

## **CITY COUNCIL MEETING**

MUNICIPAL COMPLEX  
DATE: MONDAY, APRIL 19, 2021

PORTSMOUTH, NH  
TIME: 6:00PM [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\\_GFgFtTcAS0-hOFNrI81SEA](https://zoom.us/webinar/register/WN_GFgFtTcAS0-hOFNrI81SEA)

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 2020-25, 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.

At 6:00 p.m. a Work Session was held regarding Peirce Island Master Plan.

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-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 2020-25 and Emergency Order #12, Section 3. Members location. All votes will be by roll call.

### **III. CALL TO ORDER**

At 7:00 p.m. Mayor Becksted called the meeting to order.

### **IV. ROLL CALL**

PRESENT: Mayor Becksted, Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Kennedy, Huda, Tabor and Trace

### **V. INVOCATION**

Mayor Becksted asked for a moment of silent prayer in memory of Mr. Dow who recently passed away.

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

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

### **VII. ACCEPTANCE OF MINUTES – MARCH 15, 2021**

**Councilor McEachern moved to accept and approve the minutes of the March 15, 2021 City Council meeting. Seconded by Councilor Whelan.**

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

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

City Manager Conard, Mayor Becksted and City Council issued a joint statement with the Town of Kittery in recognition and thanks to Bram Hepburn, NH DOT Bridge Operator for saving the life of a person who fell from the bridge on Sunday, April 4, 2021.

## **IX. PUBLIC COMMENT SESSION**

Vinnie Amico spoke in favor of a skateboard park being built in the City.

Andrea Amico spoke regarding PFAS at Pease and how it impacts health. She requested permission from the City Council to place lawn signs on City property in order to raise awareness of this important study.

Liza Hewitt spoke in favor of the skateboard park and commended Councilor Kennedy for her work on proposing a skateboard park in the City. She said that this will be a great park for the City.

Peter Somssich asked to make the Spinnaker Point a recreation center. He spoke to the improvements that have been made to the facility since COVID, however, there are ventilation issues that do not meet the needs currently to reopen the facility. He suggested an energy audit of the facility.

Julia Russell spoke in favor of the Peverly Hill Road Improvement Plan and the walkabout held by the City Council was a great way to hear from residents on the plan. She stated she is willing to accept the modifications and changes that will be made to her property. She said the road is unique and the biggest challenge is turning out of the driveway. She would like to make sure the easements are less intrusive.

Nancy MacDonald spoke in favor of the skateboard park and its proposed location at the former stump dump. She thanked Councilor Kennedy for the learning opportunity.

Noah Hester spoke in favor of the original Peverly Hill Road plan. The proposal is to provide a roadway for all users. He doesn't want to see a sidewalk only plan. He said the plan provides a safe place for many activities to take place.

Mark Brighton spoke in support of the skateboard park and is a good use of the former stump dump.

Jim Lee spoke in favor of the skateboard park and said this would be a great use of COVID funds. He stated this could be a great family facility.

Andrew Bagley spoke in favor of the skateboard park and said it is a great use of the former stump dump land. He said he also supports the cross walk at Middle Street. He said the current plan on Middle Street is dangerous. He addressed the parking fines and said he is opposed to increasing the fines.

Matthew Glenn spoke regarding the Peverly Hill Road Plan and said it is a better option to ride a bike but no less dangerous. He said many neighborhoods support the Complete Street Plan. He said if changes need to be made to the plan staff and residents should work together toward a plan that works for everyone.

Amy Court spoke regarding the skateboard park at the stump dump location. She said it is a perfect place for the park and spoke to the extensive search for a location by the Recreation Board. She said that kids need a place to go and this is the right location.

Roy Helse said he sent an e-mail with his thoughts regarding the Conservation Commission allowing the project at the North Mill Pond within the 50 foot buffer zone. He said developers should need to maintain the boundaries of the wetlands.

Nelson Wormstead spoke in favor of the skateboard park and his work in the field.

