

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: TUESDAY, FEBRUARY 20, 2024

PORTSMOUTH, NH
TIME: 7:00PM

Councilor Tabor moved to close the Non-Public Session and seal the minutes. Seconded by Councilor Lombardi and voted.

III. CALL TO ORDER

Mayor McEachern called the meeting to order at 7:10 p.m.

IV. ROLL CALL

PRESENT: Mayor McEachern, Assistant Mayor Kelley, Councilors Tabor, Cook, Denton, Blalock, Bagley, Moreau and Lombardi

V. INVOCATION

Mayor McEachern asked everyone to join him in a moment of silent prayer in memory of Rebecca Perkins Kwoka's mother who recently passed away and Captain Jack Casey of the US Marines who was tragically killed in a helicopter training exercise in California. Please keep his widow Emma and his parents Jim and Katherine in your hearts and thoughts.

VI. PLEDGE OF ALLEGIANCE

Mayor McEachern led in the Pledge of Allegiance to the Flag.

PRESENTATION OF MAYOR'S AWARD

Mayor McEachern issued a Mayor's Award for Liz Forkel for her kindness and generosity in raising \$156,000.00 through spinning and for providing that funding to multiple nonprofit organizations.

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

A. Recognition of Nathan Lunney, NH School Business Administrator of the Year

Mayor McEachern and the City Council recognized Nathan Lunney for being named the NH School Business Administrator of the Year.

IX. PUBLIC COMMENT SESSION

Susan Sterry spoke opposed to the city cutting \$20,000.00 from the Cemetery Budget. She said that cemeteries are our historical link to the past.

Andrea Stein Goldsworthy spoke regarding the genocide happening in Gaza. She asked the City Council to create a Resolution calling for a ceasefire.

Yussra Ebrahim spoke to the need for a ceasefire. She said 70 US cities have passed such Resolutions and they would like to see Portsmouth added to the list.

Lenore Weiss Bronson said that planners and developers have selected thirty projects for development and asked if the abutters have been notified. She asked how the city recommends residents deal with the 1,000 vehicles using Woodbury Avenue. She said this is a safety matter that needs to be addressed.

Mohammed Ebrahim spoke in support of a ceasefire Resolution. He feels very strongly about this matter and urged the City Council to create and adopt such a Resolution. He said things need to change when dealing with global issues.

Gihan Abousamuk said she has been a resident here for 20 years. She said Portsmouth is her home and the city should stand on the right side of history and support a ceasefire.

Abdullah Ahmad asked that the City Council pass a Resolution for a ceasefire which, the United States has failed to do. He said the stance you take tonight would support an end to gun fire.

Anas Hannoun spoke in support of a ceasefire to end the suffering occurring in Gaza. He said due to the lack of a medical system in Gaza, people have no access to care or medications they need. He urged the City Council to sign a Resolution for a ceasefire.

Yasmin Alani said the situation in Gaza is dire, and it is hard to watch what is happening to the children. She said no one should be made to suffer like they are. She said we need to intervene on this matter and asked the City Council to pass a Resolution for an immediate and permanent ceasefire.

Jennifer Mandlebaum thanked the Parking & Traffic Safety Committee for updating signage at Market and Hanover Streets. She said the new signs will help with the traffic issues in that area.

Rich DiPentima provided his support for a ceasefire in Gaza. He said the United States has allowed the situation in Gaza to become a concentration camp and we need to come to a final solution so that people can live in peace.

Nicole Benoit, Kittery, Maine said the situation and images are horrific in Gaza. She said we are asking for a ceasefire and passing a Resolution is an example of bravery and strength.

Adeena Ahsan, Durham, NH spoke to people starving to death in Gaza while the rest of the world is letting this happen. She called for peace.

Mikulas Plesae, Durham, NH asked for a Resolution for an immediate ceasefire. He urged the City Council to sign the Resolution. He said all people should have human rights.

Dullah (via Zoom), spoke for the need of a ceasefire and the terrible conditions in Gaza. She said imagine the faces of children when making a decision for a ceasefire.

