

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, MARCH 15, 2021

PORTSMOUTH, NH
TIME: 6:30PM [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_CO25VeQ4Qw-OSruPEWVLCg

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.

This meeting was continued from the March 8, 2021 meeting which was not completed.

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 6:30 p.m. Mayor Becksted called the meeting to order.

IV. ROLL CALL

PRESENT: Mayor Becksted, Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Kennedy (6:50 p.m.); Huda, Tabor and Trace

V. INVOCATION

Mayor Becksted asked for a moment of silent prayers.

VI. PLEDGE OF ALLEGIANCE

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

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

Public Hearing Reconvened – Capital Improvement Plan (CIP):

A. CAPITAL IMPROVEMENT PLAN (CIP) FY 2022-2027

Councilor Huda spoke regarding what capital is in accordance with the CAFR. She asked about the placement of some items in the CIP and spoke to various projects. Discussion centered on improvements that are necessary in City Hall.

Councilor Tabor spoke regarding funding for a new police station. Public Works Director Rice said \$2.8 million is for the final design and a site needs to be selected first. Police Chief Newport spoke to the space needs design that was done which would plan for the future needs of the department. He said a study is being conducted on sites available, and once identified a number could be put in its place. He stated the number this year is for identification purposes for future years. Councilor Kennedy said she finds the figure to be quite high for a study. Chief Newport stated it is for a design.

Councilor Huda asked what is the realistic time frame for getting the project completed. Public Works Director Rice said design, purchase of land, and construction could take three years. He also indicated that the cost of the project at this point is conservative.

Police Chief Newport said we have requests for \$42 million and the City Council needs to have a serious discussion on what they're planning to do for the future. He spoke to current upgrades needed to the building which is estimated to be \$400,000.00. He said they need a new facility currently but are at a minimum of three years out to move to another facility. Councilor Kennedy said we need to look at what point does the City Council have a public conversation on a new facility and also what the public would like to see for a safety hub.

Discussion followed on the cost relating to the Pease Wastewater Facility. Public Works Director Rice said upgrades are needed to address the needs of the facility. Councilor Whelan asked if Lonza will help pay the \$12 million for the upgrades needed. City Engineer Desmarais said that is a separate discussion. Councilor Trace asked City Engineer Desmarais if we need to increase the size of the facility due to Lonza. City Engineer Desmarais said yes, and that we are looking long term for the facility.

Councilor Trace asked about the Mechanic Street pump station. City Engineer Desmarais said the goal was to upgrade the station at a total of \$10 million but the costs are more like \$15 million. He further stated we are trying to extend the life span of the building for another 10 years.

Councilor Huda asked about Hanover parking improvements. Public Works Director Rice said funds need to be authorized to bid the entire project and award the contract. Mayor Becksted said he would not like to see construction begin until after Columbus Day.

Discussion followed regarding funding for the McIntyre. Councilor Lazenby spoke regarding redevelopment costs for the McIntyre but there are no costs or place holder for those and asked why they are not in the CIP. Councilor Whelan said we are under threat of litigation and we do not know what that number is but placing a number in there is not a productive exercise for the City or project.

Councilor Kennedy said she would like to remove the funding for the way finding system. She also asked for a list of where we are in sidewalk improvements. She stated she would like a timeline for when sidewalks would be repaired which would show that everyone is getting the same attention paid to their neighborhoods.

Councilor Trace advised Public Works Director Rice that she would make a motion to bring the Islington Street Improvement for Phase II forward.

Councilor Kennedy asked for the City Council to send the list of projects by title they would like to move out of the plan. Councilor McEachern asked that the list be shared with the City Council as a file to read through and make any changes that are necessary.

Mayor Becksted read the legal notice, declared the public hearing open and called for speakers.

Mark Brighton said never has he seen a Capital Improvement Plan reviewed like this. He thanked Councilors Huda and Kennedy for bringing the funding request down and that this process has been transparent.

