

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, DECEMBER 20, 2021

PORTSMOUTH, NH
TIME: 6:30PM

At 6:30 p.m., Mayor Becksted introduced Steve Cirillo and the Portsmouth High School Holiday Ensemble that performed several Holiday selections for the City Council.

III. CALL TO ORDER

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

IV. ROLL CALL

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

V. INVOCATION

Chaplain Pelkey provided the Invocation.

VI. PLEDGE OF ALLEGINANCE

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

VII. ACCEPTANCE OF MINUTES – NOVEMBER 4, 2021; NOVEMBER 15, 2021; NOVEMBER 18, 2021 AND DECEMBER 6, 2021

Assistant Mayor Splaine moved to accept and approve the minutes of the November 4, 2021; November 15, 2021; November 18, 2021 and December 6, 2021 minute meetings with the December 6, 2021 minutes being modified to include Councilor Tabor's friendly amendment regarding PFAS testing for the surrounding soil of the field which was accepted by the maker of the motion. Seconded by Councilor Tabor and voted.

Councilor Kennedy moved to suspend the rules in order to take up Item XII. 2. – Announcement of Holiday Lights Contest Winner. Seconded by Councilor Huda and voted.

XII. MAYOR BECKSTED

2. Announcement of Holiday Lights Contest Winners

Mark Syracuse announced the three winners of \$500.00 gift cards for the Holiday Lights Contest: Most Creative (Overall) – Al Bailey; Kid's Choice (Overall) – Heather Pettis; and Best Traditional (Overall) – Tamrah Rouleau. Honorable mentioned were announced by Liam and Ansley: 580 FW Hartford Drive, 33 Madison Street, 80 Pine Street, 960 Maplewood Avenue, 139 South Street, Unit A, 373 Union Street, 485 Ocean Road, 545 FW Hartford Drive, 22 Van Buren Avenue, 68 Osprey Drive, 49 Dennett Street, 774 Middle Street, 760 State Street, Unit 1, 62 Coakley Road and 46 Buckminster Way who will all be receiving \$25.00 gift cards to various businesses.

Mayor Becksted said this was a contest held when former Mayor Ferrini was in office and he brought it back last year, which was well received. He said he hopes that it will be continued by Mayor McEachern.

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

A. Safe Water Advisory Group Presentation

Deputy Public Works Director Goetz and Andrea Amico provided a review of the work by the Group since its inception on October 5, 2020. Ms. Amico spoke to the variety of topics covered by SWAG and the goals that were established. She spoke to various recommendations as outlined in their report dated December 20, 2021. She requested that SWAG be reinstated by the new City Council to continue their work.

B. Mayor's Blue Ribbon Committee on Arts and Non-Profits Presentation

Russ Grazier and Barbara Massar provided a review of the work done by the Committee in 2021. Ms. Massar spoke to the primary goals and recommendations of the Committee. Mr. Grazier and Ms. Massar expressed the need for the city to continue providing funding for the arts and non-profits in the city. Mr. Grazier requested that the Committee be extended by the new City Council for 24 months and a new cultural plan be adopted.

Mayor Becksted said Mayor McEachern and the new Council will need to take the request up in the coming year but he would like this to be made a permanent committee.

C. Portsmouth Energy Advisory Committee Report Presentation

Ben DAntonio and Rebecca O'Brien spoke to the work of the Committee and their recommendation for the city to move forward with community power. Ms. O'Brien requested that the Committee be renewed by the new City Council to align with clean energy for the city. She requested that the new Council begin steps to join the Community Power Coalition of NH and pursue a robust education and public engagement strategy with public meetings, direct mail, multimedia outreach and surveys.

IX. PUBLIC COMMENT SESSION

Katja Becksted thanked Mayor Becksted and the City Council for their service to the city over the last two years. She said she is extremely proud of the work done by Mayor Becksted and his dedication to the city.

Roy Helse spoke regarding the recent internet posting regarding five of the outgoing councilors.

Peter Weeks spoke in support of approving the funding for a skateboard park.

George Dempsey spoke regarding the appointments before the Council this evening under Mayor Becksted and urged the Council to approve them.

Jacqueline Cali-Pitts spoke regarding the importance of working together and thanked the Council for guiding the city through these trying times.

Chris White spoke regarding the formation of the Audit Committee. He said the committee serves independent from the city.

