



Portsmouth, NH City Council

Municipal Complex, 1 Junkins Avenue, Portsmouth, NH
in the Eileen Dondero Foley Council Chambers
Monday, June 22, 2026, at 7:00 pm

Register to participate via Zoom. A unique meeting ID and password are provided once you register. To register, click on the link below or copy and paste into your web browser:

https://us06web.zoom.us/webinar/register/WN_BxrvwqU-Tb-mT6y520GVSw

Agenda

1. **Work Session - Mechanic Street Pump Station Replacement Project (6:00 pm – see separate agenda)**
2. **Public Dialogue Session (when applicable)**
3. **Call to Order (7:00 pm or thereafter)**
4. **Roll Call**
5. **Invocation**
6. **Pledge of Allegiance**
7. **Acceptance of Minutes**
 - A. Minutes and Actions of the January 20, 2026, February 2, 2026, and June 8, 2026, City Council Meetings (***Sample motion – move to accept and approve the minutes of the January 20, 2026, February 2, 2026, and June 8, 2026, City Council meetings***)
8. **Recognitions and Volunteer Committee Reports**
 - A. Proclamations
 - American Postal Service Day in Portsmouth
 - B. Recognitions
 - Stephanie Seacord, Public Information Officer
 - Portsmouth High School Girls Tennis – NHIAA Division II State Champions
 - Portsmouth High School Girls Lacrosse – NHIAA Division I State Champions

- Recognition and thank you to Wilcox Industries and Key Auto Group of Portsmouth for the 250th Anniversary Independence Day Celebration

C. Volunteer Committee Reports

- Public Art Review Committee (PARC) – “Cod and the Mortal Sea” Sculpture Repair and Reinforcement (***Sample motion – move to release \$3,000.00 from the Public Art Trust Fund for the repair and reinforcements for the “Cod and the Mortal Sea” sculpture in Bohenko Park***)

9. Public Comment Session

This session shall not exceed 45 minutes; participation may be in person or via Zoom

10. Public Hearings and Vote On Ordinances and/or Resolutions

- A. First Reading Regarding Ordinance Amendments to Chapter 7, Vehicles, Traffic and Parking, Article 1 – Parking Meters, Section 7.102 – Parking Meter Rates, relative to fees (***Sample motion – move to pass first reading and schedule a public hearing and second reading for July 13, 2026 on the amendments to Chapter 7, Vehicles, Traffic and Parking, Article 1 – Parking Meters, Section 7.102, Parking Meter Rates as presented***)

11. City Manager’s Items Which Require Action

- A. Approval of Deputy Chief of Police Maloney’s Employment Agreement (***Sample motion – move to approve the Agreement as presented***)
- B. Players Ring One Year Lease Extension (***Sample motion – move to authorize the City Manager to negotiate and enter into Lease Amendment 5 with the Players Ring in a form similar to attached***)
- C. Minor Update of Existing City Council Policy on Vending (***Sample motion – move to adopt the amendments to Policy 2009-04 as presented***)
- D. Request for First Reading Regarding Ordinance Amendment to Chapter 6, Licenses and Encumbrances, Article I, Encumbrance Permits and Licenses for use of Public Property, Relative to Fees (***Sample motion – move to schedule first reading of the amendment to Chapter 6, Licenses and Encumbrances, Article 1, Encumbrance Permits and Licenses for Use of Public Property, by adding Section 6.111, Fees, at the July 13, 2026 City Council Meeting***)
- E. Release of Funds for Nebi Sculpture Contract (***Sample motion – authorize the Trustees of the Trust Funds to disperse funds under the contract as the City Manager directs the Trustees for the remaining phases of the work of \$30,000, \$20,000 and \$7,500***)

12. Consent Agenda

(Sample Motion – move to adopt the Consent Agenda as presented)

- A. Pure Barre Portsmouth Community Event Request
- B. Active City Encumbrances Report
- C. Portsmouth 31st Halloween Parade Community Event Request

13. Presentations and Written Communications

- A. Tyler Garzo regarding Complete Street Policy
- B. Email Correspondence

14. Mayor McEachern

- A. *Establishment of City Manager Evaluation Committee
- B. Appointment to be Considered
 - Appointment of Gary Dozier to the Police Commission, until the next municipal election (November 2027), to replace Commissioner Jay Lieberman who has sent notice of his intent to resign the position effective July 31, 2026 (see letter attached). This appointment is made pursuant to the City Charter, Amendment E, which was amended in 2019 to bring it into compliance with State law, and provides that the City Council selects the candidate to fill a vacancy on the Police Commission
- C. Appointments to be Voted
 - Appointment of Karyn DeNicola to the Cemetery Committee
 - Appointment of Jim Wilson from Alternate to Regular Member to the Cable and Broadband Internet Commission
 - Reappointment of Ash Chicooree to the Cable and Broadband Internet Commission
 - Reappointment of Jeff Abrams to the Cable and Broadband Internet Commission

15. City Council Members

- A. Councilors Cook, Tabor, and Bagley
 - *Municipal Building Blue Ribbon Committee Update/Report Back
- B. Councilor Cook

- **Move to request that the Planning & Sustainability Department, in collaboration with the Housing Committee and Planning Board, review already pre-approved ADU plans used by other communities to determine whether the City of Portsmouth can adopt any existing plans to be approved for use in the City of Portsmouth**

C. Councilor Tabor

- Community Power Presentation and communication plan (**Sample motion – move the Council to approve the communication plan recommended by the Energy Advisory Committee to increase transparency and awareness of the best electric rates for residents**)

D. Councilor Moreau

- Audit Committee Recommendation – three-year extension of the contract with outside auditing firm, CliftonLarsonAllen (CLA) (**Sample motion – move to authorize the City Manager to execute a contract with CLA for an additional three years**)

E. Councilor Hopkins

- Parking and Traffic Safety Committee Minutes (**Sample Motion – move to accept the action sheet and minutes of the June 4, 2026 Parking and Traffic Safety Committee meeting**)

16. Approval of Grants/Donations

17. City Manager's Informational Items

- A. *FY28-32 Capital Improvement Plan (CIP) – Submissions from Residents and Boards/Commissions/Committees
- B. *Pease Development Authority Board Meeting Update
- C. Report Back on Artist Live Work Studio Study Eligibility for Below Market Rate Housing Trust Funds

18. Miscellaneous Business Including Business Remaining Unfinished At Previous Meeting

19. Adjournment (At 10:30 pm or earlier)

*Indicates verbal report with no attachments

Sally A. Kellar - City Clerk

MEETING MINUTES AND ACTIONS OF THE PORTSMOUTH CITY COUNCIL
JANUARY 20, 2026, 7:00 PM
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

Mayor McEachern called the meeting to order at 7:11 PM

1. **Non-Public Session**

Assistant Mayor Kelley moved to close the Non-Public Session and seal the minutes, seconded by Councilor Bagley.

On a unanimous vote, motion passed.

2. **Roll Call**

Present: Mayor McEachern, Assistant Mayor Kelley, Councilors Cook, Tabor, Blalock, Bagley, Moreau, Flynn, and Hopkins.

3. **Invocation**

Mayor McEachern took a moment to thank the Seacoast NAACP for leading a celebration of Martin Luther King Jr. Day at the South Church.

4. **Pledge of Allegiance**

Mayor McEachern invited children from the gallery to assist leading the Pledge of Allegiance.

5. **Recognitions and Volunteer Committee Reports**

a. **Proclamation(s)** – Stalking Awareness Month: Councilor Cook read the Proclamation. Victim Witness Advocate Ryan Grogan and Prosecutor Jean Reed accepted the Proclamation.

b. **Recognition(s)**

– Holiday Lights Contest: Mayor McEachern recognized four Honorable Mention winners:

- Kids' Choice: the Goldstein Family at 170 FW Hartford Drive
- Creative: the Blandina Family at 3 Sanderling Way
- Traditional: (tie) Chris Polizzotto at 660 Middle Street and Donna Figler at 114 Cabot Street

And three First Place winners:

- Kids' Choice: Matt and Nicole Beyer at 580 FW Hartford Drive
- Creative: Cathy LaFata and Liz Rutman at 520 FW Hartford Drive
- Traditional: The Manganos Family at 752 South Street

- Arts: Mayor McEachern recognized Portsmouth High School award-winning art students, commending them for taking home 40 awards from the Scholastic Art Awards program

Assistant Mayor Kelley moved to suspend the rules and bring forward Item XIII (1) Fiscal Year 2025 Audit Summary, CLA – Matthew Hunt, CPA and Phil Hwang, CPA; seconded by Councilor Tabor.

On a unanimous vote, motion passed.

XIII (1) Fiscal Year 2025 Audit Summary, CLA – Matthew Hunt, CPA and Phil Hwang, CPA

Nathan Lunney, Deputy City Manager - Finance & Administration, presented the Council with copies of the Annual Comprehensive Financial Report FY25 (Fiscal Year Ending June 30, 2025), and the Popular Annual Financial Report FY25 (Fiscal Year Ending June 30, 2025). Deputy City Manager Lunney made the Council and public aware of where these documents could be found online, and proceeded to introduce Matthew Hunt, CPA and Phil Hwang, CPA from CliftonLarsonAllen to present the FY25 Audit Summary.

Matthew Hunt led the presentation, providing overview of Terms of Engagement, Executive Summary (based on audit objections), Financial Highlights, Management Letter, Required Communications, ending with questions. He reported that the annual audit financial opinion of the City's financial statements is an unmodified opinion, with no findings of deficiencies found. He advised that this is the best opinion an entity can receive.

Councilor Bagley asked if recent trends in health insurance could affect the OPEB liability in the next fiscal year. Deputy City Manager Lunney responded that as our rates rise in general, so too does the value of the implied rate subsidy, and that it would be realistic to see proportional increases over time.

Councilor Tabor thanked CLA for their efforts and diligence highlighting areas of improvement for the City and noted he was happy to see that Unassigned Fund Balance continued to be maintained at 13.7% of the budget.

Councilor Blalock asked for clarification for those unfamiliar with OPEB. Phil Hwang replied that the acronym stood for Other Post-Employment Benefits. Deputy City Manager Lunney also clarified that OPEB and Retirement liabilities live on the City's balance sheet but are not dollars that could be borrowed and paid off.

Mayor McEachern wrapped up comments, noting that the budget process and audit are separate affairs, but that auditing helps maintain accurate record keeping of the City's finances and can assist in future budget planning.

6. **Public Comment Session** – There were two speakers: Peter Sommsich (Solar Energy Ordinance), Margot Doering (Planning & Sustainability Staff—HDC Report Back)

7. **Public Hearings and Vote On Ordinances and/or Resolutions**

A. First Reading of Ordinance amending Chapter 10, Zoning Ordinance, Article 5 – Dimensional and Intensity Standards, Section 10.515.14, Power Generators; Article 15, Definitions, Section 10.1530 – Terms of General Applicability, amending Building Coverage, Mechanical System, Power Generator and Structure

Assistant Mayor Kelley moved to pass first reading and schedule public hearing and second reading for the February 17, 2026, City Council meeting, seconded by Councilor Moreau.

Councilor Moreau commented that there were inconsistencies in the last variation of the ordinance, and that this was an effort to capture all intended changes.

On a unanimous vote, motion passed.

B. First reading of Ordinance amending Chapter 10, Zoning Ordinance Article I – Purpose and Applicability, Section 10.122 (1), Sustainability Objections; Article 4 – Zoning and Use Regulations, Section 10.440 – amending Table of Uses for Ground Mounted Solar Energy Systems; Article 8 – Supplemental Use Standards, Section 10.811 – amending Accessory Uses to Permitted Residential Uses; and Chapter 15, Definitions, Section 10.1530 – Terms of General Applicability, amending Solar Energy Systems and Structure

Councilor Tabor moved to pass first reading and schedule public hearing and second reading for the February 17, 2026, City Council meeting, seconded by Councilor Blalock.

Councilor Moreau noted this item had previously been brought forward by Councilor Denton and took time to get through at the Planning Board level, as they waited for a new member to onboard who works in the solar industry, and wanted his input.

Councilor Cook extended her thanks to the Planning Board for getting this amendment back to the Council.

Councilor Blalock extended his thanks to the Planning Board and Councilor Denton, noting his support for solar and believes this amendment will help support solar energy in Portsmouth.

Councilor Moreau proposed City Staff explore the ordinance's objectives further, based on public comment from Peter Sommsich.

Councilor Cook proposed an amendment to the motion, amending “*Objections*” to “*Objectives*”, seconded by Councilor Moreau.

Councilor Bagley commented that considering the amount of time it took to consider the amended ordinance; he would opt to vote on the ordinance as amended by Councilor Cook.

On a unanimous vote, motion to amend passed.

Councilor Cook moved to amend Section 10.122 (1) to read “Reduce dependence upon fossil fuels, extracted underground metals and minerals and promote and preserve the use of alternative energy sources such as solar and wind,” seconded by Assistant Mayor Kelley.

On a unanimous vote, motion passed.

Returning to the main motion as amended, the motion passed unanimously.

C. First Reading of Ordinance Amending Chapter 10, Zoning Ordinance, Article 8 – Supplemental Use Standards, Section 10.814 – Accessory Dwelling Units, amending ordinance to comply with state law; and amendments to Article 4 – Zoning and Use Regulations, Section 10.440 – amending Table of Uses for Accessory Dwelling Units

Councilor Moreau moved to pass first reading and schedule public hearing and second reading for the February 17, 2026, City Council meeting, seconded by Councilor Cook.

Councilor Moreau noted this amendment was to keep in compliance with New Hampshire state laws for ADUs, citing changes regarding interior doors and administrative approval.

Councilor Bagley inquired why the City maintained a maximum of 750 square feet gross living area. A brief discussion ensued.

On a unanimous vote, motion passed.

D. First reading of Ordinance Amending Chapter 10, Zoning Ordinance, Article 11 Site Development Standards, Section 10.1112.311 – Off-Street Parking – Dwelling Unit Floor Area – Required Parking Spaces

Councilor Blalock moved to pass first reading and schedule public hearing and second reading for the February 17, 2026, City Council meeting, seconded by Councilor Tabor.

Councilor Moreau noted this change was also in compliance with changes to New Hampshire State law.

On a unanimous vote, motion passed.

8. City Manager's Items Which Require Action

- a. Optional Veterans Tax Credit for Service-Connected Total Disability

Assistant Mayor Kelley moved to schedule a public hearing for the February 17, 2026, City Council meeting, seconded by Councilor Flynn.

Councilor Flynn questioned the scope of public outreach for the item, to which City Manager Conard explained City Assessor Rosann Maurice-Lentz's past engagement with Portsmouth's senior citizens.

Councilor Moreau suggested engagement with the Elks Lodge.

On a unanimous vote, motion passed.

- b. Request for Public Hearing Regarding Disabled Exemptions

Councilor Bagley moved to schedule a public hearing at the February 17, 2026, City Council meeting, seconded by Councilor Hopkins.

On a unanimous vote, motion passed.

- c. Request for Public Hearing Regarding Elderly Exemptions

Councilor Moreau moved to schedule a public hearing at the February 17, 2026, City Council meeting, seconded by Councilor Blalock.

On a unanimous vote, motion passed.

- d. Access Easements for Water Services for Property Located at 0 Banfield Road

Councilor Cook moved to authorize the City Manager to accept and record an Access Easement for Water Services from Chinburg Development, LLC., seconded by Councilor Tabor.

Councilor Flynn asked to clarify if these easements ran in perpetuity with the land, to which Councilor Moreau and Mayor McEachern confirmed.

On a unanimous vote, motion passed.

- e. Drainage Easement at 333 Borthwick Avenue

Assistant Mayor Kelley moved to authorize the City Manager to accept and record an Access Easement for Water Services from HCA Health Services of NH in a substantially similar form to the easement deed contained in the agenda packet, seconded by Councilor Flynn.

Mayor McEachern asked whether the rate for services performed would be defined or passed through, to which City Manager Conard confirmed they would be passed through.

On a unanimous vote, motion passed.

9. Consent Agenda

- A. Eversource Petition and Pole License Requests:
- Installation of 1 pole on Thornton Street #63-0763
 - Installation of 1 pole on Rockingham Avenue #63-0764
 - Installation of 1 pole on Bartlett Street #63-0765
 - Installation of 1 pole on Pierce Island Road #63-0766
 - Installation of 1 pole on Court Street #63-0768
- (Refer to the City Manager with Authority to Act)***
- B. Letter from Michaela Kneuer, Big Brothers Big Sisters, requesting permission to hold the 18th Annual Stiletto Sprint on Saturday, September 19, 2026, from 1:00 p.m. to 4:00 p.m. ***(Refer to the City Manager with Authority to Act)***
- C. Letter from Rich Clyborne, Gundalow Company, requesting permission to conduct the 2026 Riverfest event on Saturday, July 11, 2026, from 10:00 a.m. to 4:00 p.m. at the Puddle Dock area ***(Refer to the City Manager with Authority to Act)***

Councilor Blalock moved to adopt the Consent Agenda, seconded by Councilor Bagley.

Councilor Cook asked for detail on Eversource's notification process when replacing or removing poles. Public Works Director Peter Rice explained that the City works with Eversource to ensure pole placement is not objectionable and noted it has not been Eversource's past practice to notify abutters of work. Councilor Cook followed up and asked if there is a grievance process with Eversource's process. Director Rice suggested either reaching out directly to Eversource or notifying the City.

On a unanimous vote, motion passed.

10. Email Correspondence

Councilor Moreau moved to accept and place on file, seconded by Councilor Hopkins.

On a unanimous vote, motion passed.

11. Letter from Julien Icher, The Lafayette Trail, Inc., requesting permission to donate and install an official Lafayette Trail Revolutionary War sign at the Plains

Councilor Blalock moved to refer to the City Manager with Authority to Act, seconded by Councilor Cook.

Councilor Moreau stated this is a great idea and she was excited to read about it.

On a unanimous vote, motion passed.

12. Letter from Attorney Derek Durbin requesting the City Council authorize the City Manager to execute an easement deed for 4 Sagamore Road in substantially similar form to the draft easement deed

Assistant Mayor Kelley moved to refer to the Legal Department for report back, seconded by Councilor Bagley.

Councilor Moreau clarified this item would typically come through the Planning Board but did not given that the location is beyond City limits.

On a unanimous vote, motion passed.

13. Ethics Committee Drawing by Lot

Councilor Moreau's name was selected to serve on the Ethics Committee at a Drawing by Lot.

14. Board, Commission, and Committee Assignments for City Councilors

Mayor McEachern announced the City Council Assignments:

Mayor McEachern – Legislative Sub-Committee, Economic Development Commission (Ex-officio), Rockingham Planning Commission, and Veterans Organization

Assistant Mayor Kelley – African Burying Grounds Preservation Committee, Legislative Sub-Committee, and Trees & Public Greenery Committee

Councilor Cook – Arts & Cultural Commission, Chamber of Commerce, Historic District Commission, Legislative Sub-Committee, Municipal Building Blue Ribbon Committee, and Public Art Review Committee

Councilor Tabor – Fee Schedule Study Committee, Energy Advisory Committee, Municipal Building Blue Ribbon Committee, and Public Access Financial Advisory Committee

Councilor Blalock – City-wide Neighborhood Blue Ribbon Committee, Economic Development Commission, Recreation Board, Safe Water Advisory Group Blue Ribbon Committee, and Sister Cities Blue Ribbon Committee

Councilor Bagley – Audit Committee, Fee Schedule Study Committee, Municipal Building Blue Ribbon Committee, and Pease Development Authority

Councilor Moreau – Audit Committee, Fee Schedule Study Committee, Planning Board, and Rockingham Planning Commission

Councilor Flynn – Audit Committee, Economic Development Commission, Legislative Sub-Committee, and Safe Water Advisory Committee

Councilor Hopkins – Parking & Traffic Safety Committee and Sustainability Committee

15. Approval of City Council Rules and Orders

Assistant Mayor Kelley moved to eliminate roman numerals from City Council Rule 7 – Order of Business and to replace them with numbers, seconded by Councilor Tabor.

Councilor Blalock noted he is in favor of efficiency.

On a unanimous vote, motion passed.

Further discussion ensued regarding whether to keep Public Dialogue Session on the agenda. Councilor Bagley asked whether it is an item the Council still utilizes. Assistant Mayor Kelley and Councilor Cook spoke to its merits and importance.

Councilor Bagley moved to strike the words “every other regularly scheduled meeting” from Rule 7, Item II, seconded by Assistant Mayor Kelley.

On a unanimous vote, motion passed.

Councilor Moreau moved to approve the City Council Rules as amended, seconded by Councilor Cook.

On a unanimous vote, motion passed.

16. Ratification of City Council Policies

Councilor Blalock moved to ratify the City Council Policies as presented, seconded by Councilor Cook.

On a unanimous vote, motion passed.

17. Ratification of Blue-Ribbon Committees

- African Burying Grounds Preservation Committee
- Citywide Neighborhood Committee
- Housing Blue Ribbon Committee

- Municipal Building Blue Ribbon Committee
- Safe Water Advisory Group (SWAG)
- Sister Cities Blue Ribbon Committee

Assistant Mayor Kelley moved to ratify as presented, seconded by Councilor Blalock.

On a unanimous vote, motion passed.

18. Reappointment of City Manager Conard to the Pease Development Authority

Councilor Bagley moved to reappoint City Manager Conard to the Pease Development Authority, seconded by Councilor Blalock.

Mayor McEachern spoke on the importance of the City Manager's involvement in the Authority and expressed support for the motion.

Councilor Flynn spoke on her experience touring PDA and was impressed by the ongoing work and partnership taking place.

On a unanimous vote, motion passed.

19. Appointments to be Considered

The City Council considered the appointments as presented and will act upon them at the February 2, 2026, meeting:

- Reappointment of Jeffrey Cooper to the Arts & Cultural Commission
- Appointment of Demi Dubois to the Arts & Cultural Commission
- Reappointment of Eli Kaynor to the Arts & Cultural Commission
- Appointment of Hope Anderson Puzzo to the Arts & Cultural Commission
- Appointment of Margherita Giacobbi as an Alternate to the Arts & Cultural Commission
- Appointment of Joshua Cyr to the Economic Development Commission
- Appointment of Jason Goodrich as an Alternate to the Economic Development Commission
- Appointment of Amy Dutton to the Cemetery Commission
- Appointment of Jennifer Merriam to the Cemetery Commission
- Appointment of Susan Sterry to the Municipal Building Ribbon Committee

20. Resignation of Cassandra Lund from the Arts and Cultural Commission

Councilor Cook moved to accept with regret the resignation of Cassandra Lund from the Arts and Cultural Commission and to send a letter thanking Cassandra for her service to the City, seconded by Assistant Mayor Kelley.

On a unanimous vote, motion passed.

21. City Council Retreat Update

Mayor McEachern reported that the City Council had a successful retreat and set priorities that will be part of the budget and will align with what the City Council does as a governing body moving forward.

