

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH  
DATE: MONDAY, NOVEMBER 18, 2024 TIME: 5:00PM

*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\\_uY1mDIsvRciMFt8Ex0li\\_g](https://us06web.zoom.us/webinar/register/WN_uY1mDIsvRciMFt8Ex0li_g)

**5:00PM - ANTICIPATED NON-PUBLIC SESSION IS BEING HELD IN CONFERENCE ROOM A**

1. IT CYBER SECURITY – RSA 91-A:3(II)(i)
2. LITIGATION UPDATES – RSA 93-A:3 (e) & (l)

## AGENDA

- I. 6:00PM - WORK SESSION – NH DOT US Route 1 Corridor Improvement Project  
[https://us06web.zoom.us/webinar/register/WN\\_uY1mDIsvRciMFt8Ex0li\\_g](https://us06web.zoom.us/webinar/register/WN_uY1mDIsvRciMFt8Ex0li_g)
- 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

### PROCLAMATIONS

1. Small Business Saturday
2. Vernis Jackson Day

- VII. ACCEPTANCE OF MINUTES *(There are no minutes on for acceptance this evening)*
- 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

### Public Hearing of Capital Improvement Plan (CIP):

- A. CAPITAL IMPROVEMENT PLAN (CIP) FY 2026-2031
  - PRESENTATION *(Presentation was held at the November 12, 2024 Work Session)*
  - CITY COUNCIL QUESTIONS
  - PUBLIC HEARING SPEAKERS
  - ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS

*(Sample motion – move to extend the Public Hearing until the December 2, 2024 City Council meeting)*

**Public Hearing/Second Reading of Ordinances:**

- B. PUBLIC HEARING AND SECOND 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

- **PRESENTATION**
- **CITY COUNCIL QUESTIONS**
- **PUBLIC HEARING SPEAKERS**
- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

*(Sample motion – move to pass second reading and schedule a third and final reading for the December 2, 2024 City Council meeting)*

C. **Public Hearing/Adoption of Resolutions:**

PUBLIC HEARING AND ADOPTION of Resolution Appropriating Four Hundred Fifty-Five Thousand Nine Hundred Ninety-Four Dollars and Sixty Three Cents (\$455,994.63) from American Rescue Plan Act (ARPA) Grant to Pay Costs Associated with Climate Action Plan recommendations, Mobile Library Resources, Community Health Needs Assessment recommendations, and Maplewood Avenue Waterline Upgrades (Items Listed in Exhibit A) and for the Payment of Costs Incidental and related thereto

- **PRESENTATION**
- **CITY COUNCIL QUESTIONS**
- **PUBLIC HEARING SPEAKERS**
- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

*(Sample motion – move to adopt the Resolution as presented)*

- D. PUBLIC HEARING AND ADOPTION of Resolution Authorizing a Bond Issue and/or Notes of up to Four Million Three Hundred Thousand Dollars (\$4,300,000.00), 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

- **PRESENTATION**
- **CITY COUNCIL QUESTIONS**
- **PUBLIC HEARING SPEAKERS**
- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

*(Sample motion – move to adopt the Resolution as presented)*

**Third and Final Reading of Ordinance:**

- E. Third and Final Reading of Ordinance amending Chapter 10, Zoning Ordinance, Article 6, Overlay Districts, be amended by adding Section 10.680 – Gateway Neighborhood Overlay District by Establishing a New Incentive Overlay District Allowing for Higher Density Housing (***Sample motion – move to pass third and final reading of the ordinance***)

**XI. CITY MANAGER’S ITEMS WHICH REQUIRE ACTION**

**A. CITY MANAGER CONARD**

**City Manager’s Items Which Require Action:**

1. Temporary Construction License for 2 Congress Street, the North Church of Portsmouth
2. Approval of 2025 City Council Calendar
3. Second Extension of Temporary Construction License for EightKPH, LLC at 70 Maplewood Avenue
4. Temporary Construction License for 93 Market Street
5. Temporary Construction License for 50 South School Street
6. Acceptance of Community Health Improvement Plan
7. Haven Court Land Swap
8. Community Space Easement and Access Easement for Water Services for Property Located at 815 Lafayette Road
9. Street Naming for 815 Lafayette Road – Waterford Place
10. Lease Agreement Amendment with AIDS Response at Community Campus
11. Lease Agreement with Krempels Center, Seacoast Outright and Child Advocacy Center of Rockingham County at Community Campus