Erik Anderson also thanked Councilors Huda and Kennedy for breaking down the CIP and working on the best policy for planning for the City. He said there are some issues he sees with a great portion of the CIP having projects that would require bonding. He stated he would like to see a policy and procedure created for the oversight of bonding.

Andrew Bagley said he would like to see the Islington Street project funding move forward into FY22. He asked that the list of projects be publicized on the website. He also indicated he would like a place holder put into the CIP for the McIntyre project.

Craig Welch, Portsmouth Housing Authority Executive Director, said the staff is outstanding and the presentation was impressive. He said the City is very lucky to have this staff. He addressed the Court Street project for a pedestrian park improvements that are needed.

Robin Husslage said she would like the Islington Street project moved up for funding in FY22.

Councilor Kennedy moved to continue the public hearing to Monday, March 22, 2021. Seconded by Councilor Huda.

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

Councilor Kennedy moved to suspend the rules to take up Item XIII. B.1. – Upgrade the Greenleaf Skateboard Park. Seconded by Assistant Mayor Splaine.

Councilor Kennedy said we need suggestions from the Recreation Board a location for a skateboard park and what it should look like. She asked that this be brought before the Recreation Board before the April 5, 2021 meeting.

Councilor McEachern said the Recreation Board could have a report back to the City Council by the April 5, 2021 meeting.

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

- B. Third and Final Reading of Ordinance amending Chapter 1, Article III, Section 1.310 – Zoning Board of Adjustment and Article IV, Section 1.404 – Historic District Commission

Councilor Kennedy moved to pass third and final reading. 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.

XII. MAYOR BECKSTED

- 1. Appointment of Renee Giffroy to the Arts & Non-Profit Blue Ribbon Committee

Mayor Becksted announced the appointment of Renee Giffroy to the Arts & Non-Profit Blue Ribbon Committee.

- 5. Adoption of City Council Principles for Legislative Positions

Mayor Becksted said these are principle guidelines that he is asking for approval by the City Council.

Councilor McEachern moved to adopt the Principles for Legislative Positions. Seconded by Assistant Mayor Splaine.

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

XIII. CITY COUNCIL MEMBERS

A. COUNCILOR McEACHERN

- 1. Identification of City owned lands that could serve as spots for affordable housing

Councilor McEachern moved to request the City Manager report back on potential sites for affordable housing while consulting with relevant stakeholders such as Portsmouth Housing Authority at the City Manager's discretion. Seconded by Assistant Mayor Splaine.

Councilor McEachern spoke regarding the 600 wait list for affordable housing in the City. He said he would like suitable locations identified with a report back by the City Manager.

Assistant Mayor Splaine said he supports the motion and the need for affordable housing. He said he could see the former State Street Saloon property on State Street being micro-housing. He said we need to look at this issue of affordable housing with the Housing Authority.

Councilor Kennedy asked what affordable housing is defined as. Councilor McEachern said it is 60% of median income but we maybe need more discussion on this matter.

Councilor McEachern removed the word “affordable” from his motion. Assistant Mayor Splaine agreed as the second to the motion.

On a unanimous roll call vote 9-0, motion passed as follows: moved to request the City Manager report back on potential sites for housing while consulting with relevant stakeholders such as Portsmouth Housing Authority at the City Manager’s discretion.

2. Pickleball Courts

Councilor McEachern moved to request the City Manager work with City staff to convert two tennis courts at South Playground to Pickle ball Courts. Seconded by Assistant Mayor Splaine.

Councilor McEachern said there is a need for pickle ball courts. He stated he has spoken with the tennis coaches and would like the City Manager to work with both coaches to create pickle ball courts.

Councilor Kennedy said she understand the need for pickle ball courts but would like to see Councilor McEachern have this conversation with everyone before bringing the motion forward. She said we need to speak with individuals before voting on this motion.