Mayor McEachern said no vote will be taking place this evening on the Resolution. He said we just received the Resolution, and a vote would come at the next City Council meeting.

At 8:10 p.m., Mayor McEachern called for a brief recess. At 8:15 p.m., Mayor McEachern called the meeting back to order.

X. PUBLIC HEARINGS AND VOTE ON ORDINANCES AND/OR RESOLUTIONS

Public Hearings and Adoption of Resolutions:

- A. Public Hearing and Adoption of Resolution Pursuant to RSA 72:39-b the City hereby amends the elderly exemption based on assessed value for qualified taxpayers, such that the exemption shall be available only when the qualifying taxpayers(s) have a net income

Mayor McEachern read the legal notice, declared the public hearing open and called for speakers.

Assessor Lentz provided a presentation on elderly exemptions and spoke to the requirements to qualify. She explained the options available and outlined the impact of the exemption. She stated that with all three exemptions it would equal \$.10 on the tax rate. Assessor Lentz announced that applications are due by April 15th and that the exemptions are not retroactive.

Councilor Bagley said he would support the Resolution. He asked what type of effect the last increase had. Assessor Lentz reported that there were not many residents that qualified.

Councilor Cook asked if the exemption could increase with the revaluation. Assessor Lentz said she would suggest the Council review that in July to make it part of the tax bill in December.

With no speakers, Mayor McEachern closed the public hearing.

Assistant Mayor Kelley moved to adopt Option 1 of the Elderly Exemption Resolution. Seconded by Councilor Denton.

OPTION 1:

Proposed increase of Elderly Exemption by the Social Security cost-of-living increase

Single	\$51,741.00
Married	\$70,793.00
Asset Limit	\$500,000.00

Mayor McEachern asked if we could adjust the single income now.

Councilor Bagley made a friendly amendment to increase the single person to \$54,000.00. Assistant Mayor Kelley agreed to the friendly amendment as maker of the motion and Councilor Denton agreed as second to the motion.

Motion passed.

OPTION 1:

Proposed increase of Elderly Exemption by the Social Security cost-of-living increase

Single	\$54,000.00
Married	\$70,793.00
Asset Limit	\$500,000.00

- B. Public Hearing and Adoption of Resolution Pursuant to RSA 72:39-b the City hereby amends the disabled exemption based on assessed value for qualified taxpayers, such that the exemption shall be available only when the qualifying taxpayers(s) have a net income of not more than

Mayor McEachern read the legal notice, declared the public hearing open and called for speakers.

Assessor Lentz provided a brief presentation on the disabled exemption. She explained the requirements to qualify for the exemption. She announced that applications are due by April 15th and that the exemptions are not retroactive. Assessor Lentz mentioned the exceptional work by Lisa Siegel who works directly with residents on their exemption paperwork.

With no speakers, Mayor McEachern declared the public hearing closed.

Councilor Bagley moved to adopt Option 1 of the Disabled Exemption Resolution with the exception that Single person be set at \$54,000.00. Seconded by Councilor Moreau and voted.

OPTION 1:

Proposed increase of Disabled Exemption by the Social Security cost-of-living increase

Single	\$54,000.00
Married	\$70,793.00
Asset Limit	\$500,000.00

- C. Public Hearing and Adoption of Resolution Appropriating Thirty-Four Thousand Five Hundred Seventy-Four (\$34,574) Dollars from American Rescue Plan Act (ARPA) Grant to Pay Costs Associated with Pandemic Response Supplies and for the Payment of Costs Incidental and Related Thereto

Mayor McEachern read the legal notice, declared the public hearing open and called for speakers.

City Manager Conard said the inventory list is in your packet.

With no speakers, Mayor McEachern closed the public hearing.

Councilor Tabor moved to adopt the Resolution as presented. Seconded by Councilor Lombardi.

Mayor McEachern stated that this is not operating costs, this will bring us back to pre-pandemic levels.

Motion passed.

- D. Third and Final Reading of Ordinance amending Chapter 6, License, Article XVII – Outdoor Dining Encumbrance Permit, Sections 6.1701-6.1707

Councilor Moreau moved to pass third and final reading of this ordinance, and adopt the ordinance as presented. Seconded by Councilor Bagley.