22. Public Art Review Committee Recommendation for Temporary Art Display of PRIDE Mural

Following a brief introduction of the mural and key players involved, **Councilor Cook moved to approve the recommendation of the PARC, seconded by Councilor Moreau.**

Councilor Blalock expressed his appreciation for the mural.

On a unanimous vote, motion passed.

23. Request for first reading of Ordinance creating a permanent Sister City Committee

Councilor Blalock moved to schedule first reading of the draft Sister City Committee Ordinance at the February 2, 2026, City Council meeting, seconded by Assistant Mayor Kelley.

Councilor Blalock laid the foundation for establishing a permanent Sister City Committee, fostering friendship and promoting strong international connections.

Mayor McEachern expressed the importance of a permanent committee, citing how important work should continue beyond a standing council, and that efforts are not lost.

Councilor Cook suggested integrating involvement with a representative from Portsmouth Schools. Councilor Blalock highlighted current efforts from the School Department with Sister City involvement.

On a unanimous vote, motion passed.

24. Request a report back from Planning & Sustainability Staff on how to remove new construction from Historic District Commission's purview

Councilor Blalock moved to request a report back from Planning & Sustainability Department staff on how to remove new construction from Historic District Commission's purview, seconded by Assistant Mayor Kelley.

Discussion ensued among Councilor Blalock, Assistant Mayor Kelley, and Councilor Cook on maintaining affordability while balancing HDC standards. Councilor Tabor raised concerns relative to the possibility of eliminating design purviews and how it could affect downtown. Further discussion from Councilors requesting input from the Planning Board.

Assistant Mayor Kelley asked the Legal Department to provide a report back on whether this would be considered spot zoning.

Mayor McEachern commented on the dilemma of 'design by committee', expressing the importance of maintaining standards architects can work with in the future.

Councilor Cook suggested a friendly amendment to Councilor Blalock's motion to request a report back from the Planning & Sustainability staff, Historic District Commission and the Planning Board on the impact and costs associated with review of new construction from the Historic District Commission, and any recommendation to improve review efficiency.

Assistant Mayor Kelley moved to suspend the rules to allow Historic District Commission Chair Reagan Ruedig to speak on this matter, seconded by Councilor Bagley.

On a unanimous vote, motion passed.

Chair Ruedig spoke concerning HDC funding and trainings, including training on review of new construction. Chair Ruedig expressed the importance of maintaining building integrity and character in the years to come in HDC decision-making.

Following discussion, Council voted on the amended main motion.

On a unanimous vote, motion passed.

25. Request to Schedule a Work Session to consider enacting RSA 79-E (Community Revitalization Tax Relief Incentive) into our Zoning Ordinance

Councilor Moreau requested a Work Session with staff to review RSA 79-E and the Community Revitalization Tax Relief Incentive process.

26. Acceptance of Donation to the Senior Activity Center Luncheon Fund 13 from Karen Parnes - \$500.00

Councilor Tabor moved to approve and accept the donation as presented, seconded by Councilor Flynn.

On a unanimous vote, motion passed.

27. Update on 2123 Time Capsule

City Manager Conard reported that the 2123 Time Capsule is on display and will remain in the Portsmouth Room for a period of time. She said the capsule was part of the work during the City's 400th anniversary and was led by former Assistant Mayor Jim Splaine and former Mayor Bob Lister. She said contents of the capsule are items of significance and a plaque will be created in honor of the time capsule and the work of former Assistant Mayor Splaine and former Mayor Lister.

28. Master Plan Update

City Manager Conard reported that Master Plan consultant Utile completed the visioning-stage portion of its engagement following the Public Visioning Open House in September 2025. A vision, values, and goals plan has been drafted and a FlashVote survey was conducted with responses from 362 residents. She reported that an anticipated Draft Plan Open House will be coming in April.

29. Pease Development Authority Board Meeting Update

City Manager Conard advised that the PDA and Division of Ports and Harbors will publish an Annual Report in March. She spoke regarding snow operations at Pease indicating that plowing begins when there is an eighth of an inch of snow that takes hours to complete. She said there is 2.8 million square feet of linear apron space and 1.7 million square feet of runway clearance. She complimented the men and women who do an amazing job. She also reported that the Division of Ports and Harbors has received 50% of their total bulk salt. She informed the City Council that the PDA will not be meeting in February, and their March meeting will take place after our City Council meeting, therefore her next report will be in April.

30. Miscellaneous Business

Council Moreau reported back on her experience serving on a discussion panel with the Seacoast Board of Realtors.

Mayor McEachern congratulated Councilors Flynn and Hopkins on their first City Council meeting.

31. Adjournment

At 10:43 PM, Councilor Moreau moved to adjourn the meeting, seconded by Councilor Blalock.

On a unanimous vote, motion passed.

Prepared by:
Jefferson H. Lane
Interim Recording Secretary

Submitted to City Council by:

Approved by the City Council

Sally Kellar
City Clerk

Date: _____

The Portsmouth City Council meeting of January 20, 2026, can be viewed in its entirety on the City of Portsmouth YouTube Channel.

MEETING MINUTES AND ACTIONS OF THE PORTSMOUTH CITY COUNCIL
FEBRUARY 2, 2026, 7:00 PM
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

Mayor McEachern called the meeting to order at 7:04 PM

1. **Non-Public Session**

Assistant Mayor Kelley moved to close the Non-Public Session and seal the minutes, seconded by Councilor Moreau.

On a unanimous vote, motion passed.

2. **Roll Call**

Present: Mayor McEachern, Assistant Mayor Kelley, Councilors Cook, Tabor, Blalock, Bagley, Moreau, Flynn, and Hopkins

Absent: None

3. **Invocation**

Mayor McEachern took a moment to acknowledge the passing of Heath Wilson, extending condolences to his wife, Kristin, and children Teagan and Roan. Mayor McEachern recognized Heath's extensive involvement in the Portsmouth community.

Mayor McEachern recognized the community's efforts to keep sidewalks clear in the last snowstorm, reminding residents it takes a village to get through major storms like this. He requested patience for DPW crews who are working around the clock to clear snow.

Mayor McEachern spoke on the role of Portsmouth's government protecting the rights of all citizens, reminding it is "liberty and justice for all."

4. **Pledge of Allegiance**

Mayor McEachern led the Pledge of Allegiance

5. **Acceptance of Minutes – November 17, 2025; December 8, 2025; December 22, 2025; and January 5, 2026**

Assistant Mayor Kelley moved to accept and approve the minutes of the November 17, 2025, December 8, 2025, December 22, 2025, and January 5, 2026, City Council meetings, seconded by Councilor Moreau.

On a unanimous vote, motion passed.

6. **Recognitions and Volunteer Committee Reports**

- a. Proclamation(s) – Black History Month: Mayor McEachern read the Proclamation declaring February as Black History Month and urging all citizens to champion now more than ever our commitment to racial equity and inclusion and to sustain the open door of diversity throughout our community

7. **Public Comment Session** – There was one speaker: Gerald Duffy (Housing)

8. **Request for Water and Sewer Enterprise Fund Rate Model Study Follow Up Work Session**

Councilor Cook moved to schedule a work session on March 2, 2026, at 6:00 p.m. for the purpose of presenting and discussing the findings and recommendations of the Water and Sewer Rate Study, seconded by Councilor Bagley.

On a unanimous vote, motion passed.

9. **Purchase and Sale Agreement for the Greenland Well**

Assistant Mayor Kelley moved to authorize the City Manager to enter into a Purchase and Sale Agreement in a substantially similar form as provided in the agenda packet to procure approximately 1.07 acres from the Town of Greenland, and take all further action subsequent thereto that may be necessary to close on the subject project if contingencies are met, seconded by Councilor Moreau.

On a unanimous vote, motion passed.

10. **Renewal and Update to the Municipal Alliance for Adaptive Management (MAAM)**

Following an overview of MAAM's purpose and recent history from City Manager Conard, Assistant Mayor Kelley asked which communities eligible to join MAAM have not done so. Regulatory Counsel Suzanne Woodland noted Somersworth, Newmarket, Durham, and Newfields are not MAAM members. Regulatory Counsel Woodland noted these communities have been invited to join, and MAAM enjoys support from U.S. Environmental Protection Agency and N.H. Department of Environmental Services.

Councilor Cook inquired how Portsmouth's cost allocation was determined against other communities. Regulatory Counsel Woodland replied that allocations are determined by design flows, noting that Portsmouth has two wastewater treatment plants. Determining rates based on usage

versus design will be a conversation down the line, as smaller municipalities upgrade their treatment facilities and infrastructure.

Councilor Tabor expressed that this is an example of communities working together in the region and is gratified to see that Portsmouth is exemplifying best practices.

Councilor Blalock moved to authorize the City Manager to execute the Amendment to Renew and Update the Intermunicipal Agreement for Development of an Adaptive Water Quality Management Plan for Great Bay Estuary in a substantially similar form as contained in the agenda packet, seconded by Councilor Tabor.

On a unanimous vote, motion passed.

11. Consent Agenda

- a. Letter from Ken La Valley, Out of the Darkness Walk, requesting permission to hold the Out of the Darkness Walk on Saturday, September 19, 2026, at 9:00 a.m.
(Anticipated action – move to refer to the City Manager with Authority to Act)

Councilor Flynn moved to adopt the Consent the Agenda, seconded by Councilor Hopkins.

On a unanimous vote, motion passed.

12. Email Correspondence

Assistant Mayor Kelley moved to accept and place on file, seconded by Councilor Cook.

On a unanimous vote, motion passed.

13. Letter from Mellissa Walls, Maeve’s Mobile Cocktail Hour & The Vagabond’s Faire, requesting permission to hold a Night Market at Bohenko Park from 6:00 p.m. – 11:00 p.m. seeking suggested date.

Councilor Cook moved to refer to the City Manager with authority to act, seconded by Assistant Mayor Kelley.

On a unanimous vote, motion passed.

14. Letter from Mark Alesse regarding adjustments to the parking ordinance

Councilor Hopkins moved to refer to the Parking & Traffic Safety Committee for report back, seconded by Councilor Bagley.

On a unanimous vote, motion passed.

15. Appointments to be Considered

- Appointment of Sarah Illingworth as an Alternate to the Arts & Cultural Commission
- Appointment of Mary Claire Rodriguez-Abbott to the Portsmouth Energy Advisory Committee
- Appointment of Heather Krans to the Public Art Review Committee
- Appointment of Christopher Clement, Sr. to the Trustees of Trust Funds

The City Council considered the appointments outlined below to be voted upon at the February 17, 2026, meeting.

16. Appointments to be Voted

- Reappointment of Jeffrey Cooper to the Arts & Cultural Commission
- Appointment of Demi Dubois to the Arts & Cultural Commission
- Reappointment of Eli Kaynor to the Arts & Cultural Commission
- Appointment of Hope Anderson Puzzo to the Arts & Cultural Commission
- Appointment of Margherita Giacobbi to the Arts & Cultural Commission
- Appointment of Joshua Cyr to the Economic Development Commission
- Appointment of Jason Goodrich as an Alternate to the Economic Development Commission
- Appointment of Amy Dutton to the Cemetery Committee
- Appointment of Jennifer Merriam to the Cemetery Committee
- Appointment of Susan Sterry to the Municipal Building Blue Ribbon Committee

Assistant Mayor Kelley moved to accept as presented, seconded by Councilor Moreau.

On a unanimous vote, motion passed.

17. Acceptance of Resignation of Ellen Fineberg from the Public Art Review Committee

Councilor Cook moved to accept with regret the resignation of Ellen Fineberg from the Public Art Review Committee and to send a letter thanking Ellen for her service to the City, seconded by Councilor Tabor.

Councilor Cook extended her thanks and appreciation to Ellen Fineberg and noted the Committee misses seeing her. Councilor Cook cited Fineberg as a positive force and hopes one day she'll return to the Committee.

On a unanimous vote, motion passed.

18. 2026-2027 City Council Goal Categories, Summaries, and Strategic Objectives

Mayor McEachern reviewed the Council's six goal categories, along with their summaries and strategic objectives:

1. Housing
2. Parking and Transportation
3. Governance for the Governed
4. Arts, Culture, and Enrichment of Residential Life
5. Reduce School Food Poverty
6. Preserving Sense of Place

19. FY27 Budget guidance from the City Council, and request for report back on open positions, retirements, and possible efficiencies from these (with work session at City Manager's discretion)

Councilor Tabor requested to establish a Work Session at the City Manager's discretion with a report back on open positions, retirements, and possible efficiencies.

Councilor Bagley recognized this would be a particularly challenging budget season due to health insurance and other fixed costs, and that the City may have to look at cutting items out of necessity to ease the tax burden.

Councilor Cook spoke on the effort last year to keep the budget under the Social Security COLA but does not know if it is feasible for the upcoming budget given the increases in healthcare costs. She echoed Councilor Tabor's goal of making "gentle" cuts and foresees future work sessions to work through budget challenges.

Mayor McEachern noted he would not be entirely opposed to a hiring freeze, as it would serve as an opportunity to fully evaluate needs. He added that it is up to City leadership to show that departments are finding any and all ways to effectively streamline operations.

20. Discussion and direction regarding next steps to improve childcare access and quality in Portsmouth, including the formation of a City led, cross-departmental working group and exploration of employer supported childcare models in partnership with the Chamber and local businesses

Councilor Hopkins opened the discussion describing the nature of modern childcare, where often times parents rely on sporadic care from friends and family to assist, which is not always consistent—and can be a constraint on whether a parent can make it to work. Councilor Hopkins provided current annual costs for childcare, in this scenario specific to an infant and a toddler, totaling \$32,000 annually, which is 28% of the median New Hampshire family income. She continued to explain issues of access, such as waitlists—even if a family can afford childcare, it cannot always be accessed.

Councilor Hopkins proceeded to discuss HB1433, a bill offering tax cuts for businesses providing or creating childcare.

Councilor Hopkins suggested creating a timebound City-led childcare access and quality led working group with a small steering team and a broader advisory network.

Councilors Bagley, Blalock, and Cook expressed support and interest in childcare solutions, citing personal experience and observations around childcare challenges.

Councilor Hopkins asked that the City look at areas such as zoning, permitting, change of use, public health considerations, and economic development workforce impacts. She requested a snapshot of Portsmouth childcare today, what exists, what ages are served, and where the gaps are. She further requested the investigation of any local barriers, identification of any available quick wins, and bringing back partnership options that include employer supported models and adaptive reuse of commercial space. She also requested an implementation roadmap with realistic costs, potential funding sources with a recommendation in 90 days.

Councilor Moreau moved for the City Manager to act, seconded by Councilor Blalock.

On a unanimous vote, motion passed.

21. Discussion on cross-committee collaboration and integration: exploring low burden ways to coordinate committee work, share insights, and ensure sustainability considerations are reflected across City actions

Councilor Hopkins began this discussion with her experience meeting with the Sustainability Committee, noting that a significant takeaway from the meeting was how sustainability matters intersect with other committee focuses (i.e. housing, parking and traffic), but oftentimes the City doesn't get to see how these committees can build upon each other's efforts. She noted committees operating in silos risk duplicating efforts or miss opportunities to align goals. Councilor Hopkins proposed some sort of aligned communication among committees, helping residents see all the work that happens behind the scenes.

Councilor Bagley spoke on how he has observed these missed opportunities in the past, citing the case of microtransit options not being reviewed by the Sustainability Committee (who later reviewed microtransit on their own), demonstrating the risk of duplicating efforts.

Mayor McEachern proposed to integrate this concern into the newly developed Council Goals and share this new goal amongst committees. Councilor Cook proposed a report-back system from Councilors if it could be seen as beneficial for another committee. Councilor Tabor acknowledged how some committees operate in tandem, while others are more distant, he noted this could be bridged by establishing quantifiable goals. Councilor Moreau echoed the merit of a report-back system.

After further discussion, **Councilor Tabor moved to send the City Council Goals to the Boards, Commissions, and Committees, including Blue Ribbon Committees on further communication and collaboration amongst them and receive feedback on the goals as one stated purpose and when an action aligns with a Council goal to report that back to the City Council, seconded by Assistant Mayor Kelley.**

Councilor Blalock aired concerns shared by the Economic Development Committee regarding the Council's goals, noting a lack of involvement with small businesses.

On a unanimous vote, motion passed.

19. Approval of Donation from Paul Gormley and Kimi Iguchi for the Portsmouth Fire Department - \$1,000

Councilor Flynn moved to approve and accept the donation for the Fire Department as presented, seconded by Councilor Moreau.

On a unanimous vote, motion passed.

20. Adjournment

At 8:20 PM, Assistant Mayor Kelley moved to adjourn the meeting, seconded by Councilor Bagley.

On a unanimous vote, motion passed.

Prepared by:
Jefferson H. Lane
Interim Recording Secretary

Submitted to City Council by:

Approved by the City Council

Sally Kellar
City Clerk

Date: _____

The Portsmouth City Council meeting of February 2, 2026, can be viewed in its entirety on the City of Portsmouth YouTube Channel.



Portsmouth, NH City Council

Municipal Complex, 1 Junkins Avenue, Portsmouth, NH
in the Eileen Dondero Foley Council Chambers
Monday, June 8, 2026, at 7:00 pm

Register to participate via Zoom. A unique meeting ID and password are provided once you register. To register, click on the link below or copy and paste into your web browser:

https://us06web.zoom.us/webinar/register/WN_7hg5lksJSw2fttDCRUDiaQ

Non-Public Session

5:45 p.m. – Non-Public Session was held in Conference Room A in accordance with RSA 91-A:3, II (a), (e), and (l)

Agenda

1. **Work Session (when applicable)**
2. **Public Dialogue Session (when applicable)**
3. **Call to Order (7:05 pm)**

Assistant Mayor Kelley moved to leave the non-public session and seal the minutes. Seconded by Councilor Blalock. Motion passed unanimously.

4. **Roll Call**

Present: Mayor McEachern, Assistant Mayor Kelley, Councilors Cook, Tabor, Blalock, Bagley, Moreau, Flynn and Hopkins

5. **Invocation**

Mayor McEachern offered a moment of remembrance for Joann Soesman, the long-time proprietor of Corks and Curds, for many years and a fixture of downtown, who will be dearly missed.

6. **Pledge of Allegiance**

Mayor McEachern led the Pledge of Allegiance

7. **Acceptance of Minutes**

A. Minutes and Actions of the May 18, 2026, City Council meeting

Assistant Mayor Kelley moved to accept and approve the minutes of the May18, 2026, City Council meeting. Seconded by Councilor Cook. Motion passed unanimously.

8. Recognitions and Volunteer Committee Reports

A. Recognition

- Recommendation from Public Art Review Committee (PARC) – Gift from our Friendship City Santarcangelo, Italy

Christine Dwyer from the PARC committee explained an art installation gift from our Friendship City in Santarchangelo, Italy. The installation will be artwork created by artist Tiziano Corbelli, which consists of illuminated script displaying the poem 'The Air' by Tonino Guerra in both English and Italian. The installation will be on display in Vaughn Mall for about a year.

Councilor Cook moved to accept the public art gift from our Friendship City Santarcangelo, Italy consisting of an illuminated installation of the poem 'The Air' by Tonino Corbelli as recommended by the Public Art Committee (PARC) and authorize the City Manager to coordinate installation of the artwork as part of the Vaughn Mall project. Seconded by Councilor Blalock. Motion passed unanimously.

- *Donald Kreis, Consumer Advocate, Office of the Consumer Advocate, State of New Hampshire for Community Power (CPCNH)

Mr. Kreis gave a presentation about Community Power Coalition of New Hampshire (CPCNH), community power aggregation, and his role as a Consumer Advocate for Community Power in the State.

- Councilor Bagley questioned why the word is not getting out in Portsmouth about Community Power (CPCNH). He also questioned a potential conflict of interest between Calpine Corporation (recently bought by Constellation) and CPCNH.
- Councilor Tabor had questions about the independent report regarding CPCNH. He feels we need to research the ease of opting out of CPCNH.
- Councilor Cook asked if there are other recommendations regarding CPCNH the City should be considering
- Councilor Bagley talked about the City refresh, and should new residents opt out at this time.

- Mayor McEachern asked about the ease of opting in and out of CPCNH. He asked about the loophole regarding buying power and utility rates. He mentioned an Energy Advisory Committee has been formed to investigate these matters to be sure we are in the best position regarding aggregate power
- *Juneteenth Holiday
Mayor McEachern recognized Juneteenth is observed each year on June 19. This day commemorates the end of slavery. He invited all residents to recognize Juneteenth through the many events put on by the Black Heritage Trail, the Seacoast African American Cultural Center and others. He also mentioned the recent installation of the Ona Judge Staines Mural on Court Street.
- *Pride Month
On behalf of the City Council, Mayor McEachern invited residents and visitors to join in the celebration of Portsmouth Pride on Saturday, June 20. This event offers an opportunity to come together in support of Portsmouth Pride and celebrate the vibrant and welcoming spirit that defines our City.

B. Volunteer Committee Report

Councilor Cook moved to suspend the rules and take an item out of order, 15A.3 - Public Art Review Committee (PARC) Recommendation to Award Grant from the PNH400th Anniversary Education and Public Art Trust. Seconded by Councilor Bagley. Motion passed unanimously.

- Public Art Review Committee (PARC) Recommendation to Award Grant from the PNH400th Anniversary Education and Public Art Trust

The Public Art Review Committee (PARC) and the Portsmouth Public Library Director reviewed the grant proposals submitted in response to the request for applications. The committee decided to recommend awarding one grant for 2026 from the PNH400th Anniversary Education and Public Art Trust in the amount of \$10,000 based on the selection process outlined in the memorandum to the Council.

Councilor Cook moved to award a \$10,000 grant from the PNH400th Anniversary Education and Public Art Trust to "History Through Art Mural Making" submitted by Terrence Parker in conjunction with the Portsmouth High School Art Program. Seconded by Councilor Bagley. Motion passed unanimously.

9. Public Comment Session

- A. There were four speakers: Page Trace –the transparency of refresh to CPCNH; Esther Kennedy – the transparency for meeting minutes; there needs to be a policy regarding capturing meeting minutes and how they are preserved; “How long are videos going to be kept?”; notation of Non-public minutes. *Joni McNeal – Atlantic Heights Neighbor Bike Rack Donation/installation; Rick Becksted – bare minimum meeting minutes; City Clerk has own identity over elections; the budget; the high cost to live in Portsmouth

****Councilor Hopkins moved to suspend the rules and take an item out of order, 16.B - The donation of a Bike Rack in Atlantic Heights from the Atlantic Heights Neighborhood, Seconded by Councilor Cook. Motion passed unanimously.***

Councilor Cook moved to accept the donation of a bike rack from the Atlantic Heights Neighborhood to be placed by the Department of Public Works at the bus stop in Atlantic Heights. Seconded by Councilor Tabor. Motion passed unanimously.

10. Public Hearings and Vote On Ordinances and/or Resolutions

- A. Continued Public Hearing on the Proposed FY27 (July 1, 2026 through June 30, 2027) Budget

- ***PRESENTATION**

- **PUBLIC HEARING SPEAKERS:** Petra Huda –her analysis of budget data; Rick Becksted –budget savings ; Erik Anderson – Fire Boat, Housing Trust Fund, budget inefficiencies; Page Trace – inefficiencies in City Clerk office; Esther Kennedy – budget increase as it relates to employees.

