

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, JULY 11, 2022

PORTSMOUTH, NH
TIME: 7:00PM

III. CALL TO ORDER

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

IV. ROLL CALL

PRESENT: Mayor McEachern, Assistant Mayor Kelley, Councilors Tabor, Denton, Moreau, Bagley, Lombardi, Blalock, and Cook

V. INVOCATION

Mayor McEachern asked for a moment of silent prayer in memory of Ray Goulet who recently passed away.

VI. PLEDGE OF ALLEGINANCE

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

VII. ACCEPTANCE OF MINUTES – MAY 16, 2022

Councilor Blalock moved to accept and approve the minutes of the May 16, 2022 City Council meeting. Seconded by Assistant Mayor Kelley and voted.

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

1. Portsmouth High School Career Technical Education Center (CTE) – 45th Annual SkillsUSA NH Leadership and Skills Competition & Nationals Competition

Mayor McEachern announced that the presentation will take place at the August 1, 2022 City Council meeting.

2. Keller Williams Volunteers for their work with the Recreation Department

Mayor McEachern acknowledge and thanked the volunteers from Keller Williams for their work with the Recreation Department at Community Campus.

3. Presentation of the Sustainability Committee's Climate Action Plan Subcommittee

John Carty spoke regarding the key points of the CAP Subcommittee and broad goals for maximum impact. Mr. Carty also addressed the timing and next steps on the review and recommendations to strengthen sustainability aspects of zoning regulations. He indicated they expected to select a consultant with completion and rollout of Portsmouth CAP in the summer or fall of this year.

IX. PUBLIC COMMENT SESSION

Roy Helse spoke regarding his frustration with the cancellation of meetings at the last minute. He said it often makes the public feel like staff is cancelling city committee meetings to prevent the public from attending.

Olivia Annunziata Blaisdell spoke in support of holding Indigenous Peoples' Day rather than Columbus Day. She advised the City Council that she has a petition with over 1,200 signatures opposing Columbus Day and supporting Indigenous Peoples' Day.

Emily Stokel spoke in support of holding Indigenous Peoples' Day in place of Columbus Day. She said we need to become aware of how we treat and honor others.

Sophia Dmytruck urged the holiday to be changed from Columbus Day to Indigenous Peoples' Day. She said we need to correctly educate and acknowledge Indigenous children.

Sue Polidura spoke opposed to not recognizing Columbus Day and encouraged that the City celebrate both Columbus Day and Indigenous Peoples' Day.

Christina Gallmeyer spoke to the area near her property where a clear cutting of trees was done by Eversource. She said there are safety and security concerns now in the area. She asked the City Council to support her request to install fencing along the front and back of the property.

Arthur Clough spoke regarding a letter from the Mayor regarding his ethics complaint. He also spoke in opposition of the approval of a driveway installation at Strawberry Banke.

Esther Kennedy said she agrees with the Climate Action Plan and stated that buffer zones need to be left in place. She also spoke to many establishments that are not utilizing the outdoor areas allowed by the City for their restaurants, which prohibits parking for these areas. She asked what the expectations for these areas are.

Petra Huda spoke on the use of ARPA funds by the city. She stated concerns regarding the Islington Phase II project and funding eliminated.

Paige Trace spoke regarding the Town of New Castle beaches being closed. She expressed concerns regarding this matter. She also spoke to the importance of the Islington Phase II project.

Bill Downy spoke regarding the McIntyre and three meetings that have been held and have not been announced. He asked if those meetings are open to the public and who serves on the city team. He said there is a lack of information and it concerns him.

Ann Jennison, *(via zoom)* Lee, NH, spoke in support of the Indigenous Peoples' Day being celebrated in the City of Portsmouth.

Kathleen Blake, (via zoom) spoke in support of Indigenous Peoples' Day versus Columbus Day. She said when educating students trust and honesty is valuable.

Councilor Denton moved to suspend the rules to bring forward Item XIII. D. – Letter from We Speak, Portsmouth High School, requesting the City Council permanently approve Indigenous Peoples' Day (not alongside "Columbus Day") and support public recognitions and acknowledgments in honor of Indigenous Peoples' lands in Portsmouth. Seconded by Councilor Bagley and voted.

