

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, AUGUST 3, 2020

PORTSMOUTH, NH
TIME: 7:00PM [or thereafter]

Remote Meeting Via Zoom Conference Call

To register in advance for this meeting, click on the link below or copy and paste it into your web browser:

https://zoom.us/webinar/register/WN_9OyU61tIQ9edsRbisOJXPw

You are required to register in advance to join the meeting over Zoom, a unique meeting ID and password will be provided once you register. Please note, this meeting will also be broadcast on the City's YouTube Channel. Public comments for the Council's consideration can be emailed in advance via the City's web site: <https://www.cityofportsmouth.com/citycouncil/contact-all-city-councilors>.

Per NH RSA 91-A:2 III (b) the Chair has declared COVID-19 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 2020-10, 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.

- I. **WORK SESSION – THERE IS NO WORK SESSION THIS EVENING**
- II. **PUBLIC DIALOGUE SESSION [when applicable – every other regularly scheduled meeting] - **POSTPONED****
- III. **CALL TO ORDER [7:00 p.m. or thereafter]**
- IV. **ROLL CALL**
- V. **INVOCATION**
- VI. **PLEDGE OF ALLEGIANCE**

- VII. **ACCEPTANCE OF MINUTES – APRIL 20, 2020, MAY 4, 2020 & MAY 6, 2020**

Councilor Tabor moved to accept and approve the minutes of the April 20, 2020, May 4, 2020 and May 6, 2020 City Council meetings, seconded by Councilor McEachern.

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

IX. **PUBLIC COMMENT SESSION – (*Via Zoom*)**

Gerald Duffy of 428 Pleasant St. commented on the recovery effort and bike lanes. The economic recovery effort has consisted of creative problem solving and good community effort. Councilor Kennedy caused delays in that effort by registering for the URL. There was an accident in the bike lane on Middle Street and some of the Councilors were quick to blame the bike lanes. The biker was not hurt and did not want to stick around for medical treatment. The responsibility is with the driver. Decisions on the bike lane should be based on data and expertise. Informed residents buy in is important. The current bike design is an interim step to a better solution.

Paul Ringuette of 308 Richards Ave. applauded the Mayor and all of those involved in the Popup NH effort. It was good to see support from the City and Council. Mr. Ringuette was concerned about what happened with Popup NH because Council members have access to information that is not available to the public. Taking personal action on an event front and center to Council seems like a serious matter. Council members trying to bend emotions and events within the community is outside of their per view. It makes it hard to trust the Council. This Council needs to mitigate these types of issues moving forward. The City needs to look at how to support small businesses going forward. This is not going away and the City needs to look at supporting businesses into the summer of next year.

Rick Horowitz of 127 Gates St. commented on the mask ordinance. The scientific evidence on the mask efficacy is thin and mixed. They are not effective if they are not worn correctly. The average person is adding risk by wearing masks haphazardly. Mask wearing violates OSHA oxygen requirements. The City is going down the wrong path with this ordinance. The better approach is to treat the disease. Information has been back and forth on what drugs are effective because the government is pushing vaccines and the global ID program.

Byron Matto of 17 Fields Rd. commented on the Middle Street bike lanes and the ethics complaints. Before removing the bike lane implementation, the Council needs to consider if what we have now is safer than before. The biker was hit by an open door of a car, which could happen in or outside of a bike lane. There is room for improvement for example they could remove parking entirely on one side of the road. Changes should not be made based on opinions; they should be made based on the data. The Mayor decided that Councilor Kennedy did not meet the requirements for a code of ethics review but has also said that the task force was operating above board. Councilor Kennedy has said that she took action because she believed that the actions of the taskforce were unethical. Mr. Matto questioned how Councilor Kennedy could take action against the taskforce if they were operating above board. Community members and Councilors should be acting in a manner to uplift the community not divide it.

James & Jody Gould of 246 Thornton Street commented on the Involuntary Merged Lot – 246 Thornton Street. Mr. Gould asked the Council for support in the reconsideration of the July vote regarding the restoration of the involuntary merged lot. A lot of work has gone into this to make sure all of the proper processes were followed, and they were in accordance with regulations. All the neighbors have been informed and are in support of this. It has been before the Zoning Board. Ms. Gould commented that they have gone through the process by the book, so to hear at the last City meeting they have to do more was heartbreaking. There is a project timeline they have to meet. If this goes to the Planning Board instead of the Assessor, then it could delay the project until the spring. Mr. Gould requested that Council pay attention to the reconsideration of the vote. Ms. Gould noted that this time it was lumped in with another unmerge request and that is not appropriate. This case is different than theirs.

Kate Hatem of 1 Ash Street commented on the Popup NH incident. It was unethical, disruptive and counterproductive. The City needs all hands on deck, and Councilor Kennedy's actions were not appropriate. The volunteers organized a grass roots effort to help restaurants and businesses. They have been transparent about the process to get a nonprofit status. Councilor Kennedy's actions impeded that process. If Councilor Kennedy does not resign, then she should choose to help instead of impede.

Arthur Clough of 431 Pleasant Street commented on that he was concerned about the tactics used by Popup NH for fundraising. The City has had problems with ethics in the past. The group was not transparent about their status. For a long time, the proposal document said it was a partnership between the City and Seacoast Repertory. That was true until Councilor Kennedy asked questions. Mr. Clough did not agree with Councilor Kennedy's tactics but did agree with her concern. Councilor Kennedy showed them that they were wrong because no one was listening. The evidence shows there was a lot of confusion about who was involved and the nonprofit status throughout the process.

Shantel Surles of 226 Bartlett Street requested that the Council reconsider the mask mandate. The City did the lockdown to flatten the curve, and that worked. Masks are another way to encourage discrimination against people with disabilities. There has been violence around not wearing masks or enforcing masks. Dr. Fauci commented the other day that people should wear goggles. Things will continue to spiral. The City needs to focus on death rate vs. cases. Increased cases show that the virus is becoming less virulent if the deaths are going down. There is no science to support all the various face coverings. If the people are concerned about public health and safety, then they should reach out to the Governor to promote effective drug treatments. Pushing for a vaccine that doesn't exist yet and may have side effects is not the way to go.