John Tilton spoke in support of the bike path and multi-use fields. He said the plan and current proposal makes the most sense.

Brendan Eaton spoke in favor of the new skateboard park plan. He said he was a part of the first skate board park committee 20 years ago and that there is a great deal of community support for park.

Byron Matto spoke in support of the skateboard park and its importance. He also spoke to Peverly Hill Road becoming a multi-modal path.

Lucia Von Letkemann spoke in support of the skateboard park. She said this is a very large sport and many people are getting involved. She spoke in favor of keeping multi-path in place for Peverly Hill Road.

Tracy George spoke in favor of the skateboard park. She spoke concerned with the mental health of kids during COVID and said this is a different creative venue which provides opportunities for kids.

Hatcher Caron spoke in favor of a skateboard park. He said this will be more local for users and that people of all ages could use the park and enjoy it. He said all great cities have a great park.

Robin Rousseau spoke to the proposed parking ticket increases and said people are going through financial hardships and this is the wrong time to raise fees. She suggested putting in place a parking program for Market Square.

Donald Jones spoke to multi-use lanes on Peverly Hill Road. He said he does not want to step back and have a single use sidewalk. He said Peverly Hill Road needs a safe path for access up and down the roadway.

**Councilor Kennedy moved to suspend the rules to take place Items XIII. D.1. – Presentation regarding Skateboard Park Improvements, XIII. D.2. – Skate board Park, XIII. D.3. – Blue Ribbon Committee and XVII. B. – Presentation and Report Back on Peverly Hill Road Complete Street Project. Seconded by Assistant Mayor Splaine.**

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

XIII. D.1. Presentation regarding Skateboard Park Improvements

Dave Cosgrove, Oliver Sieve and Seamus Durkin provided a Presentation regarding Skateboard Park Improvements. The Presentation included the importance of this action sport for the community and how it involves all ages and genders. David, Oliver and Seamus spoke to the importance of significant mental health benefits and how this activity follows people into adulthood. A review of a current park design was provided for review by the City Council.

**Councilor Kennedy moved that the Portsmouth City Council have the City Manager put out an RFP and fund a Skateboard Park using federal, state, and local funds, for a Skateboard Park and a community recreation field. Given the Recreation Board recommendation, this park will be placed in the area that we now call the Portsmouth Stump Dump off of Route 33. Seconded by Assistant Mayor Splaine.**

Councilor Kennedy thanked everyone that has been part of this request. She stated this request will include a recreational field that families can enjoy.

Councilor McEachern thanked Councilor Kennedy and everyone that put this together. He said it shows when you get everyone together on an issue something can happen. He thanked Oliver and Seamus for their work and speaking to this matter.

Assistant Mayor Splaine said he would like to know the next steps on this matter. City Manager Conard said she will work with Public Works Director Rice and Recreation Director Henley on this matter. She said it is her hope that COVID funding will become available for a skateboard park.

Recreation Director Henley said the Public Works Department will meet with Chris Rice for making the Greenleaf Park available for use until the skateboard park is completed at the stump dump.

Councilor Lazenby asked what would be an appropriate cost for a skateboard park. Mr. Cosgrove said it would be between \$300,000.00 - \$400,000.00 without additional recreational fields and family areas.

City Manager Conard said an update on design and engineering and providing a recommendation on paying for the project will be provided.

Councilor Trace said she would like to see a Blue Ribbon Committee put together and would like to see Seamus and Oliver serve on the Committee.

Mayor Becksted said he would have Seamus and Oliver serve.

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

**Councilor Kennedy moved to ask the Mayor to set up a Blue Ribbon Committee to include six individuals and one city councilor to support the city in the creation of the Portsmouth skateboard park and include Seamus Durkin, Oliver Sieve, Dave Cosgrove and Chris Rice as members of the Committee. Seconded by Councilor Huda.**

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

#### XVII. B. Presentation and Report Back on Peverly Hill Road Complete Street Project

City Manager Conard said this is a follow-up to the site walk and visit on Peverly Hill Road. She introduced consultant Brian Colburn of McFarland Johnson who would be making the presentation.