Councilor Bagley thanked the Economic Development Commission and public for all their hard work on this ordinance.

Mayor McEachern asked when the season ends. Councilor Blalock announced the weekend after Indigenous People's Day. Mayor McEachern said provided the weather is good could we extend it to the following weekend.

Councilor Moreau said if someone came to request an extension could we grant an extension beyond the end of the season.

Deputy City Manager Woodland said if you would like to reconsider an extension you could always review the ordinance at a later date.

Motion passed.

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Adoption of Outdoor Dining Design Standards/Best Practices and to repeal City Council Policy 2012-02, Policy Regarding Use of City Property for Sidewalk Café's Providing Alcohol Service

City Manager Conard said that these are design standards and best practices. She stated to address safety concerns the Economic Development Commission recommends that these standards be voted separately for changes later.

Councilor Blalock moved to pass the City of Portsmouth Outdoor Dining Design Standards/Best Practices and to repeal City Council Policy 2012-02, Policy Regarding Use of City Property for Sidewalk Café's Alcohol Service. Seconded by Councilor Tabor and voted.

2. Adoption of Outdoor Dining Encumbrance Permit Fees

Councilor Lombardi moved to approve the Outdoor Dining Encumbrance Permit Fees as recommended by the Fee Committee as follows:

Per square foot costs: \$5.00
Minimum fee: \$750.00

Seconded by Councilor Denton.

Councilor Moreau said that this is a starting point and every year we will review numbers.

Councilor Cook thanked the Fee Committee for all their time and effort working on this.

Discussion followed regarding jersey barriers and set-up costs.

Motion passed. Assistant Mayor Kelley abstained from voting on this matter.

3. Auction of Excess Granite Materials

City Manager Conard said we have a surplus of granite materials which will be auctioned.

Assistant Mayor Kelley moved to recommend the City Manager be authorized to sell excess granite materials. Seconded by Councilor Lombardi and voted.

XII. CONSENT AGENDA

- A. Request from Tod O'Dowd, Avery Insurance, to install a Projecting Sign at 51 Islington Street, Unit 103 (*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 Work*

Councilor Blalock moved to adopt the Consent Agenda. Seconded by Councilor Cook and voted.

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Email Correspondence

Councilor Tabor moved to accept and place on file. Seconded by Assistant Mayor Kelley and voted.

- B. Request from the NH Society of the Sons of the American Revolution to hold a grave marking ceremony at the North Cemetery

Councilor Blalock moved to refer to the City Manager with Authority to Act. Seconded by Councilor Moreau and voted.

XIV. MAYOR McEACHERN

1. Appointments to be Considered:
 - Appointment of Chuck Raye to the Citywide Neighborhood Committee
 - Appointment of Elisabeth “Betsy” Blaisdell to the Energy Advisory Committee
 - Appointment of Tracey Cameron to the Energy Advisory Committee
 - Appointment of Herb Lloyd to the Energy Advisory Committee
 - Appointment of Thomas Nies to the Zoning Board of Adjustment

The City Council considered the appointments outlined above which will be voted upon at the next City Council meeting.

2. Appointments to be Voted:
 - Appointment of Jessica Dickey as an Alternate to the Arts & Cultural Commission
 - Appointment of Andrew Samonas as a regular member of the Planning Board
 - Appointment of Ernie (Ernestine) Greenslade to the Public Art Review Committee
 - Appointment of Robin Lurie-Meyerkopf to the Public Art Review Committee

Councilor Lombardi moved the appointments of Jessica Dickey as an Alternate to the Arts & Cultural Commission, Andrew Samonas as a regular member of the Planning Board until December 31, 2026, Ernie Greenslade and Robin Lurie-Meyerkopf to the Public Art Review Committee. Seconded by Councilor Cook and voted.