- **CITY COUNCIL QUESTIONS**

Councilor Bagley responded to the questions presented by public hearing speakers. Mayor McEachern asked Deputy City Manager of Finance, Nathan Lunney, to explain differences in proposed budget vs Actual FY25. Councilor Cook explained budget increases due to decreases in State funding and increases in healthcare costs, and employee retention

Councilor Cook moved to suspend the rules and take an item out of order 15A. Seconded by Councilor Bagley. Motion passed unanimously.

15.A Amend the Proposed FY27 Budget to decrease Capital Outlay by \$65,000, that amount representing the costs for the Artist Live Work Studio Study (CIP # BI-27-ED-26), and authorize the Trustees of the Trust Funds to expend \$65,000 from the City of Portsmouth Below Market Rate Housing Trust Fund for the Artist Live Work Studio Study for below market rate housing.

Discussion – Councilor Blalock is not in favor of this motion. Assistant Mayor Kelley is concerned about not bringing this to the Housing Committee and going directly through the committee to the Trustees of the Trust Funds. Councilor Bagley suggested, instead of using Capital Outlay, funding it through a Trust for housing. He believes this does not need to go to committee; Councilor Tabor said The Housing Trust Fund is dedicated to directing payments to help people to afford housing. He cannot support this motion.

Councilor Cook moved to authorize the Trustees of the Trust Funds to expend \$65,000 from the city of Portsmouth Below Market Rate Housing Trust Fund for the Artist Live/Work Studio Study for below market rate housing. Seconded by Councilor Bagley. Motion passed 7-2. (Councilors Tabor and Blalock voted against)

Councilor Cook made a second motion related to this item.

Councilor Cook moved to amend the proposed FY27 Budget to decrease Capital Outlay by \$65,000, that amount representing the costs for the Artist Live/Work Studio Study, upon authorization by the Trustees of the Trust Funds to release \$65,000 from the City of Portsmouth Below Market Rate Housing Trust Fund for the Artist Live/Work Studio Study. Seconded by Assistant Mayor Kelley. Motion Passed 8-1 (Councilor Blalock voted against)

Councilor Moreau moved to suspend the rules and take an item out of order, 15.D - To increase the Adult Non-Resident fees for Spinnaker Point. Seconded by Councilor Bagley. Motion passed unanimously.

- 15.D Increase the Adult Non-Resident fees for Spinnaker Point to the following:
 - Adult Non-Resident Membership per year \$575
 - Adult Non-Resident Membership per month \$50
 - Senior Citizen Non-Resident Membership per year \$300
 - Senior Citizen Non-Resident Membership per month \$35
 - Daily Guest Fee Non-Resident \$25

Councilors Bagley, Tabor, Cook and Moreau spoke in support of this motion.

Councilor Moreau moved to increase the Adult Non-Resident fees for Spinnaker Point as presented. Seconded by Councilor Bagley. Motion passed unanimously.

ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS Adoption of Proposed Budget Resolutions for Fiscal Year July 1, 2026 Through June 30, 2027 (FY27)

- Resolution # 7-2026 MUNICIPAL FEES - A Resolution to adopt fees by Budget Resolution

Discussion - Councilor Cook had a question about dock utility access fees. Fees are going up and there is no differentiation between resident/non-resident fees. Currently, utility fees are set at a flat rate. Councilor Blalock asked if there will be any effect to with the Spinnaker fees increase. Councilor Bagley believes that residents should be at an advantage over non-residents when setting fees.

Councilor Tabor moved to adopt Resolution #7-2026 – Municipal Fees as amended. Second by Councilor Blalock. On a Roll Call vote, the motion passed unanimously.

A short recess was taken at 9:50 pm.

- Resolution # 8-2026 GENERAL FUND EXPENDITURES - A Resolution making appropriation of sum for all the necessary General Fund expenditures for the operation of general operating departments and services for the City of Portsmouth, New Hampshire for the Fiscal Year ending June 30, 2027 as amended.

Councilor Bagley moved to suspend the rules and take an item out of order, 15.C - to amend the FY27 budget to include a \$56,000 fuel subsidy due to the drastic increase in fuel costs since the budget was first prepared. Second by Councilor Moreau. On a Roll Call vote, Councilor Bagley voted in favor. Mayor McEachern, Assistant Mayor Kelley, Councilors Cook, Tabor, Blalock, Moreau, Flynn and Hopkins voted opposed. Motion does not pass 1-8.

Mayor McEachern passed the gavel to Assistant Mayor Kelley.

Discussion - Mayor McEachern and Councilor Blalock are not in favor of this motion. Councilor Cook asked where these funds could be taken. Councilor Hopkins asked for a simple explanation of Mayor McEachern's comments of where the money could come from instead of adding to the budget. Councilor Cook asked if the fund balance may end up in the 13% range at the end of this FY26. Councilor Tabor asked if we really need to add to the budget. Before the

vote was taken there was additional discussion regarding the release of funds by the Trustees of the Trust Funds out of the City of Portsmouth Below Market Rate Housing Trust Fund for the Artist Live/Work Studio Study. Councilor Cook cannot support the motion without the money included for the Live/Work Study in the budget.

Mayor McEachern moved to suspend the rules and take items 14.E, 14.F and 14.G out of order. Seconded by Councilor Kelley. Motion passed unanimously.

The gavel was passed to Assistant Mayor Kelley.

Item 14E. to amend the Proposed FY27 Budget to decrease the Fire Department Budget as proposed by \$174,740, that amount representing the costs associated with the Deputy Chief – Training position.

Mayor McEachern moved to call the Proposed FY27 Budget to decrease the Fire Department Budget as proposed by \$174,740, that amount representing the costs associated with the Deputy Chief – Training position. Second by Councilor Blalock and vote.) Motion does not pass 1-8. (Mayor McEachern voted in favor)

Discussion - Fire Chief McQuillen answered questions from Mayor McEachern, Councilor Moreau and Councilor Cook, and the reasons for this position. Additional general discussion ensued. Speaking from experience as a rural firefighter, Councilor Hopkins described the benefits of having hands-on training opportunities.

Councilor Bagley made a motion to continue the meeting past 10:30 pm. Seconded by Councilor Moreau. Motion passed 8-1. (Assistant Mayor Kelley not in favor)

Item 14.F Amend the Adopted FY27–FY32 CIP to decrease the amount for the Fire Boat Replacement (CIP # VE-25-FD-02) from \$900,000 to \$150,000, that amount representing up to 25% in matching funds for a Federal or State Grant for the proposed capital purchase of a \$600,000 Fire Boat.

14.F Mayor McEachern revised his original motion and moved the City Council to direct the City Manager and the Fire Chief to request a letter of support from the US Coast Guard for the City's application to the FEMA Port Security Grant Program for a replacement fire boat, to coordinate with Coast Guard Sector

Northern New England and engage New Hampshire's congressional delegation in support of the application, with a report back to the Council before any bond authorization is sought. Seconded by Councilor Moreau. Motion passed unanimously.

Discussion - Mayor McEachern explained his motion as it relates to previous comments from the public. Councilor Bagley asked a question to Chief McQuillen regarding the cost of the fire boat. Councilor Blalock agrees with the Mayor's comments. Councilor Hopkins asked how grant deadlines affect the timeline. Councilor Cook spoke in favor of the motion and asked how quickly we can get letters of support.

14.G Mayor McEachern moved to amend the Proposed FY27 Budget to decrease Capital Outlay by \$50,000, that amount representing the costs for the Electrification of City Fleet – Development Plan. Seconded by Councilor Hopkins. Motion passed unanimously.

Discussion – Councilor Cook and Councilor Bagley support the motion. Councilor Cook mentioned that there are no Federal Funds to support City needs related to electrification of a city fleet. Councilor Bagley commented that we don't need to do a study for equipment that doesn't exist.

The gavel was passed back to Mayor McEachern.

Councilor Bagley moved to adopt Resolution # 8-2026 – General Fund Expenditures as amended. Seconded by Councilor Moreau. On a roll call vote the motion passed 8-1 (Councilor Cook voted against)

- Resolution #9-2026 WATER FUND EXPENDITURES - A Resolution making appropriation of sums of money for all necessary Water Fund expenses for the operation of the water system of the City of Portsmouth, New Hampshire for the Fiscal Year ending June 30, 2027

Councilor Flynn moved to adopt Resolution #9-2026 – Water Fund Expenditures. Second by Councilor Hopkins and voted. On a roll call vote, the motion passed unanimously.

- Resolution #10-2026 SEWER FUND EXPENDITURES - A Resolution making appropriation of sums of money for all necessary Sewer Fund Expenses for the

operation of the sewer system of the city of Portsmouth, New Hampshire for the Fiscal Year ending June 30, 2027

Assistant Mayor Kelley moved to adopt Resolution #10-2026 - Sewer Fund Expenditures. Seconded by Councilor Cook. On a roll call vote, the motion passed unanimously.

- Resolution #11-2026 SPECIAL REVENUES, PORTSMOUTH HOUSING ENDOWMENT TRUST AND COMMITTED FUND BALANCES FOR NECESSARY EXPENDITURES – A Resolution making appropriation of sums of money from Special Revenues, Portsmouth Housing Endowment Trust, and Committed Fund Balance for necessary expenditures for the Fiscal Year ending June 30, 2027.

Councilor Tabor moved to adopt Resolution #11-2026 - Special Revenues, Portsmouth Housing Endowment Trust, and Committed Fund Balance for necessary expenditures. Seconded by Councilor Blalock. On a roll call vote, the motion passed unanimously.

- Resolution #12-2026 INVESTMENT POLICY – A Resolution approving Investment Policy for the Fiscal Year ending June 30, 2027

Councilor Bagley moved to adopt Resolution #12-2026 – Investment Policy. Seconded by Councilor Moreau. On a roll call vote, the motion passed unanimously.

Mayor McEachern closed the Public Hearing on the budget.

- B. Third and Final Reading of Ordinance Amending Chapter 7, Parking, Article I - Parking Meters, Section 7.102, Parking Meter Rates, to establish parking rates for the Resident Access Parking Program (RAPP) Pilot

Councilor Flynn moved to pass third reading and adopt as presented. Seconded by Councilor Hopkins. On a roll call vote, the motion passed 8-1. (Councilor Blalock voted against)

Discussion - Councilor Blalock is not in favor of this motion. He believes it will not accomplish its goals. Assistant Mayor Kelley commented on her hesitation in what this means long term regarding parking. Councilor Bagley supports this motion. Councilor Cook hopes this program helps residents to better access to parking. Councilor Tabor commented on the demand for parking and how to handle available

parking. Mayor McEachern explained we may always have parking issues and he supports this program.

C. Public Hearing and Second Reading Regarding Ordinance Amendment to Chapter 5, Fire Department and Prevention Regulations, Article IX: Adopted Fire Codes

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

Assistant Mayor Kelley moved to pass second reading and hold third and final reading regarding Ordinance Amendment to Chapter 5, Fire Department and Prevention Regulations, Article IX: Adopted Fire Codes at the June 22, 2026, City Council meeting. Seconded by Councilor Cook. Motion passed unanimously.

Councilor Cook moved to suspend the rules and pass the third and final reading regarding Ordinance Amendment to Chapter 5, Fire Department and Prevention Regulations, Article IX: Adopted Fire Codes. Seconded by Assistant Mayor Kelley. Motion passed unanimously.

D. Resolution supporting HB 1491 – relative to Pooled Risk Management Programs

In response to the New Hampshire Municipal Association’s request for support of HB 1491, a bill authorizing non-assessment risk pools, I have requested that the Council consider passing the attached Resolution in Support of House Bill 1491. NHMA issued a call for action for municipalities to forward this resolution to the Governor and our legislative delegation to urge the Governor’s support of the bill that has passed both the House and the Senate that supports non-assessment risk pools and has been enrolled for the Governor’s signature.

Councilor Cook moved to pass the resolution as presented. Seconded by Councilor Blalock. Motion passed unanimously.

Discussion - Councilor Cook would like to pass this motion so we can send our resolution to Governor Ayotte in support of HB 1491.

11. City Manager’s Items Which Require Action

A. Approval of Resident Access Parking Program (RAPP) Pilot Policy

Councilor Tabor moved to adopt City Council Policy No. 2026-01- Resident Access Parking Program (RAPP) Pilot as presented. Seconded by Councilor Moreau. Motion passed 8-1. (Councilor Blalock voted against)

12. Consent Agenda

Councilor Bagley moved to adopt the Consent Agenda as presented. Seconded by Councilor Moreau. Motion passed unanimously.

- A. Active City Encumbrances Report
- B. Event Request from Irreverent Warriors New Hampshire for their Portsmouth Silkies Hike, August 29, 2026
- C. Event Request for FORM Fitness Pilates series in Prescott Park

13. Presentations and Written Communications

- A. Email and Written Correspondence

Councilor Flynn moved to accept and place on file. Seconded by Councilor Hopkins. Motion passed unanimously.

- B. Petition – AI Data Centers

Councilor Cook moved to referred Legal Department for a report back. Second by Councilor Moreau. Motion passed unanimously.

- C. Request from Attorney John Bosen on behalf of property owners at 361 Hanover Street requesting a landscaping License and Pole License over City property.

Councilor Tabor moved to refer to the Planning Board for a recommended action. Seconded by Councilor Blalock. Motion passed 8-0. (Councilor Moreau recused)

14. Mayor McEachern

- A. Appointments to be Considered

- Appointment of Karyn DeNicola to the Cemetery Committee
- Reappointment of Ash Chicooree to the Cable and Broadband Internet Commission
- Reappointment of Jeff Abrams to the Cable and Broadband Internet Commission
- Appointment of Jim Wilson from Alternate to Regular Member to the Cable and Broadband Internet Commission

- B. Appointments to be Voted

Councilor Bagley moved to appoint the following as presented. Seconded by Councilor Moreau. Motion passed unanimously.

- Reappointment of Deidre (Dee) Forte to the Cemetery Committee
- Reappointment of Michael Griffin to the Cemetery Committee
- Reappointment of Sue Polidura to the Cemetery Committee

- Reappointment of Talia Sperduto to the Conservation Commission
- Reappointment of Barbara McMillan to the Conservation Commission
- Appointment of Matt Dydo to the Arts and Cultural Commission
- Appointment of Marta Hurgin to the Sustainability Committee

Gavel passed to Assistant Mayor Kelley.

- C. Motion for staff to provide a report back regarding a proposed refined revenue model prior to October 15, 2026, and in time for the setting of the tax rate.

Councilor Flynn moved for staff to provide a report back regarding a proposed refined revenue model prior to October 15, 2026, and in time for the setting of the tax rate. Seconded by Councilor Hopkins. Motion passed unanimously.

Discussion – Mayor McEachern explained his motion. Councilor Bagley asked a question related to the new ERP system. Nathan Lunney spoke about setting the tax rate. Councilor Tabor would like to know more, in the report back, about one-time large occurrences that have an impact. Councilor Cook said we need to think about the budgeting model.

- D. Motion for staff to provide a report back with a proposed vacancy modeling approach prior to October 15, 2026, and in time for the setting of the tax rate.

Mayor McEachern moved for staff to provide a report back with a proposed vacancy modeling approach prior to October 15, 2026, and in time for the setting of the tax rate. Seconded by Councilor Bagley. Motion passed unanimously.

Discussion - Mayor McEachern explained his motion. Councilor Tabor is in favor of vacancy budgeting.

Gavel passed back to Mayor McEachern.

- E. (Item taken out of order 10.A Resolution #8-2026 GENERAL FUND EXPENDITURES)
Amend the Proposed FY27 Budget to decrease the Fire Department Budget as proposed by \$174,740, that amount representing the costs associated with the Deputy Chief – Training position.
- F. (Item taken out of order 10.A Resolution #8-2026 GENERAL FUND EXPENDITURES)
Amend the Adopted FY27–FY32 CIP to decrease the amount for the Fire Boat Replacement (CIP # VE-25-FD-02) from \$900,000 to \$150,000, that amount representing up to 25% in matching funds for a Federal or State Grant for the proposed capital purchase of a \$600,000 Fire Boat.
- G. (Item taken out of order 10.A Resolution #8-2026 GENERAL FUND EXPENDITURES)
Amend the Proposed FY27 Budget to decrease Capital Outlay by \$50,000, that

amount representing the costs for the Electrification of City Fleet – Development Plan (CIP # VE-27-PL-08).

15. City Council Members

A. Councilor Cook

- (Item taken out of order 10.C) Amend the Proposed FY27 Budget to decrease Capital Outlay by \$65,000, that amount representing the costs for the Artist Live Work Studio Study (CIP # BI-27-ED-26), and authorize the Trustees of the Trust Funds to expend \$65,000 from the City of Portsmouth Below Market Rate Housing Trust Fund for the Artist Live Work Studio Study for below market rate housing.
- (Item taken out of order 10.D) Resolution Supporting HB 1491- In response to the New Hampshire Municipal Association’s request for support of HB 1491, a bill authorizing non-assessment risk pools, I have requested that the Council consider passing the attached Resolution in Support of House Bill 1491. NHMA issued a call for action for municipalities to forward this resolution to the Governor and our legislative delegation to urge the Governor’s support of the bill that has passed both the House and the Senate that supports non-assessment risk pools and has been enrolled for the Governor’s signature.
- (Item taken out of order 8.B.2) - Public Art Review Committee (PARC) Recommendation to Award Grant from the PNH400th Anniversary Education and Public Art Trust. The Public Art Review Committee (PARC) and the Portsmouth Public Library Director reviewed the grant proposals submitted in response to the request for applications. The committee decided to recommend awarding one grant for 2026 from the PNH400th Anniversary Education and Public Art Trust in the amount of \$10,000 based on the selection process outlined in the memorandum to the Council.

B. Councilor Tabor

- Community Power presentation and communication plan
This item has been moved to the June 22, 2026 City Council Meeting agenda.

C. Councilor Bagley

- (Item taken out of Order 10.A Resolution #8-2026) Amend the FY27 budget to include a \$56,000 fuel subsidy due to the drastic increase in fuel costs since the budget was first prepared.

D. Councilor Bagley/ Councilor Moreau

- (Item taken out of order 10.A Resolution #7-2026) Increase the Adult Non-Resident fees for Spinnaker Point to the following:
 - Adult Non-Resident Membership per year \$575
 - Adult Non-Resident Membership per month \$50
 - Senior Citizen Non-Resident Membership per year \$300
 - Senior Citizen Non-Resident Membership per month \$35
 - Daily Guest Fee Non-Resident \$25

E. Councilor Flynn

- *School Food Insecurity Task Force Update

F. Councilor Hopkins

- Parking & Traffic Safety Committee Action Sheet and Minutes of February 5, 2026

Councilor Hopkins moved to approve and accept the action sheet and minutes of the February 5, 2026, Parking & Traffic Safety Committee meeting. Seconded by Councilor Flynn. Motion passed unanimously.

- Recommendation to remove from the Parking & Traffic Safety Committee Action Sheet and Minutes of May 7, 2026: 1. The one-way traffic and on-street parking on Fleet Street between Congress and Hanover. 2. The License Agreement request from a resident to park on State Street, 3. The 100 Club's request to approve the renewal of valet license.

Councilor Hopkins moved to remove these Action Items from the Parking & Traffic Safety Committee Action Sheet and Minutes of May 7th, 2026, and presented for Council's consideration individually. Seconded by Assistant Mayor Kelley. Motion passed unanimously.

- Recommendation for Council to request a report back from staff on its recommendation for one-way traffic and on-street parking on Fleet Street between Congress and Hanover

Councilor Hopkins moved to request report back from staff on its recommendation for one-way traffic and on-street parking on Fleet Street between Congress and Hanover. Seconded by Councilor Cook. Motion passed unanimously.

- License Agreement request from resident to park on State Street

Councilor Hopkins moved to place this request on file. Seconded by Councilor Tabor. Motion passed unanimously.

- The 100 Club request to approve renewal of valet license

Councilor Hopkins moved to approve The 100 Club's request to approve renewal of valet license. Seconded by Councilor Blalock. Motion passed 8-0 (Councilor Bagley recused)

- Parking & Traffic Safety Committee Action Sheet and Minutes of May 7, 2026

Councilor Hopkins moved to approve and accept the Parking & Traffic Safety Committee Action Sheet and Minutes of May 7, 2026. Seconded by Councilor Bagley. Motion passed unanimously.

16. Approval of Grants/Donations

- A. U.S. Department of Justice's Office of Juvenile Justice Delinquency Prevention (OJJDP) grant in the amount of \$380,178 for the NH Internet Crimes Against Children Task Force

Councilor Flynn moved to accept the U.S. Department of Justice's Office of Juvenile Justice Delinquency Prevention (OJJDP) grant in the amount of \$380,178 for the NH Internet Crimes Against Children Task Force as presented. Seconded by Assistant Mayor Kelley. Motion passed unanimously.

- B. (Item taken out of order See 9A.) Donation – Bike Rack in Atlantic Heights from the Atlantic Heights Neighborhood

- C. Unsolicited \$30 gift card to Common Man Roadside for general use by the Portsmouth Police Department

Councilor Blalock moved to accept the unsolicited \$30 gift card to Common Man Roadside for general use by the Portsmouth Police Department. Seconded by Councilor Flynn. Motion passed unanimously.

17. City Manager's Informational Items

- A. Report Back on On-Street & Lot Parking Fees

Councilor Moreau moved to bring forward for first reading on June 22, 2026, an amendment to Chapter 7 relative to on-street parking fees. The amendment will change the process by which fees are established to be more in accord with the setting of fees through the Administrative Code (recommendations flowing from the Fee Schedule Study Committee). Seconded by Councilor Bagley. Motion passed unanimously.

- B. *Open Enrollment Policy for Portsmouth - School District/SAU52

18. Miscellaneous Business Including Business Remaining Unfinished At Previous Meeting

- A. Councilor Blalock recognized the success of various Portsmouth High School Spring sports teams.

19. Adjournment

Councilor Moreau moved to adjourn the meeting at 12:32 am.

*Indicates verbal report with no attachments

Sally A. Kellar
City Clerk

**The Council Chambers
City Hall
Portsmouth, New Hampshire
A Proclamation**

Whereas: This year 2026 marks the 250th Anniversary of the Declaration of Independence of the United States of America, commemorating the founding of our nation and the enduring principles of liberty, democracy, and opportunity; and

Whereas This year offers an opportunity to celebrate 250 years of service by the United States Postal Service and its predecessor organizations, including the much longer history of the Portsmouth Post Office. Together, they have connected the American people, facilitated commerce, supported civic engagement, and served as a trusted presence in our communities; and

Whereas Since those earliest days, post office employees have played a vital role in connecting us through the communications and delivery services we all depend upon; and

Whereas: The people of the United States Postal Service in Portsmouth steadfastly serve our residents and businesses through their commitment to universal service and community engagement; and

Whereas: The 250th Anniversary of the Declaration and of the Postal Service provide an opportunity to reflect on our shared history, celebrate the mutual contributions of our citizens including Postal Service employees and recognize institutions that have strengthened our nation and local communities.

