

## **CITY COUNCIL MEETING**

MUNICIPAL COMPLEX  
DATE: MONDAY, JULY 14, 2025

PORTSMOUTH, NH  
TIME: 7:00PM

**Councilor Moreau moved to close the Non-Public Session and seal the minutes. Seconded by Councilor Lombardi 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 asked everyone to join in a moment of silent prayer in memory of Cycling Coach Charles Ydoate who recently passed away.

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

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

### **VII. ACCEPTANCE OF MINUTES**

*(There are no minutes on for acceptance this evening)*

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

1. Public Art Review Committee (PARC) Recommendations:
  - Remembering Connie Bean Request

Ernie Greenslade, PARC spoke to a donation for display of Connie Bean that was reviewed by the Recreation Department, and the donation did not meet the guidelines under PARC recommended that the donation be considered under the City Council donation guidelines.

**Assistant Mayor Kelley moved to refer the Connie Bean Display to the School Board with the recommendation for adoption by the City Council. Seconded by Councilor Bagley and voted.**

- Nebi Sculpture for Bohenko Gateway Park

Ernie Greenslade, PARC spoke to the donation, and the goal was to expand public art in the park.

Councilor Cook moved to authorize PARC to raise approximately \$125,000.00 in private funds; expend resources from PARC funds to undertake soil testing necessary for planning the engineering for installation; work with the Legal Department to contract with Alemany, aligning payments to fundraising and development phases; and work with the Department of Public Works to locate and install the sculpture. Seconded by Councilor Blalock and voted.

Councilor Denton moved to suspend the rules to bring forward Item XVII. 1. – Public Safety Update – Police Chief Newport. Seconded by Councilor Blalock and voted.

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

### **1. Public Safety Update – Police Chief Newport**

Police Chief Newport provided a public safety update regarding recent investigations in the city by ICE (US Immigration and Customs Enforcement).

## **IX. PUBLIC COMMENT SESSION**

Sophia Shay said that immigration individuals are not feeling safe working in restaurants. She would like cooperation by the Police Department on these matters.

Penelope Morrow said we need to protect immigrants and keep them safe.

Roy Helsel said the budget is outrageous and we are going to vote to give away 15 minutes of parking that will cost the city revenues.

Jon Hickok said he would like to know what kind of expectations we can demand and what the city would do to invest in a portal for reporting abuse of process, professionalism, and trust.

Reverend Kendra Ford said she would like the city to stretch beyond what is comfortable. She profoundly appreciates that we do not have an agreement with ICE. She said we need to make sure that the Police Department matches what is written down.

John Benford thanked the City Council and Police Department for the stances they have taken regarding immigration. He said he would like the city to find ways to stand up against these raids.

Peter Furst (via Zoom) spoke against the current immigration raids because people do not feel safe. He said the time to act is now against ICE, it needs to stop.

Marci Dionne spoke regarding adult education and immigrants are afraid to come to school or leave their homes.

Petra Huda asked if we have an affordable housing crisis or spending crisis. She said we are adding to the budget, and the population has not grown so why are her property taxes increasing so much. She also spoke about the increase in water and sewer rates.

Andrea Stein said what is happening in this country will affect all of us. She said it takes 20 years to get citizenship. She spoke to ICE causing people to leave the city to avoid being demonized. She said we need to come together and protect everyone.

Peter Somssich spoke to the respect he has for Police Chief Newport and the Police Department for how they protect the residents of Portsmouth. He would like the Police Department to provide guidelines on how to behave when confronted by an ICE agent.

Jen Scumaci said Portsmouth is the “City of the Open Door” and open to all. She said we need to provide protection for people regardless of immigration status.

Elizabeth Bratter said there is little affordable housing in the city. She spoke to the overlay district and incentives to height as a bonus could be lowered by 10 feet.

Katherine Harake she said that these are serious times, and we need to increase our sense of belonging for all.

Kline Dickens spoke against ICE and Strafford County for holding immigrants. She said that this is ethnic cleansing, and you need to show up for people and support them against these acts.

Mayor McEachern spoke regarding this being challenging work and the administration and City Attorney will sign on to the amicus brief that is moving through the first district. He spoke to being the “City of the Open Door”, and it is best to support one another. He said that the Police Department protects everyone in the city.

At 8:12 p.m., Mayor McEachern called for a brief recess. At 8:20 p.m. he called the meeting back to order

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

### **A. REOPEN PUBLIC HEARING – Highway Layout of Coakley Road Extension**

Mayor McEachern reopened the Public Hearing calling for speakers.