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- D. Letter from We Speak, Portsmouth High School, requesting the City Council permanently approve Indigenous Peoples' Day (not alongside "Columbus Day") and support public recognitions and acknowledgments in honor of Indigenous Peoples' lands in Portsmouth

Councilor Denton moved to permanently change Columbus Day/Indigenous Peoples' Day to Indigenous Peoples' Day in Portsmouth. Seconded by Councilor Blalock.

Councilor Bagley asked if we are in violation of state law by making this change. City Attorney Sullivan said Columbus Day will be Columbus Day statewide but in Portsmouth you have stated you wish to have Indigenous Peoples' Day.

Councilor Lombardi stated the students are right on the mark and made their point very clearly.

Councilor Moreau said she has been thinking long and hard on this matter and she does not want to discount Italian heritage.

Councilor Tabor said the City Council was trying to get to this point however, changes like this do not happen all at once. He suggested that individuals read the Indigenous People of the United States and stated there is much to celebrate.

Assistant Mayor Kelley thanked the students for coming and fighting this battle for several years. She spoke to the history that was taught to students. She stated we need to listen to the students and thanked them for their commitment to this cause.

Councilor Cook spoke to the many cultures we have. She said we took indigenous people's land and we are sitting on land. She stated it is important to recognize the traditions and celebrate the fact that we have this wonderful land to live upon.

Mayor McEachern said it is a testament to our country to have this discussion now. He said the students have done a fantastic job. He said we are looking to celebrate our own 400th year anniversary in the City of Portsmouth. He said there was something here before Portsmouth became the City that it is and it is important to remember that.

On a roll call vote 8-1, motion passed. Assistant Mayor Kelley, Councilors Tabor, Denton, Bagley, Lombardi, Blalock, Cook and Mayor McEachern voted in favor. Councilor Moreau voted opposed.

Councilor Denton moved to bring forward Item XV. C.2. – Indigenous NH Collaborative Collective. Seconded by Councilor Moreau and voted.

XV. CITY COUNCIL MEMBERS

C. COUNCILOR MOREAU

2. **Indigenous NH Collaborative Collective* (<https://indigenousoh.com/>)

Wants to use grant funding they have received to have a NHDOT historical highway marker about the 1713 Treaty of Portsmouth placed in Portsmouth. To do this they need a resolution of this council in order to request that the NHDOT allow the marker.

Significance of event to local, state, or national history

The meeting where the Treaty of 1713 was signed by English representatives and members of the Wabanaki confederacy in Portsmouth, NH, on July 11-14, 1713 was important for the First Nations diplomacy employed, the acknowledgement of a New Hampshire governing Council separate from Massachusetts and for the impact it had on opening the Portsmouth door to development as the commercial and military hub on the frontier. The Wabanaki sought respect and recognition of their Tribal sovereignty, equitable trading and limits to English settlement.

Proposed Marker Location

Portsmouth – the treaty negotiations took place on land that is now South Cemetery. The closest intersections are South Street and Richards Avenue, South Street and Miller Avenue (Rte. 1A) and Richards Avenue and Middle Street (Rte. 1).

Councilor Moreau moved to approve the placement of a NH Historical Highway Marker regarding the 1713 Treaty of Portsmouth within City limits on an appropriate NHDOT road. Seconded by Assistant Mayor Kelley.

Councilor Moreau said that this is a significant event.

Motion passed.

Councilor Moreau moved to suspend the rules to bring forward Item XIII. B. – Presentation regarding Prescott Park Master Plan Implementation. Seconded by Councilor Denton and voted.