Now, therefore, I, Deaglan McEachern, Mayor of the City of Portsmouth, on behalf of the members of the City Council and the citizens of Portsmouth, do hereby proclaim July 2, 2026 as

***America 250 & 250 Years of
American Postal Service Day in Portsmouth***

And encourage all residents to participate in activities that celebrate our nation's 250th Anniversary and recognize the Postal Service's longstanding commitment to serving our nation and our community.



Given with my hand and the
Seal of the City of Portsmouth,
on this 22nd day of June 2026.

Handwritten signature of Deaglan McEachern.

Deaglan McEachern, Mayor of Portsmouth



City of Portsmouth

Economic & Community Development

MEMORANDUM

TO: Karen S. Conard, City Manager

FROM: Sean Clancy, Assistant City Manager for Economic & Community Development

DATE: June 10, 2026

SUBJECT: Request Release of Public Art Trust Funds for "Cod and the Mortal Sea" Sculpture Repair and Reinforcement

Summary of Request

The Public Art Review Committee (PARC) has reviewed and approved the use of Public Art Trust funds, up to three thousand dollars, for the repair and reinforcement of the "Cod and the Mortal Sea" sculpture in Bohenko Park. PARC is requesting City Council approval to support action by the Trustees of the Trust Fund to accommodate this request.

PARC Review and Determination

PARC finds that the request falls within their ability to provide funds for the repair and maintenance of public art installations. The original installation was not sufficient to withstand the wind that regularly visits the riverfront location. PARC approved this request on January 28, 2026.

Conclusion

PARC concludes that the funds are appropriate and this expense will serve to protect the "Cod and the Mortal Sea" sculpture today and in the future.

Sample Motion for City Council

Motion: Move to approve the request from PARC to release three thousand dollars from the Public Art Trust Fund predicated on approval from the Trustees of the Trust fund.

Attachments (1)

**MEETING MINUTES OF THE PORTSMOUTH
PUBLIC ARTS REVIEW COMMITTEE (PARC)**

January 28, 2026 - 5:15 – 6:30 PM
Conference Room A

Members Present: Chris Dwyer, Ernie Greenslade; Beth Hartnett; Robin Lurie Meyerkopf; Lennie Mullaney; Jen Meister; Nancy Pearson, Mara Witzling

Absent:

City Council/Staff: Sean Clancy, Councilor Kate Cook, Stephanie Seacord

AGENDA

1. Welcome and agenda review

2. Vote to accept minutes of December 17 meeting- ***Motion made by Lennie Mullaney; Second by Jen Meister. Motion approved.***

3. Updates/wrap-ups:

--resignation of Ellen Fineberg. - *This creates two vacancies on PARC. There is one person who has applied and is pending approval of the city council. The committee wanted to thank Ellen for her service and hope she might return in the future.*

--updated public art inventory updates and web page updates; PARC Meeting Materials | City of Portsmouth- *are now live.*

--re-dedication of Each One: the Button Project/Community Campus- *The mural has been moved to the Community Campus and the artist, Sarah Haskell is pleased with the change, as more people will see it and interact with it. Re dedication ceremony TBD once signage has been completed.*

--PRIDE mural temporary installation approval- *The city council approved the temporary installation.*

--next steps: art exhibit for City Council Chambers lobby- *Mara and Lennie will oversee and potentially invite outside contributors to help.*

--Bohenko Gateway Park update: Nebi maquette and donations; bench; sponsor benefits- *Raised \$64,000 toward the work. We applied for and received a \$10K grant from the Sawtelle Foundation. The maquette is near completion.*

The Sue Thoreson memorial bench planning is underway. Some funds will need to be raised for site preparation and installation.

4. Cod and the Mortal Sea maintenance request (Terrence Parker)- *The maintenance plan was not robust enough to deal with the strong winds coming down the river. To adjust for wind damage, some design elements were adjusted, i.e. shortening the cables from which the fish hang. For a longer term solution, there is a \$2,700 funding request to replace the cables with solid aluminum rods. The fish will still move but less freely and without as much friction.*

Motion to release \$3,000 (extra for contingency) from Public Art Trust CIP funds made by Beth Hartnett; second by Jen Meister. Motion approved.

5. Launch of RFP for Portsmouth 400th Anniversary Education & Public Art Trust (Nancy and Ernie)- *Feedback Lynda Schmidt from the Clipper Foundation suggested that we take another look at the application for clarity. PARC will run the process along with library director Christine Friese, similar to the Peirce Island project. As questions from applicants come in, we can post them with the answers on the PARC Public Art Trust web page for anyone in the public to see. An email list of potential applicants is started, but we are all encouraged to share via other channels like social media. Committee members are asked to review a revised information/application packet.*

6. Sister City Gift- *The Italian city of Santarcangelo di Roamagna wants to give Portsmouth a luminary work similar to those the city is known for (Author Luminaries). Questions such as what it would say, how it is installed, and the size would help determine the cost and location. More info to come when mayor of Santacangelo visits in February.*

7. Election of officers/staggered terms for committee members- ***Motion to nominate Nancy Pearson as Secretary made by Chris Dwyer; second by Lennie Mullaney. Motion to nominate Chris Dwyer and Ernie Greenslade as co-chairs made by Beth Hartnett; second by Jen Meister. Both motions were approved.*** *There is a procedural need to stagger terms so members can be reappointed. This is managed by Councilor Kate Cook working with the City Clerk. Members who want a shorter term or do not want to be reappointed should let Councilor Cook know.*

8. Review of draft annual report- *Chris Dwyer drafted a report to council. Members reviewed and weighed in. Chris will clean up the document and send it to the council.*

9. Goal setting for 2026- *Focus on projects that are funded; the Hanover Garage and the Schools.*

10. If time permits, begin discussion of High-Hanover garage opportunity. The committee reviewed images of public art in public garages collected by Beth, Ernie, and Chris as inspiration.

11. Public comment- *No members of the public spoke.*

Motion to adjourn made by Mara Witzling; Second by Jen Meister. Motion approved.

Next Meeting: February 25, 2026

Respectfully submitted,

Nancy Pearson

City of Portsmouth

Department of Public Works



MEMORANDUM

TO: Karen Conard – City of Portsmouth City Manager
Carl Weber – Deputy City Manager

FROM: Benjamin Fletcher – Director– Parking Division
Peter Rice – Director – Department of Public Works

DATE: 5.29.2026

SUBJECT: Response to Council Request for On-Street & Lot Pricing Analysis

On 5/4/2026, the City Council requested a report back and analysis of hourly parking rates for On-Street parking and City Lots given the anticipated rate increase at the Foundry and Hanover Garages. Below are the Parking Division’s recommendations and key points for the Council to consider.

Resident Users – No Changes

The Division **recommends no change to the price structure currently enjoyed for On-Street and Parking Lot rates by residents** who have registered for the Resident Parking Program and receive a discount while using the ParkMobile App. Those rates are currently \$1.25 per hour for the first 3 hours, and \$2.25 per hour thereafter.

In the updated 2025 Parking Principles, **Statement #7** reads: “Parking policies and programs should recognize the differences in needs between long-term and short-term parkers and include incentives which encourage use of off-street public parking facilities for long-term parkers seeking less expensive accommodation and promote availability for short-term parkers seeking proximity for quick errands.”

Portsmouth has three distinct parking inventories for transient (visitor) traffic:

1. On-Street & Lot Parking;
2. Hanover Garage; and
3. Foundry Garage

They are each priced differently to encourage different types of usage, with a holistic approach to the entire system.

On-Street & Lot Parking

This is the highest-demand inventory in the City’s portfolio, and is priced to encourage higher turnover. Prior to 2020, the City enforced a three-hour time limit on all On Street & Lot inventory. The main complaint the Parking Division received was frustration from visitors who felt punished for overstaying their welcome after the three-hour limit. The City shifted from ticketing after three hours to a Stay & Pay pricing model in 2020. Under the Stay & Pay model, pricing for the first three hours remained at \$2 per hour, while hours

4 and beyond increased to \$5 per hour, allowing for extended stays at the increased rate. This methodology provides an economic incentive for motivated users to vacate the space, making it available for the next visitor. This incentive is in place to support local businesses by helping to ensure that space is available near downtown storefronts. **The average Length of Stay (LOS) for this inventory is 1.96 hours.**

Hanover Garage

The Hanover Garage is currently priced at a flat \$2 per hour, matching the first 3 hours for the On Street rate but it does not escalate at the 4th hour. This encourages shoppers and diners to access the Hanover Garage when seeking to stay for longer periods. **The average LOS at Hanover is 3.78 hours.**

Foundry Garage

The Foundry Garage is currently priced at a flat \$1 per hour. This encourages those visiting for the day or working downtown to utilize this inventory. **The average LOS at Foundry is 8.85 hours, largely driven by the Downtown Workforce Program. LOS for the non-workforce user group at Foundry is 5.99 hours.**

Park Once Philosophy

Pricing the system in this manner adheres to an Industry Standard practice called the Park Once Philosophy, which encourages drivers to park their vehicles once, then accomplish all subsequent errands via walking or alternative modes of transportation. This practice helps to reduce pollution and the City's carbon footprint, while simultaneously reducing congestion and making the City safer for pedestrians and cyclists. It also has the effect of increasing walk-in traffic for local businesses and longer stays at eating establishments.

Garage Pricing Changes for FY27

In March 2026, the Fee Schedule Study Committee voted to adjust the hourly parking rates at both garages, effective July 1, 2026 as follows:

- Hanover changing from \$2 per hour to \$3 per hour
- Foundry changing from \$1 per hour to \$2 per hour

Without making a change to the On-Street & Lot pricing, a 4-hour stay in Hanover (\$12) will be more expensive than a 4-hour stay in On-Street at \$11. This will naturally have the effect of increasing demand for the On-Street inventory, working against the current use profiles and the goals of the program.

Recommendation

For this reason, the Division recommends increasing the City's On-Street inventory from the current rate of \$2 for each of the first 3 hours and \$5 thereafter, to \$3 for the first 3 hours, and \$6 thereafter. This recommended increase in On-Street parking rates is consistent with the changes at both the Hanover and Foundry facilities, and will maintain the important behavioral relationship between the three inventories.

The Legal Department will be providing a separate report back on the method of adopting On-Street Parking Lot rates.

Revenue

Calculating actual usage from the past 365 days, this pricing change is estimated to generate roughly \$2M in additional revenue for the Parking Division. This calculation assumes the following:

- A 5% reduction in On-Street usage as consumers adjust to the change
- A 5% increase in garage usage for transient visitors
- Traffic volumes remain consistent year over year

History of Parking Pricing Adjustments

The City introduced the Resident Discount for registered residents using the Parkmobile app in February 2018. Additionally, the City introduced the Stay & Pay pricing model on August 17, 2020, and eliminated the B-Zone rate on April 15, 2024, synchronizing all On-Street & Lot Parking pricing to one zone.

CITY OF PORTSMOUTH

LEGAL DEPARTMENT

MEMORANDUM

DATE: June 1, 2026

TO: KAREN CONARD, CITY MANAGER

FROM: JANE FERRINI, SENIOR ASSISTANT CITY ATTORNEY JF

RE: REPORT BACK ON FEE SCHEDULE STUDY COMMITTEE SETTING ON-STREET PARKING RATES

The City Council asked for a report back on whether the Fee Schedule Study Committee can adopt on-street parking rates through the adoption of the Fee Schedule through resolution during the budget approval process, and for the reasons set forth below, I conclude that it can.

Cities may regulate all streets and public ways (RSA 47:17, VII) and shall enact ordinances to “control the parking, standing and stopping of automobiles within city limits.” (RSA 47:17, XVIII). The city’s authority to install meters and set reasonable parking fees is set forth in RSA 231:130. This statute grants cities “the power to authorize the installation of parking meters on any street or public parking area and the power to establish reasonable charges for parking to be paid through such meters...” The statute further provides that “[t]owns likewise may at any legal meeting vote to authorize the installation of parking meters and establish reasonable charges for parking to be paid through such meters...”

The statutory language of RSA 231:130 does not require city councils to adopt an ordinance to install parking meters and set reasonable parking fees by its plain language. The language of this statute differs from two other statutes that require city councils to enact ordinances to enforce parking violations and collect penalties (RSA 231-132-a) and to tow or immobilize vehicles or recover parking fines by civil process (RSA 47:17, XVIII). Words in statutes are ascribed their plain and ordinary meaning, and when a court interprets statutory language to determine the legislature’s intent, it “will not consider what the legislature might have said or add language that the legislature did not see fit to include.” Anderson v. Estate of Wood, 171 N.H. 524, 528 (2018), quoting Balise v. Balise, 170 N.H. 521, 524 (2017). Because RSA 213:130 does not include language that requires city councils to enact ordinances for the installation of meters and the establishment of parking fees, that requirement will not be inferred and is not required.

City ordinance defines parking meter rates as fees (Chapter 7, Parking, Article I, Parking Meters, Section 7.112, Purpose). The City Council may adopt fees, including parking fees, through the process set forth in the Administrative Code. Chapter 1-Administrative Code, Article XVI: Adoption of Fees, Section 1.1601, provides that fees may be adopted by "...resolution during the annual budget adoption process or at such other times as the City Council may determine to be in the best interest of the City." This ordinance provides three ways for fees to be adopted by the City Council:

1. Through the Council's adoption of the Fee Schedule (as recommended by the Fee Schedule Study Committee) through resolution during the annual budget adoption process;
2. Through the Fee Schedule Study Committee's recommendation to the Council to vote by resolution to amend the Fee Schedule after the adoption of budget; or
3. Through the Council's adoption of a fee if it determines that the fee is in the best interest of the City.

In addition to the Fee Schedule Study Committee recommending fees, the recent amendments to the Administrative Code give the City Council authority to adopt fees without the recommendation of the Fee Schedule Study Committee. The Administrative Code does not require that the City Council hold a public hearing for the adoption of fees, but it may do so if it chooses.

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 7, Vehicles, Traffic and Parking, Article I – Parking Meters, Section 7.102- Parking Meter Rates, of the Ordinances of the City of Portsmouth, be amended as follows (deletions from existing language **stricken**; additions to existing language **bolded**; remaining language unchanged from existing):

ARTICLE I: PARKING METERS

Section 7.101: DEFINITION

The word "vehicle" as used herein shall mean any device by which any person or property may be transported upon a highway except those operated upon rails or tracks.

The word "meter" shall mean any device for buying parking time that displays the length of time for which a vehicle may remain legally parked in a parking space. Such devices include but are not limited to public meters such as a meter at an individual parking space or a central meter, or personal meters such as an in-vehicle meter, coupon or any other metering device including mobile phone applications as shall be approved from time to time by the City Council. The display of the parking time purchased may be on the meter itself, a paper receipt or by other duly authorized means of display.

Section 7.102: PARKING METER RATES

The following Parking meter rates shall apply for all of those streets, parts of streets, and off-street parking lots, and parking garages during hours of enforcement for the time limits established by City ordinance for parking upon which is limited by any ordinance of the City of Portsmouth and where parking meter rates apply. Parking meter rates are fees, and all parking meter rates shall be set and adopted in accordance with Chapter 1, Administrative Code, Article XVI, Adoption of Fees, Section 1.601, Procedure.

A. NONRESIDENT PARKING RATES

Nonresident Parking Rates shall apply Parking shall be at the following hourly rates for nonresidents for all metered parking during the hours of enforcement Monday through Saturday, from 9:00 a.m. – 8:00 p.m., and Sunday from 12:00 p.m. to 8:00 p.m., holidays excepted.

Hours 1, 2 and 3 ————— \$2.00 each hour
Hours 4 through 11 ————— \$5.00 each hour

B. RESIDENT PARKING RATES

Resident Parking Rates are reduced hourly parking rates for Portsmouth residents using an approved personal meter device, as defined in Section 7.101., ~~shall be charged reduced hourly parking rates.~~ Proof of residency shall be determined using standards established by the **City's Tax Collector's Office or the Parking Office. Portsmouth Revenue Administrator.** **Resident Parking Rates Parking shall apply to all metered parking be at the following hourly rates for residents** during the hours of enforcement Monday through Saturday, from 9:00 a.m. to 8:00 p.m., and Sunday from 12:00 p.m. to 8:00 p.m., holidays excepted.

~~Hours 1, 2 and 3 ————— \$1.25 each hour~~

~~Hours 4 through 11 ————— \$2.25 each hour~~

The City Clerk shall properly alphabetize and/or re-number the ordinances as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

Deaglan McEachern, Mayor

ADOPTED BY COUNCIL:

Sally A. Kellar, City Clerk



Karen S. Conard
City Manager

CITY OF PORTSMOUTH

Municipal Complex
1 Junkins Avenue
Portsmouth, New Hampshire 03801
kconard@portsmouthnh.gov
(603) 610-7201

Date: June 17, 2026

To: Honorable Mayor McEachern and City Council Members

From: Karen S. Conard, City Manager

Re: City Manager's Comments on City Council Agenda of June 22, 2026

10. Public Hearings and Vote on Ordinances and/or Resolutions:

A. First Reading Regarding Ordinance Amendments to Chapter 7, Vehicles, Traffic and Parking, Article I – Parking Meters, Section 7.102 - Parking Meter Rates, Relative to Fees:

On June 8, 2026, the City Council approved the FY27 Fee Schedule that changed the parking rates for both City garages. The Fee Schedule Study Committee asked if it could set parking meter rates for on-street parking and have those rates approved through the fee adoption process in the Administrative Code (Chapter 1, Administrative Code, Article XVI, Adoption of Fees, Section 1.601, Procedure). At the June 8, 2026 City Council meeting, the Council [received two informational memorandums that are included in your packet tonight](#) regarding the Parking Division's recommendations for on-street parking rate changes and the Legal Department's memo confirming that parking meter rates are fees that can be adopted like other City fees through the fee adoption process in the Administrative Code.

On June 8, 2026, the City Council voted to bring forward for first reading on June 22, 2026, an amendment to Chapter 7 relative to on-street parking fees. The intent of the amendment is to change the process by which fees are established to be more in accord with the setting of fees through the Administrative Code (recommendations flowing from the Fee Schedule Study Committee). The [attached amendment to Chapter 7, Article I, Section 7.102](#) is brought forward for first reading tonight to codify the parking fee adoption process through the Administrative Code.

I recommend that the City Council move to pass first reading and schedule a public hearing and second reading for July 13, 2026 on the amendment to Chapter 7, Vehicles, Traffic and Parking, Article I - Parking Meters, Section 7.102, Parking Meter Rates as presented.

11. City Manager's Items Which Require Action:

A. Approval of Deputy Chief of Police Maloney's Employment Agreement:

Attached please find a memorandum from Labor Negotiator Tom Closson regarding Deputy Chief of Police Maloney's proposed Employment Agreement.

I recommend that the City Council move to approve the Agreement as presented.

B. Players Ring One Year Lease Extension:

The Council has amended the lease with the Players Ring over the last several years to create short-term extensions in order to give the City and the Players Ring more time to create a realistic long-term capital improvement schedule. This has been complicated because the Heritage Museum ("Building") is under consideration to be relocated as part of Phase 1A of the Prescott Park Master Plan. Notwithstanding regular communication between the City and the Players Ring, we were unable to create that long-term capital improvement schedule due to the uncertainty of the exact timing of moving the Building and unresolved concerns about what improvements can be safely made immediately prior to moving the Building. The current lease extension expires on June 30, 2026.

The Players Ring have been excellent stewards of the Heritage Museum which has been listed on the New Hampshire State Register of Historic Places since 2006. Since the Council's approval of the last extension, the Players Ring has applied for and received a grant in the amount of \$30,000 through the Arts Conservation License Plate (Moose Plate) Grant for FY 2026. The grant funds will be used to install custom-fit Humphrey flush-mount storm windows that will conserve the building's character defining windows, which are a critical architectural and artistic element of the building. The total cost of the project is anticipated to be approximately \$40,000.

As the Council is aware, the consideration for the lease is that the Players Ring will expend in capital improvements what would be owed annually in property taxes.

The lease extension lists the storm window project as the capital improvement for this extension and acknowledges that any excess expenditures for the windows project or from the original schedule of capital improvements will be used as a credit for Players Ring's future obligations under any new lease or extension. The extension also acknowledges the City's commitment to entering into a long-term lease in the future, and its willingness to enter into a Memorandum of Understanding or provide other documentation to the Players Ring to use for grant applications or fundraising during the term of this extension.

The City and the Players Ring agree that another one-year extension is needed to create the schedule of capital improvements and seek Council's approval of [Lease Amendment 5](#) that would extend the term through June 30, 2027.

I recommend that the City Council move that the City Manager be authorized to negotiate and enter into Lease Amendment 5 with the Players Ring in a form similar to the attached.

C. Minor Update of Existing City Council Policy on Vending:

Staff from the City Clerk’s Office, the Health Department, and Legal Department have identified the need to update timely City Council Policy 2009-04. That policy was initially adopted in 2009 to deal with a multitude of issues including disputes among vendors, concerns regarding obstruction of sidewalks, and objections from brick-and-mortar restaurants and retail businesses.

As the City Clerk’s office has begun review processes and applications that need updating, that office, in coordination with the Health and Legal Departments, identified a need to update City Council Policy 2009-04. [Staff recommend minor updates to the existing policy](#) for purposes of facilitating vending for this summer/vending season.

Longer term, the vending and licensing section of the City’s ordinance needs a refresh and update including, in part, to accommodate changes in State law. This need for an update was identified by the Governance Committee in 2025.

The recommended update to Policy 2009-04 is twofold: delete language that is no longer applicable; and update the permissible areas for vending from carts.

Previously, seven locations were identified as appropriate for vending from carts (the reference to Exhibit 1 a pamphlet produced by the Clerk’s office showed those locations). Currently, staff recommend only three locations due to changes that have occurred downtown since 2009. It is recommended that the amended Policy allow staff to identify each vending season three locations in the downtown area available for vending (as construction, among other factors, sometimes affects availability). The locations will be identified on the City Clerk’s webpage. The Health Department reports a very limited number of food cart vendors.

[The proposed policy amendments](#) are narrow in scope and do not address the broader issues relating to vending that would be appropriate to take up with a future update to the City’s ordinance.

I recommend that the City Council move to adopt the amendments to Policy 2009-04 as presented.

D. Request for First Reading Regarding Ordinance Amendment to Chapter 6, Licenses and Encumbrances, Article I, Encumbrance Permits and Licenses for use of Public Property, Relative to Fees:

The City Council recently adopted new fees for encumbrance permits and licenses through the adoption of the FY27 Fee Schedule through budget resolution on June 8, 2026. The FY27 Fee Schedule increases the charge per square foot for encumbering city property through licenses from \$.05 to \$.10 per square foot, increases fees for encumbrance permits from \$50 to \$150 and creates a new \$300 fee for encumbrance extensions.