**Councilor Denton moved to approve the Resolution regarding public necessity to acquire property for the layout of the Coakley Road Extension as drafted. Seconded by Councilor Moreau.**

Tyler Garzo this is to solve congestion, and you can provide bike/pedestrian without creating more roads.

Petra Huda asked if the State signed off on the plan.

After three calls and no further speakers, Mayor McEachern closed the Public Hearing.

Eric Eby, Parking & Traffic Engineer, said the project is a connector road between Borthwick Avenue and Coakley Road for a red listed bridge and the culvert needs to be replaced. He said we would close Coakley Road entirely and replace the culvert and provide sidewalks. He reported that we are getting a grant, and the signal would be removed with a connector put in place. He spoke to the goals to replace the bridge over Hodgdon Brook. He reported the traffic circle is on the 10-year construction plan and the roadway connector is not eligible for grant funding.

Discussion followed regarding the project. Councilor Cook asked if Coakley Road is closed would additional signage be provided. Parking & Traffic Engineer Eby said signage would be installed.

Mayor McEachern said he would support this because of the neighborhood, the impact of the wetlands and the needs to replace the bridge.

**Councilor Cook moved to suspend the rules to reopen the public hearing. Seconded by Councilor Tabor and voted.**

Elizabeth Bratter spoke concerning the connector road to the lights. She said in the morning there is a great deal of traffic coming out of the road and asked if a light could be put in place.

Parking & Traffic Engineer Eby said the connector road does not mean the light would be removed. He said the complete traffic study would look at whether the light would be added.

Kathryn Waldwick asked if we are trying to benefit the potential development of the Chevrolet lot for future development on the lot and would there be any way that they would be subsidized.

Mayor McEachern said that the project is currently in the Site Review phase. Parking & Traffic Engineer Eby said the project needs to work as the area currently exists.

Tyler Garzo spoke opposed to the connector road and project.

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

Councilor Cook said there is only one access point to the neighborhood, and we are just speaking about the connector road today and it provides connection to a multi-use path and connecting pedestrians and bicycles to the road. She said the property owners support the project moving forward and she would support it.

Deputy City Attorney McCourt stated that staff brought this forward because it is the most efficient way to preserve property rights.

Mayor McEachern thanked staff for their work and said he supports more opportunities to connect residents to a multi-use path.

**On a unanimous roll call vote 9-0, motion passed.**

- B. *(The Public Hearing on the below referenced Resolution will take place at the August 4, 2025 City Council meeting with the Resolutions for Projects to Begin in FY26)* Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act of up to Four Million One Hundred Fifty Thousand Dollars (\$4,150,000.00) For Costs Related To:
- School Facilities Capital Improvements
  - Elementary Schools Upgrade
  - Elementary Schools Playground Upgrade

Mayor McEachern announced that the Public Hearing will be held on August 4, 2025, City Council meeting.

- C. PUBLIC HEARING and Second Reading of Ordinance Amending Chapter 7, Vehicles, Traffic and Parking, Article III, Traffic Ordinance, Section 7.324: Time Limited Free Parking for Residents and Special Military License Plates, (A) Free Fifteen Minute Parking for Residents, and (B) Free Three Hour Parking for Special Military License Plates
- **PRESENTATION**
  - **CITY COUNCIL QUESTIONS**
  - **PUBLIC HEARING SPEAKERS**
  - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

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

Parking Director Ben Fletcher spoke about the revenue effects for loss with this ordinance and said that the Veterans Plates are already being done and provide for three free hours of parking.

Discussion occurred between Mayor McEachern and Parking Director Fletcher regarding the anticipated revenue loss. Parking Director Fletcher spoke about people's habits for parking at 15-minute locations.

Elizabeth Bratter spoke to military plates and how that would affect revenue and asked how many exist in the city.

Petra Huda said she has no problem with military plate exemptions. She said you need to think about the residents and what they are doing when it comes to parking.

Bill Lyons, said he supports the Chamber of Commerce and City but is concerned with adding 15-minute parking. He said that he is more of a big picture person. He said parking should be considered a key component, and parking would benefit from more public discussion.

Colin Scholler, said this is a great idea to encourage residents to go downtown. He said parking is limited and studies show we need another parking garage.

Tyler Garzo said this feels like a flawed plan and the cost figures ignore other vehicle travel. He stated the plan implies simple structure and will make bike/pedestrian travel better.