Nancy MacDonald said over the last weekend she received misinformed texts on Mayor Becksted, Councilors Whelan, Kennedy, Huda and Trace. She thanked them for their time and work for the city and acting in the best interest of the City.

Erik Anderson thanked the City Council for their time and dedication of service over the last two years and making the city a better place. He stated that he supports all actions for the Public Hearings and appointments this evening.

Paul Mannle thanked the City Council for honoring the appointments brought forward for the Planning Board. He stated there should be no question regarding moving these appointments forward.

Mark Brighton thanked the City Council for their work over the last two year. He spoke in support of the appointments.

Arthur Clough said the five members of the City Council have had their voice taken away. He thanked the City Council for their work over the last two years.

Peter Somssich said he supports the Energy Advisory Committee and having community power in the State of New Hampshire. He urged the City Council to move forward with community power for the city.

Colby Gamester spoke regarding the Planning Board and the process of serving on the board. He said it has been his pleasure to serve over the last eight years on the board. He addressed the expertise of the current chair of the board and staff.

Genevieve Becksted Muske said the City Council position does not come with financial gain but with a job well done. She stated she is pleased with what the Council accomplished over the last two years. She said the Council needs to approve the appointments before you this evening.

Zelita Morgan asked the City Council to approve the skateboard park funding this evening. She said we need the open space for the kids. She thanked the City Council for their work over the last two years.

Bill Downy thanked the City Council for their service. He spoke to the role of Planning Board members.

Kristen Peterson spoke in support of the skateboard park and asked for its approval this evening. She said the park is needed in this community.

Sue Polidura said the Governor presented a Proclamation to correct the role New Hampshire played in the revolution of 1770's. She read the Proclamation declaring Fort Constitution on December 14th this recognized the legacy of the seacoast. She also thanked the Council for their service over the last two years.

Robin Albert Lehman – spoke on the Mayor's Blue Ribbon Committee on Arts and Non-Profits and the need to continue the work of the committee. She said this committee is an investment in the community.

Robin Husslage thanked the City Council for taking the concerns of residents regarding air quality near the rail yards. She asked if there would be a public meeting regarding the measurements of the quality of air.

Nancy Johnson said she is concerned with not moving forward with funding for a new Police station. She said it might be perfect to be relocated at the Community Campus. She stated she would like to get the project moving forward.

Robin Rousseau said we have great people in the city and spoke regarding the handicapped placards. She thanked the City Council for their work and for those that are moving on and said you all have strong characters. She also thanked the Audit Committee for their work.

Lucia Von Letkemann spoke in support of funding the skateboard park.

Elizabeth Barrett thanked the City Council for their work over the last two years. She asked that no action be taken on the McIntyre this evening. She stated she would like to see the new Council conduct a Charter review and look at our ethics process.

Aaron Jones spoke in support of the skateboard park which would be an excellent addition to the city.

XI. PUBLIC HEARINGS AND VOTE ON ORDINANCE AND/OR RESOLUTIONS

Public Hearings & Adoptions of Resolutions:

- A. RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM UNASSIGNED FUND BALANCE FOR NECESSARY EXPENDITURES RELATED TO CONSTRUCTION OF A SKATEBOARD PARK, RECREATIONAL FIELD AND PUMP TRACK. THE CITY COUNCIL HAS DETERMINED THAT THE SUM OF TWO MILLION TWO HUNDRED THOUSAND (\$2,200,000.00) DOLLARS IS TO BE APPROPRIATED (*Two-Thirds Vote Required*)

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

Dave Cosgrove spoke as a resident, voter and taxpayer. He spoke regarding his difficult childhood and expressed the importance skateboard played for him. He expressed his strong support for approving the funding for a park. He said that this park will be a jewel for the city and provide the much needed community space.

Dave read a statement from Jody Rablaski supporting the funding for a skateboard park and the need for a park for the youth in the community. The letter went on to speak about the loss of many programs due to the pandemic and that there are many youth seeking mental health help and the importance of outdoor activities plays for our youth.

John Flynn spoke in support of the resolution and said the community could benefit from such a park. He said the City Council and Mayor can make this happen and urged its approval.

Ian Coughlin said he has a skate shop in the city and he has been skating for 20 years. He said skating for the youth of our community is needed and will have a positive impact on them.

