

TO: KAREN CONARD, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL MEETING OF JANUARY 25, 2021 THAT WAS HELD BY ZOOM AND ATTENDED AT EACH INDIVIDUAL CITY COUNCILOR'S HOME, 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. Non-Public Sessions Minutes – January 25, 2021 – **On a unanimous roll call 9-0, voted** to seal the minutes of the January 25, 2021 Non-Public Sessions.
2. Mayor Becksted recited that this is a Remote Meeting via Zoom Conference Call. Per NH RSA 91-A:2 III (b) the Chair has declared COVID-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 2020-24 and Emergency Order #12, Section 3. Members will be participating remotely and will identify their location and any person present with them at that location. All votes will be by roll call.
3. Acceptance of Minutes – January 11, 2021 – **On a unanimous roll call 9-0, voted** to approve and accept the minutes of the January 11, 2021 City Council meeting with changes.
4. Public Comment Session – There were 4 speakers: Josh Denton (Middle Street Bike Lanes & Reopen Portsmouth 2021); Andrew Bagley (Reopen Portsmouth 2021); Marie Bodi & Massimo Morgia (McNabb Project on Penhallow Street).
5. **On a unanimous roll call 9-0, voted** to suspend the rules to take up Items XV. A.1. – Approval of Working Agreement between the Police Commission and Police Chief Mark Newport; XVII. B. - Presentation by Fire Chief Germain on COVID-19 Vaccinations; and XVII. D. – Presentation Regarding Middle Street Bike Lane Review.
6. Approval of Working Agreement between the Police Commission and Police Chief Mark Newport – **On a unanimous roll call 9-0, voted** to ratify the agreement as presented with Chief of Police, Mark Newport.
7. Presentation by Fire Chief Germain on COVID-19 Vaccinations – Fire Chief Germain provided an update on the vaccination process and working to target the most vulnerable and at risk to the virus. He reported that vaccination PODS are currently located in Dover and Exeter and he is working to have a location here in Portsmouth.
8. Presentation Regarding Middle Street Bike Lane Review – Jeremy Chrzan, Toole Design – Jeremy Chrzan presented his review of the Middle Street Bike Lane. Bill Watson, NH DOT provided input relative to the Middle Street Bike Lane.

9. Appointments to Portsmouth Arts and Non-Profit Blue Ribbon Committee – Mayor Becksted announced that he is appointing Beth Falconer and Kathy Somssich to the Arts and Non-Profit Blue Ribbon Committee.
10. Appointments to the Mayor’s Blue Ribbon African Burying Ground Stewardship Committee – Mayor Becksted announced he is appointing Ronald Baisden as a regular member and JerriAnne Boggis and Kathleen Wheeler as ex-officio’s to the Committee.
11. Resignation – Adam Webster from the Conservation Commission – Mayor Becksted announced that Adam Webster has resigned from the Conservation Commission.
12. Request for First Reading on Ordinance Re: Land Use Regulatory Board Appointments Process – **On a roll call 8-1, voted** to bring back ordinance for first reading at the February 8, 2021 City Council meeting. Mayor Becksted, Councilors McEachern, Whelan, Kennedy, Huda, Tabor, Trace and Assistant Mayor Splaine voted in favor. Councilor Lazenby voted opposed.
13. Auditing Firm for the FY21 City Financial Audits – **On a roll call 8-1, voted** that the City Manager set up an RFP to engage a new auditing firm for the FY21 City Financial Audits.
14. Middle Street Bike Lanes – No action taken.
15. Initial CIP Review Meeting – **On a unanimous roll call 9-0, voted** for a report back from the City Manager to the residents and the Council on the status of all outstanding bonds related to Capital Improvement Plan including the following data:
 - *Date the Bond was Approved by the Council*
 - *Date of the Bond Issuance, Amount & Term of the Bond*
 - *List of Bonds Approved by the City Council that are Unissued as of 12/31/2020*
 - *List of the Projects that the Bond is providing Funds to Implement (If included in a pooling of projects, please note projects included by amount)*
 - *Status to Completion of each Project (I.E. % Complete, 25%, 95%)*
 - *Remaining Balance Attributed to each Project at 12/31/2020*
16. Request for Public Hearings Regarding Elderly and Disabled Exemptions – **On a roll call 8-0, voted** to schedule public hearings at the February 8, 2021 City Council meeting. *Assistant Mayor Splaine excused himself from discussion and vote due to being eligible for the elderly exemption.*
17. Request for Work Session Regarding Prescott Park Master Plan Implementation – **On a unanimous roll call 9-0, voted** to establish a Prescott Park Master Plan Implementation work session on February 16, 2021 at 6:30 p.m.
18. **On a unanimous roll call 9-0, voted** to suspend the rules to allow Marie Bodi and Lynn Kramer to speak regarding 60 Penhallow Street Request for Temporary Construction License.

