

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, DECEMBER 4, 2023

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

ABSENT: COUNCILOR BLALOCK

1. **Voted** to suspend the rules to bring forward Item XIII. B. – Letter from Cody Bureau requesting the City alternate every other year between white and colored lights on the Christmas Tree in Market Square.
2. Letter from Cody Bureau requesting the City alternate every other year between white and colored lights on the Christmas Tree in Market Square – Mayor McEachern accepted an \$1,100.00 donation from the Bureau Family to the City for the colored lights for the Christmas Tree.
3. Presentation of the Blue Ribbon Committee on Historical Archive – Tom Watson – Tom Watson provided a detailed review of the final report and recommendations regarding Historical Archives.

Voted to continue the Blue Ribbon Committee on Historical Archives to pursue the recommendations outlined in their report of November 30, 2023.
4. Public Comment Session – There were 2 speakers: Kevin Lafond (City Archive); and Tom Ferrini (Housing).
5. First Reading of Ordinance amending Chapter 1, Article IV – Commission and Authorities – Public Art Review Committee – **Voted** to pass first reading and hold a public hearing and second reading at the December 18, 2023 City Council meeting.
6. Public Hearing/Second Reading of Ordinance amending Chapter 1, Article III, Section 1.304 – Recreation Board Membership – Held a public hearing. **Voted** to pass second reading. **Voted** to suspend the rules to bring forward third and final reading of the ordinance. **Voted** to pass third and final reading of the ordinance as presented.
7. Public Hearing/Second Reading of Ordinance amending Chapter 1, Article IX, Section 1.901 – Municipal Officials Disclosure – Held a public hearing. **Voted** to pass second reading. **Voted** to suspend the rules to bring forward third and final reading of the ordinance. **Voted** to pass third and final reading of the ordinance as presented.
8. Public Hearing/Second Reading of Ordinance amending Chapter 1, Article IX – Conflict of Interest/Mandatory Financial Disclosure, Section 1.902, Election Candidate Financial Disclosure – **Voted** to amend Article IX, Section 1.902 published in the City Council packet to reflect the changes in the document that were approved on November 13, 2023. Held a public hearing. **Voted** to pass second reading as amended. **Voted** to suspend the rules to bring forward third and final reading of the Ordinance. **Voted** to pass third and final reading of the Ordinance.

9. Portsmouth Indoor Pool Liquidating Charitable Trust – **Voted** to authorize the City Manager to execute the Portsmouth Indoor Pool Liquidating Trust with a correction of a typographical error.
10. Supplemental Appropriation for Outside Counsel Litigation Fees – **Voted** to schedule a Public Hearing on the Proposed Supplemental Appropriation from Unassigned Fund Balance of \$450,000.00 for Outside Counsel Legal Fees at the December 18, 2023 City Council meeting.
11. Approval of Memorandum of Agreement for Portsmouth School Clerical Employees – **Voted** to approve and accept the proposed MOA as presented.
12. Approval of Memorandum of Agreement for Association of Portsmouth School Teachers – **Voted** to approve and accept the proposed MOA as presented.
13. Approval of Memorandum of Agreement for Portsmouth City Employees – AFSCME Local #1386A - **Voted** to approve and accept the proposed MOA as presented.
14. Consent Agenda – **Voted** to adopt the Consent Agenda.
 - A. Request from Ellen Bruton, Terpsichore, LLC, to install a Projecting Sign at 9 Commercial Alley (***Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning & Sustainability 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 Michaela Kneuer, Big Brothers Big Sisters of New Hampshire, requesting permission to close Pleasant Street on Saturday, September 21, 2024 from 1:00 p.m. to 4:00 p.m. for the 16th Annual Stiletto Sprint (rain date September 22, 2024)
(Anticipated action – move to refer to the City Manager with Authority to Act)
15. Presentation regarding Housing Navigator Update by Howard Snyder – Howard provided an overview presentation regarding the Housing Navigator Update. He spoke regarding the outreach that will be taking place over the next 4 to 5 weeks with a public facilitator leading in the outreach.
16. Email Correspondence – **Voted** to accept and place on file.
17. Holiday Parking – **Moved** to authorize the City Manager to establish free holiday parking from December 16th to December 24th.

Voted to amend the motion to authorize the City Manager to establish 3 hours of free holiday parking in the garages from December 16th through December 24th. **Accepted** a friendly amendment to establish 3 hours of free holiday parking in the garages from December 11, 2023 through January 2, 2024.

