

TO: KAREN CONARD, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK

RE: ACTIONS TAKEN AT THE PORTSMOUTH CITY COUNCIL MEETING HELD IN THE EILEEN DONDERO FOLEY COUNCIL CHAMBERS ON MONDAY, FEBRUARY 6, 2023

PRESENT: MAYOR McEACHERN, ASSISTANT MAYOR KELLEY, COUNCILORS TABOR, DENTON, MOREAU, BAGLEY, LOMBARDI, BLALOCK AND COOK

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1. **On a unanimous voice vote 9-0, voted** to close the Non-Public Sessions and seal the minutes.
2. Proclamation – Black History Month – Mayor McEachern read the Proclamation declaring February as Black History Month.
3. Acceptance of Minutes – October 24, 2022; November 1, 2022 and November 14, 2022 – **Voted** to accept and approve the minutes of the October 24, 2022; November 1, 2022 and November 14, 2022 City Council meetings.
4. Recognitions and Volunteer Committee Reports (Not on Agenda) – Mayor McEachern and the City Council recognized Department of Public Works staff; Public Works Director Rice; Firefighters; and Police Officers for responding and repairing the water main breaks on Green Street and Vaughan Street, directly affecting the AC Hotel during the extreme cold snap on February 4<sup>th</sup>.

Mayor McEachern and the City Council recognized the Fire Department responded to a fire alarm on February 5<sup>th</sup> at the Motel 6 on Gosling Road and found a water pipe break which left the entire property without heat, domestic water, and automatic sprinkler coverage. The City team of Firefighters; Fire Chief McQuillen; Police Officers and Welfare Director Ellen Tully successfully relocated a total of 100 people, 21 cats, 17 dogs, and 5 birds to other area hotels.

5. Public Comment Session – There were 21 speakers: Roy Helsel (City of Portsmouth); Paige Trace (Wish you would listen); Erik Anderson (Portsmouth); Sloan Muske; Faride Ibrahim, Madison Whitaker, Norah Pike, Marina Bonilla (speaking as a group – Sherburne School Field); Genevieve Becksted Muske, Ruben Izaguire, Megan Corsetti, Shawn Muske, Peter Jones, Peter Officer, Sue Doyle, Kate Fish (Sherburne School); Sue Polidura (Information); Rick Becksted (A Simple Request); Susan Sterry (CLG Certification); Petra Huda (Various, Budget, CIP, Outdoor Dining); Liza Hewitt (Resident Engagement); Dave Cosgrove (Sherburne Field); Esther Kennedy (Civic Rights); Jacqueline Cali-Pitts- via zoom (Various topics); and Hersey Hirschkop (PRIDE).
6. **Voted** to suspend the rules to bring forward Item XIV. 5. – Report Back on the Neighborhood Meeting at Sherburne School.
7. Report Back on the Neighborhood Meeting at Sherburne School – **Voted** to refer to the Land Use Committee for a report back to the City Council on possible building locations for affordable housing and a list of pros and cons. Further the meeting would be hosted in the Chambers.
8. Public Hearing – Capital Improvement Plan (CIP) FY 2024-2029 – **Voted** to keep the CIP Public Hearing open until the next City Council meeting.

9. Public Hearing/Second Reading of Ordinance amending Chapter 1, Article XVII, Section 1.1705 – Public Art Funds – Held a Public Hearing. **Voted** to amend Section 1.1705(A) to add after “unless the City Council votes otherwise” the following additional language “*to redirect the funds for other public art purposes*” and pass second reading as amended.
- Voted** to suspend the rules in order to bring forward third and final reading. **Voted** to pass third and final reading of the Ordinance.
10. Approval of Amendment to Memorandum of Understanding for Professional Services Between Coalition Communities 2.0 and an Update from the CC2 Joint Board – **Voted** to authorize the City Manager to negotiate and execute the amended MOU with the Coalition Communities 2.0 on behalf of the City in a form similar to the attachment in the City Council packet of February 6, 2022.
11. Request for Public Hearing Regarding Elderly & Disabled Exemptions – **Voted** to schedule a Public Hearing regarding these options at the February 21, 2023 City Council meeting.
12. Request for Public Hearing Regarding All Veterans and Optional Veterans Tax Credit Re-Adoption and Increase from \$500.00 to \$750.00 – **Voted** to schedule a Public Hearing regarding these options at the February 21, 2023 City Council meeting.
13. Consent Agenda – **Voted** to adopt the Consent Agenda.
- A. Request from Diana Tranique, TresDiana, to install a Projecting Sign at 55 Congress 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. Letter from Cullen Madden, Millennium Running, requesting permission to hold the Eastern States 20 Miler & Half Marathon on Sunday, March 26, 2023 (***Anticipated action – move to refer to the City Manager with Authority to Act***)
- C. Letter from Lindsay Gilbert, Cystic Fibrosis Foundation, requesting permission to hold the CF Cycle for Life on Saturday, July 15, 2023 (***Anticipated action – move to refer to the City Manager with Authority to Act***)
- D. Letter from Rich Clyborne, Gundalow Company, requesting permission to hold the Round Island Regatta at the Robert P. Sullivan Boat Ramp area at Peirce Island on Saturday, August 19, 2023 from 1:00 p.m. to 5:00 p.m. (***Anticipated action – move to refer to the City Manager with Authority to Act***)