Vinny Amico asked the City Council to approve the resolution. He said he would like a skateboard park to learn tricks from the older kids and it would mean a lot to him and his friends.

Peter Weeks spoke in support of the resolution and said there are two trusts that the city has which would be available to be used for funding this project. He said the city needs to fund the project.

Bill (inaudible) spoke in support of the resolution and said building a park is a win for the city that everyone will benefit from.

Sue Polidura said she supports the resolution and its approval. She said the former blitz building land could be used for a park. She spoke to the construction of the park taking place right away and that it should be a year round facility.

J. Tallman said a skate park is needed and spoke in support of the funding.

Rich Duddy said 20 years ago he worked diligently to create a skate park. He said we must build this park now and move forward.

Seamus Durkin spoke in support of the skate park and the funding.

James Parkington spoke in support of the construction of a skate park and requested its approval this evening.

Rich Blalock spoke in support of a skate park and adoption of the resolution.

Tom Rooney spoke in support of a skate park and requested the funding be approved this evening.

Steve Detrollo spoke in support of the skate park. He said we need to invest in our infrastructure and that this is an opportunity for an increase in economic development for the city.

Michelle Flynn spoke in support of the funding for a skate park. She thanked the Blue Ribbon Committee for their work and said the city needs a flagship park.

Andrew Bagley spoke in support of the skate park and spoke to the challenges children are going through and the need for this to be approved.

Terry Eaton spoke in support of the park. He said that the building of a park needs to happen soon to benefit our young adults.

Elizabeth Barrett spoke in support of the resolution and said she supports the final design. She asked the City Council to properly fund the project and not go after bond premiums. She said something needs to be done immediately to approve the funding as this is more than a skate park it is community space.

Sergio Bonilla spoke in support of the skate park and adequate funding being provided for its construction. He stated this will provide a much needed venue for the community.

Mark Gianniny spoke in support of the skate park and having an adequate location for the facility. He asked the City Council to move quickly on this project.

Kate Swenson Tuttle spoke in support of the skate park project.

William Purcell spoke in support of the skate park and asked that it be approved quickly. He said this facility will provide a place for our youth to go.

Jackie Lucas spoke in support of the park and how it will be an asset to the community. She stated that skateboarding provides a natural outlet and will fill a void created by the loss of the Rye Air Field.

Brian Swindell spoke in support of the skate park and said he still skates today at 30 years old. He said we need to approve the funding and keep our youth on the right path.

Carl Diemer, Recreation Board Chair, thanked Rich Blalock and Rich Duddy for serving on the committee. He said it is time to construct a park and approve the funding.

Amy Mae Court requested the City Council to adopt the resolution because we need this facility constructed now.

After three call and no further speakers, Mayor Becksted closed the public hearing.

Councilor Kennedy moved to adopt the proposed resolution as presented. Seconded by Councilor Huda.

Councilor Kennedy said she has been trying to get a skate park built for over 15 years and now is the time to move this forward. She spoke to the crisis with mental health and the need to do something now. She indicated she would like construction to start in the summer of 2022.

Assistant Mayor Splaine said this was an issue discussed in the 1990's and it needs addressing now. He said we should start the process now and fund it entirely.

Councilor McEachern said he feels confident that this project will be approved and move forward.

Discussion followed regarding the funding for the project.

On a unanimous roll call 9-0, voted to adopt the proposed resolution as presented.

At 9:45 p.m., Mayor Becksted called for a brief recessed. At 9:55 p.m., Mayor Becksted called the meeting back to order.

- B. RESOLUTION APPROPRIATING \$10,000,000.00 TO PAY COSTS OF ACQUIRING THE COMMUNITY CAMPUS FROM THE FOUNDATION FOR SEACOAST HEALTH INCLUDING THE PAYMENT OF COSTS INCIDENTAL AND RELATED THERETO. USING VARIOUS REVENUE SOURCES TO INCLUDE A BOND ISSUE, AND OR SOURCES TO INCLUDE \$5,190,000.00 OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS WHICH WERE ACCEPTED BY THE CITY COUNCIL AT ITS MEETING OF JUNE 21, 2021 AS WELL AS A BOND ISSUE AND/OR NOTES OF UP TO \$3,250,000.00 (*Two-Thirds Vote Required*)

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

Carl Diemer spoke in support of the resolution and said the Recreation Board voted to support the resolution. He spoke to a new needs assessment which will be done in June. He thanked the City Council and City Manager for the support for the pickle ball courts and renovations, it was money well spent.