[The attached amendment to the ordinance on Licenses and Encumbrances \(Chapter 6, Article I, Section 6.111\)](#) is a housekeeping measure that adds a reference to the fee adoption process

in the Administrative Code (Chapter 1, Article XVI, Section 1.601) for the adoption of license and encumbrance permit fees.

If the Council passes this ordinance, City Council Policy No. 2018-02, License Fee For Encumbrance of City Property, should be repealed because the recent changes to Chapter 6 and the adoption of the FY27 Fee Schedule make this Policy obsolete. Both [the Policy](#) and [the portion of the FY27 Fee Schedule referenced are attached](#) for informational purposes.

I recommend that the City Council move to schedule first reading of the amendment to Chapter 6, Licenses and Encumbrances, Article I, Encumbrance Permits and Licenses for Use of Public Property, by adding Section 6.111, Fees, at the July 13, 2026 City Council meeting.

E. Release of Funds for Nebi Sculpture Contract:

The City Council, acting in regular session on Monday, July 14, 2025, voted to support the creation of a sculpture known as Nebi for installation in Bohenko Park through the authorization of certain fundraising, engineering, contract execution and alignment of payments to fundraising and development phases. The Trustees seek clarity that they are permitted to disburse funds under the artist's contract.

The contract between the artist, Anthony Alemany, and the City was fully executed on May 20, 2026. [A copy of the contract is attached.](#) To facilitate timely release of funds from the Trust, it is recommended that the City Council authorize release of all funds under the contract as the City Manager recommends to the Trustees, as the project proceeds in accord with the contract for the amounts of \$30,000, \$20,000 and \$7,500.

I recommend that the City Council authorize the Trustees of the Trust Funds to disperse funds under the contract as the City Manager directs the Trustees for the remaining phases of the work of \$30,000, \$20,000 and \$7,500.

17. City Manager's Informational Items:

A. FY28-32 Capital Improvement Plan (CIP) – Submissions from Residents and Boards/Commissions/Committees:

I will provide a verbal update regarding the upcoming process for submissions to the FY28-32 Capital Improvement Plan.

B. Pease Development Authority Board Meeting Update:

I will provide a verbal update on the June 16, 2026 Pease Development Authority Board meeting.

C. Report Back on Artist Live Work Study Eligibility for Below Market Rate Housing Trust Funds:

[Attached please find a report back on the Artist Live Work Study.](#)

THOMAS M. CLOSSON
ATTORNEY AT LAW, PLLC

To: Mayor McEachern, Members of the City Council, Police Commission
Chairperson Scherr, City Manager Conard, Chief Newport, and
Human Resources Director Harper

From: Tom Closson

Re: Proposed Two (2) Year Employment Agreement with Deputy Chief
of Police Michael Maloney

Date: June 10, 2026

Attached for your consideration is a proposed two (2) year Employment Agreement with current Deputy Chief of Police Michael Maloney.

The proposed Employment Agreement calls for an initial annual salary of \$170,000.00. On July 1, 2027, the proposed Employment Agreement calls for a COLA consistent with the City's standard calculation of the rolling 10-year average of the CPI-U, between 2.0% and 5.0%.

The proposed Employment Agreement also outlines Deputy Chief Maloney's employment benefits, which are consistent with those provided to other City employees under either the current collective bargaining agreement with the Portsmouth Professional Management Association or the Portsmouth Police Ranking Officers Association.

Notably, the proposed Employment Agreement also adds a provision requiring Deputy Chief Maloney to continue to maintain a domicile within fifteen (15) miles of Portsmouth.

Both Deputy Chief Maloney and the Police Commission have expressed their approval for this proposed Employment Agreement, and I am pleased to recommend it for your approval.

EMPLOYMENT AGREEMENT

1. Preamble

This Agreement is entered into between the Police Commission, City of Portsmouth, New Hampshire (hereinafter called "Commission") and Michael Maloney (hereinafter called "Employee"). This Agreement is null and void unless approved by the Portsmouth City Council.

2. Term And Domicile Requirement

The Commission agrees to employ the Employee and the Employee agrees to accept employment in the position of Deputy Chief of Police of the City of Portsmouth, New Hampshire for a term commencing on the date that this Agreement is approved by the Portsmouth City Council and ending on June 30, 2028, unless terminated earlier per the terms of this Agreement. The parties may, by written document executed by both parties and approved by the Portsmouth City Council, agree to extend the term of this Agreement.

The Commission and the Employee acknowledge that this is a full-time, year-round position including extensive obligations in the evenings and on weekends. The Employee agrees to devote all his professional efforts to the successful fulfillment of the responsibilities of Deputy Chief of Police as described by New Hampshire Statute and the rules and regulations of the Portsmouth Police Department.

The Employee will be required to maintain a domicile within fifteen (15) miles of Portsmouth, New Hampshire throughout the term of this Agreement. The Employee's failure to comply with this requirement may, at the sole option of the Commission, be considered grounds for termination for cause, as per the provisions of Section 5 below.

3. Salary

Commencing on the date that this Agreement is approved by the Portsmouth City Council, the Employee will receive an annual salary of one hundred seventy thousand dollars (\$170,000.00) subject to such deductions as may be authorized by the Employee and/or as may be required by law.

On July 1, 2027, a COLA to the Employee's base salary will also be computed which will not be less than 2.0% nor more than 5.0%. The COLA will be determined by taking the 10-year average of the CPI-U for the Boston-Cambridge-Newton—MA-NH all items index as computed by the Bureau of Labor Statistics of the U.S. Department of Labor for the most recent 10 calendar years preceding the July 1 adjustment. BLS's calendar year for this index is November through November, it is not published on a December to December basis. The reference base is 1982-1983 equals 100 until BLS updates the reference base at which time the parties agree to adopt the official reference base as used by BLS

4. Certification

During the term of this Agreement, the Employee will be required to maintain certification as a full-time police officer as required by the New Hampshire Police Standards and Training Council.

5. Termination For Cause

This Agreement may be terminated by the Commission at any time for cause, i.e., failure on the part of the Employee to comply with any term or condition of this Agreement, the laws, rules and regulations of the State of New Hampshire, or the rules and regulations of the Commission, or the City of Portsmouth; or malfeasance, misfeasance, nonfeasance, or insubordination in carrying out the responsibilities of the position.

Termination for cause will take place only following written notification specifying the reasons for termination. Unless the Employee submits to the Commission, within twenty (20) days of receipt of such notification, a written request for a hearing before the Commission, the Agreement will be considered terminated as of the date which falls thirty (30) days after the Employee's receipt of notification. If the Employee requests a hearing, the Commission will hold this hearing within twenty (20) days after receipt of such request. The Commission will issue a written decision to the Employee within ten (10) days of the hearing. In the event of a termination for cause, the Employee will receive no severance and no further compensation beyond the last day worked.

6. Termination With Severance Payment

If at any time the Commission in its discretion determines, the Commission may, without cause and with or without prior notice, relieve the Employee of his duties under this Agreement. In such event, the Employee will be entitled to severance benefits. Such severance benefits will be equal to 12 months' base salary or the balance of the base salary remaining under the term of the Agreement, whichever amount is less. The City will also pay the cost to continue health insurance for the Employee and all his covered dependents, for a period of 12 months, after which time, the Employee will be provided access to health insurance continuation pursuant to the provisions of the Consolidated Omnibus Reconciliation Act.

As set forth above in Section 5, if the termination is for cause, the Employee will not be entitled to severance benefits. Severance benefits will not be paid upon the voluntary resignation of the Employee.

7. Termination By Mutual Consent/Voluntary Resignation

This Agreement may be terminated at any time by mutual consent of the Commission and the Employee or by voluntary resignation of the Employee. In the event the

Employee voluntarily resigns before the expiration of the term of this Agreement or any renewal thereof, the Employee will give the Commission thirty (30) days written notice in advance of such resignation. In the event of voluntary resignation, the Employee will not be eligible for severance benefits.

8. Severance Constitutes Release

The acceptance by the Employee of the severance benefits provided under this Agreement will constitute a full and complete release of any other rights, claims, or causes of action whether in law, equity or otherwise, that the Employee may have against the Commission, the City of Portsmouth, and the employees, elected or appointed officials, officers, agents, representatives, and attorneys of such entities.

9. Employment Benefits

Except as otherwise provided herein, the Employee's employment benefits will be established by the collective bargaining agreement currently in place between the City of Portsmouth and the Professional Management Association ("the PMA CBA"). The exceptions are described in detail in Section 10 below.

10. Exceptions To Section 9

In lieu of or in addition to those employment benefits enumerated in Section 9, the Employee will be entitled to the following employment benefits.

- a. The Employee will maintain the following fringe benefits consistent with the terms of the Portsmouth Police Ranking Officers CBA and not the PMA CBA: workers' compensation insurance; liability insurance; and the Employee's level of clothing allowance, education stipend, annual accrual and personal day accrual as of the date of this Agreement.
- b. The Employee will maintain the paid leave that he has currently accrued. With respect to his accrued annual leave, the Employee will be required to comply with the cap for annual accrual included in the PMA CBA.
- c. The Employee will be provided with a suitable automobile for use in the performance of his duties under this Agreement. Recognizing that the Deputy Chief of Police is on-call at all times, it is understood that the automobile may also be used for personal business.
- d. Subject to budgetary constraints, the City agrees to cover the cost of tuition and textbooks for courses and/or other classes that would provide for improved job performance as part of a career development program. Prior approval by the Commission of all courses is required. If the

Employee fails to successfully complete the course and/or class with a final passing grade, he will be required to reimburse the City for the entire cost of tuition and textbooks.

- e. The City recognizes that certain expenses of a non-personal and generally job-related nature will be incurred by Employee and hereby agrees to reimburse or to pay said general expenses upon receipt of duly executed expense vouchers, receipts, statements or personal affidavits, subject to budgetary authorization to be approved by the Commission as an element of the annual Department budget.
- f. The City hereby agrees to pay, within budgetary constraints and subject to the prior approval of the Commission, the professional dues and subscriptions of the Employee necessary for his continuation and full participation in national, regional, state and local associations and organizations, necessary and desirable for his continued professional participation, growth and advancement.

AGREED: The parties below acknowledge that this Agreement is subject to the approval of the Portsmouth City Council without which approval this Agreement is null and void and without force or effect.

For The Commission

Date

Date

Date

Employee

Date

LEASE AMENDMENT 5

WHEREAS, the **City of Portsmouth**, a municipal corporation organized and existing under the laws of the State of New Hampshire and having a usual place of business at 1 Junkins Avenue in Portsmouth, (the “City”), and the **Players Ring**, a nonprofit organized that existing under the laws of the State of New Hampshire and having a principal place of business at 99-105 Marcy Street, Portsmouth, New Hampshire, including a structure formerly known as the Heritage Museum (“Premises”);

WHEREAS, the Players Ring and the City are parties to a lease executed on September 13, 2013 and several lease extensions. The current lease extension expires on June 30, 2026.

WHEREAS, the existing lease obligates the Players Ring to pay for and construct certain capital improvements in accordance with a detailed schedule that includes specific cost estimates for these improvements.

WHEREAS, the City and the Players Ring are in the process of negotiating a new long-term lease that includes a new schedule of capital improvements. These negotiations are complicated because the City is in the process of implementing the Prescott Park Master Plan Phase 1A, which includes, among other things, moving the Heritage Museum to a new location on the lot. The creation of this new schedule for the long-term lease is further complicated due to the challenges associated with adjacent properties and infrastructure needs associated with implementation of the Prescott Park Master Plan;

WHEREAS, the City and the Players Ring have agreed to extend the existing lease for one year, from July 1, 2026 through June 30, 2027, in order to give the parties time to define and create a new schedule of capital improvements given the impact of the implementation of the Prescott Park Master Plan on the Heritage Museum and lot.

NOW, THEREFORE, the City and the Players Ring agree as follows:

1. Paragraph 2D shall be amended to read as follows:

During the term of this Lease Agreement, LESSEE may apply for an exemption as provided under RSA 72:23. Provided that LESSEE meets the test for charitable use set forth in RSA 72:23-I, no taxes shall be due. In order to be tax exempt, LESSEE shall provide documentation (BTLA Form A9) to the City’s Assessor annually by April 15th for each year of the lease term and also provide financial documentation (BTLA Form A12 and financial statements) to the City’s Assessor annually before June 1st each year, along with other documentation as may be reasonably requested to establish a charitable use.

In the event that LESSEE does not meet the test for charitable use set forth in RSA 72:23-I, pursuant to RSA 72:23,I(a) LESSEE agrees to pay all properly assessed

current and potential real and personal property taxes no later than the due date. LESSEE is obligated by the foregoing to pay real and personal property taxes on structures or improvements added by the LESSEE. Failure of the LESSEE to pay the duly assessed personal and real estate taxes when due shall be cause to terminate said Lease Agreement by the LESSOR.

2. Paragraph 2F shall be amended to read as follows:

The Players Ring believes it has expended in excess of the estimates in its schedule of capital improvements to date. The Players Ring will provide documentation to the City that demonstrates these excess expenditures, and after review, the City will apply the amount of these excess expenditures as a credit toward the Players Ring lease payment obligations due under the lease.

The Players Ring have been excellent stewards of the Heritage Museum, an historic building that has been listed on the New Hampshire State Register of Historic Places since 2006. The Players Ring has applied for and received a grant in the amount of \$30,000 through the Arts Conservation License Plate (Moose Plate) Grant for FY 2026. The grant funds will be used to conserve the building's character defining windows, which are a critical architectural and artistic element of the building, by installing custom-fit Humphrey flush-mount storm windows ("Windows Project"). The total cost of the Windows Project is anticipated to be approximately \$40,000.

In addition to providing documentation regarding excess expenditures to the existing schedule of capital improvements, the Players Ring will provide documentation to the City regarding its expenditures for the Windows Project. If the capital expenditures under the original schedule of capital improvements, or the Windows Project exceed what would be due as real estate taxes for the year, the excess expenditures may be applied as a credit for the following year(s) under any new lease or extension.

3. Paragraph 3 shall be amended to read as follows:

The term of this lease shall end June 30, 2027. Notwithstanding any other provision in this lease, this lease may be terminated by the Players Ring upon thirty (30) days' written notice to the City.

4. Paragraph 26 shall be added to the lease as follows:

Long term capital improvements for the Heritage Museum may include the use of grants and money raised through fundraising. Applications for grants and fundraising efforts for future capital improvements may occur during the term of this lease extension but before the long-term lease is executed. The City is willing to provide Players Ring with documentation of its intention to enter into a long-term lease with the Players Ring, which may include but not be limited to a Memorandum of Understanding or other documents upon request.

All other terms of the lease not amended shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Lease Amendment 5 on _____, 2026.

WITNESS

CITY OF PORTSMOUTH

Karen S. Conard
City Manager

Approved by vote of the City Council on _____.

WITNESS

PLAYERS RING

Margherita Giacobbi, Executive Director

[l/ferrini/leases/playersring/amendment5](#)



CITY COUNCIL POLICY NO. 2009-04

WHEREAS, the City of Portsmouth currently has a collection of ordinances regulating “hawkers and peddlers” seeking to sell food and non-food items from a location that is not fixed; and

WHEREAS, in order to improve communication with vendors and hawkers and facilitate enforcement, ~~the Vendors’ Committee has proposed that~~ the City Council adopts ~~this a~~ policy that both identifies vending locations compliant with the existing ordinances and establishes maximum vending cart sizes.

NOW THEREFORE there shall be established a policy by the City Council relating to hawkers and peddlers providing as follows:

The ~~seven~~ locations on public sidewalks within the ~~Downtown Overlay District Central Business Districts A and B~~ that are suitable as vending locations for licensed hawkers and peddlers will be published on the City Clerk’s webpage. There shall be at least three identified spaces. ~~are identified on the attached Exhibit 1~~

All other locations within ~~the Downtown Overlay District Central Business Districts A and B~~ are deemed not appropriate under the existing ordinances and vendors and hawkers are prohibited from setting up carts, stands and like at such other unapproved locations.

The size of vending carts shall not exceed 52” wide and 48 inches long not including the tongue of the cart.

Consistent with the existing ordinance, all vending locations, ~~both inside and outside the Downtown Overlay District Central Business District,~~ are available to the first licensed vendor who arrives in the space after any period of vacancy. Vending locations cannot be reserved.

There shall be no vending or hawking from any municipal parking areas including metered parking spaces, public parking lots, or the parking garage.

This policy does not affect or address mobile/canteen trucks that vend on private property.

This policy does not affect or address vending on property under the control of Prescott Park.

Nothing in this policy supersedes or limits any special permission that the City Council may grant to organizers of community events, such as Pro Portsmouth, who may establish additional vending locations during such special events.

This policy shall take effect upon passage of the City Council.

City of Portsmouth
 Fee Schedule
 Public Works

Description	Fiscal Year Last Adjusted	FY 2025 Schedule	FY 2026 Schedule	* (Indicates change from current fee)	Suggested FY 2027 Schedule
Memorial Bridge Lighting Request (Available to Non-Profits only)	FY 23	\$75.00	\$75.00	Application/permit fee	\$75.00
Encumbrance Fees					
A. Short-term Encumbrances (Redefined during FY 27 in accordance with City policy)					
In accordance with Chapter 6, License and Encumbrances, Article 1: Encumbrance Permits and License for Use of Public Property					
1. Section 6.104A Encumbrance first 30-days	FY 19	\$50.00	\$50.00		* \$150.00
2. Section 6.104B Encumbrance (31-60 days)		N/A	N/A		* \$300.00
3. Encumbrance (61-90 days) fee determined on a case-by-case basis		N/A	N/A	Not less than	* \$300.00
(Metered parking spaces have their own fee. Please see Parking Fees-Temporary Meter Parking Space Permit)					
B. Long-Term Encumbrance					
Licensed by City Council					
1. Any City land that includes unmetered parking spaces, travel ways, loading zones and sidewalks	FY 19	\$0.05	\$0.05	Per sq. ft. per day	* \$0.10
(Metered parking spaces have their own fee. Please see Parking Fees-Temporary Meter Parking Space Permit)					
Memorial Bench Perpetual Care Fee	FY 27	N/A	N/A		* \$250.00
Blasting Permit	FY 26	\$370.00	\$400.00		\$400.00
New Driveway Permit	FY 25	\$75.00	\$75.00		\$75.00

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 6, LICENSES AND ENCUMBRANCES, Article I: ENCUMBRANCE PERMITS AND LICENSES FOR USE OF PUBLIC PROPERTY, Section 6.111, FEES of the Ordinances of the City of Portsmouth be amended by adding this new section on fees as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**, remaining language unchanged from existing):

6.111 Fees

Fees for all encumbrance permits and licenses in this Article shall be determined in accordance with Chapter 1, Administrative Code, Article XVI, Adoption of Fees, Section 1.601, Procedure.

The City Clerk shall properly alphabetize and/or re-number the ordinances as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

Deaglan McEachern, Mayor

ADOPTED BY COUNCIL:

Sally A. Kellar, City Clerk

CITY OF PORTSMOUTH

CITY COUNCIL POLICY No. 2018-02

LICENSE FEE FOR ENCUMBRANCE OF CITY PROPERTY

Any party temporarily encumbering city property for purposes of construction beyond thirty working days shall apply to the City Council for a license and pay the following fees:

- A. Metered parking spaces consistent with the daily fees determined by the fee schedule.
- B. Any City land that includes unmetered parking spaces, travel ways, loading zones and sidewalks – \$0.05 per square foot per day
- C. Any other City land / right-of-way not included in the above categories shall be charged a flat fee of \$400 per each 400 square feet for the first 30 days. Each additional 30 day period the fee shall be \$200 per each 400 square feet. The aforementioned fee shall be in place until July 1, 2019 when the fee shall be listed on the City of Portsmouth's annual fee schedule.

The license fees set forth above will be doubled if the encumbrance period extends beyond its terms.

Any encumbrance that extends beyond thirty working days without an approved City Council license shall also be subject to the above fees.

The City Manager may waive the license fees for parking in unmetered spaces if the applicant can provide equivalent public parking in the immediate vicinity of the licensed area.

The Public Works Director shall administer the application of the License fees under this policy.

All applicable license fees shall be paid prior to the start of the term of the license. If the licensee ceases to encumber the property prior to the end of the term, the licensee may request a refund of any license fees for any unused days.

Any party that disputes the application of this policy to its request for a license may appeal to the City Manager.

Adopted by the Portsmouth City Council on: April 16, 2018

Amended by the Portsmouth City Council on: November 19, 2019

Ratified by the Portsmouth City Council on: January 8, 2020

Ratified by the Portsmouth City Council on: January 24, 2022.

Ratified by the Portsmouth City Council on: January 16, 2024.

AGREEMENT FOR COMMISSION OF PUBLIC ARTWORK

THIS AGREEMENT FOR COMMISSION OF PUBLIC ARTWORK (this “Agreement”) is entered into as of May 15, 2026, by and between the CITY OF PORTSMOUTH, NEW HAMPSHIRE, a New Hampshire municipal corporation (the “City”), with offices at 1 Junkins Avenue, Portsmouth, NH 03801, and ANTHONY ALEMANY, an individual figurative sculptor, with a principal mailing address of 26 Paul St., Apt. 330, South Berwick, ME 03908 (the “Artist”) collectively (the “Parties”).

WHEREAS, the original plan for the City’s Bohenko Gateway Park (the “Site”) called for the commissioning of six to eight works of art with a connection to the City’s maritime heritage; and

WHEREAS, a review team of community leaders and the City’s Department of Public Works (DPW) carefully vetted submittals to arrive at several finalists per the original plan for the Site; and

WHEREAS, the City’s Public Art Review Committee (“PARC”) reviewed the finalists’ submittals, and at the June 25, 2025, PARC meeting, unanimously voted to move forward with a 9-foot bronze sculpture featuring a Wabanaki woman standing on a turtle with an eagle flowing from her hair (“Nebi” or the “Artwork”) and the Artwork is standing atop a granite base; and

WHEREAS, Nebi was selected because of the sculpture’s connection to the Wabanaki people, who lived here for thousands of years before the Europeans arrived which reflects Portsmouth’s layered and long history and honors the enduring relationship between people and place; and

WHEREAS, the Artist is collaborating with local Indigenous leaders, and has deep local, artistic and foundry experience; and

WHEREAS, on July 14, 2025, the Portsmouth City Council voted to authorize PARC to enter into a contract with the Artist aligning payments to fundraising and development phases; and work with DPW to locate and install Nebi.

NOW, THEREFORE, the City and Artist agree as follows:

ARTICLE 1. SCOPE OF SERVICES

1.1 Artist’s Obligations.

A. Artist shall perform in a professional manner all services and furnish all supplies, material, work and/or equipment as necessary for the design and fabrication of the Artwork.

B. The Artist shall be present during transportation, delivery and installation to supervise the handling and placement of the Artwork to ensure its proper care and to prevent damage.