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

**Councilor Denton moved to separate the questions and act on Item (B) prior to Item (A). Seconded by Councilor Bagley and voted.**

City Attorney Morrell advised that item B would need to come back for a public hearing and second reading if item A failed to pass.

Chapter 7, Vehicles, Traffic and Parking, Article III, Traffic Ordinance, Section 7.324: Time Limited Free Parking for Residents and Special Military License Plates, (A) Free Fifteen Minute Parking for Residents

Mayor McEachern asked if there was further discussion on free three hour parking for special military license plates.

Councilor Blalock spoke in support of free three hour parking for special military license plates

Mayor McEachern said he supports this item. free three hour parking for special military license plates will need to come back for a public hearing and second reading with the division of the questions.

Councilor Moreau said she does not support free fifteen minute parking for residents She feels there will be monthly and behavioral issues.

Assistant Mayor Kelley said she would not support this in its current form. She does not feel we are where we need to be to pass this and it needs to be on a larger scale for a parking program city-wide.

Councilor Cook commented we need to keep working on ways to bring people downtown. She said we can find the right way to get where we need to be.

Councilor Lombardi said he does not feel this is ready to be voted on. He said that the Economic Development Commission and Sustainability Committee are opposed to the ordinance and feels it needs more work.

Councilor Blalock said he feels it is too complicated and will not support the motion.

Mayor McEachern passed the gavel to Assistant Mayor Kelley.

Mayor McEachern said he does not understand the math around this and how we will lose any money. He said he would like to see other innovative ways the app works. He stated the City Council needs to focus on residents. He said we need more people to think growth is a good thing in the city.

On a 3-6 voice vote, motion to pass second reading and hold third and final reading at the August 4, 2025, City Council meeting **failed** to pass. Mayor McEachern, Councilors Tabor, Bagley voted in favor. Councilors Cook, Denton, Blalock, Moreau, Lombardi, and Assistant Mayor Kelley voted opposed.

Assistant Mayor Kelley returned the gavel to Mayor McEachern.

Chapter 7, Vehicles, Traffic and Parking, Article III, Traffic Ordinance, Section 7.324: Time Limited Free Parking for Residents and Special Military License Plates, (B) Free Three-Hour Parking for Special Military License Plates

A public hearing and second reading will be taking place on the ordinance on August 4, 2025, City Council meeting.

- D. PUBLIC HEARING and Second Reading of Ordinance regarding Chapter 10, Zoning Ordinance, City of Portsmouth Zoning Map be amended as follows: Rezone Parcels Described on the City Tax Map 125 Lot 16; Tax Map 138 Lot 61; Tax Map 138 Lot 62; and a portion of Tax Map 138 Lot 63 from Character District 5 (CD5) to Character District 4 (CD4); to Rezone a portion of Tax Map 138 Lot 63 from Character District 5 (CD5) to Character District L1 (CD4-L1); to change the Boundary of the North End Incentive Overlay District (NEIOD) to remove City Tax Map 138 Lot 61, Tax Map 138 Lot 60-3, and Tax Map 164 Lot 4 from the NEIOD and to Amend the Boundary of the Downtown Overlay District (DOD) to align with the amended NEIOD by removing City Tax Map 164 Lot 4, Tax Map 138 Lot 61, Tax Map 138 Lot 60-3 and a portion of Tax Map 138 Lot 63 from the DOD; to amend the Building Height Map from 2-4 stories (50 Feet) to 2-3 stories (40 feet) for parcels along Bridge Street to Foundry Place and along Hill Street for City Tax Map 125 Lot 16, Tax Map 138 Lot 62 and Tax Map 125 Lot 14 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"

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

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

Councilor Bagley recused from acting on this matter and stepped off the Dias.

Planning Manager Peter Stith provided a detailed review of the amendments from parcels CD5 to CD4, adjust boundaries of NEIOD and DOD and change building height from the Foundry. He said the change will follow the parcel that encompasses the Right-of-Way of the street this affects 181 Hill Street and 126 Bridge Street. He stated Hill Street would all be 2-3 stories and 40 feet with Bridge Street being set back 50 feet and then step up to a higher incentive. He said CD5 and CD4 are similar with CD5 being more intense. He also spoke to uses in the area.

Discussion followed regarding the existing project would create non-conforming lots.

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

Brad Gray said he feels that this is spot zoning, and the zoning will cause property to be revalued and he is adamantly opposed.