Adam Kolwaski, Edge Sports, spoke in support of the funding and said it would be a great location for a sports complex. He said an ice arena is needed in the community and would be cost beneficial.

John Pendleton comments read by Adam expressed support of an ice arena for the community. It would be an asset to the community and its youth. The letter spoke to Mr. Pendleton's support of bonding for the land and moving the resolution forward.

Matthew Westor said there are no indoor facilities for softball and we need an indoor arena for such sports. He said that most Portsmouth teams need to travel to other communities in order to play. He said a complex will also have an impact on economic development for the community.

Elizabeth Barrett spoke in support of the resolution and relocating the Lister Academy to the Community Campus facility.

With no further speakers, Mayor Becksted declared the public hearing closed.

Councilor Lazenby moved to adopt the proposed resolution, as presented. Seconded by Assistant Mayor Splaine.

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

- C. RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM UNASSIGNED FUND BALANCE FOR OPERATING EXPENDITURES OF THE COMMUNITY CAMPUS UPON ACQUISITION FOR FISCAL YEAR ENDING IN JUNE 30, 2022. THE CITY COUNCIL HAS DETERMINED THAT THE SUM OF ONE HUNDRED SIXTEEN (\$116,000.00) DOLLARS IS TO BE APPROPRIATED (*Two-Thirds Vote Required*)

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

Carl Diemer thanked the City Council for the vote on Community Campus. As Chair of the Recreation Board he expressed their support and how it will provide many opportunities for them.

After three calls and no further speakers, Mayor Becksted declared the public hearing closed.

Councilor Kennedy moved to adopt the proposed resolution in the amount of \$116,000.00 as presented. Seconded by Councilor Huda.

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

Third and Final Reading of Ordinance:

- D. Third and Final Reading of Ordinance amending Chapter 1, Article IV – Commissions and Authorities, Adding Section 1.415 Cemetery Committee

Councilor Kennedy moved to adopt the third and final reading of the proposed amendments as presented. Seconded by Assistant Mayor Splaine.

Councilor Kennedy thanked everyone from the cemetery committee and spoke to Mayor Elect McEachern supporting these appointments.

Councilor McEachern said he supports the committee and is pleased the City Council is willing to continue their work. He said we will keep it as a Mayor's Blue Ribbon Committee for the first week of January until the committee becomes permanent.

Motion passed.

XII. MAYOR BECKSTED

1. Appointments to be Voted:

- Jesse Lynch appointment to the Audit Committee December 20, 2024
- Mika Court appointment as an Alternate to the Conservation Commission until April 1, 2022 (filling unexpired term)
- Andrew Ward appointment to the Economic Development Commission until October 1, 2025
- Jane Begala appointment to the Planning Board until December 31, 2024
- Andrew Samonas appointment as Alternate to the Planning Board until December 31, 2024
- Franco DiRienzo appointment as Alternate to the Planning Board until December 31, 2024
- Thomas Watson reappointment to the Trustees of the Trust Fund until January 1, 2025
- Paul Mannle appointment to the Zoning Board of Adjustment until December 1, 2026

Councilor Kennedy moved to approve all the appointments as presented. Seconded by Councilor Huda.

Councilor McEachern spoke to the events that occurred this weekend via text message. He said it was brought to his attention but he was not on the message thread. He spoke opposed to the situation and said the comments made are beneath the level of discourse. He stated this was not part of the Democratic Party as far as he knows. He said we cannot allow this if we want to have an actively engaged citizenry.

Assistant Mayor Splaine said he has been involved in the City Council for many years and has seen issues come and go. He said people can disagree but you do it in person and as an association with a name linked to it. He feels the text and website were despicable and would like the City Attorney and staff to look into this matter and make sure this doesn't happen again.

Councilor Tabor said he received the text messages and there is no place for that kind of attack. He spoke to the land use board appointments this evening. He said we need to make sure the appointments are on a firm and legal ground.

Mayor Becksted said he worked with the City Attorney and City Clerk on the appointments and he has followed the process to the letter of the law. He said if there was something being done wrong he would have been told that what he was doing was wrong.