Deputy City Attorney Woodland briefly spoke to the site walk. She said the site walk was joined by many residents. She said there is a different design for the project. She spoke to the ROW which varies along the roadway. In addition, she indicated you will see the permanent easement areas needed and borrowing rights to construct the improvements on the plan which are often found at driveways. She reported that this is a federally partial funded project and there are challenges we can't discuss with property owners, such as the price we will pay for easements. She spoke to the formal appraisal process and that there is structure in the law to deal with these issues.

Brian Colburn, MacFarland Johnson, provided the presentation and discussed the footprint required for improvements. He provided review alternates from the current design and pinch points. He spoke to alternate designs and how they affect the ROW's and how it would appear if a sidewalk and bike lanes were installed. He reported on properties that will require permanent easements due to construction, whether it relates to drainage, sidewalk or roadway. Mr. Colburn reviewed the Complete Streets Program whereby the City has committed to approach every transportation improvement and project phase as an opportunity to create safer, more accessible streets for all users, and to use the best and latest design standards available. He reviewed possible next steps for each possible design and suggested a public hearing on June 7, 2021 or later.

Councilor Trace said she feels any change should be equitable to all property owners. She asked why the trucks can't be redirected up one exit further and to come up Route 1.

City Attorney Sullivan said it is possible to establish truck lanes or new truck lanes. He said it could be done but there would be difficult enforcement issues.

Councilor Lazenby said one more public input hearing for the neighborhood would benefit everyone in coming together. City Manager Conard said another input hearing could be held if that is the will of the Council. Mayor Becksted said he would prefer we have an in-person meeting rather than via zoom.

Councilor Kennedy said the neighborhood should look at all the plans. She asked Deputy City Attorney Woodland if one person does not agree with the project, is the project dead. She also spoke regarding her opposition to eminent domain and how she is very uncomfortable taking any properties. Deputy City Attorney Woodland said she has not heard from property owners against the project but it would be good to have another public input hearing on the project.

Councilor McEachern said we need to be careful and not impact another neighborhood. He said he supports another public input session on this project.

Councilor Whelan said he supports another meeting with residents as soon as possible.

Councilor Huda said she would also support another neighborhood meeting. She said we need to listen to all neighbors. She asked how much funds have been spent so far and how much is needed. Transportation and Parking Engineer Eby said the City has spent \$85,000.00 and the State has put in \$340,000.00 +.

**Councilor Lazenby moved to have a public meeting scheduled with the neighborhood for the Peverly Hill Road Complete Street Project. Seconded by Assistant Mayor Splaine.**

Assistant Mayor Splaine said he would not discount other people from the City in taking part in the public meeting on this project. He said there is a need for a sidewalk and bike lane on Peverly Hill Road.

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

At 9:20 p.m., Mayor Becksted declared a brief recess. At 9:30 p.m. Mayor Becksted called the meeting back to order.

## **XI. PUBLIC HEARING AND VOTES ON ORDINANCES AND/OR RESOLUTIONS**

### First Reading of Ordinance:

- A. First Reading of Ordinance amending Chapter 7, Article IX, Section 7.901 –  
PENALTIES, FORFEITURES AND SEPARABILITY

Parking Director Fletcher spoke regarding the ordinance and the basis is to encourage residents and visitors to pay their fines on time and keep parking spaces open downtown. He explained that the pay and stay process has created a situation where people will stay in a parking space all day as the fine is cheaper than paying to park in multiple locations.

Councilor McEachern asked why multiple tickets couldn't be issued to address this situation. Parking Director Fletcher said that procedure has not been codified and it would still be less than the proposed fine. Discussion followed regarding the different scenarios for receiving a fine. Councilor McEachern said we need an incentive to create proper behavior without having to more than double a parking fine. He would like to see multiple tickets issued.