Attorney Matthew Cowan, Durbin Law Offices said the City Council supported tabling the amendment until the master plan. He said the change only affects his client's property.

Bruce Sommer said he wants to protect the scale of the city. He said this is spot zoning and there was a lack of notice on this matter. He asked the City Council to vote this down.

Kate Wallick said zoning is important and that the city could still build and protect the character of the city. She said it is hard to talk about housing, and she supports thoughtful zoning. She said that the neighborhood was forgotten. She said that this is better than what the neighborhood currently has. She asked the City Council to support the ordinance and rezoning effort.

Nicole LaPierre said that this is just about 361 Hanover Street, and she wants to be represented. She said her neighborhood was ignored and tossed aside. She feels like the City Council needs to fix this and not ignore it. She said CD4W was out as a neighborhood and this is not transitional zoning.

Robin Husslage spoke to the change from CD4 to CD5 has no impact and we need to scale down dwelling. She said the Planning Board considered CD4 to CD4W to offer more of a transitional zone. She stated the neighborhood is not a small residential area and this allows for 10 feet of additional space. She said the neighborhood is not downtown, the overlay will increase the problems to remove downtown overlay district.

**Councilor Denton moved to suspend the rules to continue the meeting beyond 10:30 p.m. Seconded by Councilor Moreau and voted. Assistant Mayor Kelley voted opposed.**

Shane Forsley spoke against the zoning changes and what will be in front of the Planning Board in the future is the best plan for the site. He said changing the front portion of the site is inappropriate. He stated that this is spot zoning.

Elizabeth Bratter said it is important to realize the change has been in the making for seven years. She spoke about zoning changes and their impacts.

David Adams spoke opposed to the ordinance change and said everyone has a different opinion regarding this. He said the City Council should wait until this enters the master plan project.

Susan Gray said she has just received notice of this change. She said the neighborhood should not suffer from spot zoning. She said the building will sit 12 feet below where the building sits. She said they deserve the right to build a conforming use and CD5 is what they strongly fight for.

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



Councilor Blalock said that this is a tough one. He is sensitive to property owners of the area, and he would not support the change and feels there needs to be more discussion.

Councilor Cook said when listening to the comments no one is happy with the change for properties being CD4. She said we owe it to the residents to get this right. She likes the suggestion to have this go to the master plan process that will give residents more time.

Councilor Lombardi said we did speak about this going through the master planning process.

Councilor Denton said in 2013 he proposed the idea of parking garage and what is in front of the City Council is better than doing nothing.

Councilor Moreau said she respects the thoughts of going through the master plan process. She said this is a way to correct things of the past. She is torn whether to keep the conversation going and would rather vote on what is before us tonight.

Assistant Mayor Kelley asked about the letter from Attorney Durbin.

Deputy City Attorney McCourt advised the City Council Attorney Durbin's request does not meet the law and requires filing seven days in advance of the meeting. He said the other item referenced was the Charter and was not an initiative petition.

Mayor McEachern said overlooking the past and we are correcting an error. He said we are not going to be able to change zoning to create transitional zoning. He said he is not convinced that if we change out of CD5 it is a better transition. He said he would like to see 126 Bridge Street removed from the ordinance.

**Councilor Moreau moved to pass second reading and hold third and final reading at August 4, 2025, City Council meeting. Seconded by Councilor Blalock.**

**Councilor Tabor moved to amend the motion to keep 126 Bridge Street lot 125-16. Seconded by Assistant Mayor Kelley.**

Councilor Cook said she had questions about this lot. She said we are creating non-conforming and changing zoning uses. She is not sure CD4 is the right zoning.

Assistant Mayor Kelley said she has concerns surrounding this matter. She said she has concerns with the Ferguson building and the Foundry area. She said if this does not fail, we could move forward with changes.

Councilor Moreau recommended postponing second reading to work with the Planning Board and come back with an alternate proposal.

Councilor Cook asked if we could postpone until second reading in August.