City Attorney Sullivan said he believes the Mayor has the authority to make appointments. He spoke to the ordinance regarding the appointment process.

Councilor Tabor asked that the entire City Council consider their vote. He said the Planning Board will now only have one member with institutional knowledge and he feels it is too much too fast. He said he does not believe in changing the face of the board in order to change the zoning.

Councilor McEachern moved to take separately the Planning Board appointments from the overall vote. Seconded by Councilor Lazenby.

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.

Councilor Lazenby said it is important that the public not jump to conclusions on who was responsible for the text this weekend. He said in terms of the appointments he hears that the City Attorney feels these appointments are legal but he feels there are options to do things differently. He feels that this is a large scale of appointments that should be done by the new Council. He said a total of several appointments have been made to land use boards with most being filled after the election.

Councilor Whelan urged the City Council to step up and unanimously approve the appointments being recommended by the Mayor this evening. He said the Mayor has the right to make these appointments.

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

Councilor Kennedy moved to suspend the rules to continue the meeting beyond 10:30 p.m. Seconded by Councilor Huda and voted.

XIII. CITY COUNCIL MEMBERS

A. COUNCILOR WHELAN

1. City Attorney update on the latest Redgate Kane SoBow Square LLC Correspondence and Hearing in Superior Court as of 12/20/21

City Attorney Sullivan reported that the hearing was rescheduled until January 12, 2022 at 10:00 a.m. in Superior Court with an hour allocated for the hearing.

B. COUNCILOR KENNEDY

1. Unseal Non-Public Session Minutes

Councilor Kennedy moved to unseal the meeting and minutes for the last three Non-Public Session minutes regarding McIntyre. Seconded by Councilor Huda.

Councilor Kennedy said there were accusations made and she has tried to stay out of the McIntyre case and was careful not to speak with Councilor Whelan. She stated she learned in the meeting that some comments made were not true. She would like to open the Non-Public Session minutes in order to let the public know the truth.

Councilor Lazenby asked if there are concerns with Redgate/Kane or the Non-Public Session minutes. City Attorney Sullivan said there are litigation comments made and he has concerns and asked that they not be unsealed. He advised the Council that minutes are unsealed when the reason for sealing no longer exist.

Councilor Huda said she supports the motion and there were statements made by City Councilors and the newspaper that were false and she would like City Attorney Sullivan to clarify whether the minutes of the last Non-Public Session were sealed. She asked can the City Council discuss what was discussed in the Non-Public Session if the lawsuit was dropped. City Attorney Sullivan said that Redgate/Kane does not feel the contract was terminated.

Councilor Lazenby moved that the minutes be unsealed to the extent that unsealing the meeting minutes is approved by Attorney Connolly for his review. Seconded by Councilor Tabor.

Councilor Kennedy stated that she was told by City Attorney Sullivan that he has no problem with the content of the minutes.

Councilor McEachern moved to further amend the motion to remove “meeting” from the motion. Motion was accepted by Councilor Lazenby as a friendly amendment.

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

On a roll call 7-2, voted to pass main motion as amended. Assistant Mayor Splaine, Councilors McEachern, Whelan, Kennedy, Tabor, Trace and Mayor Becksted voted in favor. Councilors Lazenby and Huda voted opposed.

C. COUNCILOR HUDA

1. To update the residents & taxpayers that previously budgeted funds have been identified for the December 6th McIntyre Resolutions to cover estimated legal expenses of \$75,000 & estimated Principle Group expense of \$75,000 = total \$150,000

Councilor Huda said many of us have received questions on this issue. No action required on this matter.

2. Update on the Audit Committee

Councilor Huda reported that three to four meetings have been held by the Audit Committee since its inception. She stated that a charge was made and they voted to put forward a RFP that was worked on at the December 15, 2021 meeting. She reported that since the committee discussed this we were informed by city management they would put forth an adjustment to the RFP with all the adjustments taking the Audit Committee out of reporting and putting management back in.

Acting Deputy City Manager/Deputy City Attorney Woodland said the committee keeps choosing dates for meetings when she is not available and staff continues to not agree with the ordinance passed by the City Council. She spoke on the services we receive and stated that staff feels the best thing to do, was to continue with Melanson.