Assistant Mayor Splaine asked City Manager Conard how she would go about this and what she thinks of the motion and moving this matter forward. City Manager Conard she appreciates this matter being forward and she would work with the Recreation Board to bring the matter back with a recommendation. She stated that a comprehensive decision would need to be made on the endeavor to do this as soon as possible.

Councilor Huda asked how to structure this to have the public views heard regarding this matter.

Councilor McEachern said this was brought to the Recreation Board many months ago and he brought this matter forward at the last City Council meeting. He addressed his conversation with the tennis coaches on this matter and how it would impact the ability to hold tennis tournaments because they would need 6 courts. He said he would like to solve the issue holistically before summer.

Councilor Whelan said he will support Councilor McEachern motion to have the City Manager and the new Recreation Director to solve the matter and report back.

Councilor Tabor asked do we need to have both tennis and pickle ball courts. He said the need is 6 courts for a tournament and staff will study how to make the Portsmouth High School a place for tournaments.

Councilor Lazenby said he would like to know the impact before acting on this issue.

Mayor Becksted said he would support the motion but have the tennis courts open for tennis players only. He said the combination of Recreation Board and School Department and he advised the Council that the Recreation Board has the number one priority after the School.

Councilor Kennedy said until we get high school courts she is concerned that we will need the courts. She said we need to consider how we get through the tennis season coming up.

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

3. RFP for Public / Private Sports Complex\

Councilor McEachern moved to request the City Manager define an RFP process for Public / Private Sports Complex. Seconded by Assistant Mayor Splaine.

Councilor McEachern said the RFP in his thoughts have to define a public process. He said we just created an athletic field how are we going to make the area into a field. He said an RFP is only as good as defining what we want in an RFP process. He said this is not committing to moving forward on this and an RFP would be non-binding.

Councilor Tabor said we need to consider what the playing surface we want and how many hours do we need for our residents and how does this work with our current facilities.

Councilor Kennedy said the public needs to know when that would have input on this matter. She said the public is confused and maybe we have a public Portsmouth Listens on a sports arena. She said public input is necessary before money is spent.

Councilor McEachern said as part of the report back from the City Manager a date could be defined on how we start the public process. He said we are not signing an agreement with a firm and the public will be very much informed and part of the process.

Councilor Trace said she understands where Councilor McEachern is coming firm and there would be tremendous amount of use all year long. She said this has been going fast and would like to see financials on what it will cost. She said she would like to see Edge's financials as well.

Councilor McEachern said he hears the concerns and when we issue a RFP there would be due diligence around this issue.

Councilor Huda said she supported bring a facility in here but she feels we need to hear from the public before an RFP goes out.

City Manager Conard said we will give staff the direction to define the RFP. She said the Recreation Director will provide input from public and we need to understand the needs of the public before putting an RFP together.

Assistant Mayor Splaine said a skateboard park was proposed in past years. He said people want to have a sport arena and will benefit from this vote this evening.

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

At 9:32 p.m., Mayor Becksted declared a brief recess. A 9:45 p.m., Mayor Becksted called the meeting back to order.

B. COUNCILOR KENNEDY

2. Demolition Committee

Councilor Kennedy moved a report back from the Planning Board, Historic District Commission, and Demolition Committee on how to improve the Demolition Committee. This will include but not be limited to deterrents for the demolition of Portsmouth buildings, fines for misconduct, and public comments at meetings. The expectation would be a report back at the first meeting in May. Seconded by Assistant Mayor Splaine.

Councilor Kennedy said she encouraged the City Council to view the Demolition Committee meeting recently held.

Assistant Mayor Splaine worked with City Attorney Sullivan on creating the Demolition Ordinance. He said the ordinance is a work in progress. He further stated if we can't get a report back by April 5, 2021 we are making the discussion take place currently.

City Manager Conard said most March meetings and April meetings have been noticed. She said if not the April 19, 2021 City Council meeting the first meeting in May.

Councilor Kennedy agreed to the first meeting in May.