Assistant Mayor Splaine said we are after more money and doesn't feel we should be doing this as the City of the "Open Door". He asked City Manager Conard on the time period for paying a fine and whether we could increase that from 30 days to 60 days. City Manager Conard said that would require Parking and Traffic Safety Committee approval and an ordinance change.

Councilor Tabor spoke in favor of the fine and moving forward with the ordinance change.

**Councilor Lazenby moved to pass first reading and schedule a public hearing and second reading at the May 3, 2021 City Council meeting. Seconded by Councilor Whelan.**

Councilor McEachern said it is difficult to support the motion when we should be issuing multiple tickets. He said he would rather refer this back to Parking and Traffic Safety Committee on the issuance of multiple tickets.

**Councilor McEachern moved to amend the motion to refer ordinance back to Parking and Traffic Safety Committee to review issuing multiple parking tickets per day. Seconded by Assistant Mayor Splaine.**

Councilor Whelan said we need to make sure that parking spaces are turning over in the downtown and move this ordinance forward.

**On a roll call vote 3-6, motion to amend failed to pass. Assistant Mayor Splaine, Councilor McEachern and Mayor Becksted voted in favor. Councilors Whelan, Lazenby, Kennedy, Huda, Tabor and Trace voted opposed.**

Councilor Huda requested a report back and review of the other 5% of safety issue violations. City Manager Conard said she would work with Mayor Becksted to bring something forward for the Parking and Traffic Safety Committee meeting in May.

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



### **XIII. CITY COUNCIL MEMBERS**

#### **A. ASSISTANT MAYOR SPLAINE**

1. Portsmouth Outdoors, Year-round

Assistant Mayor Splaine requested a report back by City Manager Conard in July regarding having Portsmouth Outdoors, Year Round.

#### **B. COUNCILOR McEACHERN**

1. Update from the Recreation Board and recommendations of the 'Stump Dump' as preferred skate park location

Councilor McEachern provided a brief report regarding summer events, status of pickle ball courts, and an update on Spinnaker Point Center HVAC system issues.

Councilor Kennedy asked if you will get 6 courts. Councilor McEachern said they're waiting for a wetlands study at Portsmouth High School. He reported that we can currently place 5 courts length wise. City Manager Conard stated we are reorienting the courts. Councilor Kennedy asked how we will move forward with courts for the fall.

Councilor McEachern said he would bring this matter before the City Council before any work commences on the project. He reported that resurfacing has been planned and they're bringing in new lining and netting.

#### **C. COUNCILOR LAZENBY**

1. Request for Public Placement of PFAS Health Study Lawn Signs

Councilor Lazenby said this is to approve the placement of lawn signs for the PFAS Health Study.

**Councilor Lazenby moved that the City Council approve placement on City property of lawn signs and that City Manager Conard relax the enforcement regulations for signs on private property related to the CDC/ATSDR PFAS Health Study for a period of up to three months beginning April 20, 2021. The signs will measure 24" L x 18" H with graphics as contained in the City Council packet. Signs will be provided at no cost to the City of Portsmouth and will be placed by Pease CAP volunteers in locations approved by city staff. At the end of the approved period, all sign materials will be retrieved by Pease CAP volunteers. Seconded by Assistant Mayor Splaine.**

Assistant Mayor Splaine said he would like a memorandum outlining all signs placed on City property.

Councilor Kennedy said that anyone could place signs on private property for the next 3 months.



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

2. Request for Public Hearing Related to Indigenous Peoples' Day

Councilor Lazenby said We Speak of Portsmouth High School would like the public hearing held prior to the end of the school year.

**Councilor Lazenby moved to schedule a public hearing for the City of Portsmouth to recognize Indigenous Peoples' Day each year instead of what has been typically designated by the State of New Hampshire as Columbus Day. Seconded by Assistant Mayor Splaine.**

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

3. Planted for the Planet – Earth Day 2021

Councilor Lazenby encouraged people to eat more plant based foods to benefit the planet during April 22<sup>nd</sup> – 25<sup>th</sup>, 2021 Eating Event.