Councilor Kennedy said we are not following our own process. She said Melanson is the firm we have had for 26 years and asked why it was not put out to bid, as it was over \$10,000.00.

City Manager Conard stated we have discretion and the current bid limit is \$18,000.00. She also spoke to our legacy software and stated that we are better having professional services.

Discussion followed regarding the bidding process, purchasing manual and attest services.

E. COUNCILOR TRACE

1. General comment to residents regarding past two years

Councilor Trace thanked the City of Portsmouth for allowing her to sit here for the last two year. She stated class, honesty and respect for one another goes a long way. She said it is far better to question things than to be ignorant. She thanked the staff and City Manager for their work.

XIV. APPROVAL OF GRANTS/DONATIONS

A. Acceptance of Donations to the Portsmouth 400th

- ☞ Michael Skelly - \$50.00
- ☞ Rick Becksted - \$100.00
- ☞ Susan Tober - \$250.00
- ☞ Elizabeth Moreau - \$500.00
- ☞ Jim Pender - \$1,000.00

B. Acceptance of Donations to the Skateboard Park

- Edmunds General Contracting, LLC - \$1,000.00

C. Acceptance of Donation from Ronald and Karen Fitz of a Bench in memory of Dora Orsucci to be placed adjacent to the playground on Peirce Island

Councilor Kennedy moved to approve and accept the donations as presented. Seconded by Councilor Huda and voted.

XV. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

- 1. Approval of 2022 City Council Meeting Calendar
- 2. Sale of Commercial Safe
- 3. Street Naming for 83 Pevelry Hill Road
- 5. Renewal of City's Parking Lot Use and Maintenance Agreement with the St. John's Masonic Association

Councilor Kennedy moved to the City Manager to act. Seconded by Councilor Huda and voted.

- 4. The Foundation for Seacoast Health Purchase of Community Campus Property Located at 100 Campus Drive

Councilor Kennedy moved to negotiate, execute and implement the Purchase and Sale Agreement in substantial conformance with the form attached in the City Council packet. Seconded by Councilor Huda and voted.

XVI. CONSENT AGENDA

- A. Letter from Maria Stephanou, Alzheimer's Association, requesting permission to hold the Annual Seacoast Walk to End Alzheimer's on September 25, 2022 ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- B. Letter from Jennie Halstead, My Breast Cancer Support, requesting permission to hold the 14th Annual Celebrate Pink 5k Walk & Run on September 18, 2022 ***(Anticipated action – move to refer to the City Manager with Authority to Act)***

Assistant Mayor Splaine moved to adopt the Consent Agenda. Seconded by Councilor Kennedy and voted.

XVII. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Email Correspondence
- B. Letter regarding the need for a Taxi Commission

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

- XIX.** Letter from Attorney Kenneth Murphy, Rainboth, Murphy & Lown, PA, regarding Worth Lot Parking Agreement Revision

Councilor Kennedy moved to refer to the Legal Department for report back. Seconded by Councilor Whelan and voted.

- D. Materials from Kristen Mello regarding PFAS

Councilor Kennedy moved to refer these materials to the Safe Water Advisory Group with a report back to City Council. Seconded by Councilor Huda and voted.

XIX. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

Councilor McEachern, on behalf of the City Council, presented City Clerk Barnaby with a Commendation for her service to the City and Council.

Councilor Lazenby moved to seal the Non-Public Session minutes of December 6, 2021 subject to review by Attorney Connolly. Seconded by Councilor Assistant Mayor Splaine.

Councilor Lazenby asked City Attorney Sullivan if it is his advice to seal the minutes. City Attorney Sullivan said that the minutes should be reviewed by Attorney Connolly to make that determination.

On a roll call vote 3-6, motion to seal the Non-Public Session minutes of December 6, 2021 subject to review by Attorney Connolly failed to pass. Assistant Mayor Splaine, Councilors McEachern and Lazenby voted in favor. Councilors Whelan, Kennedy, Huda, Tabor, Trace and Mayor Becksted voted opposed.

Mayor Becksted presented to the City Council a photograph of the 2020-2021 City Council and a key to the City for their service to Portsmouth.

XX. ADJOURNMENT

At 12:00 a.m., Councilor Kennedy moved to adjourn. Seconded by Councilor Huda and voted.



KELLI L. BARNABY, MMC/CNHMC
CITY CLERK