Barbara Jenny of 81 Lincoln Avenue commented that she agreed with others that Councilor Kennedy's approach to Popup NH was unethical. There were many other ways to go about getting her thoughts across. An organization using a fiscal agent to seek a nonprofit status is common and normal. It is unethical to essentially blackmail an organization to make a point.

Zelita Morgan of 39 Richards Avenue commented on the ethical complaints against Councilor Kennedy. The facts will speak for themselves. Councilor Kennedy has always conducted herself in a truthful and ethical manner. The real problem here is the reported threats against people and property. The Council has a role and responsibility to take action against people like this on social media. The Council should consider what elected officials can do in the face of such.

Mark Brighton of 99 Hanover Street commented that there was only one reason for the situation around Councilor Kennedy and it's because one individual did not regain her seat on City Council. They are nonstarter complaints.

Brian Kelly of 32 Broad Street, Rochester, NH commented that on July 1, 2020 the incorporated nonprofit entity known as Popup Portsmouth was created and they established a board. On July 2, 2020 they submitted all of the paperwork necessary including what's necessary for the Secretary of State. After that Councilor Kennedy took information the City had and established a for profit organization as an internet search company to intercept paperwork and block the nonprofit. That was an act of theft. Councilor Kennedy needs to resign. This should be sent to the Ethics Board and be investigated. Councilor Kennedy should not serve on any Council or board of public office. Councilor Kennedy took something she knew was going to be useful to the community and made it useless. Councilor Kennedy did not reach out to anyone involved in the project in order to clear up any miscommunication or confusion.

Andrew Bagley of 40 Chauncey Street commented that Mayor Becksted did a fantastic job building the stage for Popup NH. It was an act of leadership. The community taskforce has been phenomenal. Right now, the outdoor dining expires Columbus Day. The City should consider extending that. People don't want to dine inside, and people can layer up. Outdoor dining should be extended as late as DPW thinks it is feasible.

Marie Nelson of 20 Doris Avenue commented that the bike lane has been an issue since day one. It needs to be revisited. Ms. Nelson appreciated they were putting the mask ordinance through. It is unclear why Popup NH could not have been held at Prescott Park.

Kaitlin Deyo of 103 Timber Swamp Road, Hampton, NH commented that many people are speaking out against Councilor Kennedy's actions. This is not just Nancy Pearson. Please

wear masks. The science is there. Prescott Park does not allow alcohol there, so Popup NH had to be somewhere else.

Jacqueline Cali-Pitts encouraged Council to pass the mask ordinance. It doesn't take much to wear a mask and protect people in the community. Wearing mask in public says I care about you.

Patrick Ellis of 235 McKinley Road commented that it was inappropriate to comment on the bike lane in the paper without understanding the facts about what happened with this singular accident. Council should pass the mask ordinance. Science shows it helps reduce spread. Councilor Kennedy should resign. The councilor took something she knew Popup NH needed and delayed the project. The City should not have a Councilor that actively works against the interest of the City. The Ethics Board should review this complaint. If they determine it is not a violation of the City Charter, then the Charter should be amended.

Clare Kittredge of 27 Franklin Street commented that this whole to do was an inappropriate use of the ethics complaint procedure. It was a waste of public resources and time.

XI. PUBLIC HEARINGS AND VOTES ON ORDINANCES AND/OR RESOLUTIONS

A. Public Hearing and Second Reading of Ordinance

ORDINANCE AMENDING CHAPTER 7, ARTICLE I, SECTION 7.102 – PARKING METER ZONES; CHAPTER 7, ARTICLE I, SECTION 7.105 – PARKING; CHAPTER 7, ARTICLE III, SECTION 7.324 – LIMITED PARKING – ONE HOUR; SECTION 7.325 – LIMITED PARKING – THIRTY MINUTES; SECTION 7.326 – LIMITED PARKING – FIFTEEN MINUTES; SECTION 7.327 – LIMITED PARKING – TWO HOURS; SECTION 7.328 – LIMITED PARKING – THREE HOURS; SECTION 7.328-1 – UTILIZATION OF MULTIPLE PARKING SPACES; AND SECTION 7.329 – LIMITED PARKING – FOUR HOURS (STAY AND PAY)

City Manager Conard commented that Parking Director Ben Fletcher provided a presentation on the Stay and Pay Program at the July 13, 2020 Council meeting, and Council moved to pass it to second reading. It is recommended that City Council move to pass this second reading and schedule the third and final reading for the August 31, 2020 City Council Meeting.

Mayor Becksted read the legal notice, declared the public hearing open and called for speakers. With no speakers, Mayor Becksted declared the public hearing closed.

Councilor Whelan moved to amend Section 7.102 to add the following language after the word *apply* at the end of the first paragraph to read “*are designated as parking meter zones.*”, seconded by Councilor Trace.

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

Councilor Lazenby moved to pass second reading of the Ordinance as amended, seconded by Councilor Tabor.

Councilor Lazenby asked City Attorney Sullivan if that motion would prevent Council from moving to combining the second and third reading into the same meeting. City Attorney Sullivan responded that it did not.

Councilor Tabor questioned what publicity and signage would be done to alert customers about this change assuming it passes. City Manager Conard responded that they would put signs on the kiosk and have a press release. The Public Information Officer will work with Parking Director Ben Fletcher on the outreach. Parking Director Fletcher responded that they were working on a press release. The app will tell customers what their stay and pay options are. The multi-space pay stations have a touchscreen where they can add messaging. They can consider static signage as well on the kiosks, and single space meters.

Councilor Lazenby questioned if they did the third reading tonight would it allow them to put this in place earlier in August. Then they can offer the benefits to the visitors and provide another revenue opportunity to the City. Parking Director Fletcher responded that was accurate. The vendor has said the change is a flip of a switch on their end. Accounting for outreach preparations, it would be ready to go within a week. Councilor Lazenby questioned if August was one of the higher parking months for the City. Parking Director Fletcher confirmed that was correct.

Mayor Becksted commented that the Council process has always been to have a first reading, second reading, and third reading at separate meetings. It would be good to follow procedures. Changing the streamline in the month of August may be confusing to visitors.