Councilor McEachern said we can't take away homes or large property rights. Councilor Lazenby said he supports the motion but rather than incentive the preservation of historical buildings, he encourages preservation.

Councilor Kennedy said she would support adding incentives for preservation of historical buildings. Assistant Mayor Splaine accepted as the second to the motion.

Mayor Becksted said we are trying to strengthen the process and this is the right time to do it.

On a unanimous roll call vote 9-0, motion passed as follows: moved a report back from the Planning Board, Historic District Commission, and Demolition Committee on how to improve the Demolition Committee. This will include but not be limited to deterrents for the demolition of Portsmouth buildings, fines for misconduct, and public comments at meetings. Also, incentive for preservation of historical buildings. The expectation would be a report back at the first meeting in May.

C. COUNCILOR KENNEDY & COUNCILOR HUDA

1. Middle Street Bike Lane

Councilor Huda moved to make modifications to the Middle Street bike lane from Highland Street to the intersection of Lincoln Avenue and Middle Street. This would be completed by moving the cars back to the curb, adding a flashing cross walk sign and crosswalk, and designate Lincoln Avenue as a safe route to schools bike route. This should be completed by April 15, 2021. Seconded by Councilor Kennedy.

Councilor Kennedy moved to amend the motion to include that there will be a study for 6 months in accordance to an email that we received from Mr. Bill Watson with an outcome of at the end of the 6 month period there will be a final discussion and decision between city staff, elected officials, community members and the State Department of Transportation on the final configuration of bike lanes along Middle Street or what other acceptable options will look like. Seconded by Councilor Huda.

Email points provided by Mr. Bill Watson, Department of Transportation:

The Department is open to allowing the City of Portsmouth six months to explore alternative solutions to the current implemented solutions. In this six month time frame, the following would be acceptable to occur:

- *In the six month interim, the City of Portsmouth is allowed to flip-flop the car parking/bike lane back to its original configuration*
- *In this six months, City staff (or a consultant) should be reviewing crash and traffic data to be able to compare to previous data collected.*
- *In this six month period, the City will engage with a consultant to design and hold public meetings to explore and determine if there is a solution that allows for continued safe bicycle route as the original purpose and need of the project.*
- *At the end of the six month period, there will need to be final discussion and decision between City Staff, Elected Officials and the Department as to what the final configuration of bike lanes along Middle Street (or other acceptable options) will look like.*
- *If the final decision is that the current configuration is still appropriate, then the lane configuration will need to be flopped back. If another configuration is chosen, then an acceptable timeframe to implement those changes will be agreed to.*
- *Upon completion of all of these steps, whatever is considered acceptable to the City and State will not require any payback.*

Councilor Kennedy said whatever the process we complete the steps we will not have to pay back funds. She said we can flip the cars back to the curb. She further stated she learned that there is a Safe Routes to School was a grant given K-8th grade and does not go to an elementary school or Portsmouth Middle School. She thanked City Manager Conard and Mayor Becksted for meeting with Mr. Watson to give us other options.

Councilor McEachern said reading through the email now this would have been more helpful earlier. He said have this available to us we need a more broad discussion on this.

Councilor Tabor said we learned a great deal in a short period of time and the State would support moving the cars for 6 months and that if data is supportive it could continue.

Councilor Tabor moved to create a citizens task force to work with Planning staff and a traffic consultant to make Middle Street a true multi-modal boulevard that works for everyone and enhances the City and the recommendations would be due in six months. Seconded by Assistant Mayor Splaine.

Councilor Tabor spoke to the make-up of the task force.

Councilor Lazenby said we have significant relative correspondence. He supports Councilor Tabor and has concerns with Councilor Huda and Councilor Kennedy's motions. He said we need to let them all see the new information. He feels we should table until next Monday and have the email from Mr. Watson be part of the packet.