**XII. CONSENT AGENDA**

- A. Request from Bryan Granese, N. Granese & Sons Inc., to install a Projecting Sign at 28 Deer 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***
2. Letter from Michaela Kneuer, Big Brothers Big Sisters of New Hampshire, requesting permission to hold the 17<sup>th</sup> Annual Stiletto Sprint on Saturday, September 20, 2025 (rain date September 21, 2025) ***(Sample motion – move to refer to the City Manager with Authority to Act)***

**XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS**

- A. Email Correspondence ***(Sample motion – move to accept and place on file)***
- B. Letter from Attorney R. Timothy Phoenix, Hoefle, Phoenix, Gormley & Roberts, PLLC., regarding Request for Easement for Joshua Wentworth House located at 27 Hancock Street ***(Sample motion – move to authorize the City Manager to negotiate and execute an easement to Jonathan and Susan Paige Trace, owners of 27 Hancock Street, for the portion of the house located within the public right of way if the Planning Board votes to waive the referral and report requirement pursuant to Ordinance Section 11.602 (C))***
- C. Letter from Donna Smith, Appledore Medical Group, requesting the consideration of discounting and/or waiving alarm billing invoice ***(Sample motion – move to refer to the Legal and Finance Departments to establish a payment plan)***
- D. Letter from Portsmouth Hospitality Team, requesting permission to hold an Outside Beer Garden Event at Hearth Market on Saturday, December 7, 2024 from 2:00 p.m. to 8:00 p.m.

**XIV. MAYOR McEACHERN**

1. Appointments to be Considered:
- Reappointment of Philip Cohen to the Economic Development Commission
  - Appointment of Ethan Underhill to the Board of Library Trustees
  - Appointment of Jane Mitchell-Pate to the Parking & Traffic Safety Committee
  - Appointment of Colleen Spear to the Sustainability Committee
  - Appointment of Maxson Ward to the Sustainability Committee
  - Appointment of Scott McDermott to the Trees and Public Greenery Committee
  - Reappointment of Beth Margeson to the Zoning Board of Adjustment

2. \*Appointment to be Voted:
  - Ronald Baisden to the African Burying Ground

## XV. CITY COUNCIL MEMBERS

### A. COUNCILOR TABOR, COUNCILOR COOK & COUNCILOR DENTON

1. Feasibility of a 1-2 megawatt Municipal Solar Array on Jones Avenue Landfill (***Sample motion – move that the city explore the feasibility, built through contractors, of a large-scale solar array at the Jones Avenue Landfill to offset municipal utility costs and substantially reduce carbon emissions***)

### B. COUNCILOR COOK

1. \*Encumbrance Ordinance Clean-up (***Sample motion – move to ask the Governance Committee to review the encumbrance ordinances and policies, per a request from City staff, in order to remove inconsistencies***)

### C. COUNCILOR DENTON & COUNCILOR COOK

1. Draft Solar Array Overlay District (***Sample motion – move that the City Manager report back on the best way to pursue the creation of a Solar Array Overlay District in our zoning ordinance***)

### D. COUNCILOR BAGLEY

1. Parking and Traffic Safety Committee Action Sheet and Minutes of the October 3, 2024 and November 7, 2024 meetings (***Sample motion – move to approve and accept the action sheets and minutes of the October 3<sup>rd</sup> and November 7<sup>th</sup>, Parking & Traffic Safety Committee meetings***)
2. **Action Item Needing Approval by City Council:**
  - Middle Street (***Sample motion – move to temporarily remove one space to the northeast of the intersection with Cass Street***)
  - Hanover Street at the One Hundred Club (***Sample motion – move to approve the annual renewal of the valet license for the One Hundred Club***)
3. \*Establish Holiday Parking Incentive (***Sample motion – move to establish a holiday parking incentive from Monday, December 16<sup>th</sup> through Wednesday, January 1<sup>st</sup>, offering the first three hours of parking free at both the High Hanover and Foundry garages***)

**XVI. APPROVAL OF GRANTS/DONATIONS**

- A. Moose License Plate Conservation Grant (***Sample motion – move to approve and accept the Moose License Plate Conservation Grant***)
- B. Acceptance of Donation to the Cemetery Committee (***Sample motion – move to approve and accept the \$200.00 donation for the Cemetery Committee to continue to support maintenance of Cotton and historic cemeteries***)

**XVII. CITY MANAGER’S INFORMATIONAL ITEMS**

- 1. \*Verbal Revaluation Update
- 2. \*Winter Farmers’ Market Request
- 3. \*Report Back on Outdoor Dining – End of Season Summary
- 4. Report Back on Water and Sewer Capacity
- 5. \*Verbal Update on FlashVote Survey Regarding Capital Priorities
- 6. \*Pease Development Authority Board Meeting Update

**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**