

TO: KAREN CONARD, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING HELD BY ZOOM ON MONDAY, MAY 3, 2021 MEETING AT EACH INDIVIDUAL CITY COUNCILOR'S HOME, MAYOR BECKSTED PARTICIPATED VIA PHONE, CITY MANAGER CONARD'S OFFICE, CITY ATTORNEY'S OFFICE, AND CITY CLERK'S HOME

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

1. Assistant Mayor Splaine 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 will be participating remotely and will identify their location. All votes will be by roll call.
2. Acceptance of Minutes – March 22, 2021; April 5, 2021 and August 3, 2020 – On a unanimous roll call 9-0, voted to accept and approve the minutes of the March 22, 2021; April 5, 2021; and August 3, 2020 City Council minutes.
3. Public Comment Session – There was one speaker: Andrew Bagley (Indoor Pool, Fireworks and McIntyre).
4. Public Hearing/Second Reading of Ordinance amending Chapter 7, Article IX, Section 7.901 – PENALTIES, FORFEITURES AND SEPARABILITY – On a roll call 6-3, voted to pass second reading and schedule third and final reading at the May 17, 2021 City Council meeting. Councilors Whelan, Lazenby, Kennedy, Huda, Tabor and Trace voted in favor. Assistant Mayor Splaine, Councilor McEachern and Mayor Becksted voted opposed.
5. Appointments to be Considered – Daniel Brown to the Historic District Commission as a regular member – The City Council considered the appointment of Daniel Brown to the Historic District Commission as a regular member to be voted upon at the May 17, 2021 City Council meeting.
6. Mayor's Blue Ribbon Audit Committee – Mayor Becksted announced that Chris White, David McDonald and Council Representative Petra Huda will be serving on the Mayor's Blue Ribbon Audit Committee.
7. Neighborhood Committee Year-End Report – February 6, 1995 (Informational) – No action required.

8. Request to prohibit truck traffic on Bartlett Street once Hodgdon Way (Cate Street connector) is fully open to traffic in July – On a unanimous roll call 9-0, voted to have an ordinance drafted and brought back for first reading on May 17, 2021 to prohibit truck traffic on Bartlett Street as expeditiously as possible.

Councilor Lazenby requested a report back from staff on the potential impacts, intentional or unintentional, on prohibiting truck traffic.

Councilor McEachern requested as part of the report back regarding further measures taken specifically the Cottage Street proposal of ending the left turn from Route 1 onto Cottage Street.

Councilor Huda requested the report back look at available options for truckers to make their deliveries.

9. Parking and Traffic Safety Action Sheet and Minutes of the April 8, 2021 meeting – On a roll call 7-2, voted to accept and approve the April 8, 2021 Parking and Traffic Safety Committee actions and minutes. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Tabor, Trace and Mayor Becksted voted in favor. Councilors Kennedy and Huda voted opposed.
10. Request for Site Walk at Pannaway Manor – On a unanimous roll call 9-0, voted that the City Manager schedule a site walk at Pannaway Manor and New Franklin School area to look at the sound barrier and include those residents, any interested parties and the State with a date to be scheduled possibly on a Saturday and further, hold a work session prior to a City Council meeting regarding the site walk.
11. March 2021 Monthly Report – On a unanimous roll call 9-0, voted for a report back at the May 17, 2021 City Council meeting from the City Manager to the residents and City Council on the following questions on the March 2021 Monthly Report:

- 1) On page 4
General Government
Overtime is at 127% of Budget – (At 75% of the Fiscal Year)
Please identify which Departments this is in and why?

On page 5
If this capped at \$2,412,305, why is this overage showing here in general fund after revenue cap reached?
(Estimated revenues that are transferred to the general fund for the full year are \$2,412,305 YTD received is \$2,726,634 or 113%)

On page 6

Why are there 14 categories over 100% of estimated revenues when we are only 75% thru FY21?

(Same categories as March 2020) Why does this keep happening?

On page 7

Please correct the following % errors

Municipal Aid EST \$205,234 YTD Rec \$194,479 95%

Use of Fund Balance EST \$150,000 YTD Rec \$150,000 100%

What is the balance of the cash & short term investments at April 30, 2021.