**Councilor Moreau moved to amend to postpone second reading until August 18, 2025, City Council meeting with a report back on August 4, 2025, City Council meeting under my name with possible updates and changes to the ordinance. Seconded by Councilor Blalock.**

*Councilor Tabor withdrew his motion.*

**Motion to amend passed.**

**Assistant Mayor Kelley moved to suspend the rules to take up Item XIII. A. – Presentation on South Mill Pond Playground Project Design from Ultiplay Parks & Playgrounds – Todd Henley, Recreation Director and Chris Martin, Ultiplay. Seconded by Councilor Blalock and voted.**

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

- A. Presentation on South Mill Pond Playground Project Design from Ultiplay Parks & Playgrounds – Todd Henley, Recreation Director and Chris Martin, Ultiplay

Chris Martin, Ultiplay, provided a detailed presentation on the South Mill Pond Playground Project Design. He reported that this will be an inclusive playground with rubber surfaces. He reported that the playground will reopen in mid-September.

Assistant Mayor Kelley asked if the picnic tables will be ADA compliant. Chris replied that two of the tables would be ADA compliant.

Mayor McEachern asked Recreation Director Henley and the Recreation Department to consider the possibility of dedicating benches in the park area.

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

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

1. Acceptance and Approval of Tentative Agreement with the Association of Portsmouth School Administrators

City Manager Conard advised the City Council that the contracts all would be retroactive back to July 1<sup>st</sup>.

**Assistant Mayor Kelley moved to accept and approve the proposed agreement as presented. Seconded by Councilor Denton and voted.**

2. Acceptance and Approval of Tentative Agreement with the Portsmouth Association of Clerical Employees

**Councilor Lombardi moved to accept and approve the proposed agreement as presented. Seconded by Councilor Cook and voted.**

3. Acceptance and Approval of Tentative Agreement with the Portsmouth Supervisory Management Alliance

**Councilor Blalock moved to accept and approve the proposed agreement as presented. Seconded by Councilor Bagley and voted.**

## **XII. CONSENT AGENDA**

- A. Letter from Ben VanCamp, The Chamber Collaborative of Greater Portsmouth, requesting the use of Bohenko Gateway Park for street.life! 2025 on Wednesday, August 13, 2025, with a rain date of Thursday, August 14, 2025, from 6:00 p.m. – 8:30 p.m. ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- B. Letter from Bryan Curley, Veterans Count, requesting permission to hold the “All-American Fair” on Friday, September 5, 2025, from 5:00 p.m. to 9:00 p.m. at the Portsmouth International Airport at Pease ***(Anticipated action – move to refer to the City Manager with Authority to Act)***

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

## **XIII. PRESENTATIONS AND WRITTEN COMMUNICATION**

- B. E-mail Correspondence

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

- C. Letter from Elizabeth Bratter regarding rezone request under public hearings

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

## **XIV. MAYOR McEACHERN**

1. Appointments to be Voted:
  - Reappointment of Larry Booz as an alternate to the Historic District Commission
  - Reappointment of Margot Doering to the Historic District Commission
  - Reappointment of Martin Ryan to the Historic District Commission
  - Reappointment of Reagan Ruedig to the Historic District Commission
  - Reappointment of Robin Pickering to the Portsmouth Housing Authority

**Assistant Mayor Kelley moved to reappoint Larry Booz as an alternate and Margot Doering, Martin Ryan and Reagan Ruedig to the Historic District Commission and the reappointment of Robin Pickering to the Portsmouth Housing Authority. Seconded by Councilor Blalock and voted.**

**XV. CITY COUNCIL MEMBERS**

**A. COUNCILOR BAGLEY**

1. Request for First Reading of the Annual Omnibus Ordinance

**Councilor Bagley moved to schedule first reading of the Annual Omnibus Ordinance for the August 4, 2025, City Council meeting. Seconded by Councilor Blalock and voted.**

2. 2026 Fireworks Display

Councilor Bagley withdrew this item because Mr. Teetzel, Wilcox Industries, has generously committed to sponsoring the 250<sup>th</sup> anniversary celebration to include fireworks in July 2026.

**XVI. APPROVAL OF GRANTS/DONATIONS**

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

2. Proposed Timeline for Fall 2025 CIP Process

City Manager Conard announced that the portal is open to accept citizen requests for the CIP. She stated that the CIP Kickoff Presentation will be held on August 18, 2025, City Council meeting and the Planning Board would be holding their CIP Kickoff Presentation on August 21, 2025. Also, the City Council will adopt the CIP in December.

Councilor Denton reported that the Sustainability Committee would like to make a presentation on their CIP recommendations at a future City Council meeting.

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

**XIX. ADJOURNMENT**

**At 11:50 p.m., Councilor Moreau moved to adjourn. Seconded by Councilor Bagley and voted.**



KELLI L. BARNABY, MMC/CNHMC  
CITY CLERK