

## CITY COUNCIL MEETING

MUNICIPAL COMPLEX  
DATE: MONDAY, MAY 16, 2005

PORTSMOUTH, NH  
TIME: 7:00PM

### **I. CALL TO ORDER**

Mayor Sirrell called the meeting to order at 7:05 p.m.

### **II. ROLL CALL**

Present: Mayor Sirrell, Assistant Mayor Grasso, Councilors Ferrini, Marchand, Pantelakos, Hynes, Raynolds, Whitehouse and St. Laurent (7:10 p.m.)

### **III. INVOCATION**

Mayor Sirrell asked everyone to join in a moment of silent prayer.

### **IV. PLEDGE OF ALLEGIANCE**

Councilor Hynes led in the Pledge of Allegiance to the Flag.

### **MAYOR'S AWARDS**

1. NH State Champions in Destination ImagiNation

Mayor Sirrell and Assistant Mayor Grasso presented the Destination ImagiNation Team from the Portsmouth Middle School with Mayor's Awards and t-shirts in honor of them winning the NH State Championship. The team will be competing in the National Championship later this month in Tennessee.

2. Representatives from Portsmouth High School Band and Choir – Eric Gagnon, Band Director; Gwen Baker, Choir Director; and band members

Mayor Sirrell presented Mr. Gagnon, Ms. Baker and band members with t-shirts in recognition of their performances in the band and choir competition held in Florida.

3. Representatives from Portsmouth High School Environmental Club

Mayor Sirrell presented Mayor's Awards and t-shirts to the Portsmouth High School Environmental Club in recognition of their hard work in the community.

### **PROCLAMATION**

1. Bike to Work Week

Councilor Raynolds read the Proclamation declaring May 20<sup>th</sup> as Bike and Walk to Work Day. Mayor Sirrell presented the Proclamation to Councilor Raynolds who accepted it on behalf of Seacoast Area Bicycle Routes with thanks and appreciation.

## **PRESENTATION**

### 1. Participants of Japan Trip

School Superintendent Lister, Ambassador Foley, Cindy Lister of New Franklin School, and students discussed their recent trip to Japan. Superintendent Lister and Ambassador Foley presented Mayor Sirrell the gift of a porcelain doll enclosed in a glass case from Japan.

## **V. ACCEPTANCE OF MINUTES – MAY 2, 2005 & MAY 3, 2005**

Councilor Hynes moved to accept and approve the minutes of the May 2, 2005 and May 3, 2005 City Council meetings. Seconded by Councilor Pantelakos and voted.

## **VI. PUBLIC COMMENT SESSION**

Esther Kennedy requested that the off-leashed areas for dogs be incorporated into the new Dog Ordinance.

Marge Hubbard & Jennie Griffith, Chamber of Commerce, thanked the City Council for the continued partnership between the City and the Chamber of Commerce and spoke to its importance. Ms. Hubbard and Ms. Griffith urged the City Council to support the partnership and the request for funding.

Pat Dawaliby, Save Our Shipyard Organization, spoke in support of the partnership between the City and the Chamber of Commerce and its role in the initiative to save the shipyard. She spoke to the important role Jennie Griffith of the Chamber of Commerce has played and will continue to play in the effort to remove the Portsmouth Naval Shipyard from the base closure list.

Joseph Freda, Save Our Shipyard Organization, spoke in support of the partnership between the City and the Chamber of Commerce and its role in the initiative to save the shipyard. He said it will be a long hard battle to remove the shipyard from the base closure list, however it is important that we remain united in this fight. He urged the City Council to support the continued partnership and the request for funding by the Chamber of Commerce.

Dana Levenson, Economic Development Commission, spoke in support of the continued partnership between the City and the Chamber of Commerce. He advised the City Council that the Economic Development Commission reviews the request of the Chamber on an annual basis and urged the City Council to support their request. He said that there has been a reduction in the amount of funding provided to the Chamber this year based on our economic situation.