12. Proposed Development Projects Near North Mill Pond – **On a unanimous roll call 9-0, voted** that the City Manager and Planning Department report back on all the currently proposed development projects bordering/near North Mill Pond. Which development projects have proposed buildings and/or parking that fall within the fifty foot buffer zone of North Mill Pond and what is percentage/footage of building. And again to report on, of proposed projects bordering/near North Mill Pond, which projects have buildings/parking that fall within the 100 foot buffer zone of North Mill Pond. How much of the buildings/project falls there for each development project and location.
13. Endangered Species of the North Mill Pond – **On a unanimous roll call 9-0, voted** that City Manager Conard and Department of Public Works or outside consultant report on any endangered species that use and or make North Mill Pond home at some point in their life or migrate to breed at the North Mill Pond.
14. Fireworks Display – **On a unanimous roll call 9-0, voted** to have City Manager Conard report back at the May 17, 2021 City Council meeting and have the City Council vote to endorse and approve the fireworks display we have annually on July 3rd in celebration of The Fourth of July with appropriate rain date of July 5, 2021.
15. Wellness Reward – **On a unanimous roll call 9-0, voted** to approve and accept the reward of \$150.00 from HealthTrust.
16. Approval of Grants – **On a unanimous roll call 9-0, voted** to accept and approve the grants and donation as presented.
 - Acceptance of Grant from the NH Department of Safety for Night Vision Equipment - \$15,392.26 (**Sample motion – move to approve and accept the grant for the Police Department from the NH Department of Safety in the amount of \$15,392.26 as presented**)

- Acceptance of Grant from the NH Department of Justice for expenses incurred and service provided for direct victim services – \$24,759.00 (**Sample motion – move to approve and accept the pending grant funds for the Police Department from the NH Department of Justice in the amount of \$24,759.00 as presented**)
 - Acceptance of Donation of Two Animal Carriers from Port City Veterinary Referral Hospital for the Police Department (**Sample motion – move to approve and accept the donation of two animal carriers for the Police Department and Animal Control Officer**)
17. Portsmouth Waterfront, LLC's Temporary Construction License Request for 10 State Street - **On a unanimous roll call 9-0, voted** that the City Manager be authorized to execute and accept the temporary construction license regarding 10 State Street as submitted.
 18. Chevrolet Avenue Sidewalk Easements – **On a unanimous roll call 9-0, voted** to authorize the City Manager to convey and acquire interests in land necessary to construct a sidewalk in substantially similar form to the sidewalk depicted on the attached construction plan in the City Council packet.

Councilor Lazenby requested a report back from Public Works Director Rice regarding the installation of sidewalks in Elwyn Park leading to Dondero School.
 19. Request to Schedule Public Hearing Regarding Indigenous Peoples' Day – **On a unanimous roll call 9-0, voted** to schedule a public hearing at the May 17, 2021 City Council meeting.
 20. One-Year Extension of Operating and Lease Agreement with SIPP – **On a unanimous roll call 9-0, voted** to authorize the City Manager to enter into the one-year extension of the agreement between the City and SIPP as presented.
 21. Consent Agenda – **On a unanimous roll call 9-0, voted** to adopt the Consent Agenda.
 - A. Letter from Monte Bohanan, Portsmouth Halloween Parade, requesting permission to hold the Halloween Parade on Sunday, October 31, 2021 at 7:00 p.m. (**Sample motion – move to refer to the City Manager with Authority to Act**)
 22. Email Correspondence – **On a unanimous roll call 9-0, voted** to accept and place on file.
 23. Requests of Restoration of Involuntary Merged Lots – **On a unanimous roll call 9-0, voted** to refer to the Planning Board and City Assessor for report back.

- Request of Restoration of Involuntary Merged Lot – 635 Lincoln Avenue
(Sample motion – move to refer to the Planning Board and City Assessor for report back)
 - Request of Restoration of Involuntarily Merged Lots – 344 Aldrich Road
(Sample motion – move to refer to the Planning Board and City Assessor for report back)
24. Vaccination Update from Fire Chief Todd Germain – No action required.
 25. Anticipated Non-Public Session regarding RSA – 91-A:3 II (d) – Consideration of the Acquisition, Sale or Lease of Real or Personal Property – **On a unanimous roll call 9-0, voted** to enter into Non-Public Session in accordance with RSA – 91-A:3 II (d).
 26. Adjournment of Non-Public Session – **At 9:00 p.m., on a unanimous roll call 9-0, voted** to adjourn the Non-Public Session.
 27. Non-Public Session Minutes – **On a unanimous roll call 9-0, voted** to seal the minutes of the Non-Public Session.
 28. Adjournment – **At 9:05 p.m., on a unanimous roll call 9-0, voted** to adjourn.

Respectfully submitted by:

Kelli L. Barnaby, MMC/CNHMC
City Clerk