Parking Director Fletcher commented that they would roll it out with a lot of outreach. When the City switched to the Pay by Plate system it went surprisingly smooth, but there was still some confusion. There will still be some confusion no matter what. There is not a big downside to pushing this forward. There would be appropriate time to get the messaging out and the signage built and installed. The concern is understood, but that will exist no matter how long of a roll out there is. Councilor Lazenby's comment about August being one of the highest parking months was accurate, so it would be good to take advantage of that. Mayor Becksted commented that the public was stressed right now with Covid, and he did not want to put another thing to their plates. They should give everyone more time. There is a reason why the Council has a process.

Councilor Whelan commented that this program was fully vetted by the Parking Traffic and Safety Committee at their July 9, 2020 meeting. They passed it unanimously to refer it to the Council.

Councilor McEachern supported the idea of moving this through quickly. The benefits of the parking revenue in August outweigh the concerns that visitors might have confusion around this. This has gone through Parking Traffic and Safety and it makes sense.

Councilor Tabor understood the concerns about moving through the steps to allow time, but this won't cause a big ripple. The average time a resident spends parked downtown is less than 3 hours. The City can get the benefits without disturbing the resident parking patterns. This change would require less enforcement and burden on the City. It gives visitors more freedom to park longer. The pilot project in Dover showed that it increased garage parking, which is a goal of the City. This change won't impact the local parking user.

Councilor Lazenby agreed that it would not add a burden to the user. It gives them the opportunity to not have to move their car after 3 hours. Parking Director Fletcher confirmed that the first 3 hours will remain the same for residents and visitors. After that the user is given the option to stay longer.

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

Councilor Lazenby moved to suspend the rules in order to take up third and final reading of the Ordinance, seconded by Councilor Tabor.

On a roll call vote 7-2, motion passed. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Tabor, Trace and Mayor Becksted voted in favor. Councilors Kennedy and Huda voted opposed.

Councilor Lazenby moved to pass third and final reading of the Ordinance as amended, seconded by Councilor Tabor.

Councilor Kennedy commented that community members know about the process and that Council has 3 separate readings. Things can change at the third reading. Councilor Kennedy commented that she would vote against this motion. The Council should keep the 3 readings format to give every opportunity for citizens to speak up.

City Attorney Sullivan commented that if they passed the third reading tonight, then it would be effective tomorrow morning. Council may want to pick another date to make it effective given Parking Director Fletcher's timeline.

Councilor Lazenby questioned what date would be reasonable. Parking Director Fletcher responded that two weeks would be enough time.

Councilor Lazenby moved to pass third and final reading of the Ordinance as amended with the ordinance taking effect on August 17, 2020, seconded by Councilor Tabor.

Councilor Lazenby appreciated Councilor Kennedy's concerns about the process and agreed in general. Council has received very little comment over a couple meetings, and it is a win all around. That coupled with the fact that this is a difficult economy they should give the parking team prime season for revenue and give visitors a choice to enjoy their space longer.

Councilor McEachern agreed. Given the fact that August is one of the highest demand months for parking and a lot of the long-term parking is paid for by visitors, it makes sense. It passed through the Parking, Traffic and Safety with full support and the Council has heard from Parking Director Fletcher as well. It is possible to accelerate the process. Process is important but these are uncertain times. If there were people speaking out against this, then Councilor McEachern would have more reservations. The Council is still following process by doing it this way.

Councilor Huda supported moving this faster, but in general did not support continued deviation from the process. The Council should not get in that habit. Revenue is important and this been vetted well. Councilor Huda commented that she would support the motion.

Councilor Tabor commented that right now if the average person stays longer than 3 hours they get a ticket. After this passes, they would get a notification saying they can stay longer at a higher rate. That is a benefit.

Mayor Becksted commented that he supported the Stay and Pay Program but did not support accelerating the process. Mayor Becksted commented that he would support a third reading at the August 31, 2020 meeting.

On a roll call vote 7-2, motion passed. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Huda, Tabor and Trace voted in favor. Councilor Kennedy and Mayor Becksted voted opposed.

Assistant Mayor Splaine moved to suspend the rules in order to take up Item XVII. Presentations A. – C, seconded by Councilor Lazenby.

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

XII. MAYOR BECKSTED

1. Appointments to be Considered:
 - Appointment of Thaddeus Jankowski to the Conservation Commission
 - Appointment of Adam Webster to the Conservation Commission
 - Appointment of Jane Wright as an Alternate to the Conservation Commission

Mayor Becksted commented that these appointments were on the agenda for consideration. They will be voted on at the August 31, 2021 meeting.

2. *Appointment to be Voted:
 - Reappointment of Erica Wygonik to the Parking & Traffic Safety Committee as an Alternate

Councilor Lazenby moved to reappoint Erica Wygonik to the Parking & Traffic Safety Committee until August 4, 2023, seconded by Councilor Whelan.

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

XIII. CITY COUNCIL MEMBERS

A. ASSISTANT MAYOR SPLAINE

1. That Mill Pond Way be named for former Portsmouth Assistant Mayor Paul McEachern

Assistant Mayor Splaine proposed that Mill Pond Way be named for the former Assistant Mayor Paul McEachern. Assistant Mayor Splaine yielded the motion to Councilor Trace who put a similar motion on the agenda.

Councilor Trace commented that the motion was to name a parcel of land as presented in the packet as lot 143-8 after Paul McEachern. This was brought to Council's attention by John Wyckoff.

Councilor Trace moved to suspend the rules to name the City owned parcel of land (143-8) after Paul McEachern, seconded by Assistant Mayor Splaine.

On a roll call 8-0 vote, motion passed. Councilor McEachern abstained.

Councilor Trace commented that they would be honoring a gentleman who has had many accomplishments throughout his lifetime. He has done a lot for the City recently. Councilor Trace further requested that Council bypass a work session and pass this tonight. It makes sense to push things ahead.

Councilor McEachern commented that his father is touched by the neighborhood reaching out with letters of support. He requested that Councilor McEachern abstain from the vote to not add any controversy. Councilor McEachern was happy to see this go through.

On a roll call 8-0, voted Assistant Mayor Splaine moved to name a City owned parcel of land (143-8) formerly known as Mill Pond Way on the North Mill Pond as the Paul McEachern Park, seconded by Councilor Whelan.

On a roll call 8-0 vote, motion passed. Councilor McEachern abstained.

2. Request First Reading of an Ordinance Requiring That Face Coverings Be Worn At Specific Times In The City of Portsmouth (*See Ordinance Attached*)

Assistant Mayor Splaine moved to pass first reading of the Face Coverings Ordinance and hold a Special City Council meeting on Monday, August 10, 2020 at 7:00 p.m. with a public hearing and second reading of the Ordinance, seconded by Councilor Lazenby.