Assistant Mayor Splaine said no matter what the State tells us that is important to us but more important for the safety involved. He said people will continue to use Middle Street for biking with a protective lane that has cars on one side of the curb and parking for protectiveness is important. He said Councilor Lazenby has a point and we should not vote on this matter this evening. He asked for a recommendation from the City Manager or City Attorney on what the City Council should do.

Mayor Becksted said he spoke with Bill Watson, NH DOT and they understand what are concerns were. He sent the link to March 15th meeting last year it was overwhelming that people were affected by the outcome of the lane and we effected their lives and turned things upside down. He said the DOT can do this at no cost to the City. He believes we can do this and wants to put this to rest. He said we need to start back from the beginning and get something that works for everyone.

Councilor McEachern said Mayor Becksted is right the feeling was against the bike lanes. He said all of SABR spoke in defense of the bike lanes. He said the debris in the lanes makes it difficult to travel. He stated he can't vote for something that may be consider less safe. He does not know if tis will solve it. He would like to see the bike lanes approved.

Councilor Huda said she works for all the residents of the City. She said lets go back and look at what the bike lane was supposed to be.

Councilor Whelan said he support what Mayor Becksted said. He said he watched the meeting of March 15, 2020. He said we are talking about 19 cars on Middle Street. We are fighting over a protective bike lane for 19 cars and there are other better things to focus on. He said this was a poorly designed project and it is time to move on.

Councilor Tabor withdrew his motion. Assistant Mayor Splaine withdrew the second to the motion.

City Manager Conard said we may not be able to get the work for the bike lanes done by April 15th but we will do the best we can to get the work completed.

On a roll call vote 5-4, amendment to the motion passed. Councilors Whelan, Kennedy, Huda, Trace and Mayor Becksted voted in favor. Assistant Mayor Splaine, Councilors McEachern, Lazenby and Tabor voted opposed.

On a roll call 5-4, main motion passed as amended. Councilors Whelan, Kennedy, Huda, Trace and Mayor Becksted voted in favor. Assistant Mayor Splaine, Councilors McEachern, Lazenby and Tabor voted opposed.

Councilor Kennedy moved to suspend the rules in order to continue the meeting beyond 10:30 p.m. 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.

D. COUNCILOR HUDA

1. Capital Improvement Plan & Associated Bonding Process

Councilor Huda moved that the City Manager provide an update to the bonds issued and authorized un-issued report previously provided that identifies the CIP Projects listed under the description of:

- ***Bi-Annual Street Paving***
- ***Bi-Annual Sidewalk Improvements***
- ***School Building Improvements***
- ***Elementary School Improvements***
- ***Citywide Bridges***
- ***Citywide Bridge Improvements***
- ***Citywide Building Improvements***
- ***Annual Waterline Replacements***
- ***Annual Sewer Line Replacements***
- ***Pumping Station Upgrades***

I am requesting this level of transparency to help the residents/taxpayers see the projects that affect their streets, neighborhoods, and schools, which their tax dollars are funding thru the general fund or bonding.

Also to bring more transparency to the process by which project construction timing is prioritized or adjusted then funded for the Capital Improvement Plan.

These requests are being made in response to taxpayer questions on:

- ***Islington Street Construction***
- ***Elwyn Road Sidewalks***
- ***Peeverly Hill Sidewalks***
- ***Sound Barrier Wall Construction Off I-95***
- ***Middle Road & Route 33 Safety Updates***
- ***Maplewood Bridge Construction***

Seconded by Councilor Kennedy.

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.

XIV. APPROVAL OF GRANTS/DONATIONS

- A. Donation of Bike Service Station from Seacoast Area Bicycle Riders (SABR)

Councilor McEachern moved to accept the donation from SABR of a bike service station valued in the amount of approximately \$1,234.00. Seconded by Councilor Tabor.

Councilor Huda moved to table for more information on where the station will be placed, who would provide the land, and who would the station belong to. Seconded by Councilor Kennedy.

City Manager Conard said the station would be located in Market Square, we would not have cost to maintain the station and it would belong to the taxpayers.