## VII. PUBLIC HEARING

- A. ORDINANCE AMENDING CHAPTER 10, ARTICLE II, SECTION 10.202 –  
LOCATION – TO REZONE THE PROPERTIES LOCATED OFF MIRONA ROAD  
AT ASSESSORS MAP 252, LOT 3 AND MAP 253, LOT 4 FROM INDUSTRIAL  
(I) TO GENERAL BUSINESS (GB)

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

City Manager Bohenko requested Planning Director Holden to provide a brief synopsis of the proposed ordinance.

Planning Director Holden advised the City Council that the Planning Board reviewed this request in February and provided their report back to approve the rezoning request. He said that the rezoning would make the entire area General Business and affects two parcels. He reported that the ordinance does comply with the Master Plan. He advised the City Council that the Site Review Technical Advisory Committee would look into the traffic issues.

Attorney Malcolm McNeill, Representing Michael Realty Trust, advised the City Council that the rezoning requests proposes to change a 4 acre parcel from industrial to general business. He said that the proposal does meet within the Master Plan. He advised the City Council that the Planning Board held a public hearing on this proposal and rezoning request. He said no industrial activity takes place on this site and it is not intend to in the future. He said that this area is compatible with other businesses that are zoned general business. He advised the City Council that we are not here this evening to talk about parking or who will develop the former Yoken's site. He said that Demoulas has opposed this request and no other abutters are opposed to this logical rezoning. He said that Demoulas is contending that this rezoning request is not in compliance with the Master Plan and that it is spot zoning. He urged the City Council to consider this request on its merits.

Attorney Robert Ciandella, Representing Demoulas – Market Basket, spoke opposed to the rezoning of this area. He advised the City Council that Attorney McNeill is trying to get the City Council to ignore the merits of the request and it is a legislative matter for the City Council. He said that the process followed by the Planning Board on this request was flawed. He advised the City Council that the matrix was not completed as part of the process. He advised the City Council that this rezoning provides no public benefit and \$1.6 million dollars of tax value would be rezoned. He said that Kevin Dandren, an Engineer for the development of supermarkets, is here this evening to discuss various issues related to the rezoning request. He reported that based on old zoning maps, this area has been zoned industrial since at least 1982. He said the City has a process for rezoning and it is certainly the best he has seen in New Hampshire, but in this case it was not followed. He said the process consist of an inventory phase, a critical assessment, a report and evaluation phase and a deliberative phase. He reviewed the major elements of the process and discussed the matrix that was not filed by the applicant as part of the procedures. The reason the Planning Department and Attorney McNeill have indicated that this process was not followed is because it was part of the Master Plan process. He said that out of 10 recommendations from the Master Plan this is the only one that was recommended for rezoning without gather further information. The other 9 recommendations

are all based on a public policy and are qualified recommendations to further study and gather additional information. He said that there has been no process or studying of the issues and private interests are driving this. He spoke to the substance of the rezoning request. He said the question for the City Council is what will replace the \$1.6 million dollars of assessed value. He said because there was no process we have no answer.

Kevin Dandren, TEC Engineering, representing DeMoulas and Market Basket Supermarkets, said if the process was followed by the Planning Board they would have had more of a substantive discussion with them regarding some of their concerns. He said he was hired to look at some of the alternatives that could be on the site. He said there are allegations and assumptions that this would be a supermarket but because there is no definitive plan they must speculate what may be put in this site. He addressed concerns of accessing the area off of Peverly Hill Road. He also addressed slope concerns and constraints to the area. He said there are significant challenges with this site and ask the City Council to look at the broader traffic, safety and site issues that have not been brought to you because of a lack of process and a lack of information. He urged the City Council to refer this matter back to the Planning Board to go through the process as required for such a rezoning request. He said several Planning Board members have expressed concerns that the process was not followed.

Attorney Robert Ciandella said if you approve this request the City would be granting this process without any public benefit. He urged the City Council to defeat the ordinance or referred the issue back to the Planning Board for the process to be followed.

