

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, MARCH 6, 2023 TIME: 6:00PM

Members of the public also have the option to join the meeting over Zoom, a unique meeting ID and password will be provided once you register. To register, click on the link below or copy and paste this into your web browser:

https://us06web.zoom.us/webinar/register/WN_olKeejbuQ_id3uvF72XqRw

6:00PM - ANTICIPATED NON-PUBLIC SESSIONS ARE BEING HELD IN CONFERENCE ROOM A

1. CONSIDERATION OF LEGAL ADVICE – RSA 91-A:3, II (I)

AGENDA

**Regular portion of City Council meeting to begin at 7:00 p.m.*

- I. WORK SESSION – THERE IS NO WORK SESSION THIS EVENING
- II. PUBLIC DIALOGUE SESSION [when applicable – every other regularly scheduled meeting] – **N/A**
- III. CALL TO ORDER [7:00 p.m. or thereafter]
- IV. ROLL CALL
- V. INVOCATION
- VI. PLEDGE OF ALLEGIANCE

PROCLAMATION

1. Women's History Month

- VII. ACCEPTANCE OF MINUTES – JANUARY 9, 2023 AND JANUARY 23, 2023
- VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS
- IX. PUBLIC COMMENT SESSION (*This session shall not exceed 45 minutes*) – (*participation may be in person or via Zoom*)
- X. PUBLIC HEARINGS AND VOTE ON ORDINANCES AND/OR RESOLUTIONS

Continued Public Hearing – Capital Improvement Plan (CIP) / Adoption of CIP: (*Continued Public Hearing that was held open per action of the City Council at the February 21, 2022 meeting*)

- A. CAPITAL IMPROVEMENT PLAN (CIP) FY 2024-2029
 - PRESENTATION (*Presentation was held at the January 18, 2023 Work Session*)
 - CITY COUNCIL QUESTIONS
 - PUBLIC HEARING SPEAKERS
 - ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS

(Sample motion – move to adopt the Capital Improvement Plan as amended with four adjusted element sheets included in the packet)

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

(There are no items under City Manager Conard Requiring Action this evening)

XII. CONSENT AGENDA

(Proper Motion for Adoption of Consent Agenda – move to adopt the Consent Agenda)

- A. Letter from Latrice Smith, National Multiple Sclerosis Society, requesting permission to hold the annual Walk MS event on Saturday, April 22, 2023 ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- B. Letter from Crystal Cronin, Portsmouth Babe Ruth, requesting permission to locate temporary signage at Leary Field during the 2023 baseball season ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- C. Letter from Chris Maden, Portsmouth Maritime Folk Festival, requesting permission to hold the Maritime Folk Festival on Saturday, September 23, 2023 and Sunday, September 24, 2023 ***(Anticipated action – move to refer to the City Manager with Authority to Act)***

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Recreational Needs Study Final Report
- B. Email Correspondence ***(Sample motion – move to accept and place on file)***
- C. Letter from Karin Barndollar, Portsmouth Climate Action, requesting permission to hold a gathering in Market Square for Earth Day and close off the section of Pleasant Street between State and Congress Streets to traffic on Saturday, April 22, 2023 between 11:00 a.m. and 3:00 p.m. ***(Sample motion – move to refer to the City Manager with Authority to Act)***

XIV. MAYOR McEACHERN

- 1. Resignation of Lori Waltz from the COVID Response Task Force

XV. CITY COUNCIL MEMBERS

A. ASSISTANT MAYOR KELLEY

- 1. *Retreat Update to City Council Goals

B. COUNCILOR DENTON

- 1. *Proposed Million Air Project

C. COUNCILOR MOREAU & COUNCILOR COOK

- 1. *Portsmouth NH 400 Sculpture Announced

D. COUNCILOR BAGLEY

1. Anti-Discrimination Policy for City Property Usage (***Sample motion – move to refer policy included in the packet to the Legal Department for review and report back***)

E. COUNCILOR COOK

1. *Making Music and Art Lessons an Allowed Use in Residential Zoning (***Sample motion – move to request that the Land Use Committee make a recommendation to the City Council on changes to the zoning ordinance that would incorporate music and art lessons as an allowed home occupational use, without special exception, in any residential zoning district***)

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Approval of Grant from the Bureau of Justice Assistance Patrick Leahy Bulletproof Vest Partnership - \$11,883 (***Sample motion – move to approve and accept the Grant for the Police Department as presented***)

XVII. CITY MANAGER’S INFORMATIONAL ITEMS

1. *McIntyre Update
2. Conservation Law Foundation (CLF) Petition for Residual Designation

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

XIX. ADJOURNMENT [at 10:30 p.m. or earlier]

**Indicates verbal report*

**KELLI L. BARNABY, MMC/CNHMC
CITY CLERK**



Karen S. Conard
City Manager

CITY OF PORTSMOUTH

City Hall, One Junkins Avenue
Portsmouth, New Hampshire 03801
kconard@cityofportsmouth.com
(603) 610-7201

Date: March 3, 2023

To: Honorable Mayor McEachern and City Council Members

From: Karen S. Conard, City Manager *KSC*

Re: City Manager's Comments on City Council Agenda of March 6, 2023

X. Public Hearings and Votes on Ordinances and/or Resolutions:

A. Public Hearing Regarding Capital Improvement Plan (CIP) FY2024- 2029:

The City Council is continuing the public hearing at this evening's City Council meeting regarding the [proposed Capital Improvement Plan for FY 2024 – FY 2029](#). In addition to this evening's public hearing, the City Council held a work session on January 18, 2023. At the work session, a presentation of the proposed CIP was made by City staff. Copies of the plan were made and are still available to the public [via the City's website](#). As you are aware, the City Council is required, in accordance with Section 7.8 of the City Charter, to adopt the Capital Plan subsequent to the public hearing and before the City Manager submits the budget to the City Council.

I recommend that the City Council move to adopt the Capital Improvement Plan as amended with the four adjusted element sheets.

XI. City Manager's Items Which Require Action:

There are no City Manager Action Items to consider at this evening's meeting.

XIII. Presentations and Written Communications:

A. Recreational Needs Study Final Report:

At this evening's meeting, [the final report](#) and presentation will be given regarding the Recreation Needs Study by Alice Carey of Placework Architecture and Planning and Craig Pereira of Horsley Witten Group.

XVI. Approval of Grants/Donations:

A. Approval of Grant for the Police Department - \$11,883:

At the January 17, 2023 Police Commission meeting, the Board of Police Commissioners approved and accepted a grant in the amount of \$11,883 from the Bureau of Justice Assistance Patrick Leahy Bulletproof Vest Partnership. This helps to fund 50% of the cost associated with outfitting new officers and replacing old vests for current officers.

I recommend that the City Council move to approve and accept a grant for the Police Department as presented.

XVII. City Manager's Informational Items:

1. McIntyre Update:

City Attorney Susan Morrell and I will provide an update on the McIntyre Redevelopment Project at this evening's meeting.

2. Conservation Law Foundation (CLF) Petition for Residual Designation:

Attached please find a memorandum from Deputy City Manager/Deputy City Attorney Woodland regarding a petition for a residual designation from the Conservation Law Foundation.