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

B. Presentation regarding Prescott Park Master Plan Implementation

Tom Watson, Chair of the Prescott Park Master Plan Implementation Committee & Cassie Bethoney, Weston & Sampson, provided a detailed presentation regarding Phase 1A Scope and Target Schedule regarding the Master Plan Implementation of Prescott Park. A review of Phase I A Scope – Demo was reviewed including the demolition of the “garage” and “lean-to” structures back fill the existing foundations, and relocate their functions to the Lacava Wharf Barn. A review of Phase 1 A Scope – New Work was reviewed including the lifting and relocation of the Shaw building onto its new foundation. The goals for the Shaw building were discussed. Proposed Adjustments for the approval of the scope for Phase 1A were outlined:

1. Remove asphalt pavement on Water Street
2. Trench and install new sewer, water, gas, and storm water infrastructure under Water Street. Connect stormwater through to the Piscataqua and make it operational.
3. Demolish the “garage” and “lean-to” structures back fill the existing foundations, and relocate their functions to the Lacava Wharf Barn. This will provide an area for temporary trailers to house PPAF’s office operations, if off-site space is not available, until Shaw is restored and ready for re-occupancy.
4. Lift and relocate the Shaw building onto its new foundation. Excavate for a place for new foundations for the Shaw building.
5. A long sloping lawn (approx. = 3’ high will exist along the entire length of the Phase 1A work line, to accommodate the new grade change, and until the remaining phases are implemented.
6. Backfill Water Street to a new elevation matching the grade at Liberty Park.
7. Resurface Water Street and install final landscaping surfaces within the limit of work, and “feather” them into existing surfaces that are remaining for future phases.

Much discussion occurred among the City Council regarding the information provided in the presentation.

Councilor Bagley thanked the Committee for their work on the project but expressed concern as to whether this is the best use of funds with the number of historic buildings in Strawberry Banke for the Shaw building further the expenses. Ms. Bethoney said it is a critically important building and should be protected without question.

Councilor Tabor spoke to making the park resilient and the costs involved. Councilor Blalock said mitigating change is an important step towards making real change and preserving our history. Councilor Cook said improvements to the park are critical and we need to consider sea level rise.

Facilities Manager Joe Almeida said that this is a legacy project for the City and will take us 50 years further into the park.

City Manager Conard said we need to be thoughtful and feathered with what will remain and the future of the park.

Councilor Denton moved to concur with the modified scope for the implementation of the Prescott Park Master Plan with the anticipated construction to start spring of 2023. Seconded by Councilor Blalock.

Councilor Bagley said Prescott Park Master Plan is something we need to move forward with as expenses are only going up and we are investing too much. He stated he would not support the motion.

Mayor McEachern said he would support the motion and said we waited on the Sagamore Avenue Sewer Extension project and costs increased, costing us more money. He said he would like to see the space elevated in the park when there is not a performance.

On a roll call vote 8-1, motion passed. Assistant Mayor Kelley, Councilors Tabor, Denton, Moreau, Lombardi, Blalock, Cook and Mayor McEachern voted in favor. Councilor Bagley voted opposed.

Councilor Denton moved to suspend the rules to bring forward Items XI. A.4. – Revocable License for 50 Coakley Road, XIII. A. – Presentation regarding Statistical Revaluation, XV. C.1. – Public Involvement Summary Report – Accessory Dwelling Units and X. D. – Public Hearing/Adoption of Resolution Authorizing a Bond Issue and/or Notes of up to Three Million One Hundred Thousand Dollars (\$3,100,000.00) for costs related to School Facilities Improvements and Elementary School Upgrades. Seconded by Councilor Blalock and voted.

XI. CITY MANAGER’S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

4. Revocable License for 50 Coakley Road

Councilor Blalock moved to authorize the City Manager to negotiate and execute a revocable license which would authorize John and Christina Gallmeyer of 50 Coakley Road to construct and maintain a fence on the property of the City as requested and described in their email of June 14, 2022. Seconded by Councilor Denton and voted.

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Presentation regarding Statistical Revaluation – Rosann Maurice-Lentz, City Assessor

Rosann Maurice-Lentz, City Assessor advised the City Council based on current economic conditions and the unknown economic impact to residential and commercial taxpayers within the City, the Portsmouth Assessor’s office has decided to not conduct the tax year 2022 / Fiscal Year 2023 Statistical Revaluation.