Assistant Mayor Splaine commented that they could amend the time and date if this passes. The town of Durham is discussing their own ordinance tonight. They will be having approximately 15,000 students arriving at UNH effective August 10, 2020. UNH is not the only college students are returning to in the seacoast area. These students come from all parts of the country and world. Students will be visiting Portsmouth and the Council needs to make sure Portsmouth residents and businesses are protected. The intent is to stay ahead of the pandemic as much as possible to keep the numbers low. The City Attorney put together a draft ordinance that covers some of the basics. Council and the public can discuss the specifics of the ordinance at the public hearing.

City Attorney Sullivan commented that he added a provision to allow an exception to mandatory masks requirements for eating and drinking in a City licensed establishment. That is because the Health Officer mandates social distancing in those places.

Councilor Kennedy questioned if the ordinance should address eating in public places like Prescott Park. The ordinance also starts with "all persons are hereby required." Councilor Kennedy questioned if the medical provision should be addressed right at the beginning with a caveat around the "all persons." City Attorney Sullivan responded that this draft was just a starting point. The Council should make any adjustments they feel are necessary.

Councilor Trace noted that right now the ordinance is open ended and questioned if there should be an ending to it. It could be tied to COVID ending or a vaccine roll out. This ordinance is being created because of a health emergency, and once the emergency no longer exists the ordinance does not need to either. City Attorney Sullivan confirmed that would be a simple thing to add.

Councilor Tabor commented that it could be coterminous with when the Governor's state of emergency ends.

Councilor Lazenby clarified that the motion was to have the first reading tonight, and requested that they pick a different date for the second reading because that Monday would not work for him. They need to get this out to a public, and it makes sense to get it on the calendar. The Health Officer may be able to provide guidance on the end date in the ordinance.

Councilor McEachern supported moving forward with this. There are a number of people who won't go downtown because there is no mask mandate. The virus is gaining speed in other parts of the country. The Health Officer noted tonight that they only have a few days to act if there was a spike. It makes sense to have an effective mandate in the City of Portsmouth.

Councilor Huda commented that she supported this but needed some questions answered. Councilor Huda commented that the ordinance stated masks were required in outdoor spaces where social distancing was not possible. Councilor Huda questioned how that would be determined. City Attorney Sullivan responded that the enforcing officer would determine that. Councilor Huda questioned if the police would have enforcement authority. City Attorney Sullivan confirmed that the enforcing section in the ordinance allows them to issue a civil infraction, which is basically a ticket. The RSA for that is referenced in the mask mandate ordinance. Councilor Huda questioned how they would handle people with disabilities/allergies and asked if they would need to prove they had a condition. City Attorney Sullivan responded that they would not. There are some exceptions from the mandate. The enforcement officer would make that decision. Councilor Huda was concerned about harassment with enforcement. City Attorney Sullivan responded that Nashua has up to a \$1,000 penalty for not wearing a mask. The existence of the ordinance has been enough. They have not enforced it with any formal procedure yet. In Nashua not a single case has been brought to court. Councilor Huda questioned if this was legal to put into place. City Attorney Sullivan confirmed that they have the authority to put in this ordinance. All cities and towns have the authority to pass an ordinance for the protection of public health. The City of Nashua case said they have the authority on that basis.

Councilor McEachern commented that enforcement is also an opportunity to educate the public.

Councilor Whelan supported moving this forward. There are a lot of tourists in the City right now. The Council has an obligation to protect the citizens that live here. If they don't pass the mask ordinance, then they run the risk of closing businesses if there is a big outbreak.

Councilor Tabor agreed this should move forward. They should move ahead with the mask ordinance and take legal objections as they come. It is more important to protect the people from the virus. A mask is the most effective way to reduce spread and will give businesses and schools the best chance. Community transmission and visitor transmission is still happening. The Health Office and CDC support wearing face masks. They need to move ahead for safety. The most important thing Council can do is keep the City safe.

Assistant Mayor Splaine commented that there should be a provision that does not require people from the same household to wear masks when together. The core of the ordinance is here, and they can make small adjustments in the second reading. This needs to be addressed now before tourism and students increase. Assistant Mayor Splaine questioned what date would work for the second hearing. City Clerk Barnaby commented that the requirements for a public hearing was a legal notice of 7 days from the publication. This could go to the newspaper by Thursday, which means the earliest the meeting could be Friday August 14, 2020. Mayor Becksted requested clarification that the motion was to count this discussion as the first reading and the next meeting would go straight to the second reading. Assistant Mayor Splaine confirmed that was correct. They needed to act expeditiously because of the pandemic. Mayor Becksted commented that Mondays did not work for him.

Councilor Lazenby questioned if the motion could commit to scheduling the meeting at the soonest available time, and they could pick a date offline. Councilor Lazenby questioned if it would be appropriate to bring up proposed changes now or at the second reading. City Attorney Sullivan commented that Council needed to decide a date for the second reading because that has to be put in the notice that's published. Councilor Lazenby commented that they know masks are effective and are now learning more about the effectiveness of mandates. The mandates lead to more masks being worn.

Councilor Trace commented that she received emails from a citizen who was concerned about being ticketed while walking down the street. The intent of the ordinance is clear but there is fear that people's rights will be treaded on a little. There is no State law at the moment, but they have provided guidelines. The ordinance should follow those guidelines closely. Durham is passing an ordinance, and Portsmouth is an attractive place for young people to visit. Students and visitors could be carrying COVID, and a mask mandate would help prevent the spread.

Mayor Becksted commented that the meeting probably could not be scheduled until August 18, 2020 or August 19, 2020. August 18, 2020 would work the best. Mayor Becksted had some concerns about the mandate. The language has to be very clear if they are asking staff to do enforcement. It is hard to determine if a child is aged 6 or younger or to know if someone has a disability or not by sight. It is important to know who and how enforcement will be determined. The language needs to be simplistic.

Councilor Lazenby clarified that the intent was to pass the first reading and schedule a second reading. Assistant Mayor Splaine confirmed that was correct.