Esther Kennedy, Portsmouth resident, questioned the amount of time a person is allowed to speak during a public hearing. City Attorney Sullivan advised Ms. Kennedy that there is no time limit on a public hearing however, on rare occasions the City Council could place a time limit.

Sherry Garrity, Portsmouth resident spoke in favor of the rezoning request and said the area is better suited for general business. She said all other issues relating to traffic and safety will be considered later in the process.

Attorney Malcolm McNeill said if Planning Director Holden feels that the process was followed he should state so, or if anything was done improper he invites him to come forward. He said there was a complete process with this zoning change. This was not a case where there was a sole rezoning, but this was part of the Master Plan process at the same time that required Planning Board review and consultant review. He asked where is Demoulas/Market Basket's argument that the rezoning request should not be granted. He said there would not be an industrial user on the site. He said that this is not a complex issue and urged the City Council to support the ordinance for rezoning the area from industrial to general business.

Attorney Robert Ciandella said there is no indictment on the City process or the Master Plan, the City has the best process and the Master Plan is a great piece of work. He said the issue is that the great process was not followed because of the Master Plan.

After three calls and no further speakers, Mayor Sirrell closed the public hearing.

## VIII. APPROVAL OF GRANTS AND DONATIONS

- A. Acceptance of Greater Piscataqua Community Foundation (GPCF) Grant for Cemetery signs - \$5,000.00

Councilor Whitehouse moved to accept the GPCF grant award and authorize the City Manager to oversee its administration. Seconded by Councilor St. Laurent and voted.

- B. Acceptance of Greater Piscataqua Community Foundation (GPCF) Grant for Art-Speak Coordinator - \$21,733.00

Assistant Mayor Grasso moved to accept the GPCF grant award and authorize the City Manager to oversee its administration. Seconded by Councilor Whitehouse and voted.

- C. Acceptance of Donations to the New Library Building Fund
- Youth Basketball Clinic Sponsorship - \$55.00

Councilor Ferrini moved to approve and accept the donation to the New Library Building Fund as listed. Seconded by Councilor St. Laurent and voted.

## IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Second reading of Ordinance amending Chapter 10, Article II, Section 10.202 – Location – to rezone the properties located off Mirona Road at Assessors Map 252, Lot 3 and Map 253, Lot 4 from Industrial (I) to General Business (GB)

Councilor Ferrini moved to pass second reading of the amended ordinance, as submitted, and hold third and final reading at the June 6, 2005 City Council meeting. Seconded by Councilor Marchand.

Councilor Whitehouse asked Planning Director Holden if the process was followed to the tee. Planning Director Holden responded affirmatively. He said that the informational matrix was created to handle requests in between Master Plans. He said that the Planning Board involved the Master Plan planning process prepared through study circles. He said following the adoption of a Master Plan process if a request is made that is not germane to the present plan the informational matrix is used. Councilor Whitehouse asked if the final vote of the Planning Board was unanimous. Planning Director Holden said that there were two members that voted opposed, one for process and one with the concern to keep the parcel zoned industrial.

Councilor St. Laurent said he has concern with changing this parcel from industrial to general business. He asked if the value of the lot would change due to the rezoning. Planning Director Holden responded that all properties are taxed at the same rate but the values of the properties may change with their appropriate uses. He said that this request is to bring the zoning in compliance with surrounding properties and that may have a high quality value and exceed that of an industrial development. Councilor St. Laurent said he would vote against the motion because we do not know how the rezoning will effect the value of the land.

City Manager Bohenko said that the Master Plan was a two-year process and Planning Director Holden spoke on what happens with requests made in between the Master Plan process. He said that the Planning Board reviewed this request in great detail. He advised the City Council that you would see much of these requests coming through because in 10-years things change and in between those 10-years the matrix plan is used. He said he is taken back by some of the comments made by Attorney Ciandella. He advised the City Council that the process was followed and done properly.

Councilor Pantelakos asked why the Planning Board would allow this land to be changed from industrial to general business because we are losing all of our industrial land. Planning Director Holden advised Councilor Pantelakos that this area is primarily zoned general business. He said the general business reflects the character of the area and this is the best use of the site.