- E. Letter from Nik Uhler, Portsmouth Little League, Inc., requesting permission to affix signage in the form of banners at the Plains and Hislop fields during the 2023 baseball season. Further, requesting permission to maintain signage to the rear of the Plains scoreboard **(Anticipated action – move to refer to the City Manager with Authority to Act)**
- F. Letter from Hershey Hirschkop, Seacoast Outright, requesting permission to annual Portsmouth PRIDE Celebration on Saturday, June 24, 2023 **(Anticipated action – move to refer to the City Manager with Authority to Act)**

14. Email Correspondence – **Voted** to accept and place on file.

15. Letter from Perry Silverstein regarding equitable cost for outdoor dining – **Voted** to accept and place on file.

16. Ethics Committee Drawing by Lot – Councilor Denton was drawn by Lot to serve on the Ethics Committee.

17. Appointments to be Considered to the Public Arts Review Blue Ribbon Committee – The City Council considered the appointments as listed below which will be acted upon at the next City Council meeting.

- Paul Burke
- M. Christine Dwyer
- Ellen Fineberg
- Beth Hartnett
- Jen Meister
- Alyssa Murphy
- Nancy Pearson
- A. Robert Thoresen
- Robert White
- Mara Witzling

18. Appointments to be Voted – **Voted** to appoint Anna Howard as an Alternate to the Economic Development Commission filling the unexpired term of Anne Weidman until October 1, 2025 and Anne Hayes to the COVID Response Task Force Blue Ribbon Committee.

19. Acceptance of Resignations – **Voted** to accept with regret the resignations of Tania Marino from the COVID Response Task Force and Franco DiRienzo as an Alternate from the Planning Board and to send a letter of thanks for their service to the City.

20. Statewide Public Transportation Coalition Resolution (Not on Agenda) – **Voted** to adopt the Resolution as presented.

21. EDC Update – Assistant Mayor Kelley reported that the Economic Development Commission recently completed a Retreat, where they reset their goals. The EDC also has received the results of the Business Retention Survey they conducted and a presentation will be coming forth at a future City Council meeting on the results of the survey.

22. 4.5% increase in total budgeted expenditures as a guideline for FY24 budgeting process – **Voted** to adopt a figure of 4.5% increase in total operating expenditures as guidance for the FY24 budget, excluding IT ramp up costs.

23. Outdoor Dining Policy Updates for Sidewalk Dining – Moved to adopt the changes in your agenda packet to the newly adopted Outdoor Dining Policy.

On a roll call vote 5-4, motion to suspend the rules to reconsider the Outdoor Dining previous vote of the City Council **failed** to pass. Assistant Mayor Kelley, Councilors Tabor, Moreau, Blalock and Mayor McEachern voted in favor. Councilors Denton, Bagley, Lombardi and Cook voted opposed. *6 votes required for reconsideration.*

On a roll call vote 3-6, motion to adopt the changes in your agenda packet to the newly adopted Outdoor Dining Policy **failed** to pass. Councilors Denton, Bagley and Cook voted in favor. Assistant Mayor Kelley, Councilors Tabor, Moreau, Lombardi, Blalock and Mayor McEachern voted opposed.

24. Acceptance of 2023 NH Moose Plate Grant - \$20,000.00 – **Voted** to accept the New Hampshire State Conservation Committee funds and authorize the City Manager to enter into a contract with the New Hampshire State Conservation Committee, Department of Agriculture, Markets and Foods.

25. Application for Membership As A Certified Local Government – **Voted** to support the City submitting the application to the CLG Program administered by the Division of Historic Resources.

26. City Manager's Informational Items - McIntyre Update – City Manager Conard reported city staff and the developer had its check-in with the General Services Administration and the National Park Service on January 31<sup>st</sup> and that check-in went smoothly. She said we explained where we were in the process via milestones that we set forth in the project. She stated we have preliminary information from our construction cost estimator and financial consultant relative to understanding the project pro-forma. She said we have another check-in with the General Services Administration scheduled for February 28<sup>th</sup>. City Manager Conard said alongside advancing and getting a better understanding of those numbers, is what's to be negotiated relative to legal documents namely, the Development Agreement, the Contribution Agreement and the Ground Lease.

27. Miscellaneous Business Including Business Remaining Unfinished at Previous Meeting – Citywide Neighborhood Committee Meeting – December 14, 2022 Minutes – **Voted** to accept the minutes.

Councilor Tabor congratulated Elaine Apatang and Peter Somssich for being elected as the new Co-Chairs of the Citywide Neighborhood Committee.

28. Adjournment – At 10:25 p.m., **voted** to adjourn.

Submitted by:

Kelli L. Barnaby, MMC/CNHMC  
City Clerk