Assistant Mayor Splaine moved to pass first reading of the Face Coverings Ordinance and hold a Special City Council meeting on Tuesday, August 18, 2020 at 7:00 p.m. with a public hearing and second reading of the Ordinance, seconded by Councilor Lazenby.

Mayor Becksted requested that staff weigh in on the cost factor for enforcement.

Councilor Huda supported getting public input on this, but still wanted a discussion on the enforcement piece of this. There is a lot of prejudgment in the community with people not wearing masks because of medical issues and disabilities. That needs to be addressed.

Mayor Becksted noted that this meeting would be on this one topic.

Councilor Lazenby questioned if Council members could send suggested amendments to the City Attorney. City Attorney Sullivan confirmed that was correct.

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

Mayor Becksted commented that they needed a motion to continue the meeting past 10:30 p.m. Councilor Lazenby requested that they cap it at midnight. Councilor Kennedy noted that they could continue on with any leftover agenda items at the August 18, 2020 meeting.

Councilor Kennedy moved to suspend the rules in order to continue the meeting beyond 10:30 p.m. and recessing the meeting at 12:00 a.m. with all remaining items to be listed on the agenda after the public hearing and second reading of the Face Coverings Ordinance, seconded by Councilor Huda.

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

3. Report Back on Request of Restoration of Involuntary Merged Lot – 246 Thornton Street (***Request for Reconsideration of Vote by the City Council at the July 13, 2020 meeting***)

Assistant Mayor Splaine moved to reconsider the Restoration of Involuntary Merged Lot at 246 Thornton Street seconded by Councilor McEachern.

Mayor Becksted commented that the emails and summary show it was unknown whether or not the taxpayers requested a merger or if was involuntary. The process previously sent these to the Planning Board, and they were usually pretty precise on this. Council took action on the Thaxter case because two prior owners went in to request building on the property as a merged lot. The Inspection Department should look at building permits to see if the lots were merged. That was one of the key things with the Thaxter decision. They should not have changed the process. Assistant Mayor Splaine commented that the abutters came forward and Council heard two comments tonight from the people involved. Council should vote to reconsider and then have a discussion.

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

Councilor McEachern commented that Council may not have intended to change the process, but we did by listening to staff and voting to send these items to the Assessor's Office. It is entirely fair to return to the previous process, but they should not penalize Portsmouth residents because Council looks at this process change as a mistake. This couple extended considerable effort and money to go through the Board of Adjustment where abutters were notified of their plans. It is important to respect individual's property and rights. These owners followed the current process, and they received a recommendation from the Assessor.

Councilor McEachern moved to unmerge the lots at 246 Thornton Street, seconded by Assistant Mayor Splaine.

Councilor Huda questioned if the deed of record was the official legal document. City Assessor Maurice-Lentz responded that the deed of record shows the deed of the property and transfers in ownership, so yes. Councilor Huda questioned if the warrant list effected the deed. City Assessor Maurice-Lentz responded that the warrant list represented the property ownership which is a record of the deeds. Councilor Huda questioned if the property card effected the deed. City Assessor Maurice-Lentz responded that the property card recorded ownership from the deed. Councilor Huda questioned if the tax maps effected the deed. City Assessor Maurice-Lentz responded that they showed the legal boundaries of the lot. Councilor Huda requested clarification that there was no record of request from any owner to merge these lots. City Assessor Maurice-Lentz responded that official requests to merge lots come from the Planning Department and go to the Assessor's Office. A lot of times the deed would not show that request. It's a separate recording in the Registry of Deeds. A title search through the Registry of Deeds would have found merger request documentation whether it was part of the deed or separate. Councilor Huda requested clarification that the conclusion the Assessor drew was that the City involuntarily merged the lots. City Assessor Maurice-Lentz confirmed that was correct. In the 1970s a law was passed that said lots that were considered non-conforming could be merged. City Assessors did this for residents even though they weren't asked to. Now legislators have agreed to give owners time to unmerge lots if the current or prior owner did not voluntarily merge them. Portsmouth has good property card records. They would be able to tell if the property was merged. The Assessing Department is the best place to search for that information.

Councilor Tabor questioned who had the burden of proving there was a voluntary merger. City Attorney Sullivan responded that the burden was on the municipality. A voluntary merger is determined by a formal merger request or if an owner builds a structure that straddles the two property lines. If the City can't prove a voluntary merger, then the owners are entitled to an unmerger.

Councilor Tabor commented that the Assessor has noted they have good records, and she was unable to find a merger request in the Registry of Deeds. The process is not flawed. In the Thaxter case 4 Councilors agreed with the Planning Board recommendation. It does not make sense to refer these to the Planning Board if the Assessor's Office has good records, especially if Council does not follow the Planning Boards recommendations.

Councilor Huda questioned what the cost was to unmerge the lots. City Attorney Sullivan responded that it was a nominal cost to unmerge the lots. A formal subdivision was not required. Staff time is the only cost to the City.

Councilor Lazenby commented that this was the third meeting this item has been on the agenda. The hope is that the Council can support this and move forward.

Councilor Kennedy noted that part of the delay was because the process was changed. The process should be looked at as the Council moves forward.

Councilor McEachern commented that he was all for discussing the process and changing it if needed. However, that should be addressed after moving this item forward. Councilor McEachern stood by the work they did as a Council by moving this to the Assessor's Office.

Mayor Becksted commented that he would not change his mind from the April decision and questioned if any previous owner submitted an application to do a project on this property. City Assessor Maurice-Lentz responded that was not part of the research.

On a roll call 8-1 vote, motion passed. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Kennedy, Huda, Tabor and Trace. Mayor Becksted voted opposed.

4. Report Back on Request of Restoration of Involuntary Merged Lot – 1240 Islington Street (***Request for Reconsideration of Vote by the City Council at the July 13, 2020 meeting***)

Assistant Mayor Splaine withdrew this request.

B. COUNCILOR McEACHERN

1. *Resolution that the City Council Supports our Educators as they take the Necessary Steps to Keep Both Children and Themselves Safe

Councilor McEachern commented that this resolution was for our teachers. It has been entirely up to them to create a plan for the school, and they are working toward that. The resolution would show that the City Council recognizes and supports educators as they take steps to keep themselves, their families, and children safe when taking actions against covid-19.

Councilor McEachern moved to adopt the Resolution, seconded by Assistant Mayor Splaine.

