



**CITY OF PORTSMOUTH, NEW HAMPSHIRE
GOVERNANCE COMMITTEE
MEETING MINUTES**
Monday, September 15, 2025
City Hall Complex, Conference Room A
1 Junkins Avenue, Portsmouth, NH

1. **Welcome and Call to Order:** The meeting was called to order at 11:00 a.m.
2. **Roll Call:** Assistant Mayor Joanna Kelley; Councilor Katherine Cook; Councilor Vincent Lombardi; and Councilor John Tabor were present.

Staff: Carl Weber, Deputy City Manager; Susan Morrell, City Attorney; Jane Ferrini, Senior Assistant City Attorney; Peter Rice, Director - Department of Public Works; Ben Fletcher, Director - Parking and Transportation; Mike Casad, Parking Operations Manager; and Jennifer Wentworth, DPW Administrative Assistant
3. **Review and Approval of the Minutes of the August 11, 2025 Governance Committee Meeting:** Councilor Tabor moved to accept the minutes of the August 11, 2025 meeting. Seconded by Councilor Lombardi. All in favor. The motion was approved.
4. **Draft Encumbrance Ordinance:** Short-Term Encumbrance Permits, Extensions and Licenses

Assistant Senior City Attorney Ferrini provided a recap of draft edits made to this ordinance regarding projecting signs, flags and A-frame signs discussed the August 11, 2025 meeting. Discussion ensued to further clarify the edits, along with including additional language regarding way-finding signs, governmental flags and mannequins and clothing racks encumbrances. The Committee also discussed specific sidewalk sales dates which would not require a permit. Discussion with the Chamber of Commerce and Economic Development Commission to be arranged regarding the City's interest in exploring this type of event with a report back to the Committee.

Director Rice commenced the discussion regarding encumbrances and the various nuances of working with the contractors working in the City and protecting the interests of the City. The Parking Group performs enforcement of the encumbrance permits and the Construction Group also performs enforcement and ensures that the contractors move forward with their projects in compliance with the permits. The flexibility to obtain a simple extension for several days allows the contractors to move forward with the project instead of delaying or stopping the work to obtain a license, which would entail a substantial delay. In general, contractors want to get their work done and don't want to get people upset. Director Rice stated that the

revised encumbrance ordinance allows for the flexibility that the DPW needs. Jennifer Wentworth advised that construction projects now proceed throughout the year and that so far in 2025, 60 encumbrance permits were issued. Councilor Cook advised that she has heard complaints that dumpsters are being placed on the street for 30 days, removing them and bringing them back after several days for another 30 days so the request does not need to go before the City Council. Councilor Cook requested that notice be given to the City Council for any dumpsters permits that have been requested for more than 30 days, specifically for the downtown overlay area. City Attorney Morrell asked if the Committee would like more specific language as to the frequency of notification to the City Council. Councilor Cook suggested that City Manager will notice the City Council of any dumpster permits extended beyond 30 days in the downtown overlay area per Section 102. This would be a communication tool so that everyone would be informed. Staff discussed that this could be achieved by using the OpenGov system and information could be directly provided to the City Manager. Councilor Tabor asked what the enforcement power is. Ben Fletcher advised that if a conversation is necessary, it usually resolves the issue and that Core Enforcement Officer Jason Page handles many of the issues that need further enforcement. City Attorney Susan Morrell stated that she is currently working on a ticketing system for code enforcement that will be able to be used by the departments, such as DPW, Inspection, Planning and Health that issue permits and license. This system will allow issuance of a summons or ticket for a \$50.00 fine for a first offense with an option to go to court with the goal of bringing the contractors into compliance. Councilor Cook asked that language be added to the ordinance to allow for enforcement of people who avoid the 72-hour parking restriction and encumber City property by moving a vehicle out of the parking space to another close-by parking space for another 72 hours. Attorney Ferrini will research and draft language for review.

5. Other Business: None
6. Public Comment: None
7. **Announcements:** The next Governance Committee meetings were scheduled for Monday, September 29, 2025 at 11:00 a.m. and Monday, October 20, 2025 at 11:00 a.m.
8. **Adjournment:** Assistant Mayor Kelley moved to adjourn the meeting, seconded by Councilor Lombardi. All in favor. Motion was approved. Meeting adjourned at 12:17 p.m.

Meeting Minutes prepared by:
Barbara Zulkiewicz

Minutes approved: September 29, 2025