Mayor McEachern thanked City Assessor Lentz for this and her work and her team.

X. PUBLIC HEARINGS AND VOTE ON ORDINANCE AND/OR RESOLUTION

Public Hearing/Second Reading of Ordinances:

- D. Public Hearing/Adoption of Resolution Authorizing a Bond Issue and/or Notes of up to Three Million One Hundred Thousand Dollars (\$3,100,000.00) for costs related to School Facilities Improvements and Elementary School Upgrades

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

Brady Kilroy, Luke Wisler, Matt Ward – Each spoke in support of keeping the turf field at the High School. They spoke to the many issues related to using a grass field.

Esther Kennedy said the city needs to think about keeping a turf field. She stated that grass fields are excellent and safe to play on.

Petra Huda spoke in support of a grass field versus a turf field.

With no further speakers, Mayor McEachern closed the public hearing.

Councilor Bagley said there is concerns between a turf field and a grass field. He said we don't have enough land or fields in the city. He stated each turf field provides for sports to be played in the city and if we move to a grass field we will reduce the use of fields.

Councilor Blalock said we have information from experts which state artificial turf is safe to play on. He spoke regarding grass fields versus turf fields. He stated the weather in New England does not support a grass field.

City Attorney Sullivan said the vote to authorize the money could be adjusted regarding details of construction but the School Department would make that decision in consultation with the City Council.

Councilor Cook asked if we found out there was a problem with turf fields could the Council pass a resolution banning the installation of turf fields, if we choose to. City Attorney Sullivan said the Portsmouth the School Department is a department of the city and the role of the School Department is to determine how the money gets spent. He stated once funding is made available it is the School Department's determination how the money is spent. He further stated the city could issue some broad authorization that there would be no turf fields and you would need to come up with authority for that broad authorization, the answer to your question would be no.

Mayor McEachern said the disposal of the field needs to be part of the procurement process. He said he would like to know the best way to recycle this. He stated Community Campus had discussions regarding more fields. He stated this is a different conversation and what sports and times we take away from our children.

Councilor Cook said she feels there needs to be a thorough discussion to explore things we need to as a City Council.

Mayor McEachern said we had an understanding that is would be less programming and a broader conversation.

Councilor Blalock said many studies were performed and several presentations were made by former Athletic Director Wilson.

Councilor Tabor moved to adopt the Resolution as presented. Seconded by Councilor Bagley. On a roll call vote 7-2, motion passed. Assistant Mayor Kelley, Councilors Tabor, Moreau, Bagley, Lombardi, Blalock and Mayor McEachern voted in favor. Councilors Denton and Cook voted opposed.

XV. CITY COUNCIL MEMBERS

C. COUNCILOR MOREAU

1. Public Involvement Summary Report – Accessory Dwelling Units

Luke Cowan, Planning Department provided a presentation regarding the Public Involvement Summary Report on Accessory Dwelling Units. He spoke to the regulatory amendment work plan and the public involvement which was held with small focus group meetings and discussed the six emerging themes. He reported that 48% of abutters would consider building an ADU themselves. He informed the City Council that individuals going before land use boards for approvals are having to pay anywhere from \$20,000.00 to \$30,000.00.

Assistant Mayor Kelley commented that throughout the study we found most ADU's are being used for families, with a large percentage preparing for parents to live in the units. She stated we need to careful as a City Council looking at ADU's and send a clear message out.

Councilor Bagley said 48% of abutters would consider building an ADU. He said that zoning is our concern with density.

Councilor Blalock thanked Lucas for the presentation and thanked all residents who participated in the study.

Councilor Moreau thanked Luke for his great work on this matter. She said she was a moderator of a group and said the costs to go through the approvals are anywhere from \$20,000.00 to \$30,000.00.

Councilor Tabor said this is a wonderful example of a small committee getting quantifiable answers. He stated we need to study data carefully and informed the Council that some communities have a template for designs.

Councilor Lombardi said he would like to see a breakdown of costs for an ADU.

Mayor McEachern said he would like to see templates created to use and looks forward to what comes next.