Public Works Director Rice said we had a similar station in Market Square and was there for quite some time. He said this would be a great opportunity for residents to use.

Councilor Huda said she would like to receive public input on this matter.

Councilor McEachern said it would not take up too much space and we should not table a grant or donation to the City that is not the message we want to send.

Councilor Huda withdrew her motion and Councilor Kennedy the second to the motion.

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

XV. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Building Permit Fee Waiver for the South Church

City Manager Conard spoke briefly to the request of the South Church to waive the building permit fee for improvements to the building.

Councilor Kennedy moved to waive the building permit fee for the South Church, as presented. Seconded by Councilor McEachern.

Councilor Trace thanked the South Church for replacing the roof in-kind with a slate roof.

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

2. Request to Schedule a Work Session Regarding Peirce Island Master Plan

City Manager Conard requested a date be established for the Peirce Island Master Plan work session.

Councilor Kennedy moved to schedule a Peirce Island Master Plan work session at 6:00 p.m. on April 19, 2021. Seconded by Councilor Trace.

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

3. Request to Schedule Public Hearing for Refunding (Refinancing) a Callable Bond

Councilor McEachern moved to establish a Special City Council meeting and public hearing on Wednesday, March 24, 2021 at 6:00 p.m. for a Refunding Bond Resolution of up to Seven Million Dollars (\$7,000,000.00), to refund the remaining portion of the aforementioned callable bond and all related costs. Seconded by Assistant Mayor Splaine.

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

4. 46 Maplewood Avenue Revised Public Access Easement

City Manager Conard reported this was a condition of the Conditional Use Permit to allow for an increase in building height.

Councilor McEachern moved to grant authority for the City Manager to negotiate, execute, accept and record the pedestrian access easement and partial release of easement with plans and other related documents in a form similar to those attached in the City Manager's comments dated March 4, 2021. Seconded by Assistant Mayor Splaine.

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

5. 145 Maplewood Avenue Request for Extension of Temporary Construction License

City Manager Conard reported the Council approved temporary construction licenses to encumber the sidewalks and parking spaces on Raynes Avenue, Vaughan Street and Maplewood Avenue through December. She further stated that at the January 11, 2021 Council meeting, the Council granted requests to extend licenses for use of those areas to March 15, 2021. She advised the Council to date, the City has received \$94,006.70 in license fees for use of these areas.

Councilor Huda asked if this would affect the reopening of 3S Art Space. Planning Director Walker stated it would have no impact on 3S Art Space.

Councilor McEachern moved that the City Manager be authorized to execute and accept the temporary construction license regarding 145 Maplewood Avenue as submitted. Seconded by Assistant Mayor Splaine.

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

6. Proposed Longmeadow Road Extension Project

City Manager Conard reported on the study on the extension to facilitate traffic on Lang Road and Route 1. She spoke to the relocating of a drainage easement from Lot 1, which would have contained a retention pond, to the adjacent Lot 1-1. She stated a retention pond will no longer be a part of this project, and runoff from the road will drain through the adjacent drainage easement maintained by the State of New Hampshire. She spoke to the eight separate conveyances from Service Federal Credit Union and the need to authorize her to negotiate, execute, deliver and record deeds and easements.

Councilor McEachern moved that the City Manager be authorized to negotiate, execute, deliver and record deeds and easements in a form substantially similar to those attached in the City Manager's memorandum dated March 4, 2021 to complete the extension of Longmeadow Road. Seconded by Assistant Mayor Splaine.

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

7. Patricia Drive Release of City Interest and Renaming of Private Road

City Manager Conard reported this is part of a proposed subdivision plan and the road will be improved for access to the parcels. She advised the City Council the Planning Board has granted subdivision approval and recommended approval of renaming the road Hemlock Way.