On a roll call 6-2, **voted** to pass the main motion as amended to establish 3 hours of free holiday parking in the garages from December 11, 2023 through January 2, 2024. Assistant Mayor Kelley, Councilors Tabor, Denton, Moreau, Bagley and Cook voted in favor. Councilor Lombardi and Mayor McEachern voted opposed.

18. **Voted** to accept the resignation of Abigail Gindele from the Conservation Commission with a letter of thanks to be sent to acknowledge her service to the city.

19. The City Council considered the following appointments to be voted upon at the December 18, 2023 City Council meeting.

- Stephen Buzzell to the Cemetery Committee
- Kelly DeCourcy to the Citizen Advisory Committee
- Susan Durling to the Citizen Advisory Committee
- Alice Carey to the Conservation Commission
- Maria Peppas to the Library Board of Trustees
- Tyler McLaughlin to the Library Board of Trustees
- Rick Chellman to the Planning Board
- Paul Giuliano to the Planning Board
- Peter Weeks to the Trustees of the Trust Fund
- Emma Stratton to the Arts & Cultural Commission
- Courtney Perkins to the Arts & Cultural Commission
- Karen Rosania to the Arts & Cultural Commission
- Robin Albert Lehman to the Arts & Cultural Commission
- Linnea Grim to the Arts and Cultural Commission
- John Elias "Eli" Kaynor to the Arts and Cultural Commission
- Kenneth Goldman to the Arts and Cultural Commission
- Jason Goodrich to the Arts and Cultural Commission
- Genevieve Aichele to the Arts and Cultural Commission
- Jeffrey Cooper to the Arts and Cultural Commission
- Catherine Saarela to the Arts and Cultural Commission
- Theresa MacDowell to the Arts and Cultural Commission
- Lennie Mullaney to the Public Art Review Commission

20. **Voted** to appoint Herb Lloyd, Aubrey Gewehr, Effie Malley, Jessica Blasko, Steve De Trolio, Bert Cohen, Torey Brooks, William Lyons and Chas Sullivan to the Sustainability Committee.

21. Report Back on the CIP Citizen Request Meeting – Councilor Moreau provided a report back on the Capital Improvement Plan Citizen Request Meeting. No action required.

22. Acceptance of ARPA Funds for the Fleet Street Roadway Reconstruction - \$519,500.00 – **Voted** to authorize the City Manager to enter into an ARPA Grant Amendment No. 1 with the New Hampshire Department of Environmental Services for modification of the anticipated project substantial completion to the existing grant agreement.

23. Acceptance of Consolidated Rail Infrastructure and Safety Improvements (CRISI) Grant - \$460,000.00 – **Voted** to authorize the City Manager to enter into a Grant Agreement with the United States Department of Transportation to accept \$460,000.00 from the CRISI Grant Program. This funding will be used to perform preliminary engineering and development of specifications and cost estimates to replace the Bartlett Street bridge near the intersection of Bartlett and Cate Street.

24. City Manager's Informational Items:

Jones Avenue Scrap Yard Report Back to the City Council – City Manager Conard reported that the property has recently faced complaints regarding the operation of the scrap metal yard and increased truck traffic on Jones Avenue. She stated that the increased traffic stems both from the operations of the scrap yard and the City project of the Union Street Sewer Separation. She advised the Council that City staff is working with the owner of the property to identify alternative properties within the City to use as laydown when the Union Street Project resumes in the Spring. In addition, the staff continues to be willing to work generally with property owners to bring properties into compliance with the current zoning scheme.

Disposition of the McIntyre Property – City Manager Conard advised the City Council that on Friday the GSA closed on the property which terminates the license agreement between GSA and the City. She stated that Mr. DiLorenzo will monetize the parking he owns privately, and a separate private vendor will operate the parking.

Assistant Mayor Kelley requested a report back from the Legal Department on content for signage adjacent or close to the parking lots.

Pease Development Authority Board Meeting Update – City Manager Conard provided an update of the Pease Development Authority Board Meeting that was held on November 16, 2023.

- The arrivals hall project will begin shortly
- The fulfillment center lease was approved, and they broke ground in November
- Pease Gulf Course was named the Small Business of the Month by the Collaborative Greater Chamber of Commerce
- Allegiant will be discontinuing its Nashville flights
- Miles Greenway was named the Assistant Port Director

25. Miscellaneous Business Including Business Remaining Unfinished at Previous Meeting – The City Council requested that City Attorney Morrell and City Clerk Barnaby investigate whether or not the City Council needs to take quick action in order to hold a Special Election by the end of March, 2024 to fill the vacant State Representative seat for District 21.

26. Adjournment – At 10:15 a.m., voted to adjourn.

Submitted by:

Kelli L. Barnaby, MMC/CNHMC
City Clerk