At 10:15 p.m., Mayor McEachern called a brief recess. At 10:30 p.m., Mayor McEachern called the meeting back to order.

Councilor Moreau moved to suspend the rules in order to continue the meeting beyond 10:30 p.m. Seconded by Councilor Cook and voted.

X. PUBLIC HEARINGS AND VOTE ON ORDINANCE AND/OR RESOLUTION

Public Hearing/Second Reading of Ordinances:

- A. Public Hearing/Second reading of Ordinance amending Chapter 1, Article IV, Section 1.413: Trees and Public Greenery Committee

Assistant Mayor Kelley moved to pass second reading and hold third and final reading at the August 1, 2022 City Council meeting. Seconded by Councilor Cook.

Mayor McEachern read the legal notice, declared the public hearing open and called for speakers. With no speakers, Mayor McEachern closed the public hearing.

Motion passed.

- B. Public Hearing/Second reading of Ordinance amending Chapter 1, Article VIII – Code of Ethics

Councilor Lombardi moved to pass second reading and hold third and final reading at the August 1, 2022 City Council meeting. Seconded by Councilor Cook.

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

Arthur Clough said ethics is about fairness, impartiality and doing the right thing. He spoke to the City Council's responsibility for oversight and spoke against giving the City Manager authority to select the Ethics Officer. He urged the City Council to send the ordinance back for more work before moving forward with third and final reading.

Petra Huda spoke concerning amendments that she feels are necessary to the ordinance. She urged the City Council to think about making changes before moving forward with adoption of the ordinance.

Esther Kennedy said there needs to be a process that is designed and laid out. She agreed that the City Manager should not select the Ethics Officer. She said when a complaint is lodged against someone both sides need ample opportunity to respond to allegations.

Tom Nies (*via zoom*) spoke in support of the ordinance and provided written comments recently to the City Council on this ordinance. He expressed concern regarding a lack of guidance on the investigation process. He suggested that the city hold periodic training on the ordinance.

Arthur Clough spoke to the New Hampshire Municipal Association reviewing the ordinance.

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

Councilor Cook moved to amend Section 1.805 B. by replacing the word consultation with agreement. Seconded by Councilor Tabor.

Councilor Cook said she envisions the City Manager would likely hire someone that does not live in the city and does not have conflicts with the city. She said there is a great deal of trust with the City Manager.

Mayor McEachern said there needs to be more work on qualifications for the investigative officer. He said we are creating a process for the city.

Councilor Lombardi said perhaps the City Manager could hire a person that the City Council could approve.

Motion passed.

Assistant Mayor Kelley said we should table the motion because there needs to be more revisions made. She said some things need to be worked on before looking at other changes.

Councilor Bagley said our Ethics Ordinance has not been used many times and if we do something egregious we find out in the ballot box. He said we have something in place currently and we can take time to come up with a better ordinance.

Councilor Tabor said it would be good to table the Ethics Investigator Ordinance for one step in a four step process. He outlined the process as it currently exist.

Mayor McEachern said in terms of presentations is there an opportunity before the Ethics Committee gathers the information and prepares for the hearing.

Councilor Cook said changes require a report in 45 days, but does not indicate to whom it is provided to.

Councilor Lombardi moved to table second reading until the August 1, 2022 City Council meeting. Seconded by Assistant Mayor Kelley and voted. Councilor Cook voted opposed.

- C. Public Hearing/Adoption of Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Fund (SRF) Loan of up to Two Million One Hundred Fifty Thousand Dollars (\$2,150,000.00) related to Well Station Improvements, Water Storage Tanks Painting, and Bartlett Street Improvements

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

Assistant Mayor Kelley moved to adopt the Resolution as presented. Seconded by Councilor Denton.

With no speakers, Mayor McEachern declared the public hearing closed.