Councilor Kennedy supported the resolution and thanked all of the families at home that have been working to educate their kids along with the teachers.

Councilor Trace also supported the resolution. The super intendent and school board are trying to work within changing parameters to make a safe environment. It is important to give any support the Council can.

Councilor Huda also supported the resolution. Councilor Huda questioned if some of the language in the resolution like “giving resources” was overstepping their role. Councilor McEachern responded that the resolution was just meant to provide support to what the School Board is doing. It does not have any authority. City Attorney Sullivan agreed that the document was just a statement of council policy. It did not spend any money.

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

C. COUNCILOR WHELAN

1. Parking and Traffic Safety Committee Action Sheet and Minutes of the July 9, 2020 meeting (*With Summary Sheet: Stay and Pay Recommended for Approval to City Council*)

Councilor Whelan commented that the Parking, Traffic and Safety minutes are generated after the meeting, and sent out to participants. If there are no objections after 72 hours, then the minutes become approved. The minutes from the July 9, 2020 meeting and a memo from Eric Eby with the action items from that meeting are included in the packet. The action items include anything which is anything regulatory or controversial to make it easier for the Council to identify and discuss.

Councilor Whelan moved to recognize the action items moving forward, seconded by Councilor Lazenby.

Councilor Kennedy questioned if that meant that none of the minutes before qualified. Councilor Whelan responded that the minutes would still be included. Any action items will be listed on the action item memo and Councilors can pull out items for discussion. Parking, Traffic, and Safety has to keep things moving. Anything they take action on and the Council approves is approved on a trial basis for 1 year.

Councilor Trace questioned if they were approving a change to bring forward Parking, Traffic and Safety actionable items to be more transparent in the future. Councilor Whelan confirmed that was correct. Councilor Trace questioned if they were being asked to vote on the minutes. Councilor Whelan responded that it was just to recognize the action items. Councilor Trace commented that the actionable items sit in the minutes. It is unclear why Council would vote on the action items and not the minutes. The alternative is a change of protocol with the transparent actionable items. City Attorney Sullivan commented that the process allows the Parking, Traffic and Safety Committee to take temporary action by sending out minutes to the Council. It is a well thought out process that allows the City to be more efficient. The system was set up and operated well until fairly recently. Parking, Traffic and Safety is operating within the existing ordinance by sending the minutes to Council and highlighting actions that need City Council attention. Councilor Trace requested clarification if they were being asked to vote for the minutes or a change in the way the minutes are produced. City Attorney Sullivan responded that it was a vote on a change in the way the minutes were produced. Councilor Whelan commented that they would be voting on the actionable items. City Attorney Sullivan added which are in a sense the minutes.

Councilor Huda questioned if voting for the new action items meant accepting Parking, Traffic and Safety’s decisions. City Attorney Sullivan confirmed that was correct. The action items are highlighted so there is no misunderstanding between Parking, Traffic and Safety and City Council. Councilor Whelan commented that it is a one-page memo to be more transparent.

Councilor McEachern commented that it was important to allow Parking, Traffic and Safety to do their job, so they can move forward with actions.

Mayor Becksted commented that they may need more time to discuss this and suggested postponing the item to the August 18, 2020 meeting.

Councilor Lazenby appreciated the effort to emphasize the action items, however it is not fair to suggest a lack of transparency previously. All of those items have been in the minutes.

Councilor Kennedy moved to postpone action on this item until the August 18, 2020 City Council meeting, seconded by Councilor Trace.

On a roll call 7-2 vote, motion passed. Assistant Mayor Splaine, Councilors McEachern, Kennedy, Huda, Tabor, Trace and Mayor Becksted voted in favor. Councilors Whelan and Lazenby voted opposed.

D. COUNCILOR LAZENBY

1. *Permitting Fee Relief for Businesses and Outdoor Use

Councilor Lazenby commented that they did not move to table item 4 under Assistant Mayor Splaine's section of the agenda and questioned if they should have. City Attorney Sullivan commented that it would have been better practice to do something with it rather than skip over.

Assistant Mayor Splaine moved to table this request until the August 18, 2020 Special City Council meeting, seconded by Councilor Lazenby.

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

Councilor Lazenby withdrew this agenda item.

2. *Request for explanation of Ethics Complaint process and update on current status

City Attorney Sullivan commented that the process in general is that the Code of Ethics sets out a specific list of requirements that a City Official has to live up to in ethical dealings. One of the most common ones is that City Officials should not participate in matters in which they have a financial interest in that is greater than the community at large. When someone in the community believes there is a violation, then they would follow a complaint process. The Mayor and City Attorney review the complaint to determine if it has substance. If there is sufficient substance, then the Mayor or Attorney can refer it to the Board of Ethics which is made up of various city committee members. They have 30 days from the complaint submission to make that decision. If it goes forward to the Board of Ethics, then they have 30 days to investigate and issue a report to the governing body. The governing body for a complaint made against a Councilor is the City Council. After they receive the report, they can determine what they want to do. Initially Nancy Pearson filed two complaints against Councilor Kennedy and Arthur Clough filed a single complaint against the citizen taskforce. Last Friday morning City Attorney Sullivan and Mayor Becksted met to review the complaints. Part of making that decision is a technical review. The complaint needs to be in writing, to the point, and under oath. It was determined that all three complaints were not done under oath. That is a minor technical matter and can be easily updated by adding an oath to the complaint. The parties involved were notified that the complaints were not accepted at that time and they were informed on how to put the complaint under oath. Nancy Pearson raised the issue about whether or not the Mayor should take part in the analysis. Mayor Becksted made the determination to not participate in the complaints against Councilor Kennedy because he has a family member that is employed by Councilor Kennedy. The Assistant Mayor will take over that role.

Councilor Lazenby questioned if the complaints had been resubmitted. City Attorney Sullivan confirmed that the next day both Nancy Pearson and Arthur Clough put their complaints under oath. The 30-day cycle starts again now.

E. COUNCILOR KENNEDY & COUNCILOR HUDA

1. Middle Street Bike Lanes Current Implementation for Safety in Lieu of the Recent Accident

Councilor Kennedy clarified that they were looking at about 2,000 feet of the bike lane and the safety of those lanes.

Councilor Huda commented that the goal was to make the bike lanes safer for everybody. There is a lot of data that can be looked at for these bike lanes and a lot of questions about how to make them safer.