19. 60 Penhallow Street (Brick Market) Request for Temporary Construction Licenses (Tabled from the January 11, 2021 City Council meeting) – **On a unanimous roll call 9-0, voted** that the City Manager be authorized to execute and accept the temporary construction license for the parking spaces and sidewalks as requested.
20. Request for First Reading to Update Fine Structure for Parking Citations – **On a roll call 8-1, voted** to schedule first reading on the proposed amendments to the parking citation fine structure at the February 8, 2021 City Council meeting. Councilors McEachern, Whelan, Lazenby, Kennedy, Huda, Tabor, Trace and Mayor Becksted voted in favor. Assistant Mayor Splaine voted opposed.
21. Request to Name Private Subdivision Road Located Off Banfield Road – **On a roll call 8-1, voted** that the City Council approve the request for naming of the new private road to Walford Lane. Councilors McEachern, Whelan, Lazenby, Kennedy, Huda, Tabor, Trace and Mayor Becksted voted in favor. Assistant Mayor Splaine voted opposed.
22. Donor Town Education Fund Coalition Communities 2.0 – **On a roll call 8-0, voted** to authorize the City to participate in the newly formed Coalition Communities 2.0, and to authorize the City Manager to negotiate and execute a MOU with the Coalition Communities 2.0 on behalf of the City in a form similar to the attached; and further that the City Council authorize that the City's previous contributions to the Claremont Coalition Fund a/k/a Statewide Property Tax Coalition Fund may be used by the Coalition Communities 2.0 to educate and advocate against any education funding formula that would use the property tax to create a donor town funding model. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Huda, Tabor, Trace and Mayor Becksted voted in favor. *Councilor Kennedy recused from voting on this matter.*
23. **On a unanimous roll call 9-0, voted** to continue the meeting beyond 10:30 p.m.
24. Consent Agenda – Councilor Kennedy requested to remove Item XVI. E. – Letter from Rich Clyborne, The Gundalow Company, requesting permission to hold the 11th annual Round Island Regatta on Saturday, August 7, 2021 from the Consent Agenda.
- A. Request for License to Install a Projecting Sign for owner Sarah DiCecca, Wild Valentine, LLC for property located at 261 South Street (***Anticipated action - move to approve the aforementioned Projecting Sign Licenses as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreement for this request***)

Planning Director's Stipulations

- ***The license shall be approved by the Legal Department as to content and form;***
- ***Any removal or relocation of projecting sign, for any reason, shall be done at no cost to the City; and***

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

- B. Request for License to Install a Projecting Sign for owner Derrick Horton, Free State Bitcoin Shoppe for property located at 2 Bow Street (***Anticipated action - move to approve the aforementioned Projecting Sign Licenses as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreement for this request***)

Planning Director's Stipulations

- ***The license shall be approved by the Legal Department as to content and form;***
 - ***Any removal or relocation of projecting sign, for any reason, shall be done at no cost to the City; and***
 - ***Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works***
- C. Letter from Kathie Lynch, Portsmouth Little League, Inc., requesting permission to Place Temporary Signs at the Plains and Hislop Park Baseball Fields during the 2021 Baseball Season (***Anticipated action – move to refer to the City Manager with Authority to Act***)
- D. Letter from Maria Stephanou, Alzheimer's Association, requesting permission to hold the 2021 Annual Seacoast Walk to End Alzheimer's on Sunday, September 26, 2021 (***Anticipated action – move to refer to the City Manager with Authority to Act***)

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

25. Letter from Rich Clyborne, The Gundalow Company, requesting permission to hold the 11th annual Round Island Regatta on Saturday, August 7, 2021 – On a roll call 8-0, voted to refer to the City Manager with Authority to Act. Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Huda, Tabor, Trace and Mayor Becksted voted in favor. *Councilor Kennedy recused from voting on this matter.*
26. Email Correspondence – On a unanimous roll call 9-0, voted to accept and place on file.
27. Update on the Mayor's Blue Ribbon Committee to Reopen Portsmouth 2021 to include Work Plan for 2021 as Requested at the December 14, 2020 City Council meeting – Mayor Becksted announced there will be no action on this matter this evening.

28. Letter from Economic Development Commission Regarding Portsmouth Arts and Culture Outreach and Advocacy – **On a unanimous roll call 9-0, voted** to accept and place the letter on file.
29. City Manager's Informational Items - Report Back on the state of Broadband Internet Access in City as Requested by Councilor McEachern at the January 11th Council meeting – No action taken.
30. Report Back on Letter from Thomas Morgan Regarding Solar Farms – **On a unanimous roll call 9-0, voted** to refer this matter to the Sustainable Practices Blue Ribbon Committee for a report back to the City Council.
31. Miscellaneous Business Including Business Remaining Unfinished at Previous Meeting – Assistant Mayor Splaine requested a report back from City Attorney Sullivan on the amount of liability insurance being required by the City for outdoor dining establishments serving alcohol.
32. Adjournment – **At 10:55 p.m., on a unanimous roll call 9-0, voted** to adjourn.

Respectfully submitted by:
Kelli L. Barnaby, MMC, CNHMC – City Clerk