Councilor McEachern moved to approve the conveyance by release deed of ownership of 7,860 square feet of roadway as shown on the Plan labeled “Proposed Subdivision Plan: Tax Map 283 Lot 11” dated February 10, 2021, and to approve renaming the private road to Hemlock Way. Seconded by Assistant Mayor Splaine.

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

XVI. CONSENT AGENDA

- A. Request for License to Install a Projecting Sign for owner Melissa Pitcher, Max Charles, LLC for property located at 168 Fleet 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. Letter from Fred Petrone, I Got Bridged, requesting permission to hold a Walk-A-Thon for the charity “I GOT BRIDGED” on Sunday, September 26, 2021 or Sunday, October 3, 2021 at 10:00 a.m. ***(Anticipated action – move to refer to the City Manager with Authority to Act)***

- C. Letter from Barbara Massar, Pro Portsmouth, Inc., updated programming events:
- Children’s Day – Sunday, May 2, 2021; cancelled
 - 44th Annual Market Square Day Festival & 10k Road Race – Saturday, June 12, 2021; re-scheduled to Saturday, September 18, 2021
 - 18th Annual Summer in the Street – Originally planned for Saturday evenings – July 10th, 17th, 24th and 31st; TBD
- (Anticipated action – move to refer to the City Manager with Authority to Act)***

Councilor Kennedy moved to adopt the Consent Agenda and refer to City Manager with Authority to Act. Seconded by Councilor Whelan.

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

XVII. PRESENTATIONS & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

A. Email Correspondence

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

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

XVIII. CITY MANAGER'S INFORMATIONAL ITEMS

2. Report Back on Proposed Modifications to the Middle Street Bike Lanes

Councilor Lazenby moved to implement the recommendations from Toole Design along with changes to Middle Street up to the amount of \$1,400.00 that the City said it would cost. Seconded by Assistant Mayor Splaine.

Councilor Kennedy said the 6 month plan is to look at the plan. She said she would vote no until the 6 months are up and then there might be changes to the plan.

Councilor McEachern said part of the plan that are not obsolete we should move forward with make the bike lanes safer.

Councilor Huda said she does not want to change anything at this time.

On a roll call vote 4-5, motion failed to pass. Assistant Mayor Splaine, Councilors McEachern, Lazenby and Tabor voted in favor. Councilors Whelan, Kennedy, Huda, Trace and Mayor Becksted voted opposed.

XIX. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

Councilor Kennedy moved to hold the first meeting of the City Council in April back into the Council Chambers. Seconded by Councilor Huda.

Councilor Kennedy said it is time to move back into the Chambers.

Councilor Trace said we have a City Council of all different ages and she does not feel comfortable moving back into the Chambers without having the vaccine.

Assistant Mayor Splaine said he agrees with Councilor Trace on this matter. He said he has not received his first vaccine but it has been scheduled for March 17th. He said he wants to make sure that we are safe. He said we need to follow the direction of our Health Officer.

Councilor Kennedy withdrew her motion and Councilor Huda withdrew her second to the motion.

City Manager Conard said we have a plan in place and let's wait until we see the vaccinated number go up.

Councilor McEachern said we need to be united as a Council when making this decision.

Councilor Huda requested the City Manager to provide an update on reopening and how many restaurants are on line.

Councilor McEachern said the Recreation Board will be meeting on April 23, 2021 at 6:30 p.m. and the skateboard park will be brought forward.

City Manager Conard said 34 applications for outdoor dining have been received with 10 approved to date. She said we are approving as quickly as we can and she would provide an update on Wednesday at 2:00 p.m.

Councilor Whelan said a McIntyre Project Design Presentation by the Principle Group will be held on Thursday and public input would be received.

Assistant Mayor Splaine said the Neighborhood Committee will submit a letter and minutes as informational items at the next City Council meeting.

At 11:20 p.m., Assistant Mayor Splaine moved to adjourn. Seconded by Councilor Kennedy.

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



KELLI L. BARNABY, MMC/CNHMC
CITY CLERK