

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 2, 2024

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

1. Public Comment Session – There were 33 speakers: Zelita Morgan (Various); Rob Exkin (Housing); Jim Hewitt, Chris White, Liza Hewitt, Sue Polidura (Jim Hewitt); Rebecca O'Brien (Sherburne & Playgrounds); Anna Kay Vorsteg, Kirsten Hunter (Sherburne School Project); Erik Anderson (Hewitt & Housing); Jeffrey Cooper (Support for Arts); Roy Helsel (Portsmouth Traffic); Paige Trace (Portsmouth); Susan Dewhirst (Sherburne School & Housing); Peter Furst (Sherburne School); Michael Rodriguez Torrent (Sherburne Project); Catherine Stewart (Sherburne Road Project); Kristin Jeffrey (Sherburne); Chris Dwyer (Public Art Trust); Craig Welch (PHA/Sherburne); Tom Ferrini, Merrill Aharonian, Jason Blades, Joan Griffin (PHA); Petra Huda (Sherburne School Process); Emma Stratton (Sherburne & Overlay); Karen Rosania (Arts Overlay); Jackie Cali-Pitts (General); Patricia Bagley (Mistakes/Hewitt); Alex Finigan, Marblehead, MA – POAH Representative (Sherburne School); Candace Parker, Matt Dyec, Dover, NH (PHA) and Verity Boyer, Exeter, NH (Sherburne).

2. Extension of Public Hearing Regarding Capital Improvement Plan (CIP) FY 2026-2031 – Re-opened the Public Hearing on the CIP. Moved to adopt the Capital Improvement Plan for FY2026-2031.

Voted to move the Bonding monies for the Elementary School Playgrounds up from FY27, FY28, FY29 to FY26, FY27, and FY28 in the amount of \$500,000.00 each year.

On a roll call vote 3-6, the motion to add \$50,000.00 for a Fleet Decarbonization Plan **failed** to pass. Councilors Tabor, Cook and Denton voted in favor. Assistant Mayor Kelley, Councilors Blalock, Bagley, Moreau, Lombardi and Mayor McEachern voted opposed.

Voted to increase the funding for the Trees and Greenery Project for FY26 to \$40,000.00, FY27 to \$60,000.00, FY28 to \$80,000.00, FY29 to \$100,000.00, and FY30 and FY31 to \$100,000.00.

Voted to include the Shuttle Loop/Micro-transit Study recommended by the Sustainability Committee and included as part of the Climate Action Plan in the CIP budget for funding in FY2026 with \$100,000.00 under Federal/State funding in FY26.

Voted that \$150,000.00 be added in FY27 from Parking Revenues for a feasibility and site selection study for a new parking garage.

On a unanimous roll call 9-0, **voted** to adopt the Capital Improvement Plan for FY2026-2031 as amended.

3. **Voted** to suspend the rules to bring forward Items XV. A.1. – Sherburne developer proposals: discussion and next steps and XVII. A.1. – Report Back on Sherburne Property Process as Requested at the November 18, 2024, City Council Meeting.

4. **Voted** to suspend the rules to allow questions by the two firms – Portsmouth Housing Authority (PHA) and Preservation of Affordable Housing (POAH) regarding the Sherburne Property.
5. **Voted** to suspend the rules to continue the meeting beyond 10:30 p.m. Assistant Mayor Kelley voted opposed.
6. Sherburne developer proposals: discussion and next steps & Report Back on Sherburne Property Process as Requested at the November 18, 2024, City Council Meeting – Moved to authorize the City Manager to enter into a contract with the Preservation of Affordable Housing (POAH) for permanent below-market housing at 35 Sherburne Road, substantially aligned with Proposal #09-25 and their response dated October 11, 2024.

Voted to table this matter until a Special City Council meeting on December 9, 2024. Councilors Blalock and Bagley voted opposed.

7. Third and Final Reading of Ordinance amendment to Chapter 1, Article V, Purchasing Procedures, Sections 1.500-1.504 to be deleted in its entirety and replaced with a new Article V, retitled Procurement Procedures, inclusive of new Sections 1.500-1.504 – **Voted** to pass third and final reading of the ordinance as presented.
8. Lease Agreement with Community Day Care Center, Inc. D/B/A Seacoast Community School at Community Campus – **Voted** that the City Manager be authorized to amend any Exhibit and to finalize and execute the Lease Agreement with the Community Daycare Center, Inc., d/b/a Seacoast Community School in a form similar to what is proposed in the Agenda Packet.
9. Request for Public Hearing to Authorize Loan and Acceptance of Grant for Sludge Minimization and PFAS Destruction Pilot – **Voted** to schedule a public hearing at the December 16, 2024, City Council meeting and subsequently authorize the borrowing of \$1,000,000.00 as described above.
10. Roll Call Vote for Bonding Authorization Adopted November 18, 2024 – On a unanimous roll call 9-0, **voted** to reaffirm by roll call vote the unanimous vote taken at the November 18, 2024, meeting to adopt Resolution #20-2024, authorizing a bond issue and/or notes of up to four million three hundred thousand dollars (\$4,300,000.00) for water system improvements, and rescinding a like amount of funds authorized to be borrowed for the replacement of water transmission mains beneath Little Bay, which project is not ready to be undertaken at this time.
11. Authorization to Disburse Monies for Peirce Island Public Art – **Voted** to authorize the Trustees of Trust Funds to disburse funds from the City of Portsmouth Public Art Trust to DiBari Innovation and Design LLC as required under a contract dated November 20, 2024, for art to be installed on Peirce Island and further that the City Manager is authorized to request multiple disbursements under the contract up to the amount held in the Trust associated with the Peirce Island Wastewater Treatment Facility percent-for art contribution without further vote of the City Council.