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

- E. Public Hearing/Adoption of Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Fund (SRF) Loan of up to Seven Million Three Hundred Fifty Thousand Dollars (\$7,350,000.00) for costs related to Annual Sewer Line Replacements, Pease Wastewater Treatment Facility, Wastewater Pumping Station Improvements, Sewer Main for Sagamore Avenue Area Sewer Extension, Bartlett Street Upgrades and Fleet Street Utilities Upgrades

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

Assistant Mayor Kelley moved to adopt the Resolution as presented. Seconded by Councilor Lombardi.

With no speakers, Mayor McEachern declared the public hearing closed.

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

- F. Public Hearing/Adoption of Resolution Authorizing a Bond Issue and/or Notes of up to Nine Million Five Hundred Five Thousand Dollars (\$9,505,000.00) for costs related to Police Facility Deficiencies Improvements, Outdoor Pool Aquatics Upgrade and Pool House, Citywide Fuel Station Upgrades, Greenland Road Recreation Facility (Skateboard Park), Citywide Facilities, Aerial Utilities Undergrounding and Bartlett Street Improvements

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

Assistant Mayor Kelley moved to adopt the Resolution as presented. Seconded by Councilor Bagley.

Esther Kennedy asked what stage we are at with the bonding. She said it looks like we are bonding this early.

Petra Huda questioned the legal notice as prepared.

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

City Manager Conard said we are still in the design phase. Public Works Director Rice said the conduit is laid out before lighting is put in place. He said we would bid the project and award it before July 1st.

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

XI. CITY MANAGER'S ITEM WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Approval of Agreement for Association of Portsmouth Teachers

City Manager Conard said this is a request for approval of the agreement with the Association of Portsmouth Teachers. She reviewed changes outlined in the agreement.

Councilor Blalock moved to approve the proposed Agreement with the Association of Portsmouth Teachers as presented. Seconded by Councilor Bagley.

Attorney Closson said the agreement keeps wages in line and that this is a two-year agreement.

Councilor Bagley said that there was a great deal of discussion in Non-Public Session on the agreement. He said these decisions are not made lightly.

Motion passed.

2. Temporary Construction License for Ten State Street, Unit D

City Manager Conard said this area is a dead end area on State Street. She said the improvements to Unit D and encumbrances must go beyond 30 days. She indicated that the Planning Department and Legal Department have reviewed this matter and recommended approval.

Councilor Bagley moved to authorize the City Manager to execute and accept the temporary construction license regarding 10 State Street Unit D as submitted. Seconded by Councilor Tabor and voted.

3. Request for Restoration of Involuntarily Merged Lots – 880 Woodbury Avenue

Councilor Moreau moved to refer this request to the Planning Board and the Assessor for a report back. Seconded by Councilor Bagley and voted.

5. Right to Know Request of Christopher White

City Manager Conard said that Mr. White has made the request and there is no objection to unsealing the minutes.

Councilor Tabor moved pursuant to RSA 91-A:3, to unseal the minutes of the City Council non-public session held on March 7, 2022 insofar as they relate to the Audit Committee. Seconded by Councilor Cook and voted.

XII. CONSENT AGENDA

- A. Request from SOL, LLC, River Wharf, LLC d/b/a SOL, LLC to install a Projecting Sign at 111 State Street (***Anticipated action - move to approve the aforementioned Projecting Sign License 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 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 from Patrick Lavoie, Port City Barbers to install a Projecting Sign at 295 Maplewood Avenue (***Anticipated action - move to approve the aforementioned Projecting Sign License 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 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. Request from Bob Richard, Circle Furniture to install a Projecting Sign at 40 Bridge Street (***Anticipated action - move to approve the aforementioned Projecting Sign License 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 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***

Councilor Blalock moved to adopt the Consent Agenda. Seconded by Assistant Mayor Kelley and voted.

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- C. Email Correspondence

Councilor Moreau moved to accept and place on file. Seconded by Assistant Mayor Kelley and voted.

- E. Letter from Oksana Karcha requesting permission to set up pop-up tent in Market Square in front of North Church to vend as part of the Peace Vigils for Ukraine on the following Sunday's – July 17th or July 31st, August 14th or August 28th and September 11th or September 25th

Mayor McEachern said this would create a situation where we would be required to allow anyone the same right to do this type of request.