C. Further, the Artist will work in partnership with PARC and the City’s Department of Public Works (DPW) to identify and supervise the work necessary for transportation and installation of the Artwork and its granite base. The Artist’s role shall

be limited to artistic oversight and coordination and shall not include responsibility for DPW, subcontractor means and methods, performance, or site safety. The Artist shall reasonably coordinate with the City and its designees to ensure compatibility of the Artwork and its granite base with site conditions and installation requirements.

D. The Artist shall determine the artistic expression, design, dimensions and materials of the Artwork, consistent with the design concept submitted, subject to review and acceptance by the City.

E. The Artist shall complete the fabrication and supervise the transportation and installation of the Artwork according to the scheduled phases as provided in this Agreement.

F. The Artwork must be completed in accordance with all applicable statutes, laws and regulations.

G. The Artist shall provide a maintenance manual describing the required care and upkeep involved and recommended procedures in the event of necessary conservation to be included upon delivery of the Artwork.

1.2 City's Obligations.

A. PARC will raise the funds necessary to fund each of the Phases.

B. The City/DPW will provide oversight and consultation for the installation but will not perform installation activities.

C. The City/DPW shall be responsible for all services, expertise, and costs associated with site-related investigations and preparation, including but not limited to geotechnical investigation, soil testing, environmental compliance, obtaining any necessary permits or approvals (e.g., Shoreland Protection permits), and the design and engineering of the site and support required to support the Artwork and its granite base.

1.3 Timeline, Schedule and Progress Reports.

A. The City recognizes installation will be dependent upon weather conditions.

B. The Project Timeline is projected to be completed in phases:

Phase I: Concept Development & Maquette. Artist shall furnish all supplies, materials, work, and/or equipment necessary for the creation of a likeness of Nebi with complete surface resolution as intended for the full-scale bronze (the "Maquette"). **Completion date: Estimated April 30, 2026**

Phase II: Finalize Sculpture/Scanning to Full Size. Consistent with the approved design concept and subject to the City's final review and acceptance ("Final Design"), coordinate with Green Foundry in Eliot, Maine to determine sectioning for 3D printing and casting. Color-code and number all components to aid in accurate assembly. **Completion date: Estimated July 14, 2026.**

Phase III: Bronze Casting and Installation. Artist shall fabricate and install Nebi according to the Final Design. **Completion Date: Estimated October 15, 2026.**

1.4 Budget and Payment

A. Artist acknowledges and agrees that the total price of \$60,000 is a not-to-exceed price inclusive of all labor and materials for all Phases I and II. Phase I costs (\$2,500) have been paid to the artist. Phase II price is \$57,500.

B. The Artist understands that as a municipality, the City must observe certain processes occurring on an established schedule for funds to be disbursed. The City shall make payments to the Artist in the following manner:

Description of Phase II	Amount
Within thirty (30) days of Contract Signing for Phase II or as soon as practicable thereafter once funds have been disbursed	\$30,000
Completion of half-scale sculpture (Phase II)	\$20,000
Digital files complete	\$7,500

Description of Phase III	
City will contract separately with vendors for:	
Bronze casting	
Granite Base	
Transport Artwork, Granite Base and attendant materials to site	
Site Prep/Installation/Acceptance	

Artist shall, after completion of the Phase II milestones above, submit an invoice to the City. The City shall promptly review the invoice and either certify that the milestone has been completed satisfactorily or provide response to the Artist as further described in this Agreement as to any deficiency. The City shall, upon certification of the City of milestone completion, make payment to Artist within thirty (30) days.

1.5 Fabrication Stage.

A. The Artist shall fabricate the Artwork, which shall be in substantial conformity with the Final Design including its height and dimensions. The Artist may not deviate from the Final Design without written approval of the City.

B. The City shall have the right to review the Artwork through photos and videos during the fabrication thereof upon reasonable notice or view the Artwork in person by prior arrangement at a time mutually agreeable to the Parties.

C. If the City, upon review of the Artwork, determines that the Artwork does not conform to the approved Final Design, the City reserves the right to notify the Artist in writing of the deficiencies subject to Artist's right to cure.

D. The Artist will have thirty (30) days to cure the City's objections and will notify the City in writing of completion of the cure. The City shall promptly review the

Artwork (through appropriate photographs, if necessary). If the Artist disputes the City's determination that the Artwork does not conform, the Artist shall promptly submit reasons in writing to the City within fifteen (15) days of the City's prior notification to the contrary. The City shall make reasonable efforts to resolve the dispute with the Artist in good faith.

E. The Artist shall notify the City in writing when fabrication of the Artwork has been completed, and that the Artwork is ready for delivery and installation at the Site.

F. Upon completion of the Artwork and prior to the transportation and installation of the Artwork, the City may view the Artwork as described in paragraph 1.1 B, above; or Artist shall provide to the City multiple photographs of the Artwork for review by the City to make certain that the Artwork conforms to the Final Design. The photographs provided by the Artist to the City shall give perspective as to the overall size of the Artwork, as well as show detail sufficient to allow the City to determine that the Artwork conforms to the Final Design. Within ten (10) days of receipt of the photographs of the completed Artwork, but before transportation and installation, the City shall either (a) give final approval of the fabricated Artwork and authorize shipment of the Artwork to the Site; or (b) withhold final approval of the fabricated Artwork. The City shall not unreasonably withhold final approval of the fabricated Artwork. If the City does withhold final approval, the City shall submit the reasons for such disapproval in writing within five (5) days of examining the photographs of the fabricated Artwork. The Artist shall then have thirty (30) days from the date of the City's notice of the disapproval to make the necessary adjustments to the fabricated Artwork in accordance with such writing. The Artist shall not be penalized for any delay in the delivery and installation of the Artwork to the Site unless the Artist has willfully and substantially deviated from the Design without prior approval of the City. The Artist shall then be held responsible for any expenses incurred in correcting such deviation.

G. The City shall promptly notify the Artist of any delays impacting installation of the Artwork. Any additional storage and insurance costs incurred by the Artist shall be borne by the City in the event that the delay is the caused by the City.

H. The Artist shall take reasonable measures to protect or preserve the integrity of the Artwork with the application of a protective sealant, patina or anti-graffiti coating, if applicable, unless the City specifically disapproves of such.

1.6. Installation.

A. Upon the City's final approval of the fabricated Artwork, the Artist shall supervise the delivery of the Artwork to the Site in accordance with this Agreement as described in detail above.

B. The Artist will coordinate closely with the City/DPW to determine the best location to install the Artwork and ascertain that the Site is prepared to receive the Artwork. The Artist must notify the City of any known adverse conditions at the Site that would affect or impede the installation of the Artwork. Artist and the City understand that the exact soil composition at the Site is not known at this time, and in the absence of a soil report or other information source which could provide guidance, parties will use

their best efforts to work together in good faith to resolve any unforeseen problem or problems presented.

C. The City/DPW shall be permitted a reasonable amount of time to inspect and approve all surface and subsurface installations installed at the Site before the Artwork is installed.

D. The City/ DPW, shall be responsible for site access and for coordination of public safety measures, including but not limited to temporary site closures, pedestrian and vehicular traffic control, signage, and public access restrictions during installation. The City shall also provide reasonable guidance regarding site conditions, equipment access routes, staging areas, and any site-specific requirements or restrictions.

E. The Artist shall be present to supervise and approve the installation of the Artwork.

i. Upon final acceptance by the City, the Artwork shall be deemed to be property of the City, and the City assumes liability for any damage to the Artwork or injury to persons or property caused by the Artwork or any activity related to the Artwork.

ii. Upon completion of the installation of the Artwork, the Artist shall supplement the maintenance manual as described in Section 1.1 (G) if necessary, with written instructions for the future maintenance and preservation of the Artwork. After the warranty period as set forth in this Agreement has expired, the City shall then become responsible for the proper care and maintenance of the Artwork.

1.7 Approval and Acceptance.

A. The Artist shall notify the City in writing when all Artist's services have been completed in substantial conformity with this Agreement.

B. The City shall promptly notify the Artist in writing of its final acceptance of the Artwork within five (5) days after the Artist submitted written notice pursuant to paragraph A above. The effective date of final acceptance shall be the date the City submits written notice to the Artist of its final acceptance of the Artwork. The final acceptance shall be understood to mean that the City acknowledges completion of the Artwork in substantial conformity with the Design, and that the City confirms that all services as required of Artist have been completed. Title to the Artwork to the City passes upon final acceptance of the Artwork and final payment to the Artist.

C. If the City disputes that all the services have been performed, the City shall notify the Artist in writing of those services the Artist has failed to perform within ten (10) days after the Artist submitted written notice pursuant to paragraph A above. The Artist shall promptly perform those services indicated by the City.

D. If the Artist disputes the City's determination that not all services have been performed, the Artist shall submit reasons in writing to the City within five (5) days of the City's prior notification to the contrary. The City shall make reasonable efforts to resolve the dispute with the Artist in good faith. Final determination, however, as to whether all services have been performed shall be by binding arbitration. The arbitrator shall be selected by mutual agreement of the parties. If the parties cannot agree on an arbitrator, the parties shall alternately strike names from a list provided by the American Arbitration Association until only one name remains.

E. Upon the resolution of any disputes that arise under paragraphs C and D of this Section, the City shall notify the Artist of its final acceptance of the Artwork pursuant to paragraph B.

ARTICLE 2. TERMS OF AGREEMENT

A. **Duration.** This Agreement shall be effective on the date that this contract has been signed by both parties and, unless terminated earlier pursuant to such provisions in this Agreement, shall extend until final acceptance by the City. Extension of time of performance hereunder may be granted upon the request of one party and the consent of the others thereto, which consent shall not be unreasonably withheld. Such extension shall be in writing, signed by both parties.

B. **Force Majeure.** The City shall grant to the Artist a reasonable extension of time in the event that conditions beyond the Artist's control render timely performance of the Artist's services impossible or unduly burdensome. All such performance obligations shall be suspended for the duration of the condition. Both parties shall take all reasonable steps during the existence of the condition to ensure performance of their contractual obligations when the condition no longer exists. Failure to fulfill contractual obligations due to conditions beyond either Party's reasonable control will not be considered a breach of contract, provided that such obligations shall be suspended only for the duration of such conditions.

ARTICLE 3. RISK OF LOSS

The Artist shall bear the risk of loss or damage to the Artwork until final acceptance of the Artwork by City. The Artist shall take such measures as are reasonably necessary to protect the Artwork from loss or damage.

ARTICLE 4. ARTIST'S REPRESENTATIONS AND WARRANTIES

4.1 **Warranties of Title.** The Artist represents and warrants that:

- A. The Artwork is solely the result of the artistic effort of the Artist;
- B. Except as otherwise disclosed in writing to the City, the Artwork is unique and original and does not infringe upon any copyright or the rights of any person;
- C. The Artwork (substantially identical three-dimensional replica) has not been accepted for sale elsewhere;
- D. The Artist has not sold, assigned, transferred, licensed, granted, encumbered or utilized the Artwork or any element thereof or any copyright related thereto which may affect or impair the rights granted pursuant to this Agreement;

- E. The Artwork is free and clear of any liens from any source whatsoever;
- F. All Artwork created by the Artist under this Agreement, whether created by the Artist alone or in collaboration with others shall be wholly original with the Artist and shall not infringe upon or violate the rights of any third party;
- G. The Artist has the full power to enter into and perform this Agreement and to make the grant of rights contained in this Agreement;
- H. All services performed hereunder shall be performed in accordance with all applicable laws, regulations, ordinances, *etc.* and with all necessary care, skill, and diligence; and
- I. These representations and warranties shall survive the termination or other extinction of this Agreement.

4.2 Warranties of Quality and Condition.

A. The Artist represents and warrants that all work will be performed in accordance with professional standards and free from defective or inferior materials and workmanship (including any defects consisting of “inherent vice,” or qualities that cause or accelerate deterioration of the Artwork) for two (2) years after the date of final acceptance by the City.

B. The Artist represents and warrants that the Artwork and the materials used are not currently known to be harmful to public health and safety.

C. The Artist represents and warrants that reasonable maintenance of the Artwork will not require procedures substantially in excess of those described in the maintenance manual submitted by the Artist.

D. If within two (2) years from the acceptance of the Artwork, the City observes any breach of warranty described in this Section 4.2, the Artist shall cure the breach promptly, satisfactorily and consistent with professional conservation standards, at no expense to the City. The City shall give notice to the Artist of such breach with reasonable promptness. If, however, the Artist did not disclose this risk of breach in the design process, and if breach is not curable by the Artist, the Artist is responsible for reimbursing the City for damages, expenses and losses incurred by the City as a result of the breach of warranty. If, however, the Artist disclosed the risk of this breach in the Proposal and maintenance and conservation manual and the City accepted that it may occur, as indicated by the written final acceptance of the Artwork, it shall not be deemed a breach for purposes of this Agreement.

E. If after two (2) years from the date of acceptance of the Artwork, the City observes any breach of warranty is curable by the Artist, the City shall contact the Artist to make or supervise repairs or restorations at a reasonable fee during the Artist’s lifetime. The Artist shall have the right of first refusal to make or supervise repairs or

restorations. Should the Artist be unavailable or unwilling to accept reasonable compensation under the industry standard, the City may seek the services of a qualified restorative conservator and maintenance expert.

F. The foregoing warranties are conditional and shall be voided by the failure of the City to maintain the Artwork in accordance with the Artist's specifications and the applicable conservation standards. If the City fails to maintain the Artwork in good condition, the Artist, in addition to other rights or remedies the Artist may have in equity or at law, shall have the right to disown the Artwork as the Artist's creation and request that all credits be removed from the Artwork and reproductions thereof until the Artwork's condition is satisfactorily repaired.

ARTICLE 5. INSURANCE

5.1 General.

A. The Artist acknowledges that until installation of the Artwork, any injury to property or persons caused by the Artist's Artwork or any damage to, theft of, vandalism to, or acts of God affecting the Artist's Artwork are the sole responsibility of the Artist, including, but not limited to, any loss occurring during the creation, storage, transportation or delivery of the Artist's Artwork, regardless of where such loss occurs.

B. Insurance requirements for Artist shall have the following coverages (minimum):

Commercial General Liability:

Bodily injury or Property Damage - \$1,000,000/\$1,000,000
Per occurrence and general aggregate

Including contractual liability coverage and product and completed operations coverage in the amount of commercial general liability coverage

Automobile and Truck Liability:

Bodily Injury or Property Damage - \$1,000,000/\$1,000,000
Per occurrence and general aggregate

Umbrella/Excess Coverage in the amount of \$1,000,000.

Workers' Compensation

This insurance shall at a minimum meet the requirements of the most current laws of the State of New Hampshire.

City shall be named as an additional insured and identified as a certificate holder on all policies as follows: City of Portsmouth, Attn: Legal Department, 1 Junkins Avenue, Portsmouth, NH 03801. Contractor shall provide proof of insurance coverage satisfactory to City.

5.2 Indemnity.

A. The Artist shall indemnify the City's officers, officials, agents, and

employees, from any claims brought arising out of the breach of this Agreement or any negligent occurrence which occurs pursuant to the performance of this Agreement by the Artist. The indemnification shall include reasonable attorneys' fees and costs.

B. Either Party shall promptly notify the other of any written claim regarding any matter resulting from or relating to either Party's obligations under this Agreement. Each Party shall cooperate, assist, and consult with the other in the defense or investigation of any such claim arising out of or relating to the performance of this Agreement.

C. This indemnification shall survive the termination or expiration of this Agreement.

D. Notwithstanding any provision of this Agreement to the contrary, no Party shall recover from a Party to this Agreement in an action, of whatever nature, in contract or tort, any consequential or incidental damages, lost profits, or any type of expectancy damages.

ARTICLE 6. OWNERSHIP AND INTELLECTUAL PROPERTY RIGHTS

6.1 Title and Copyright

A. Title to the physical Artwork (the bronze sculpture and any associated physical components) shall pass to the City upon final acceptance and full payment for the Artwork pursuant to Section 1.6.

B. The Artist retains all rights, title, and interest in and to the intellectual property and copyright of the Artwork, including but not limited to all rights of reproduction, derivative works, display, and licensing, except as expressly licensed to the City herein.

C. The City is granted a perpetual, non-exclusive, royalty-free license to photograph, display, reproduce, and promote the Artwork in all two-dimensional forms, including but not limited to digital, print, and media formats. This license includes the right to use such images for both commercial and non-commercial purposes, including publicity, promotion, fundraising materials, publications, municipal communications, and third-party media coverage.

D. All reproductions of the Artwork under this Section shall include appropriate credit to the Artist in a form reasonably agreed upon by the parties, substantially as follows: "Nebi, by Anthony Alemany, selected by the Public Art Review Committee (PARC) of Portsmouth New Hampshire for Bohenko Gateway Park."

E. Nothing in this Agreement shall be construed as granting to the City express or implied rights to three-dimensional reproduction of the Artwork of any size. Such rights may be licensed by the Artist to the City under a separate written agreement.

F. In view of the intention that the final Artwork shall be unique, the Artist shall not create or authorize any substantially identical three-dimensional reproduction of the Artwork at the same scale or larger without the written permission of the City.

G. Artist may display the Artwork in electronic and printed media to potential purchasers and to promote or communicate about Artist's career and accomplishments. The Artist shall use reasonable best efforts in any public showing or

reuse of reproductions to give acknowledgment to the City in substantially the following form: "Nebi, an original artwork, was selected by the Public Art Review Committee (PARC) of Portsmouth New Hampshire for the Bohenko Gateway Park.

H. All sketches, drawings, models, maquettes, digital files, and preparatory materials remain the property of the Artist unless expressly transferred in writing.

ARTICLE 7. ALTERATION OR REMOVAL

7.1 General.

A. The City acknowledges that the Artwork is a work of visual art protected under the Visual Artists Rights Act of 1990 (VARA), 17 U.S.C. §106A.

B. The City shall not intentionally distort, mutilate, modify, or alter the Artwork in any manner that would be prejudicial to the Artist's honor or reputation without the prior written consent of the Artist. The City agrees to make reasonable efforts to notify and consult with the Artist prior to any significant alteration, conservation treatment, relocation, or removal of the Artwork. If not practicable to obtain permission from Artist due to emergency, death or passage of time, City will only modify consistent with the terms of this Agreement.

C. If any unintentional alteration or damage to the Artwork occurs, the Artist shall have the right to disclaim authorship of the Artwork in addition to any remedies he may have in law or equity under this Agreement. Upon written request, the City shall remove the identification plaque and all attributive references to the Artist at its own expense within sixty (60) days of receipt of the notice. No provision of this Agreement shall obligate the City to alter or remove any such attributive reference printed or published prior to the City's receipt of such notice. The Artist may take such other action as the Artist may choose to disavow the Artwork.

D. The City shall not destroy the Artwork without providing the Artist with 90 days written notice and the opportunity to remove the Artwork at the Artist's expense.

7.2 Alteration of Site or Removal of Artwork.

A. The City agrees that it will make reasonable efforts to notify the Artist if the City seeks to alter, modify, change, relocate or destroy the Artwork and to consult with Artist on the proposed. The City shall have, however, all final decision-making authority regarding the Artwork.

ARTICLE 8. ARTIST AS AN INDEPENDENT CONTRACTOR

The Artist agrees to perform all work under this Agreement as an independent contractor and not as an employee of the City. The Artist acknowledges and agrees that the Artist shall not hold itself out as an authorized agent of the City with the power to bind in any manner. The Artist shall provide the City with the Artist's Tax Identification number and any proof of such number as requested by the City.

ARTICLE 9. ASSIGNMENT OF ARTWORK

The work and services required of the Artist are personal and shall not be assigned, sublet or transferred. Any attempt by the Artist to assign this Agreement or any rights, duties or obligations arising hereunder shall be void and of no effect unless prior written consent is given by the City. The City shall have the right to assign or transfer any and all of the City's rights and obligations under this Agreement, if ownership of the Site is transferred.

ARTICLE 10. TERMINATION

A. The City or Artist may terminate this Agreement without recourse by the others where performance is rendered impossible or impracticable for reasons beyond such Party's reasonable control such as, but not limited to, acts of nature; war or warlike operation; superior governmental regulation or control; public emergence; or strike or other labor disturbances. Notice of termination of this Agreement shall be given to the nonterminating parties in writing not less than thirty (30) days prior to the effective date of termination.

B. The City may terminate this Agreement without cause upon 60 days' written notice to the Artist. The City shall pay the Artist for services performed and commitments made prior to the date of the termination, consistent with the schedule of payments set forth in this Agreement. The Artist shall have the right to an equitable adjustment in the fee for services performed and expenses incurred beyond those for which the Artist has been compensated to date, unless the parties come to a settlement otherwise. The Artist shall retain possession and title to the studies, drawing, designs, maquettes, and models already prepared and submitted or prepared for submission to the City by the Artist under this Agreement prior to the date of termination.

C. If any party to this Agreement shall willfully or negligently fail to fulfill in a timely and proper manner, or otherwise violate any of the covenants, agreements or stipulations material to this Agreement, the other parties shall thereupon have the right to terminate this Agreement by giving written notice to the defaulting party of their intent to terminate specifying the grounds for termination. The defaulting party shall have thirty (30) days after the effective date of the notice to cure the default. If it is not cured by that time, this Agreement shall terminate.

D. If the Artist defaults for cause other than death or incapacitation, the Artist shall return all funds. The Artist shall provide an accounting of these expenses. All finished and unfinished drawings, sketches, photographs and other work products prepared and submitted or prepared for submission by the Artist under this Agreement shall be retained by the Artist.

E. Upon notice of termination, the Artist and his subcontractors shall cease all services affected.

ARTICLE 11. DEATH OR INCAPACITY

A. If the Artist becomes unable to complete this Agreement due to death or incapacity, such death or incapacity will not be deemed a breach of this Agreement or a default on the part of the Artist for purposes of Article 10.

B. In the event of incapacity, the Artist shall assign Artist's obligations and services under this contract to another artist provided the City approves of the new artist and so agrees in writing. If the City does not agree, the City may elect to terminate this Agreement. The Artist shall retain all rights under Article 6 and Article 7.

ARTICLE 12. NOTICES AND DOCUMENTS

Notices under this Agreement shall be delivered personally, by recognized overnight delivery service or through the certified mail, return receipt requested, postage prepaid, to the addresses stated below, or to any other address as may be noticed by a Party:

For the City: City of Portsmouth
1 Junkins Avenue
Portsmouth, New Hampshire 03801
Attn: Karen S. Conard, City Manager
Copy: Susan G. Morrell, City Attorney

For the Artist: Anthony Alemany Sculpture
26 Paul Street
Apt 330
South Berwick, ME 03908
Attn: Anthony Alemany

Notice shall be deemed effective on the date personally delivered or, if mailed, three (3) days after the postmarked date.

ARTICLE 13. WAIVER

The Parties agree that a waiver of any breach or violation of any term or condition of this Agreement shall not be deemed to be a waiver of any other term or condition contained herein or a waiver of any subsequent breach or violation of the same or any other term or condition.

ARTICLE 14. CONFLICT OF INTEREST

The Artist and the City shall avoid all conflicts of interest or appearance of conflicts of interest in the performance of this Agreement.

