

TO: KAREN CONARD, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD BY ZOOM ON MONDAY, APRIL 20, 2020 MEETING AT EACH INDIVIDUAL CITY COUNCILOR'S HOME, CITY MANAGER CONARD'S HOME, CITY ATTORNEY'S OFFICE, AND CITY CLERK'S HOME

PRESENT: MAYOR BECKSTED, ASSISTANT MAYOR SPLAINE, COUNCILORS McEACHERN, WHELAN, LAZENBY, KENNEDY, HUDA, TABOR AND TRACE

1. Work Session – There is no Work Session This Evening – Postponed.
2. Mayor Becksted recited that this is a Remote Meeting via Zoom Conference Call. Per NH RSA 91-A:2 III (b) the Chair has declared COVID-10 Outbreak an emergency and has waived the requirement that a quorum be physically present at the meeting pursuant to the Governor's Executive Order 2020-04, Section 8, as extended by Executive Order 2020-5, and Emergency Order #12, Section 3. Members will be participating remotely and will identify their location and any person present with them at that location. All votes will be by roll call.
3. Public Dialogue Session – Postponed.
4. **On a unanimous roll call 9-0, voted** to suspend the rules to take up Items XVII A. – Presentation by Health Officer Kim McNamara regarding COVID-19 Update and XVII B. – Presentation by Economic Development Manager Nancy Carmer regarding Economic Development matters relating to the pandemic.
5. Presentation by Health Officer Kim McNamara regarding COVID-19 Update – Health Officer McNamara provided a detailed presentation regarding COVID-19. She reported that we are in the response phase and there are many unknowns. She addressed effective treatments and vaccine development for the virus. She explained that New Hampshire is in the protective surge phase and the next two – three weeks will be telling on moving forward.
6. Presentation by Economic Development Manager Nancy Carmer regarding Economic Development matters relating to the pandemic – Economic Development Manager Carmer spoke on small businesses and what we are hearing and there are efforts in the works as well as plans for the Economic Development Commission moving forward. She reported that Portsmouth has more small businesses than Dover, Rochester and Somersworth combined. She explained that Portsmouth has 745 firms with 1-4 employees which equals 41% of the total.

7. Acceptance of Minutes – February 18, 2020 – **On a unanimous roll call 9-0, voted** to approve and accept the minutes of the February 18, 2020 City Council meeting.
8. Public Comment Session - There were six speakers with one letter being read: Gerald Duffy (McIntyre); Sarah Lachance (Absentee Ballot Voting); Mark Brighton (Pandemic and effects on City and status of employees); Debbie Jennings and Attorney Bernie Pelech (Thaxter Road Involuntarily Merged lots); Brian Wazlaw (Support for HB 556 regarding early processing of absentee ballots) and Letter from Patricia Bagley read by Councilor Trace (Keeping the City of Portsmouth Running).
9. Appointments to be Considered – Reappointment of Richard Blalock to the Recreation Board – The City Council considered the reappointment which will be acted upon at the next City Council meeting.
10. Acceptance of Resignation from MaryAnn Blanchard from the Conservation Commission – **On a unanimous roll call 9-0, voted** to accept the resignation of MaryAnn Blanchard from the Conservation Commission with regret and to send a letter of thanks and appreciation for her years of service to the City.
11. Letters to Sister/Friendship Cities on Behalf of the Mayor – The City Council thanked Mayor Becksted for sending our Sister/Friendship Cities letters of support during these trying times. No action taken.
12. Creating a Committee for Small Business & Restaurant Relief Fund – Mayor Becksted spoke regarding the establishment of a Committee “Clipper Strong Fund” for Small Business & Restaurant Relief Fund. He announced that he would have Councilors Kennedy and Tabor serve once the Committee was created. No action taken.
13. Considerations for more Absentee Voting in 2020 Elections – City Clerk Barnaby explained the process of Absentee Voting and reported on HB 556 regarding early processing of absentee ballots. No action required.
14. Latest Data Re: Forecasted Economic Downturn Caused by the COVID-19 Virus – Motion to request an updated report to the residents and City Council from the City Manager on the current financial condition of the city and on the immediate actions that the city is taking to maintain and safeguard our financial position while still providing necessary services during and after this pandemic was not acted upon.
15. Acceptance of Grant or Victim of Crime Act (VOCA) to the Portsmouth Police Department – **On a unanimous roll call 9-0, voted** to approve and accept the grant to the Portsmouth Police Department as presented.