Councilor Kennedy commented that they would not have enough time to do a full presentation before the meeting ended.

Councilor Kennedy moved to postpone this matter until the Special City Council meeting on August 18, 2020 in order to provide more details on this issue, seconded by Councilor Huda.

Councilor Tabor requested that they provide a narrative for the August 18, 2020 packet, so that Councilors had something to read beforehand.

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

Councilor Lazenby questioned if there was anything left on the agenda that would be negatively impacted if they were not addressed tonight. City Clerk Barnaby requested that Council vote to adopt the polling hours. City Manager Conard commented that the Maplewood license had a start date of August 15, 2020.

Councilor Lazenby moved to suspend the rules to bring forward Items XV. A.2. – Establish Polling Hours for the State Primary Election and XV. A.6. – Temporary Construction License for 111 Maplewood Avenue, seconded by Councilor Kennedy.

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

XV. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

2. Establish Polling Hours for the State Primary Election

Councilor Lazenby moved to approve the polling hours of 8:00 a.m. to 7:00 p.m. for the State Primary Election on September 8, 2020 as recommended by the City Clerk, seconded by Assistant Mayor Splaine.

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

6. Temporary Construction License for 145 Maplewood Avenue

City Manager Conard commented that it should be 111 Maplewood Ave. not 145 Maplewood Ave.

Councilor Lazenby moved that the City Manager be authorized to execute and accept the temporary construction license regarding 111 Maplewood Avenue as presented, seconded by Councilor McEachern.

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

XVII. PRESENTATIONS & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

A. *Presentation by Health Officer Kim McNamara regarding COVID-19 Update

Health Officer Kim McNamara provided a brief update on COVID and mask use on a community level. Johns Hopkins reported that the total global COVID cases were at 18,109,901 and the total deaths were 690,055. The total cases in the United States were 4,668,406 and the total deaths were 154,861. The United States leads the world in confirmed cases and deaths. The White House Coronavirus Response Coordinator Dr. Deborah Birx noted that when the percent positives rise even a fraction the community only has a couple days to intervene to control the spread. Portsmouth currently has 9 active cases and a total of 92 confirmed cases. The CDC released a statement asking people to wear masks to help control the spread. The virus is extraordinarily widespread in rural and city environments. People need to wear masks and practice social distancing everywhere. People traveling across the country are contributing to the spread. The CDC Director has commented that cloth face coverings were one of the most powerful tactics to help stop the spread. A study published on June 27, 2020 investigated the optimal distance to avoid transmission and assess face masks and eye protection. Transmission was lower with one meter or more of physical distancing. Face mask use could result in a large reduction in risk of infection. Eye protection was also associated with reducing infection. None of these provide complete protection. The value of masks was demonstrated by a study of a hair salon on Missouri. Two infected hair stylists serviced 139 patrons over 8 days. This was after Missouri passed a mask mandate, which everyone followed. None of the patrons developed Covid symptoms or known infections. Research examined the change in infection rates after mask mandates. The results show there was a decline. It is believed that 230,000-450,000 COVID cases were possibly averted by using face masks. States that have employee only mask mandates did not see a decline in infection rate. The largest droplets are within the first meter. Medium drops fall within the second meter. Virus particles are in the droplets that fall. The size of the droplet determines the spread risk. There is still a debate about airborne transmission. Masks are protective of others and the wearer. The less virus a person breathe in leads to a smaller dose of the viral load. This leads to lesser symptoms or avoiding the infection all together.

Assistant Mayor Splaine commented that the studies have shown a face covering of any kind does catch some of those droplets and a better facemask catches even more. Masks also offer a little protection for the wearer because they are inhaling less droplets. Health Officer Kim McNamara confirmed that was correct.

Councilor Kennedy questioned if there was information on how to support those who can't wear masks. Health Officer Kim McNamara commented that people with a medical condition should not be asked to wear them. If a community is putting in a mask mandate, then they should have the ability to provide masks for those who can't get them. If 95% of a community is wearing masks and 5% can't, the community is still more protected. Councilor Kennedy questioned if the Health Officer had any suggestions on how to include that into the policy.

Health Officer Kim McNamara commented that there was no specific language because that's on each municipality to develop. The City does not have to legally provide masks, but there should be some source to point people to if they can't find or afford them.

B. Update on the Portsmouth Citizens Response Task Force

James Peterson, Mark Stebbins, Rus Grazier, and Ann Birner provided a presentation. Mr. Peterson commented that the task force has been very productive since the last presentation. City Council requested more details on the task force progress. Mr. Grazier will speak to the Bridge St. Lot, Mr. Stebbins will speak to the road closures, and Ms. Birner will speak to the Health Subcommittee.

Mr. Grazier commented that the plan was to open Thursday August 6, 2020 and operate for the next 10 weeks through October 11, 2020. City staff have been very active in the subcommittee meetings. They have been supportive and wonderful to work with. All of the permitting will be in place for Thursday. No City funding has gone to any nonprofit or Popup NH. City funding has been used to make the public lot safe to use. Portable toilets and generators have been provided by the City. As well as water and sewer access to ensure safety. Tickets will be sold for events in the performance area and then considering a low-ticket price entry fee for the food and beverage area. That would be waived if the patron utilized the Foundry Garage or arrives with a bike helmet. They are encouraging advance ticket purchase because there will be timed access points. This will prevent crowding outside the venue. Tables and chairs will be set up with ample distance between them. There will be a one directional flow through the space and masks will be required inside the fences while people are in transit. They are booking the performance space two different ways. Some nonprofits will be running their own events and ticketing will go directly through the nonprofit. There will be occasions where a nonprofit has been hit so hard they don't have enough resources or they cannot perform in this space. They are working with Popup NH to book local musicians that usually play in Portsmouth bars and restaurants. Some of those proceeds will be going to those nonprofits who have been hit hard. There will be a wide variety of events. The Saturday show is sold out already. The taskforce will need to start looking beyond just the Bridge St. Lot as well.

Mr. Stebbins presented a map that showed how much work has been done on the streets. It's been incredible to see how everyone has pulled together to help each other. There have been positive reviews from different restaurants who have been open and how well they are doing. They are all even more committed to continue to help people through these months and the upcoming colder months. The taskforce is thinking about how to carry this through the colder months and support restaurants and businesses. This pandemic is not going away. Portsmouth is a tourist community, and they need to continue to be careful.

