock at Prescott Park

City Manager Conard said that this would extend the license agreement with the Coast Guard to dock their vessel at Prescott Park.

Councilor Tabor moved that the City Manager be authorized to execute and accept this License Amendment in a form similar to the attachment in the Digital Packet and waive the dock fees except for electricity for a Coast Guard vessel to berth at the Prescott Park Dock. Seconded by Assistant Mayor Kelley.

Mayor McEachern said that they would be coming back next year and asked if this would impact any plans we have for the docks in the future. He also asked that the no wake zone be enforced.

Motion passed.

XII. CONSENT AGENDA

- A. Eversource Petition and Pole License Request:
- Installation of 85' of conduit and between pad mount 23/MH4T5 and pad mount 23/MH4T5-a to be located on Vaughan Mall
(Anticipated action – move to refer to the City Manager with Authority to Act)
- B. Letter from James Teetzel, Wilcox, requesting permission to hold events to honor all Veterans living in Portsmouth and surrounding Seacoast area on July 3, 2026 (alternate rain date of July 5, 2026) ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- C. Letter from Coureur Portsmouth, requesting permission to hold the Coureur Halloween Skate Jam on Saturday, November 1, 2025, from 12:00 p.m. – 3:00 p.m. at the Chris Rice Skateboard Park (alternate rain date November 2, 2025) ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- D. Letter from Laurie Mantegari, Scarecrows of the Port, requesting permission to place scarecrows in designated locations throughout Portsmouth ***(Anticipated action – move to refer to the City Manager with Authority to Act)***

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

Assistant Mayor Kelley thanked Laurie and all her volunteers in putting the scarecrows up.

At 8:45 p.m., Mayor McEachern declared a brief recess. At 8:53 p.m., Mayor McEachern called the meeting back to order.

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Email Correspondence

Councilor Tabor moved to accept and place on file. Seconded by Assistant Mayor Kelley and voted.

- B. Letter from The New Franklin School PTO regarding solutions for the tennis/basketball court repairs or replacement for a whole new court space

City Manager Conard explained that this would be a project in the CIP for design at the New Franklin School next year with construction in 2027.

Mayor McEachern asked if each of the playgrounds would be done. City Manager Conard explained that both the front and rear playgrounds would be done.

Councilor Bagley said he feels we should not wait and move the funding forward in order to get the playgrounds completed.

Councilor Cook said that this is the second time that we have received a request that the PTO was trying to raise funds for something that was not their responsibility. She asked how we could provide better information with more clarity. City Manager Conard said that this falls to staff because of liability and maintenance.

Deputy City Manager of Finance and Administration Lunney said that Superintendent McLaughlin and Facilities Manager Linchey should provide information on time and need. He said that we would work with them to get that to happen.

Mayor McEachern said that there should be a Memorandum of Agreement created and that there is a breakdown in communication.

No motion was required.

XIV. MAYOR McEACHERN

1. Acceptance of Resignations:
 - Herb Lloyd from the Portsmouth Energy Advisory Committee

Councilor Tabor moved to accept with regret the resignation of Herb Lloyd from the Portsmouth Energy Advisory Committee. Seconded by Councilor Denton and voted.

- Jim Hewitt from the Safe Water Advisory Group effective immediately

Councilor Lombardi moved to accept with regret the resignation of Jim Hewitt from the Safe Water Advisory Group. Seconded by Assistant Mayor Kelley and voted.

2. Appointments to be Considered:
 - Reappointment of Patricia Bagley to the Trees & Public Greenery

The City Council considered the reappointment of Patricia Bagley to the Trees & Public Greenery Committee with action to be taken at the October 20, 2025, City Council meeting.

3. Appointments to be Voted:
 - Reappointment of Sarah Lachance to the Economic Development Commission
 - Reappointment of Andrew Ward to the Economic Development Commission
 - Appointment of Brigid "Briggs" Brady to the Cemetery Committee
 - Appointment of Barbara Sadick as an alternate to the Parking & Traffic Safety Committee

Assistant Mayor Kelley moved the reappointment of Sarah Lachance and Andrew Ward to the Economic Development Commission until October 1, 2027; appointment of Brigid “Briggs” Brady to the Cemetery Committee filling the unexpired term of Susan Sterry until May 1, 2026; and the appointment of Barbara Sadick as an alternate to the Parking & Traffic Safety Committee filling the unexpired term of David Allen until August 4, 2026. Seconded by Councilor Bagley and voted.

4. Schedule Special City Council Meeting – Canvass of the Vote

Councilor Lombardi moved to schedule a Special City Council meeting for the Canvass of the Vote on Thursday, November 6, 2025, at 6:00 p.m. in the Eileen Dondero Foley City Council Chambers. Seconded by Assistant Mayor Kelley and voted.

XV. CITY COUNCIL MEMBERS

A. COUNCILOR COOK

1. Request to Schedule First Reading of the Draft License and Encumbrance Permit Ordinance

Councilor Cook moved to schedule first reading of the draft License and Encumbrance Permit Ordinance at the October 20, 2025, City Council meeting. Seconded by Councilor Moreau.