16. Sidewalk Café Licenses – **On a unanimous roll call 9-0, voted** to amend its policy requirement to allow sidewalk café seasonal fees be prorated for the 2020 season; and further to authorize the City Manager to enter into Area Service Agreements with Popovers on the Square, Raleigh Wine Bar and Market, The District, and Fezziwigs Food and Fountain for outdoor alcohol service on City land for the 2020 season subject to City Council Policy No. 2012-02, and further subject to all Governor’s orders relating to the COVID-19 pandemic.

17. Applications for Sidewalk Cafés providing Alcohol Service – Private Sidewalk – **On a unanimous roll call 9-0, voted** to authorize the City Manager to enter into an Area Service Agreements with Row 34 and BRGR Bar for outdoor alcohol service on City land for the 2020 season subject to City Council Policy No. 2012-02, and further subject to all Governor’s orders relating to the COVID19 pandemic.

18. Portsmouth Housing Authority – Release of Reverter – **On a roll call 5-4, voted** to table until the May 4, 2020 City Council meeting. Councilors Whelan, Kennedy, Huda, Trace and Mayor Becksted voted in favor. Assistant Mayor Splaine, Councilors McEachern, Lazenby and Tabor voted opposed.

19. Request for Restoration of Involuntarily Merged Lots at 27 Thaxter Road – **On a roll call 4-5, motion** to approve the unmerging of the two involved lots at 27 Thaxter Road as requested by the applicant Chad Callihan and as recommended by the Planning Board ***failed*** to pass. Assistant Mayor Splaine, Councilors McEachern, Lazenby and Tabor voted in favor. Councilors Whelan, Kennedy, Huda, Trace and Mayor Becksted voted opposed.

20. Consent Agenda – Councilors Kennedy and Trace requested to remove Item D – Letter from Joi Smith, Friends of the South End, requesting permission to hold the annual Fairy House Tour event, on Saturday, October 3, 2020 and Sunday, October 4, 2020 from 10:00 a.m. – 3:00 p.m. Further, request to close Washington Street between Hancock and Court Streets to through traffic from 9:30 a.m. to 4:00 p.m. both days (***Anticipated action – move to refer to the City Manager with authority to act***) from the Consent Agenda to act on separately.

On a unanimous roll call 9-0, voted to adopt the Consent Agenda.

- A. Request for License to Install Projecting Sign for owner Lauren and Chris Atwood of Otter Creek Shop LLC for property located at 206 Market Street (***Anticipated action - move to approve the aforementioned Projecting Sign License as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreement for this request***)

Planning Director's Stipulations

- ***The license shall be approved by the Legal Department as to content and form;***
- ***Any removal or relocation of projecting sign, for any reason, shall be done at no cost to the City; and***
- ***Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works***

- B. Letter from Jylle Nevejans, Bottomline Technologies, requesting permission to hold a 5k Road Race for CASA on Sunday, September 27, 2020 at 11:00 a.m. ***(Anticipated action – move to refer to the City Manager with authority to act)***
- C. Letter from Ken La Valley, Out of the Darkness, requesting permission to hold the Out of the Darkness Walk on Saturday, September 12, 2020 from 10:00 a.m. to Noon ***(Anticipated action – move to refer to the City Manager with authority to act)***
21. Letter from Joi Smith, Friends of the South End, requesting permission to hold the annual Fairy House Tour event, on Saturday, October 3, 2020 and Sunday, October 4, 2020 from 10:00 a.m. – 3:00 p.m. Further, request to close Washington Street between Hancock and Court Streets to through traffic from 9:30 a.m. to 4:00 p.m. both days – On a roll call 7-0, voted to refer to the City Manager with authority to act. Councilors Kennedy and Trace abstained from voting.
22. Email Correspondence – On a unanimous roll call 9-0, voted to accept and place on file.
23. City Manager's Informational Items
- *Summary of Parking Holiday Revenue Impacts – No action was taken on this matter which means the parking holiday would sunset today.*
 - *Update on Report Back Requested by Councilor Kennedy Regarding Impact Fees – City Manager Conard due to the COVID-19 Pandemic this report back will be made at the May 18, 2020 City Council meeting.*
 - *Letter to Legislature regarding HB 1672 allowing no fault absentee ballot voting – No action required.*

- *Sagamore Avenue Sewer Extension Project Update – City Manager Conard announced that a survey will be conducted regarding the project.*
- *Peirce Island Wastewater Treatment Facility Progress Report – No action required.*

24. At 10:50 p.m., **on a unanimous roll call 9-0, voted** to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, MMC, CNHMC
City Clerk