ARTICLE 15. GOVERNING LAW AND VENUE

This Agreement shall be governed, construed and interpreted both as to validity and to performance of the parties in accordance with the laws of the State of New Hampshire. Legal actions concerning any dispute, claim or matter arising out of or in relation to this Agreement shall be instituted in the Rockingham County Superior Court, State of New Hampshire. The Artist covenants and agrees to submit to the personal jurisdiction of such court in the event of such action.

ARTICLE 16. AMENDMENTS

No alteration, change or modification of the terms of this Agreement shall be valid unless made in writing and signed by all Parties hereto.

ARTICLE 17. CONFLICT WITH THE LAW

If any term, covenant, condition or provision of this Agreement, or the application thereof to any person or circumstance, shall be held by a court of competent jurisdiction or arbitration panel to be in conflict with the laws, rules and/or regulations of the United States or the State of New Hampshire, invalid, void or unenforceable, the remainder of the terms, covenants, conditions or provisions of this Agreement, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired, or invalidated thereby to the extent the remainder of the terms, covenants, conditions or provisions of this Agreement are capable of execution.

ARTICLE 18. ENTIRE AGREEMENT

This Agreement comprises all of the covenants, promises, agreements and conditions between the Parties. No verbal agreements or conversation between the Parties prior to the execution of this Agreement shall affect or modify any of the terms or obligation.

ARTICLE 19. INTERPRETATION

The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either party by reason of the authorship of this Agreement or any other rule of construction which might otherwise apply.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

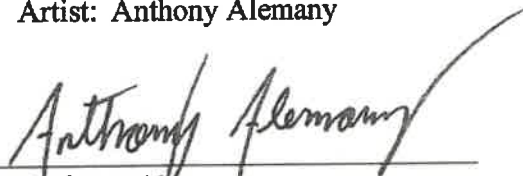
City:
CITY OF PORTSMOUTH

Date: 5/20/2026

By: 
Karen S. Conard, City Manager

Artist: Anthony Alemany

Date: May 15th 2026

By: 
Anthony Alemany,
Anthony Alemany Sculpture

Katie Ross
Studio Manager, Pure Barre Portsmouth
2454 Lafayette Rd, Unit 37
Portsmouth, NH 03801
603-373-8143
portsmouthsm@purebarre.com

Mayor and City Council of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

Dear Mayor and Portsmouth City Council,

My name is Katie Ross, and I am the Studio Manager at Pure Barre Portsmouth, a barre fitness studio located in Portsmouth. I am writing to formally request the use of Prescott Park to host a series of **Silent Yoga Classes** on the following Friday mornings in September:

- Friday, September 4th at 6:00 AM
- Friday, September 11th at 6:00 AM
- Friday, September 18th at 6:00 AM
- Friday, September 25th at 6:00 AM

These classes will be completely silent, and no amplification or sound equipment will be used. Each class will be approximately 50 minutes in length, and participants and instructors will be fully packed up and out of the park by 7:30 AM.

These classes will be offered **free of charge and open to the public** as an opportunity to promote health, wellness, and community connection within Portsmouth. We have hosted similar classes in Prescott Park in previous years, and they have consistently been a positive experience and a wonderful community-building event.

We respectfully request your consideration of this proposal and appreciate your time in reviewing our request. Please do not hesitate to contact me if you require any additional information.

Thank you for your consideration. We look forward to the opportunity to continue offering this unique experience to our community.

Sincerely,

Katie Ross
Studio Manager
Pure Barre Portsmouth


**City of
Portsmouth**
Department of Public Works



Request for inclusion on a City Council Agenda

TO: Karen Conard, City Manager

CC: Carl Weber, Deputy City Manager
Sally Kellar, City Clerk
Jessica Griffin, Asst. to the City Manager

FROM: Peter Rice, Director of Public Works 

DATE: 6/11/2026

AGENDA ITEM: Active City Encumbrances Report

REQUESTED MEETING DATE: 6/22/2026

RECOMMENDED BY: Peter Rice, Director of Public Works

STAFF RECOMMENDATION:

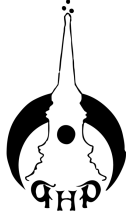
On December 8, 2025, the City Council approved an amendment to Chapter 6 which consolidated all references to licenses and permits for encumbering City property into one ordinance. The ordinance provides that the City Manager will provide the City Council with monthly written reports for all permits for temporary encumbrances. The Council's acceptance of the report constitutes its acceptance and endorsement of the permits listed. The attached Active City Encumbrances Report should be included under the Consent Agenda for acceptance by the Council.

Proposed Motion: Move to accept the Active City Encumbrances Report as presented.

Active Encumbrance Permits

Record #	Encumbrance Requested	Applicant Name	Address	Start Date	Completion Date	Work Detail
ENCM-26-5	60-Day	Steppingstone Masonry	41 Market Street	6/1/2026	8/1/2026	Brick repointing and window sill/header replacement. Full façade staging will be used during installation.
ENCM-26-19	30-Day	JG Painting LLC	308 Pleasant Street	6/7/2026	7/6/2026	Scraping and painting house, using staging and lifts.
ENCM-26-26	30-Day	Clean Harbors	90 Fleet Street	6/1/2026	6/4/2026	Hose across sidewalk through building entrance.
ENCM-26-27	30-Day	McNabb Properties	Daniel St. @ Pleasant St.	6/8/2026	6/29/2026	Exterior building work. Scissor lift in sidewalk.

Previously reported to Council



The Portsmouth Halloween Parade
36 Maplewood Avenue
Portsmouth, NH 03801
portsmouthhalloweenparade@gmail.com

June 11, 2026

To: City Council of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

Honorable Mayor McEachern and City Councilors:

I am writing today to request permission to hold the 31st Portsmouth Halloween Parade, this year to take place on Friday, October 31st. We would like to once again step off from Peirce Island at 7:00 pm. We seek to stage and organize the Parade on the island beginning at 6:00 pm. We would like to utilize the boat launch, Four Tree Island parking lot, and the Outdoor Pool lots for marchers and their vehicles.

The parade route itself will remain the same (see attached map). We recognize that we have benefited greatly from the efforts of the Department of Public Works over the years, who provide barricades, large vehicles to harden to corners, and cleanup. We would ask that they assist us once again in these matters, in addition to closing down the affected streets beginning at 5:30 pm, or whatever time they deem fitting. The plan would be to reopen them no later than 8:30 pm.

We will of course carry the usual insurance that is required. Further, we would work with Police and Fire Departments who ensure a safe and entertaining parade, and to whom we are very grateful for all their planning and assistance. We look forward to your response. Thank you.

Sincerely,

Jonathan Day
Board of the Portsmouth Halloween Parade

cc/ Karen Conard, City Manager
Jessica Griffin, Assistant to the City Manager
Joanna Diemer, Administrative Assistant

PHP Route

Important Points



Staging Area



END at Prescott Park



Pause At Marcy & State



Pause in the Square



Pause at State & Pleasant

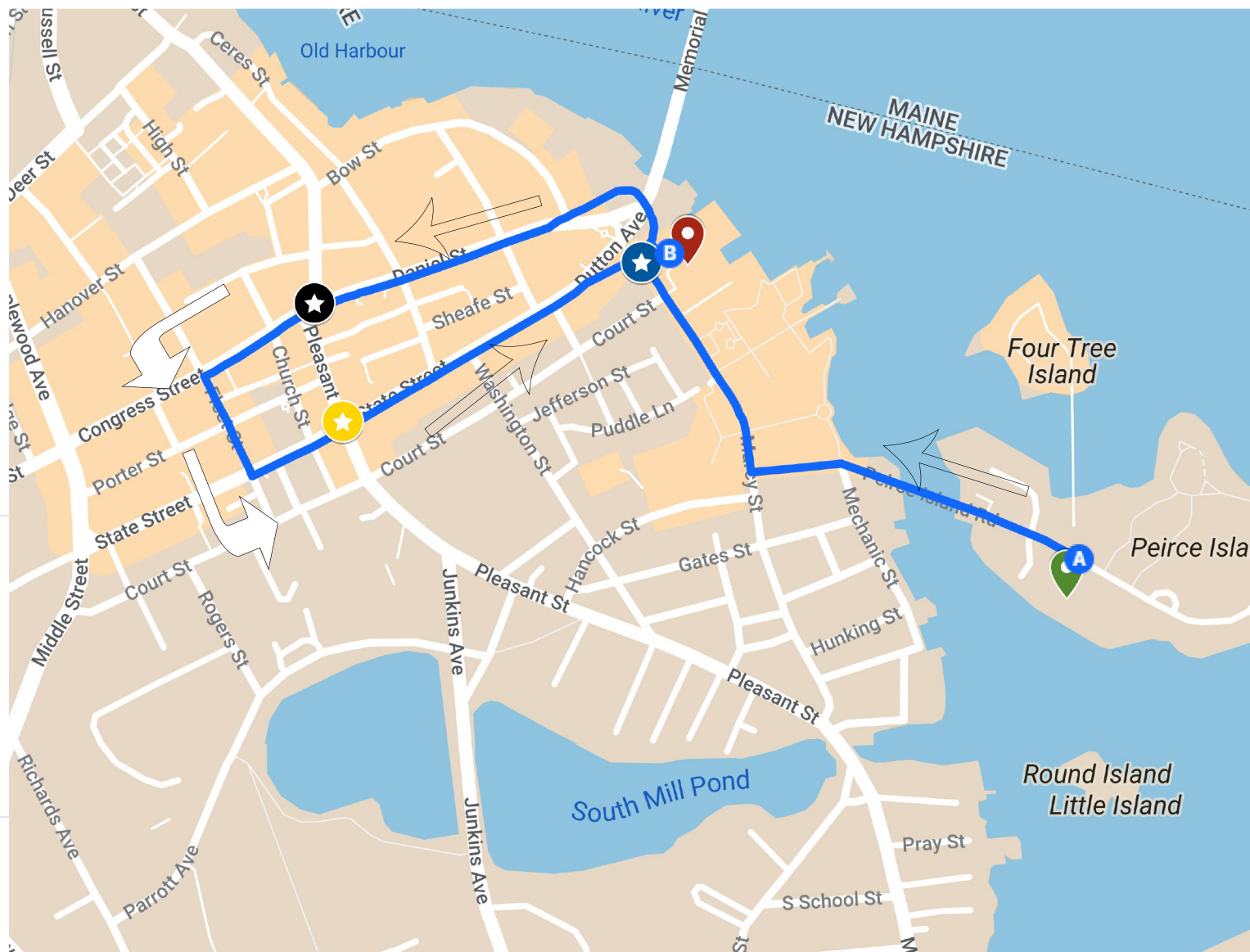
2023 PHP Parade Route



Peirce Island Rd, Portsmouth, NH 03801, USA



10 State Street, Portsmouth, NH 03801, USA



Tyler Garzo

62 McKinley Rd ♦ Portsmouth, NH 03801 ♦ 603.760.7932 ♦ tyler@walkpomo.org

May 12, 2026

Via Email and U.S. Mail

City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

Dear Mayor McEachern, City Manager Conard, and City Council Members,

The City adopted a complete streets policy in 2013 and complete streets design guidelines in 2017. Complete streets policy section III, under the heading Design Guidance and Flexibility states:

“The City shall follow accepted or adopted design standards and use the best and latest design standards available...”

On April 2, at the Parking and Traffic Safety (PTS) meeting, the city’s traffic engineer stated “those are guidelines, they’re not requirements” [46:02] referring to the 2017 document.

The city’s Director of Public Works later stated “it’s implying that we should ... adhere to ... a recommendation that was a report done ... blindly and not take into consideration other things”. [52:23]

The DPW proposal for Van Buren Ave, as part of “Elwyn Park Sidewalks and Traffic Calming”, ignores the 20 foot width requirement for neighborhood slow streets. A 28 foot roadway was accepted instead, including a 5 foot “pedestrian shoulder” (shown in the May 7 PTS meeting packet) which raises questions about the city’s ADA obligations.

Can the City Manager clarify whether DPW is required to follow the complete streets policy, the associated 2017 complete streets guidelines, and whether the council can accept PTS minutes that do not follow complete streets policy?

Thank you,



Tyler Garzo

City Council Website Contact Form

From City of Portsmouth <webformsubmission@portsmouthnh.gov>

Date Sat 6/6/2026 12:57 PM

To Webform Submission <webformsubmission@portsmouthnh.gov>

Cc City Council Clerk - Shr <ccclerk@portsmouthnh.gov>; City Council - Shr <ccemail@portsmouthnh.gov>; Carl E. Weber <ceweber@portsmouthnh.gov>; Karen S. Conard <kconard@portsmouthnh.gov>; Nathan D. Lunney <ndlunney@portsmouthnh.gov>; Susan G. Morrell <sgmorrell@portsmouthnh.gov>

Submitted on Sat, 06/06/2026 - 12:57

Submitted by: Anonymous

Submitted values are:

First Name

Colleen

Last Name

Bean

Email

[REDACTED]

Subject

South Mill Pond Court Noise

Address

[REDACTED]

Portsmouth, New Hampshire. 03801

Message

As we head into summer we would ask that the noise that takes place after 10:00pm at the South Mill Pond pickleball, basketball and tennis courts be addressed. Although the lights go off at 10pm this is no deterrent as the pickleball and basketball courts continue to be used often to 1-2am in the morning. Along with this, loud music is often played during this time. The noise of the hitting the pickle ball, bouncing basketballs, yelling and music echos through all of the surrounding neighborhoods since there is nothing absorbing the sound at this time of night.

We call the police on a regular basis who at some point do a drive by and that temporarily stops the noise but usually within a ½ hour it starts up again. This is not the best use of the police department but it is currently the only resource option we have to address this issue.

We deal with the noise during the day but would ask that there be a solution of either locking the

gates and/or regular police monitoring after 10pm each night to ensure the courts are not being used during this time and that loud music is not being played.

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.

Yes

{Empty}

*subject - Subject

City Council Website Contact Form

From City of Portsmouth <webformsubmission@portsmouthnh.gov>

Date Mon 6/8/2026 6:38 PM

To Webform Submission <webformsubmission@portsmouthnh.gov>

Cc City Council Clerk - Shr <ccclerk@portsmouthnh.gov>; City Council - Shr <ccemail@portsmouthnh.gov>; Carl E. Weber <ceweber@portsmouthnh.gov>; Karen S. Conard <kconard@portsmouthnh.gov>; Nathan D. Lunney <ndlunney@portsmouthnh.gov>; Susan G. Morrell <sgmorrell@portsmouthnh.gov>

Submitted on Mon, 06/08/2026 - 18:38

Submitted by: Anonymous

Submitted values are:

First Name

Joy

Last Name

Curth

Email

[REDACTED]

Subject

Historic District Property List

Address

[REDACTED]

Portsmouth, New Hampshire. 03801

Message

Subject: Request to Publish Historic District Property List

Dear Mayor and City Councilors,

I respectfully request that the City Council vote to publish and maintain a clear list of properties within Portsmouth's Historic District on the City's website as it is currently defined—or, at minimum, fulfill the request within a reasonable time frame (such as a week) when citizens ask for this list or current data record. The MapGeo platform UI that citizens are currently directed to is open to misinterpretation and not accessible for all users.

Thank you for your consideration.

Respectfully,

Joy Curth

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.

Yes

{Empty}

*subject - Subject

City Council Website Contact Form

From City of Portsmouth <webformsubmission@portsmouthnh.gov>

Date Tue 6/9/2026 1:11 PM

To Webform Submission <webformsubmission@portsmouthnh.gov>

Cc City Council Clerk - Shr <ccclerk@portsmouthnh.gov>; City Council - Shr <ccemail@portsmouthnh.gov>; Carl E. Weber <ceweber@portsmouthnh.gov>; Karen S. Conard <kconard@portsmouthnh.gov>; Nathan D. Lunney <ndlunney@portsmouthnh.gov>; Susan G. Morrell <sgmorrell@portsmouthnh.gov>

Submitted on Tue, 06/09/2026 - 13:11

Submitted by: Anonymous

Submitted values are:

First Name

Sean

Last Name

Morin

Email

[REDACTED]

Subject

FY27 Budget: request for fiscal discipline and a real cost-control plan

Address

[REDACTED]

Portsmouth, New Hampshire

Message

To Portsmouth City Councilors,

I'm writing as a resident to share serious concerns about the FY27 budget decision. From what I've seen, the Council reduced only about \$115,000 from the City Manager's proposed budget of roughly \$158 million. In practical terms, that is a rounding error, not oversight.

This budget increase again outpaces inflation, and it continues a pattern of large annual increases since FY22. Over that period, the total budget is up materially (over 28%). At some point we have to call this what it is: spending growth that is not sustainable for taxpayers. There have been hundreds of million dollar homes built during this time, that is real tax revenue being added to the base. Mine being one of them. So in addition to the large increase in tax revenue by new real estate, you continue to increase taxes substantially to existing residents.

The City has stated that health insurance is one of the largest drivers of the FY27 increase. If that is true, then benefit cost sharing must be part of the solution. Most private-sector organizations require

meaningful employee cost sharing and adjust plan design to manage trend. Instead, Portsmouth continues to place the bulk of rising healthcare costs onto property taxpayers. Please do not tell me we need to do that to attract talent, that is ludicrous and outdated thinking. This is not the 1990's anymore!

The Council's stated priorities include increasing supply, decreasing cost, simplifying the process, and expanding below-market housing options. I support those goals. But the City's current tax-and-spend trajectory is directly at odds with them. Rising taxes are pushing out long-term residents who simply cannot afford the growing tax burden on their homes. By your own objective, you are failing miserably. So I'm asking plainly: where in the City's priorities is the commitment to curb spending, increase revenue in ways that reduce reliance on property taxes, and operate with the fiscal discipline residents expect?

I would appreciate a clear response on the following:

1. What specific cost-control measures are being implemented to keep budget growth closer to inflation going forward? What AI and efficiencies are we adopting to offset FTE's.
2. What is the plan to increase employee healthcare cost sharing over time so taxpayers are not bearing the full impact of medical inflation? Or are people like me going to continue to foot their health insurance costs in addition to my families?
3. What programs are being implemented to increase non-tax revenues and expand the commercial tax base to reduce pressure on homeowners?

Thank you for your time and for your service. I hope the Council will take a more disciplined approach before this becomes even harder to reverse.

Respectfully,

Sean P. Morin, 

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.

Yes

{Empty}

*subject - Subject

City Council Website Contact Form

From City of Portsmouth <webformsubmission@portsmouthnh.gov>

Date Tue 6/9/2026 8:00 AM

To Webform Submission <webformsubmission@portsmouthnh.gov>

Cc City Council Clerk - Shr <ccclerk@portsmouthnh.gov>; City Council - Shr <ccemail@portsmouthnh.gov>; Carl E. Weber <ceweber@portsmouthnh.gov>; Karen S. Conard <kconard@portsmouthnh.gov>; Nathan D. Lunney <ndlunney@portsmouthnh.gov>; Susan G. Morrell <sgmorrell@portsmouthnh.gov>

Submitted on Tue, 06/09/2026 - 08:00

Submitted by: Anonymous

Submitted values are:

First Name

ERIK

Last Name

ANDERSON

Email

[REDACTED]

Subject

City Counciler access

Address

[REDACTED]

PORTSMOUTH, New Hampshire. 03801

Message

Dear City Councilors

It is greatly appreciated that a resident can send a message to the whole city council or an individual councilor via the city website. The one exception is Councilor Bagley. In following the protocol for an individual message to Councilor Bagley there is no path to complete the message. This does not take place with all other councilors. Whether this has been requested by him or a technical error of the website, it is not clear. If it has been requested by him, I find it discouraging that he does not want to be heard from residents on their issues and concerns.

Once again, thank you for making yourself available for communication and any reply is welcome.

Erik Anderson

Please indicate if you would like your comment to be part of the public record for the upcoming

City Council meeting.

Yes

{Empty}

*subject - Subject

City Council Website Contact Form

From City of Portsmouth <webformsubmission@portsmouthnh.gov>

Date Fri 6/12/2026 10:33 AM

To Webform Submission <webformsubmission@portsmouthnh.gov>

Cc City Council Clerk - Shr <ccclerk@portsmouthnh.gov>; City Council - Shr <ccemail@portsmouthnh.gov>; Carl E. Weber <ceweber@portsmouthnh.gov>; Karen S. Conard <kconard@portsmouthnh.gov>; Nathan D. Lunney <ndlunney@portsmouthnh.gov>; Susan G. Morrell <sgmorrell@portsmouthnh.gov>

Submitted on Fri, 06/12/2026 - 10:33

Submitted by: Anonymous

Submitted values are:

First Name

Marie

Last Name

Lyford

Email

[REDACTED]

Subject

Spinnaker Point Gym Pool closing?

Address

[REDACTED]

Portsmouth, New Hampshire. 03801

Message

I am a long time member of Spinnaker Point Gym.

I just learned that the Rec Dept is thinking about closing the Spinnaker Point Gym Pool It is a much needed and used pool. It is full nearly every minute of every day. Our Seniors have little in the way of places to exercise low impact like you can at this pool. Our city supports sports for the kids, Bicycle lanes, etc for bicyclists, the rail trail for walkers and riders, why are we thinking about not supporting this pool for our people in need of pool exercises. Please give me your ideas on how to be sure this pool is not closed and is kept up.

I also would like to know how many members are allowed to join Spinnaker Point Gym. What is that number and are we over it? It has become very congested lately (people in pool is very high in number) Are there plans to comply with the limit soon? I Am hoping someone can answer these questions for me. Thanks

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.

Yes

{Empty}

*subject - Subject

City Council Website Contact Form

From City of Portsmouth <webformsubmission@portsmouthnh.gov>

Date Fri 6/12/2026 6:58 AM

To Webform Submission <webformsubmission@portsmouthnh.gov>

Cc City Council Clerk - Shr <ccclerk@portsmouthnh.gov>; City Council - Shr <ccemail@portsmouthnh.gov>; Carl E. Weber <ceweber@portsmouthnh.gov>; Karen S. Conard <kconard@portsmouthnh.gov>; Nathan D. Lunney <ndlunney@portsmouthnh.gov>; Susan G. Morrell <sgmorrell@portsmouthnh.gov>

Submitted on Fri, 06/12/2026 - 06:58

Submitted by: Anonymous

Submitted values are:

First Name

Lorna

Last Name

Gordon

Email

[REDACTED]

Subject

Pearson St. street signj

Address

{Empty}

Message

Follow up. Please remove Stop sign and dead end sign from Pearson St. street sign. Should all be on separate poles per safety statutes. Thank you.

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.

Yes

{Empty}

*subject - Subject

June 11, 2026

Attention: Sally Kellar- City Clerk, Portsmouth, NH

Dear Sally,

Please accept my letter of resignation from the Portsmouth Police Commission, effective July 30, 2026, due to personal reasons. I am grateful for the opportunity to work alongside such a professional and dedicated group of public servants. It has been an honor to serve our community in this role.