#### **E. COUNCILOR HUDA**

1. New Auditor RFP and Mayor's Blue Ribbon Audit Committee Status Report

Councilor Huda said on April 5, 2021 the City Council voted to have a new RFP for a new auditor and to form an Audit Committee. She requested that Mayor Becksted appoint an Audit Committee. She said the City Council will work with the Legal Department to develop an ordinance for an ongoing Audit Committee.

Assistant Mayor Splaine thanked Councilor Huda for getting on top of financial issues but he wants to make sure we are not encroaching on the City Manager/City Council form of government. He said there is a fine line when it comes to these matters.

City Attorney spoke to an Audit Committee and the selection of an outside auditor. He said staff should take the vote as a suggestion that an ordinance be drafted in conjunction with the City Manager and Finance Director.

Councilor McEachern said we took both actions last week. He said we are not currently out of compliance by not having an Auditing Committee.

City Attorney Sullivan said the City Council could exercise authority and there was no violation of the Charter in absence of a Committee. He said we would be leaning on staff to help with the selection process and that staff are the professionals in this area.

Councilor McEachern said the Audit Committee should be defined as an Ad-Hoc Committee.

Councilor Kennedy thanked Councilor Huda for her work on this matter. She said we need to look back at the Audit Committee and spoke to thoughts on where it came from. She said the RFP for an Audit Committee was initiated by City staff.

**Councilor McEachern moved to suspend the rules to continue the meeting beyond 10:30 p.m. Seconded by Councilor Trace.**

**On a roll call vote 8-0, motion passed. Councilor Tabor could not voice his vote relative to this item due to internet issues he was experiencing.**

2. Bond Issuance

Councilor Huda moved for a report back from the City Manager to residents and City Council on the recently completed Bond Issuance of approximately \$30 million. (In preparation of the Work Session on May 4<sup>th</sup> regarding Bonds).

The purpose of this report is for the residents to see what projects are going to be funded by the issuance of these bonds and for the staff to provide the residents with the “Best Estimate Timeline” for the projects that are important to each neighborhood

*This report should include the following:*

- CIP Projects Funded by the new Bond Issuance Including:
- Name
- Amount
- Timeline
- Project Estimated Start Date
- If an ongoing project – Please include the current % complete status of the project to be funded (i.e. what phase of the project is this bond funding – Phase 1 – 2 – 3 or the remaining 40% of Phase 1)

Other relevant data that would assist residents in following their CIP projects. Seconded by Councilor Kennedy.

**On a roll call vote 8-0, motion passed. Councilor Tabor could not voice his vote relative to this item due to internet issues he was experiencing.**

**F. COUNCILOR TRACE**

1. Intersection at Congress

Councilor Trace spoke to an incident where she received a green arrow and at the same time there was a wait hand signal. She said we need to take action on this matter and have the issue corrected. She requested a report back from City Staff.

**Councilor Trace moved for a report back from City Staff on plans to resequence the traffic signals / pedestrian signals at Congress Street intersection at junction of Islington/Maplewood/Middle Street. Further, report back on how to change the traffic signal to mirror the traffic signals on the Deer and Maplewood Intersection where there is a flashing yellow signal or the reverse of Islington Street. Seconded by Councilor Kennedy.**

Parking and Transportation Engineer Eby said that corrective action will be taken.

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

#### **XIV. APPROVAL OF GRANTS/DONATIONS**

- A. Acceptance of a Donation to the Portsmouth Fire Department in memory of Vernon Boardman - \$150.00

**Councilor Kennedy moved to accept a donation to the Portsmouth Fire Department in the amount of \$150.00. Seconded by Councilor McEachern.**

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

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

- 1. South Church Temporary Construction License and License Fee Waiver Request

**Councilor Lazenby moved that the City Manager be authorized to execute and accept the temporary construction license regarding South Church. Seconded by Councilor Whelan.**

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

- 2. One Year Extension of Portsmouth Public Media Inc.'s (PPMtv) Lease of the South Meeting House

City Manager Conard reported we entered into a lease in 2011 and PPMtv is looking to extend the lease by a one year term.