City Attorney Sullivan said the Council will see similar requests, if this is granted approval.

Councilor Denton moved to refer to the City Manager. Seconded by Assistant Mayor Kelley and voted.

XIV. MAYOR McEACHERN

1. Appointment of Nancy Brown to the COVID Response Task Force Blue Ribbon Committee

Mayor McEachern announced that he is appointing Nancy Brown to the COVID Response Task Force Blue Ribbon Committee.

2. Appointment to be Considered:
 - Johanna Landis as an Alternate to the Historic District Commission

The City Council considered the appointment of Johanna Landis as an Alternate to the Historic District Commission to be voted upon at the next City Council meeting.

XV. CITY COUNCIL MEMBERS

A. COUNCILOR TABOR

1. Community Power: Authorize Portsmouth Energy Aggregation Committee to draft Power plan to implement in 2023

Councilor Tabor moved that the City Council authorize the Portsmouth Energy Advisory Committee to create an Energy Aggregation Plan per RSA 53-E, including two public hearings, for review and vote of the council. Seconded by Assistant Mayor Kelley.

Councilor Tabor spoke to the plan being submitted and the need to create community power. He reported on a survey conducted whereby 75% are willing to pay for more energy supply for smart growth.

Motion passed.

2. Community Power: CPCNH Joint Power Agreement changes to allow bylaw amendments to be voted by the full membership at times other than just the Annual Meeting

Councilor Tabor moved that the City Council approves the amendment to Article XVI, Section 2 of the Joint Powers Agreement of the Community Power Coalition of New Hampshire as presented in the Council Packet dated July 11, 2022. Seconded by Councilor Denton and voted.

B. COUNCILOR DENTON

1. Request to hold Portsmouth's 3rd Annual Electric Vehicle Show one day over the last weekend in September or First weekend in October

Councilor Denton moved to refer the request to the City Manager with power. Seconded by Councilor Moreau.

Councilor Denton said in 2018 this type of event was held in the lower lot of City Hall and then we held one in 2019 in Foundry Garage.

Motion passed.

D. COUNCILOR COOK

1. Mid-Year Report from Governance Committee (powerpoint presentation)

Councilor Cook moved to table until the August 1, 2022 City Council meeting. Seconded by Councilor Lombardi and voted.

2. Work Session on ARPA Funds Requests

Councilor Cook moved to schedule a City Council Work Session on current request from staff and city committees for ARPA funds allocation. Seconded by Councilor Bagley.

Councilor Cook said this is to make the City Council aware of requests that have come in thus far.

Motion passed.

E. COUNCILOR BLALOCK

1. Athletic Turf Field – Manufacturer’s Representations

Councilor Blalock moved to authorize a letter to be sent on behalf of the City Council to the manufacture of the artificial turf field components regarding statements made during the procurement process. Seconded by Assistant Mayor Kelley.

Councilor Blalock said we have learned a great deal and have been leading the charge. He stated the salesmen never should have said that they could provide a PFAS free field.

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Donation for the Skate Board Park Lights from Pioneers Board Shop - \$500.00

Councilor Blalock moved to approve and accept the donation as presented. Seconded by Councilor Cook and voted.

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

1. Use of ARPA Funds

City Manager Conard advised that the City has recently updated its ARPA funding webpage to better identify the amounts that have already been appropriated and the balance remaining. She stated the updated page also serves to advise the community that a public input process is being developed.

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

1. Neighborhood Outreach Forum – Ward 5 Meeting Minutes

City Manager Conard said that that these minutes submitted by the Neighborhood Citywide Committee are for informational purposes.

Mayor McEachern advised the City Council that he authorized a letter of condolences to be sent to Honorable Kyohei Sakita, Mayor of Nichinan, Japan regarding the assassination of Japanese Prime Minister Shinzo Abe.

XIX. ADJOURNMENT

At 12:10 a.m., Councilor Moreau moved to adjourn. Seconded by Assistant Mayor Kelley and voted.



KELLI L. BARNABY, MMC/CNHMC
CITY CLERK