Councilor Cook said that this is being brought to the Council from the Governance Committee. She stated the new draft license and encumbrance permit would be made into one Chapter and that this is the first step in the process.

Motion passed.

B. COUNCILOR BLALOCK

1. Upcoming Visits by Students from our Sister Cities Santarcangelo and Nichinan

On behalf of Councilor Blalock, Councilor Denton reported that students and teachers arrived today from Santarcangelo, Italy and will be visiting until October 12th. On Thursday, October 9th there will be a dinner at the Portsmouth Public Library for our visiting friends, host families, Portsmouth High School staff, Mayor McEachern, and City Manager Conard. Councilor Denton announced that sixteen students from Nichinan will be arriving on Friday, October 10th and will be staying until Thursday, October 16th. He advised the City Council that there will be an assembly at Portsmouth High School on Tuesday, October 14th at 2:00 p.m. with Mayor McEachern and all city officials invited to attend.

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Route 1 Bypass – Coakley Road and Cottage Street Improvement Project Grant - \$2,379,118.96

Assistant Mayor Kelley moved to authorize the City Manager to enter into a grant agreement and any future schedule modifications with the New Hampshire Department of Transportation to take advantage of State and Federal funding opportunities for improvements to the intersection of Route 1 Bypass, Coakley Road and Cottage Street. Seconded by Councilor Denton and voted.

- B. Acceptance of Violence Against Women Act (VAWA) Grant - \$25,025.00

Councilor Moreau moved to approve and accept the Grant as presented. Seconded by Councilor Cook and voted.

- C. Acceptance of Victims of Crime Act (VOCA) Grant - \$12,369.00

Councilor Denton moved to approve and accept the Grant as presented. Seconded by Councilor Lombardi and voted.

- D. Acceptance of Donation from FedPoint for the Portsmouth Police K-9 Unit - \$500.00

Councilor Lombardi moved to accept the donation as presented. Seconded by Councilor Denton and voted.

- E. Acceptance of Donation from Walmart for the Portsmouth Police Explorer Program - \$189.00

Councilor Bagley moved to accept the donation as presented. Seconded by Councilor Denton and voted.

- F. Acceptance of Donation from Vanessa Smiley for the Portsmouth Police Explorer Program - \$100.00

Councilor Tabor moved to accept the donation as presented. Seconded by Councilor Cook and voted.

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

Update on Insurance Review – City Manager Conard reported the City has entered into a contract with Borislow Insurance to conduct a comprehensive review of all insurance coverages. She stated over the next month, Borislow will issue a Request for Proposals (RFP) to more than ten carriers, specifically targeting ancillary plans such as long-term disability, short-term disability, and life insurance.

Report Back Regarding RSA 79-E – City Manager Conard reported at the September 24, 2005, meeting, the City Council directed the Legal Department to prepare an ordinance implementing RSA 79-E to support the development of below-market rate housing in Portsmouth. She stated after reviewing the statute, staff has concluded that further Council direction is needed before ordinance language could be drafted. RSA 79-E now authorizes municipalities to adopt any of five distinct incentive programs, each of which can be applied in different geographic areas:

- Community Revitalization Tax Relief Incentive – revitalization of downtown and village centers
- Coastal Resilience Incentive Zone – investment in structures to improve resilience to flooding and sea level rise
- Residential Property Revitalization Zone – rehabilitation of existing residential structures
- Housing Opportunity Zone – incentives for the development of below-market rate housing
- Office Conversion Zone – conversion of vacant office buildings to alternative uses, including housing

Each of these programs provides different tools and requires the City to decide: (1) which of five provisions to adopt, if any; and (2) where in Portsmouth the incentives should apply. City Manager Conard stated staff recommends that the Council either:

- Schedule a work session to discuss which zones and programs best align with Council priorities; or
- Refer the question to the Master Planning process, as contemplated by RSA 79-E, for integration into the City's broader land use strategy

Councilor Tabor moved that the City Council recommend to the Master Planning Advisory Group that they include RSA 79-E and the incentives it has for below market housing as part of the Master Plan and consideration for the future Council to have a work session around the Coastal Resilience piece of 79-E. Seconded by Councilor Moreau and voted.

Further Options to Investigate the Viability of Two-Way Traffic on State Street – City Manager Conard advised the City Council that City staff recommends that any study of two-way traffic on State Street be first considered as a temporary construction mitigation measure only if it reduces time or costs. Further, if interest remains in pursuing State Street as a permanent two-way street, a more comprehensive study could be undertaken in a future year.

Councilor Moreau moved the study of the State Street Two-Way Viability out one year and recommend staff incorporate this into the Congress Street Mitigation for construction. Seconded by Councilor Cook and voted.

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

Mayor McEachern announced that Michelle Sechser is the most successful rower by winning the World Championships in the lightweight Women's Single Sculls.

XIX. ADJOURNMENT

At 9:25 p.m., Assistant Mayor Kelley moved to adjourn the meeting. Seconded by Councilor Moreau 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