**Councilor Kennedy moved to approve the one year extension of PPMtv's lease of the South Meeting House with the City. Seconded by Councilor Lazenby.**

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

- 3. Lafayette Trail Interpretive Marker Proposal

**Councilor Kennedy moved to grant the City Manager authorization to work with the Lafayette Trail organization for acceptance and installation of a donated historic marker in the City. Seconded by Councilor Huda.**

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

4. Request to Manage Contract for Seacoast Stormwater Coalition

City Manager Conard explained the request for the City of Portsmouth to manage the contract for the Seacoast Stormwater Coalition.

**Councilor Lazenby moved to authorize the City Manager to accept funds from the Southeast Watershed Alliance/Seacoast Stormwater Coalition for the purpose of administering a contract with VHB for the stormwater management purposes described. Seconded by Councilor Huda.**

Councilor Kennedy inquired as to the liability and if the funds are covered. Deputy City Attorney Woodland stated there is no additional liability that is covered in the line of work. She said Deputy Public Works Director Goetz would monitor the contract.

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

5. Portsmouth Brewery and Gaslight Temporary License for Relocating Dumpsters to Public Parking Lot

City Manager Conard requested the City Council approve the relocation of the dumpsters.

Councilor Trace said it is different from last year and asked if we are giving away more parking spaces.

Councilor Huda said to be fair this is a special request and would not support them using the spot.

**Councilor Lazenby moved that the City Manager be authorized to execute and accept a temporary license to allow the placement of two dumpsters on a City public parking lot and that any applicable license fees be waived. Seconded by Assistant Mayor Splaine.**

Councilor Lazenby spoke in support of the request and said we are doing many things to support the restaurants.

Councilor Kennedy asked how many parking spaces we are losing and how much in revenue.

Councilor Whelan said Parking Director Fletcher is looking at loading zones and converting those to limited parking spots and that way we could receive revenue for utilizing those spots which equates to 50 available spots.

**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.**

6. Tuscan Market Request for Sidewalk Café License

Mayor Becksted said he would support last year's motion to work with the business next door.

Mayor Becksted passed the virtual gavel to Assistant Mayor Splaine.

**Mayor Becksted moved to deny the request. Seconded by Councilor Kennedy.**

Councilor McEachern said he is concerned that there is an active disagreement.

City Manager Conard said Portsmouth Feed has requested to use space for tables and chairs. She further stated Tuscan Market came forward with a new request.

Councilor Kennedy said she wanted to preserve public tables and space. She said they were generous last year and the most important thing is to keep public tables in the area.

Councilor Tabor said last year there were 32 private tables. He stated he does not think that is a good balance of public use of space.

Mayor Becksted said we are losing open space.

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

Assistant Mayor Splaine returned the virtual gavel to Mayor Becksted.

7. FY21 Bond Rescinding Resolution

City Manager Conard reported there are 3 separate resolutions that are being rescinded.

**Councilor Lazenby moved to approve rescinding the remaining borrowing authority with regard to the following resolutions:**

**General Fund:**

- i. Resolution #5-2019 for \$2,500,000 – Rescind amount \$439,185.24

**Sewer Fund:**

- ii. Resolution #15-2019 for \$7,145,000 – Rescind amount \$93,642.35

**Water Fund:**

- iii. Resolution #16-2019 for \$4,623,000 – Rescind amount \$60,576.97

*(The total amount to be rescinded would be \$593,404.56)*

**Seconded by Councilor Tabor.**

Finance Director Belanger explained the process and procedure for rescinding bonds.