12. Consent Agenda – **Voted** to adopt the Consent Agenda.

- A. Request from Michelle Corgan of Bell Farm Shops LLC., DBA Perch + Petal to install a Projecting Sign at 105 Daniel Street (*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 no cost 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*

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

14. Request from Valerie Rochon, Managing Director, Portsmouth NH 400th, Inc., to Establish Two New City Trusts – **Voted** to authorize the City to enter into the Declaration of Trust Reserve for Portsmouth Settlement Anniversaries and Declaration of Trust 400th Anniversary Education and Public Art Trust with Portsmouth NH 400th Inc. (PNH400) and the Trustees of Trust Funds, as presented; to accept the proposed donations of \$30,000.00 and \$100,000.00 to those trusts, respectively; to accept such additional funds as may be contributed by PNH400; and to authorize the City Manager to execute the trust documents on behalf of the City.

15. Disbursement of funds from the Portsmouth 400th Anniversary Trust to the Portsmouth NH 400th Inc. – **Voted** to authorize the Trustees of Trust Funds to release the remaining funds in the City of Portsmouth 400th Anniversary Trust to the Portsmouth NH 400th Inc. charitable organization as reimbursement for the final eligible amounts spent by that organization as represented in the November 26, 2024, communication from Valerie Rochon, Managing Director.

16. Appointment to be Voted – **Voted** to approve the reappointment of Philip Cohen to the Economic Development Commission until October 1, 2027; appointment of Ethan Underhill to the Board of Library Trustee until October 1, 2027; appointment of Jane Mitchell-Pate to the Parking & Traffic Safety Committee until December 2, 2027, appointment of Colleen Spear & Maxson Ward to the Sustainability Committee until October 1, 2027, appointment of Scott McDermott to the Trees and Public Greenery Committee until December 2, 2027, and reappointment of Beth Margeson to the Zoning Board of Adjustment until December 1, 2029. Councilor Bagley abstained from voting.

17. Establish Municipal Building Blue Ribbon Committee – **Voted** to dissolve the current Community Policing Facility Working Group and move to establish a Municipal Building Blue Ribbon Committee at the December 16, 2024, City Council meeting.

18. Arts Overlay District – **Voted** to request that the Planning Board, Planning Staff, and Legal Department work together to draft an Arts Overlay District to be included in our zoning code, with incentives for artist live/work space, studio space, gallery space, and/or nonprofit arts and cultural organizational space, to be initially applied to the CD4-W zone in the West End Area as part of the Master Planning process.
19. I-95 Median Speed Enforcement – **Voted** to request the City Council and Mayor to send a letter to the Governor urging the continuation of increased and highly visible speed enforcement of I-95 until median barriers are installed.
20. Acceptance of Donation to the Department of Public Works for the construction of pump track - \$5,000.00 – **Voted** to approve and accept the \$5,000.00 donation to the Department of Public Works from the NH Charitable Foundation's Altus Engineering Charitable Fund for the construction of a pump track.
21. Acceptance of Donation to the Department of Public Works for the construction of a pump track - \$5,000.00 – **Voted** to approve and accept the \$5,000.00 donation to the Department of Public Works from Neal Ouellett and Darlene Furbush Ouellett for the construction of a pump track.
22. Acceptance of Donation to the Department of Public Works for the labor and materials for the construction of a pump track - \$10,000.00 – **Voted** to approve and accept the \$10,000.00 donation to the Department of Public Works from the Severino Trucking Co., Inc. for labor and materials for the construction of a pump track.
23. Acceptance of Violence Against Women Act Grant, as Amended - \$25,025.00 – **Voted** to approve and accept the Violence Against Women Act Grant, as amended.
24. Adjournment – At 11:40 p.m., **voted** to adjourn the meeting.

Respectfully submitted:

Kelli L. Barnaby, MMC/CNHMC
City Clerk