Ms. Birner commented that the Health Subcommittee was formed initially to help organize thoughts around the virus. The committee produces a weekly report for discussion. It is comprised of a doctor, two nurses, a pharmacist, and James Peterson. Health Officer Kim McNamara also provides regular contributions. The key responsibility continues to be the weekly dashboard. The goal is to produce a succinct one-page report on a weekly basis that provides digestible information. The focus is on the number of regional cases and hot spots across the country. The mantra is to not let our guards down and remain vigilant. Other activities the subcommittee has been working on include a letter of support for the mask resolution and physical distancing. They wrote a letter to the Governor in support of a mandate and are working on letters to surrounding towns to solicit support for a mandate. The entire task force is focusing on what will come next as the colder months approach.

Assistant Mayor Splaine thanked the taskforce for all they have done. The resolution terminates the task force on December 31, 2020. That is 150 days from now. Assistant Mayor Splaine questioned if they would need longer than that and if that should be addressed now or later. Mr. Stebbins responded that they had that discussion today and asked the City to consult with DPW on where to move the outdoor dining date. They can report back after they get DPW feedback. Mr. Peterson commented that they have not thought a lot about the task force work beyond the end of the year. This is a marathon, and the pandemic will either get better or worse as time goes on. That will be motivation for volunteers to continue work.

Councilor Huda questioned if the Bridge St. Lot was ready for the storm that was coming the next day. Mr. Grazier responded that the site is secured, and the storm should have minimal impact. Councilor Huda questioned what security measures will be on the Bridge St. Lot. Mr. Grazier responded that it is secured in a way that someone would have to do a significant break in to access the site. Mr. Grazier did not want to give away all of the security measures. The sheds will be sealed tight from a health and safety perspective. Councilor Huda commented that the street closure map showed that The Hammer has been revised, and Starbucks was still working on it. Councilor Huda requested an update on that. Eric Eby responded that The Hammer has approvals to use the loading zone and one parking space on State St. They are not using one space on Pleasant St. They have not seen an application come in for Starbucks yet. City Manager Conard commented that they were waiting for additional information from Starbucks to be submitted. Councilor Huda requested an update on the status of retail at the Bridge St. Lot. Mr. Grazier responded that due to concerns from the Health Officer they will not include retail for the first couple weekends to take the time to observe the flow of the crowd. Then they will introduce retail if it makes sense. The delay is purely a safety concern. The hope is to have retail, but they want to do it in a way that's safe.

Councilor Trace applauded the task force efforts to support nonprofits that can't put on a performance themselves. It would be nice to have a list of nonprofits that are in that position, so people could reach out and donate if interested. Councilor Trace questioned if the performers were from Portsmouth or if they were from other areas. Mr. Grazier responded that he did not feel comfortable giving information that was given privately. However, there is a variety of different scenarios that could lead to an organization deciding that a performance is not viable. Each operate in a different manner and have a unique business model. Some lend well to the pop up stage and some don't. There is a list built from the Chamber Collaborative of nonprofit arts and culture organizations in the area. They have given it to the leadership of Popup NH to compare with their list. The performers are not all from Portsmouth, but the benefit is going to a Portsmouth nonprofit. The performers will also be offered a reasonable wage and will help benefit a nonprofit. The artists list was built from local musicians who perform in Portsmouth venues even if they don't live in Portsmouth. Helping musicians in the region is positive. Councilor Trace commented that she was not suggesting all of the musicians should be from Portsmouth. It is good to support the arts in the area. Councilor Trace questioned who was making the decision with finances. Mr. Grazier responded that the structure discussed is that the artist would receive something comparable to playing in a bar. The majority of the leftover will go to the nonprofit. A portion will go to Popup NH for overhead. It will cost a bare minimum of \$600 run the performance. They will leave it open to the performers if they want to donate any of their profit. However, they need to pay performers a living wage.

Councilor Lazenby appreciated that the taskforce and subcommittees were thinking ahead about next steps. Councilor Lazenby appreciated the Health Subcommittee communication to the surrounding communities and the Governor. It would be good for the Health Subcommittee to look at testing capacity and where that is available. Also, in general what has been working for schools in surrounding communities and around the world. Ms. Birner responded that the charge from the City was to focus on economic revitalization. Reopening schools and the pool etc. are beyond the area of the taskforce responsibility.

Councilor Lazenby appreciated the popup group is providing an incentive for parking in the Foundry Garage and requested they clarify funds spent by the City on expenses related to reopening. Councilor Lazenby questioned if the funds were being appropriated by the taskforce or City staff. Mr. Stebbins responded that was being done in coordination with the City Manager. They have had good donations for the barriers and are well under the 100K right now. Mr. Peterson commented that funding has mostly been going through the DPW. Everything related to the infrastructure for the pop up has been solicited by the DPW and contracts are being signed by the DPW. It stays within the City's domain.

Assistant Mayor Splaine questioned if they could improve the looks of the barriers. City Manager Conard responded that they have been working with design professionals to pair with restaurants if they are interested. However, they cannot be painted or altered because they are on loan.

Councilor Trace questioned who wrote the body of the letter. Ms. Birner responded that it was a joint effort. Ms. Birner wrote the first draft and passed it around the committee. They all agreed on the language.

C. *Presentation regarding Census Reporting – Richard Perrin, US Census Bureau

Richard Perrin from the US Census Bureau commented that the census would be going on through September. The form is short and easy to fill out. There is a toll-free number people can call if they need more information about it. The census is safe and confidential. They take an oath to ensure information and counts are correct. They will never ask for contributions, anything on behalf of a political party, or credit card information. There is no citizenship question on the census. The census is very important because any agency that deals with funding uses the census as a reference. Right now, the response rate is 62.9%. Portsmouth just passed 70%. Mr. Perrin noted that he could provide a 2020 media tool kit with supporting information and videos. People can visit [2020census.gov](https://www.2020census.gov) to get more information.

XIX. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

XX. ADJOURNMENT [at 10:00 p.m. or earlier]

Councilor Lazenby moved to recess the meeting at 12:00 a.m. until the Special City Council meeting on August 18, 2020, seconded by Councilor McEachern.

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

**Becky Frey
Acting Recording Secretary for City Council**