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

#### **XVI. CONSENT AGENDA**

- A. Letter from Sara Curry requesting permission to hold Summer Yoga Series in Prescott Park on Tuesday's at Noon from June through August (***Anticipated action – move to refer to the City Manager with Authority to Act***)
  
- B. Letter from JerriAnne Boggis, Black Heritage Trail of New Hampshire, requesting permission to hold the annual Juneteenth Celebration on Saturday, June 19, 2021 at 3:00 p.m. at the African Burying Ground Memorial (***Anticipated action – move to refer to the City Manager with Authority to Act***)

**Councilor Kennedy moved to adopt the Consent Agenda. Seconded by Councilor Tabor.**

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

#### **XVII. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS**

- A. Email Correspondence

**Councilor Kennedy moved to accept and place on file. Seconded by Councilor Tabor.**

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

- C. Presentation from Peter Somssich regarding Real-Time Monitoring in NH of Radioactive Emissions in the 10-Mile Evacuation Planning Zone around the Seabrook Nuclear Facility

Peter Somssich provided a brief presentation regarding Real-Time Monitoring in NH of Radioactive Emissions. He thanked the City Council for their continued support of the project.

- D. Letter from Julia & Abigail Gindele, regarding 105 Bartlett Street Proposal

**Councilor Kennedy moved to refer to the Planning Department for a report back to the City Council. Seconded by Councilor Huda.**

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

- E. Request by Paul & Kimi Gormley of 56 Salter Street for expansion of tidal docking structure within the Salter Street ROW and ROW setback

**Councilor Kennedy moved to refer to the City Attorney for report back to the City Council. Seconded by Councilor Huda.**

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

## **XVIII. CITY MANAGER'S INFORMATIONAL ITEMS**

1. Report Back on Spinnaker Point as Requested by Assistant Mayor Splaine 4/5/2021

City Manager Conard said we have a 30 year lease with Spinnaker Point with 10 years remaining. She spoke to the needs that have been identified for the facility and that over \$750,000.00 of improvements have been made. She said we are dealing with a failing HVAC system but with a \$65,000.00 expense we can limp along without a new system.

Assistant Mayor Splaine said that is great news. He asked what is the timing for what will take place next and when could we reopen the facility. City Manager Conard said we are pursuing this new part which could take 8 weeks. She also indicated due to COVID there are many parts of the facility that would not work for reopening. Assistant Mayor Splaine stated that a resident suggested that people with the second vaccination wear masks and social spacing could use the facility and asked if that could be discussed with the Health Officer. City Manager Conard said the issue is whether the Building Inspector can issue an occupancy permit. She feels she can find the funds for the necessary repair needed at this time.

Mayor Becksted said when we opened the outdoor pool we limited it to residents only.

## **XIX. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING**

Councilor Kennedy said she would like to set up a walk for the I-95 sound barriers and try to get a State official present. She suggested the second Saturday in May for the walk of Pannaway Manor.

Councilor Lazenby said he would like to deal with neighborhoods on the barriers. He said the second Saturday in May will not work as that is Mother's Day weekend.

Councilor McEachern said he is all for engaging the public but he is concerned that we get some preliminary guidance. He said he would like some answers before having the walk. He would suggest a briefing by the State on this matter.

Councilor Kennedy said she is not making a motion. She spoke to potential infrastructure funding coming which may require shovel ready projects.



Mayor Becksted said we need a plan that is ready to go, if we might receive funding. He said we would pay for the engineering and design so the State has no more excuses.

Councilor Tabor said it is a matter of getting the project moved forward.

Councilor McEachern said he wants to avoid having a separate meeting on this matter. He asked if we could provide guidance to City Manager Conard on the Tuscan Market request for tables and chairs. He said 3 tables could be moved behind the tree to open the left side. He asked if we could reconsider the vote and give the City Manager authority to act on this matter. City Manager Conard said she understands the intent of the Council.

## **XX. ADJOURNMENT**

**At 12:00 a.m., Councilor McEachern moved to adjourn. Seconded by Assistant Mayor Splaine.**

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

A handwritten signature in black ink that reads "Kelli L. Barnaby". The signature is written in a cursive, flowing style.

KELLI L. BARNABY, MMC/CNHMC  
CITY CLERK