3. Appointments to Blue Ribbon Committees:
 - Appointment of Megan Corsetti to the Housing Blue Ribbon Committee
 - Appointment of Tracy Kozak to the Housing Blue Ribbon Committee
 - Appointment of Mary Loane to the Housing Blue Ribbon Committee
 - Appointment of Byron Matto as the School Board Representative to the Housing Blue Ribbon Committee
 - Appointment of Dagan Migirditch to the Housing Blue Ribbon Committee
 - Appointment of John O’Leary to the Housing Blue Ribbon Committee
 - Appointment of Jen Stebbins Thomas to the Housing Blue Ribbon Committee
 - Appointment of Erik Anderson to the Housing Blue Ribbon Committee

Mayor McEachern announced the members of the Housing Blue Ribbon Committee as outlined above.

4. Resolution regarding Staffing Mandate for Nursing Homes

Councilor Tabor moved to refer to the Legislative Subcommittee with the Authority to Act. Seconded by Councilor Lombardi and voted.

XV. CITY COUNCIL MEMBERS

A. COUNCILOR COOK & COUNCILOR MOREAU

1. State Street Two-Way Redesign CIP Recommendation

Councilor Cook requested that a CIP sheet be prepared and included in the next City Council packet for State Street Two-Way Redesign as an amendment to the CIP. Councilor Moreau requested that this would be a two-year funding project with the first-year design and the second-year construction.

B. COUNCILOR BAGLEY

1. Parking & Traffic Safety Committee Action Sheet and Minutes of the February 1, 2024 meeting

Councilor Bagley moved to approve and accept the action sheet and minutes of the February 1, 2024 Parking & Traffic Safety Committee meeting. Seconded by Councilor Blalock and voted.

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Approval of Hazard Mitigation Plan Grant - \$15,000.30

Assistant Mayor Kelley moved to accept the terms of the Hazard Mitigation Grant Program as presented in the amount of \$15,000.30 for updating the local hazard mitigation plan. Furthermore, the City acknowledges that the total cost of this project will be \$16,667.00, in which the city will be responsible for a 10% match of \$1,666.70. Seconded by Councilor Cook and voted.

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

1. FY25 Budget Intentions

City Manager Conard suggested reductions in Capital Outlay and Information Systems as presented in the Capital Improvement Plan. She indicated with these reductions and use of ARPA funding totaling \$1,111,858.00, if approved the FY25 Capital Outlay and Information Systems will be \$362,156.00 less than the FY24 Budget for these same items. In addition, funding for the ambulance replacement will be changed from cash rolling stock to bond/lease rolling stock. Also, City Manager Conard proposed to use the \$2,183,054.00 in the remaining Revenue Loss portion of ARPA funds as revenue in the general fund in FY25 to obligate and expend on general government services.

2. Report Back on Home Occupation Zoning

Councilor Cook moved to request that the language in the City Council packet be sent to the Planning Board for discussion and returned to the City Council. Seconded by Councilor Blalock and voted.

3. Market Square Master Plan Working Group

City Manager Conard reported that she is working with Mayor McEachern to set up a Working Group for the Market Square Master Plan.

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

Assistant Mayor Kelley recognized the Portsmouth Debate Team as being the only team from New Hampshire competing at Harvard this week in a three-day competition.

Councilor Tabor reported that the City Council and Planning Board is having a Joint Listening Session on Thursday, February 22, 2024 at 6:00 p.m. in the Eileen Dondero Foley Council Chambers regarding the Study Circle Dialogue Report Out regarding Places to Live.

Councilor Blalock reported that the Portsmouth High School Alpine Ski Team won the Division 1 State Championship. He also reported that several individuals on the Wrestling Team won State Championships.

Councilor Moreau announced Wednesday, February 21, 2024, the Historic District Commission and Planning Board will be meeting regarding Solar Panels at the Levenson Room in the Library at 6:00 p.m.

Mayor McEachern reported that the City is working to mitigate the issues surrounding the construction project at the High Hanover Garage.

XIX. ADJOURNMENT

At 9:25 p.m., Assistant Mayor Kelley moved to adjourn the meeting. Seconded by Councilor Blalock and voted.



KELLI L. BARNABY, MMC/CNHMC
CITY CLERK