Respectfully,
Jay Lieberman

As the U.S. is facing a housing shortage, numerous communities have permitted the building of Accessory Dwelling Units (ADUs) as a way to increase housing supply. While ADUs can provide additional housing and maintain the existing character of neighborhoods, the process to design and permit an ADU can be expensive and daunting for the average homeowner. As a result, many communities have worked with designers to develop pre-approved ADU design plans that can be built without hiring an architect and/or design-team to decrease the cost for homeowners. If the homeowner has enough space for the ADU without requiring a variance or being subject to Historic District review, these plans can be built with a simple permit request.

While the Housing Committee leadership has considered the process of drafting pre-approved plans, it might be simpler to review existing pre-approved plans available online and identify three to four plans that could receive pre-approval from the City of Portsmouth. The City could work with the communities/states that have designed these plans to request use for our community.

Here are some examples of pre-approved ADU plans for your review:

Mariposa County, CA

<https://mariposacounty.aduaccelerator.org/gallery>

Eugene, OR

<https://www.eugene-or.gov/4979/Select-an-ADU-Design>

State of Massachusetts

<https://www.mass.gov/adu-design-challenge-showcase>

Portsmouth Energy Advisory Committee (PEAC) Recommendations

Choice

PEAC should provide more information to the community about the choices and benefits Portsmouth Community Power (PCP) affords

Messaging

Community Power Coalition of NH (CPCNH) should provide consistent and widespread messaging to customers about their ability to switch between Community Power and Eversource without penalty

Collaboration

CPCNH, the New Hampshire Public Utilities Commission (PUC), and the Consumer Advocate should work together to develop materials and resources that communicate transparently

Background

- Community Power is enabled by State Statute; no cost to City
- Eversource owns and operates the distribution, delivers power to all City customers
- Out of the seven rate periods since 2023, customers have experienced three periods (including the current one) where the PCP rate was higher than the Eversource default
- The non-rate benefits of Community Power remain customer choice, renewable options up to 100%, future green energy infrastructure investments

Communication Goals

- Coordinate messaging across the available communications channels to raise residents' understanding of Portsmouth Community Power
- Communicate program benefits, explain the process of opt-in/opt-out to maximize rate savings
- Provide heavy messaging around the rate change announcements in July (for the August 1 rate change) & January (for the February 1 rate change)

Communications – Key Messages

- Customer Choice
- Home energy efficiency improvements mean cost savings
- Bill assistance from Eversource and the City Welfare Office
- Supporting Climate Action by opting up to renewable
- Advocate for Portsmouth in Concord through regional collaboration

Communications – Strategies

The strategies recommended by this communications plan include:

- Develop and disseminate key messages in a logical, educational order
- Leverage existing communications channels
- Provide leadership examples for CPCNH and the NH Consumer Advocate to follow
- Enlist support and advocacy from other City boards, commissions, committees, and initiatives
- Measure and analyze the effectiveness of the plan and efforts
- Show measurable impact on low-income customers choice for lower-rate power from the Eversource default

Communications – Tactics

- **City website** – 75K monthly active users
- **City Newsletter** – 6900 subscribers, weekly Energy Information feature
- **Social media** – 2.7K Facebook,, 24K (Un)Official group, 73K Portsmouth Group, 2.6K Instagram, and others
- **Channel 22** – Cable subscribers
- **Targeted eblasts** – PEAC subscribers and others
- **City Department e-newsletters** – Library, Recreation, and Senior Center
- **Media relations** – Press releases, photo opportunities, op-eds
- **Direct resident feedback**
- **Polls and surveys**
- **Direct mail** – Bill inserts, refresh-list postcard mailing. Expensive.

Performance Metrics, Best Practices, and Recommendations

- Website and social media analytics
- Survey results - What topics receive the most feedback? What channels are essential? Should timing of messaging be adjusted?

Sample Communications Action Plan

A snapshot of a comprehensive annual plan

<p>June</p>	<p>CPCNH rates for Aug 1-Jan 31 and opt-out 'how-to' if necessary</p> <p>CPCNH refresh?</p> <p>Chair John Tabor and other PEAC members - op-ed on "Why PCP?"</p>	<p>City channels: Website, newsletter, Ch 22, social media</p> <p>Press release to media list</p> <p>Library, City Hall, Senior Center, and Farmers Market tabling</p>
<p>July-August</p>	<p>Energy efficiencies that save power and money – Aug 8 AC and dehumidifier turn-in event for \$50 rebate</p>	<p>City channels: Website, newsletter, Ch 22, social media</p>
<p>September</p>	<p>ButtonUp NH or other winter efficiency workshop</p>	<p>City channels: Website, newsletter, Ch 22, social media</p>
<p>October</p>	<p>PHS Eco-Club briefing</p> <p>City Council PCP update – John Tabor agenda item on opt-in/out choices Aug-Sep and op-ed with those details</p>	<p>Library, City Hall, Senior Center, and Farmers Market</p> <p>City channels: Website, newsletter, Ch 22, social media</p>



April 30, 2026

Quote to provide professional audit services for:

City of Portsmouth, New Hampshire

Prepared by:

Matthew S. Hunt, CPA, Signing Director

matt.hunt@CLAconnect.com

Direct 781-402-6307

CLAconnect.com

CPAS | CONSULTANTS | WEALTH ADVISORS

CLA (CliftonLarsonAllen LLP) is an independent network member of CLA Global. See [CLAglobal.com/disclaimer](https://claglobal.com/disclaimer).

Investment advisory services are offered through CliftonLarsonAllen Wealth Advisors, LLC, an SEC-registered investment advisor.





April 30, 2026

Mr. Nathan D. Lunney
Deputy City Manager – Finance & Administration
1 Junkins Avenue
Portsmouth, NH 03801

Dear Nathan:

Thank you for inviting us to provide this quote. We look forward to the opportunity to continue providing audit services to the City of Portsmouth, New Hampshire (the City).

We are confident that our experience serving the City and similar governmental entities, bolstered by our client-oriented philosophy and depth of resources, will continue to make CLA the top qualified candidate to perform the City’s annual audit.

The following are CLA’s quoted fees:

Fiscal Year-Ended	All-Inclusive Fixed Fee
June 30, 2026	\$119,000
June 30, 2027	\$123,000
June 30, 2028	\$127,000
June 30, 2029 (option)	\$132,000
June 30, 2030 (option)	\$137,000
June 30, 2031 (option)	\$142,000

Please contact me if you have any questions.

Sincerely,

CliftonLarsonAllen LLP

Matthew Hunt, CPA, Signing Director



PARKING and TRAFFIC SAFETY COMMITTEE
PORTSMOUTH, NEW HAMPSHIRE

CITY HALL CONFERENCE ROOM A
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

*Members of the public also had the opportunity to join the meeting via
Zoom*

9:00 AM

June 4th, 2026

MINUTES

1. CALL TO ORDER

Committee Chair Annie Hopkins called the meeting to order at 9:00 AM.

2. ATTENDANCE

Members Present:

Public Works Director Peter Rice
Fire Chief William McQuillen
Deputy Police Chief Mike Maloney
Committee Chair Annie Hopkins
Stefanie Casella, Planning Department
Erica Wygonik
Mark Syracuse
Mary Lou McElwain

Members Absent:

Jane Mitchell-Pate
Barbara Sadick (alternate)

City Staff Present:

Eric Eby, City Engineer
Ben Fletcher, Parking Director
Tyler Reese, Project Manager
Jefferson Lane, DPW Administrative Assistant

3. FINANCIAL REPORT

[00:05:48] Parking Director Ben Fletcher spoke to parking revenues for the year and answered questions from committee members. Peter Rice moved to accept the financial report dated April 30th, 2026, seconded by Mary Lou McElwain. On a unanimous vote, the motion passed.

4. PUBLIC COMMENT (15 MINUTES)

[00:13:23] There were three speakers: Jay Kobzik, 1240 Islington Street, voiced concerns of speeding on Islington and proposed ideas of how the City could curb speeding in the area, as well as concerns of ample lighting at Rail Trail crosswalks; Tyler Garzo, 62 McKinley Road, commented on New Business Item D and encouraged collaboration with the Bicycle & Pedestrian Blue Ribbon

Committee; Peter Geremia, 315 Maplewood Avenue, voiced concerns of the crosswalk at Maplewood & Dennett (New Business Item B), as well as general speeding concerns.

5. PRESENTATIONS

There were no presentations

6. NEW BUSINESS

(No public comment during Committee discussion without Committee approval.)

- A. [00:23:59] Hillside Drive, concerns caused by increased parking by high school students, narrow street, by residents. Deputy Police Chief Mike Maloney spoke on the matter, as Portsmouth Police has been fielding increased complaints from the area regarding congestion and potential blockage of first responder vehicles. Following discussion from the Committee on how to best approach the issue, be it parking regulation or alternative parking areas for students, Mark Syracuse moved to refer to staff for evaluation and report back at future meeting, seconded by Erica Wygonik. On a unanimous vote, the motion passed.
- B. [00:33:50] Maplewood Avenue, crosswalk at Dennett Street, request to remove the bollards and in-street signs and install flashing lights, by resident. Erica Wygonik moved to place the item on file, seconded by Peter Rice. Following initial comments of opposition from Mary Lou, Eric Eby discussed the various approaches taken at this crosswalk over the past five to ten years, citing there have been at least three previous requests and reviews of the crosswalk, stating that the most recent remedy of signage has been the most appropriate. Following committee discussion on the state of existing signage, the motion on the floor was put to a vote. On a unanimous vote, the motion passed. Peter Rice then moved to have staff upgrade signage as appropriate, seconded by Erica Wygonik. On a unanimous vote, the motion passed.
- C. [00:46:00] Parrot Avenue, request to change school pick up, drop off traffic patterns, by resident. Erica Wygonik moved to place the item on file, seconded by Mark Syracuse. The Committee discussed the nature of challenging traffic on Parrott Avenue, addressing the fact that changes have been made in recent years. Deputy Chief Maloney echoed the challenging nature of drop-off and pickup on Parrott Ave due to on-street parking and traffic, stating that the current pattern has been the most effective. Following discussion on what the scope of PTS would be on the matter, a vote was put to the motion on the table. On a unanimous vote, the motion passed.
- D. [00:51:22] Complete Streets Design Guidelines. Request to re-examine the Neighborhood Slow Street guidelines, by DPW. Peter Rice spoke to clarify background on the item, stating the intent of the item was not to change all existing slow streets, but rather to adjust where appropriate, citing streets abutting the Dondero School as an example. Following committee discussion on the merit of forming a working group and interaction with other committees, Peter Rice moved to wait until next meeting, seconded by Mark Syracuse. On a unanimous vote, the motion passed.

7. OLD BUSINESS

- A. [00:58:14] Cabot Street, report back on request for parking restriction between Islington Street and The Getty Bagel driveway. Erica Wygonik moved to place the item on file, seconded by Peter Rice. Eric Eby spoke on the results of the site visit from May and provided traffic signal footage of the intersection, displaying the traffic concerns on Cabot. The Committee discussed that many of the traffic issues stem from parking concerns on Getty Bagel's property, which can be addressed without intervention to on-street parking. On a unanimous vote, the motion passed.

- B. [01:04:38] Falkland Place, report back on review of snow ban parking rules. Peter Rice spoke to the history of the issue, and upon review deemed this area allowable to park during snow bans, citing no hardship for business parking and review of snow clearing in the area. Erica Wygonik moved to place the item on file, seconded by Peter Rice. On a unanimous vote, the motion passed.

- C. [01:07:07] Local Love, report back on request for reduced parking rate, loading zone usage flexibility. Chair Hopkins reported back on her discussion with the Local Love business owners, requesting that the members come back with two separate issues: commercial loading zones and reduced parking for one Thursday a month. Councilor Hopkins also recognized that the requests are expansive beyond the purview of solely PTS.

8. INFORMATIONAL

- A. [01:10:49] Police monthly collision report & update on e-bike safety
- B. [01:16:20] Marcy Street, no parking on east side between New Castle Ave and Holmes Court, missing signs to be replaced.
- C. [01:17:43] Discussion of Committee purpose and mission – the item will be moved to the next meeting when all members are in attendance
- D. [01:17:55] Construction projects update
- E. [01:23:11] Outdoor Dining update

9. MISCELLANEOUS

[01:23:57] Inquiry about parking rules when occupying multiple spots at once

10. ADJOURNMENT

[01:26:16] Mark Syracuse moved to adjourn, seconded by Erica Wygonik. On a unanimous vote, the motion passed. Chair Annie Hopkins adjourned the meeting at 10:22 AM.

Respectfully submitted,
Jefferson Lane
Administrative Assistant II, Department of Public Works

PARKING and TRAFFIC SAFETY COMMITTEE ACTION SHEET

9:00 A.M. – June 4, 2026
City Hall Conference Room A

PRESENT: Members: Committee Chair Annie Hopkins, Vice Committee Chair Erica Wygonik, Public Works Director Peter Rice, Fire Chief William McQuillen, Deputy Police Chief Mike Maloney, Stefanie Casella Planning Department, Mark Syracuse, Mary Lou McElwain

City Staff: City Engineer Eric Eby, Parking Director Ben Fletcher, Project Manager Tyler Reese, Administrative Assistant Jefferson Lane

ACTION ITEMS FOR CITY COUNCIL
None


1. **Roll Call**
2. **Financial Report:** Voted to accept the financial report dated April 30, 2026.
3. **Public Comment Session:** Jay Kobzik (Islington Street speeding, Rail Trail crosswalks), Tyler Garzo (Complete Streets), Peter Geremia (Maplewood/Dennett crosswalk, speeding)
4. **Hillside Drive, concerns caused by increased parking by high school students, narrow street, by residents.** Voted to refer to staff for evaluation and report back at future meeting.
5. **Maplewood Avenue, crosswalk at Dennett Street, request to remove the bollards and in-street signs and install flashing lights, by resident.** Voted to place item on file; also voted to have staff upgrade signage as appropriate.
6. **Parrot Avenue, request to change school pick up, drop off traffic patterns, by resident.** Voted to place the item on file.
7. **Complete Streets Design Guidelines. Request to re-examine the Neighborhood Slow Street guidelines, by DPW.** Voted to wait until next meeting.
8. **Cabot Street, report back on request for parking restriction between Islington Street and The Getty Bagel driveway.** Voted to place the item on file.
9. **Falkland Place, report back on review of snow ban parking rules.** Voted to place the item on file.
10. **Local Love, report back on request for reduced parking rate, loading zone usage flexibility.** Item was discussed amongst the committee, no action was taken.

11. **Police monthly collision report and update on e-bike safety:** Informational; no action required.
12. **Marcy Street, no parking on east side between New Castle Ave and Holmes Court, missing signs to be replaced:** Informational; no action required.
13. **Discussion of Committee purpose and mission:** Item will be moved to the next meeting when all members are in attendance.
14. **Construction projects update:** Informational; no action required.
15. **Outdoor Dining update:** Informational; no action required.

Respectfully submitted by: Jefferson Lane

***TRUSTEES OF TRUST FUNDS
CITY OF PORTSMOUTH NH
ONE JUNKINS AVENUE – RM S312
PORTSMOUTH, NH 03801***

Memorandum

DATE: June 16, 2026
TO: Karen S. Conard, City Manager
FROM: Judy Renaud, Controller 
RE: Use of Below Market Rate Housing Trust Funds

A regular meeting of The Trustees of Trust Funds was held on June 16th, 2026. Per the request of the City Council, the Trustees reviewed whether an Artist Live/Work Studio Study with a cost of up to \$65,000 would be within the purpose of the Below Market Rate Housing Trust.

The Trustees found that “it is the opinion and interpretation of the Trustees of Trust Funds that contracting for a study of Artist Live/Work Study feasibility is a permitted expenditure within the purposes of the Below Market Rate Housing Trust.” This was voted on and approved unanimously.

The Trustees stated that the following items as noted in the trust document under the terms and conditions of the trust be met:

- The artist Live/Work Studio is a below market rate housing option for the artist.
- The study focuses on the artists household making no more than 100% of the average median household income.
- The actual request for funds will meet the requirements of paragraph 5 under the terms and conditions of the trust which states: “The City Council shall determine all appropriate expenditures for the Trust. The Trustees shall disburse funds from the Trust in amounts and at times as shall be specified in one or more written requests from the City Manager acting pursuant to the authorization of the City Council. Each request shall identify the payee(s), the amount(s) requested, whether the expenditure is to be paid from public or private donations, and the purpose of the expenditure, and be accompanied by a certified copy of the City Council authorization from the City Clerk.”

If anything further is required, please advise.

CITY OF PORTSMOUTH
BELOW MARKET RATE HOUSING TRUST FUND

The City of Portsmouth, a New Hampshire municipal corporation with a principal place of business at 1 Junkins Avenue, Portsmouth, County of Rockingham, State of New Hampshire 03801 (hereinafter, “City”) and its Trustees of Trust Funds, Charter Officers of the City with a principal place of business at the same address (hereinafter “Trustees”) enter this Trust Agreement for the purposes and under the terms and conditions herein.

WHEREAS, enhancing the supply of housing choices, specifically the supply of below market rate housing options, tops the list of the Portsmouth City Council’s goals for 2024-2025; and

WHEREAS, the goals of the City of Portsmouth (the “City”), as expressed in its 2025 Master Plan, include encouraging walkable mixed-use development, adapting the housing stock to accommodate changing demographics and accommodating the housing needs of the City’s current and future workforce; and,

WHEREAS, in pursuit of those goals, the Portsmouth City Council re-established the Housing Blue Ribbon Committee in February 2024; and

WHEREAS, the Housing Blue Ribbon Committee recommends the establishment of a Below Market Rate Housing Trust Fund to support the City’s housing-related goals; and

WHEREAS, the Housing Blue Ribbon Committee recommends that the primary purpose of the Below Market Rate Housing Trust Fund shall be to create new and maintain existing, below market rate housing in the City;

NOW THEN, the City hereby establishes the Below Market Rate Housing Trust Fund under the following terms and conditions:

1. The primary purpose of the Below Market Rate Housing Trust Fund shall be to receive and distribute funds for the creation, retention and maintenance of below market rate housing in the City.
2. "Below market rate housing" is defined as housing that is affordable to those households earning no more than 100% of the average median household income or as determined by appropriate governmental entities chosen by the Portsmouth City Council, or such other criteria as may be deemed appropriate from time to time by the Portsmouth City Council.
3. The Below Market Rate Housing Trust Fund shall be used by the City to fund, initiate, and facilitate activities consistent with the purposes for which the Trust is established. These activities may be conducted by the City alone or in partnership with public, non-profit and private housing developers, property owners, and property managers.
4. The Below Market Rate Housing Trust Fund may be used to fund activities related to the creation, retention and maintenance of below market rate housing in the City, that may include, but are not limited to, the following:
 - The acquisition of land to be used for the development of below market rate housing;
 - Community outreach and engagement related to below market rate housing projects;
 - Development studies, analysis, planning and consultant efforts related to below market rate housing;
 - The purchasing of existing housing to be used for below market rate housing;
 - The construction of below market rate housing;
 - Assistance to renters to afford below market rate housing
 - Assistance for home buyers of below market rate housing;
 - The maintenance of below market rate housing;
 - The management of below market rate housing programs; and,
 - Site specific municipal infrastructure improvements needed to support the development of below market rate housing.
5. The City Council shall determine all appropriate expenditures from the Trust. The Trustees shall disburse funds from the Trust in amounts and at times as shall be specified in one or more written requests from the

City Manager acting pursuant to authorization of the City Council. Each request shall identify the payee(s), the amount(s) requested, whether the expenditure is to be paid from public funds or private donations, and the purpose of the expenditure, and be accompanied by a certified copy of the City Council authorization from the City Clerk.

6. The Below Market Rate Housing Trust Fund is intended to serve as a repository for and an ongoing funding source from which the City may authorize the expenditure of sums deemed appropriate by the City Council for the purposes for which the Trust exists.
7. The Trustees of Trust Funds may receive contributions to the corpus of the Trust from the City ("Public Funds") or from any other person or entity making contributions ("Private Donations") thereto. "Public Funds" shall include all interest, dividends, and appreciation realized on public contributions. "Private Donations" shall include all interest, dividends, and appreciation realized on private donations. Except, however, the Trustees shall not be required to accept any contributions deemed inappropriate by the Trustees.
8. All funds with the Trust, whether designated as the corpus or income produced thereby, once donated to the Trust, shall be available for expenditure by the City Council pursuant to the provisions of this Trust.
9. The Trustees shall have the complete discretion to hold, liquidate or otherwise transfer any stocks or other non-cash assets contributed to the Trust, if all net proceeds received from the transfer of such assets are paid into the Trust. All costs and expenses incurred with respect to the sale or transfer of such assets shall be paid or reimbursed from the proceeds of the sale or transfer.
10. All contributions to the Trust shall be added to the corpus of the Trust which shall be held by the Trustees in any type of account or investment permitted by law as determined by the Trustees. This will be done in compliance with RSA 31:19-a, that limits the comingling of public and private donations for investment. With that restriction, all public funds may be collectively invested with other public funds and all private funds may be collectively invested with other private donations held by the Trustees, without restriction against pooling of assets for investment purposes, so long as such funds and any income attributable thereto are subject to separate accounting by the Trustees.

11. In the event that the Portsmouth City Council determines that the need for municipal support of below market rate housing has ceased to exist, or for such other reasons deemed appropriate by the City Council, this Trust may be discontinued by a 2/3 vote of the City Council. In that case any funds held by the Trustees under the terms of this Trust shall be disbursed to a similar housing-related purpose or entity in accordance with the direction of the Portsmouth City Council. Following a decision to discontinue this Trust by the Portsmouth City Council, all requests for disbursement shall both comply with the requirements of Paragraph 8 of this Trust Agreement and further be accompanied by a certified copy of the Council vote to discontinue the Trust from the City Clerk.

Dated: 4/11/2025

CITY OF PORTSMOUTH



Karen Conard, City Manager

Pursuant to vote by the Portsmouth City Council on April 7, 2025

Accepted by the Trustees of the Trust Funds

Dated: 4/21/2025



Thomas R. Watson, Chairperson

Dated: _____

Dana S. Levenson

Dated: 4-22-25



Peter G. Weeks

11. In the event that the Portsmouth City Council determines that the need for municipal support of below market rate housing has ceased to exist, or for such other reasons deemed appropriate by the City Council, this Trust may be discontinued by a 2/3 vote of the City Council. In that case any funds held by the Trustees under the terms of this Trust shall be disbursed to a similar housing-related purpose or entity in accordance with the direction of the Portsmouth City Council. Following a decision to discontinue this Trust by the Portsmouth City Council, all requests for disbursement shall both comply with the requirements of Paragraph 8 of this Trust Agreement and further be accompanied by a certified copy of the Council vote to discontinue the Trust from the City Clerk.

Dated: 4/11/2025

CITY OF PORTSMOUTH



Karen Conard, City Manager

Pursuant to vote by the Portsmouth City Council on April 7, 2025

Accepted by the Trustees of the Trust Funds

Dated: _____

Thomas R. Watson, Chairperson

Dated: 4/17/2025


Dana S. Levenson

Dated: _____

Peter G. Weeks