Councilor Ferrini advised the City Council that the Master Plan process was very comprehensive.

Councilor Whitehouse said he is against the motion because we will lose more industrial land from our inventory that could provide blue-collar type jobs. He said that we need to preserve our industrial land.

On a roll call vote 6-3, motion passed. Assistant Mayor Grasso, Councilors Ferrini, Marchand, Hynes, Raynolds and Mayor Sirrell voted in favor. Councilors Pantelakos, Whitehouse and St. Laurent voted opposed.

- B. Third and final reading of Ordinance amending Chapter 6, Article VII, - Dog Ordinance be deleted in its entirety and replaced with new Sections 6.701 – 6.715; Chapter 8, Article II, Section 8.202(D) – Dogs in Parks; Chapter 9, Article IV – Removal of Dog Excrement deleted in its entirety

Councilor Pantelakos moved to suspend the rules in order to amend the dog ordinance. Seconded by Councilor Ferrini and voted.

Councilor Pantelakos moved to amend Section 6.702 (6) by deleting it in its entirety and replacing it with the following: *“Barks, whines, howls or cries in a continuous fashion for more than thirty (30) minutes.”* Seconded by Councilor Whitehouse and voted.

Councilor Whitehouse suggested including the off-leashed areas into the Dog Ordinance. City Attorney Sullivan advised Councilor Whitehouse that Assistant Mayor Grasso brought that matter before him last week, but placing that in the ordinance would require three readings for a change to the list of areas in the ordinance. He said by not including it in the ordinance the City Clerk or City Manager could add or delete areas. He said that City Clerk Barnaby would maintain the unleashed areas and provide a copy of the list to those people requesting a copy of the Dog Ordinance.

Assistant Mayor Grasso moved to pass third and final reading of the amended ordinance. Seconded by Councilor Pantelakos and voted.

Councilor Whitehouse suggested deleting Goodwin Park from the list of off-leashed areas. He said that the City spent a great deal of money to refurbish the park and felt it should not be an area for dogs to be off-leash.

Councilor Whitehouse moved to remove Goodwin Park from the list of off-leashed areas permitted for dogs. Seconded by Councilor St. Laurent.

Councilor Pantelakos said many people walk their dogs and clean up after them and they should not be excluded from Goodwin Park. She said no area should be removed from the list.

Councilor St. Laurent said he received a number of calls against this ordinance and residents feel their dogs should not have to be leashed.

Councilor Marchand said he would vote against the motion. He suggested allowing more locations in the City for dogs to go off-leashed.

Assistant Mayor Grasso requested that this ordinance be reviewed in a year.

On a roll call vote 8-1, motion failed to pass. Councilor Whitehouse voted in favor. Assistant Mayor Grasso, Councilors Ferrini, Marchand, Pantelakos, Hynes, Reynolds, St. Laurent and Mayor Sirrell voted opposed.

## **X. PRESENTATION AND CONSIDERATION OF WRITTEN COMMUNICATIONS AND PETITIONS**

- A. Renewal Request for Sidewalk Obstruction License from the following business with no changes from last year
- Cobble Hill – 1 A-frame sign

Councilor Ferrini moved to refer to the City Manager with power. Seconded by Councilor Whitehouse and voted.

- B. Letter from Michael and Jacqui Bryan requesting permission to hold the 2005 New Hampshire Seacoast Run Pedal Paddle on Saturday, September 17, 2005

Councilor Pantelakos moved to refer to the City Manager with power. Seconded by Councilor Reynolds and voted.

- C. Letter from Gail Bradbard, Cabot House, requesting permission to use the adjacent street to the Cabot House Parking Lot for the 12<sup>th</sup> annual Tent Sale from June 17, 2005 to June 19, 2005

Assistant Mayor Grasso moved to refer to the City Manager with power. Seconded by Councilor Whitehouse and voted.

- D. Request for Sidewalk Obstruction License from Roger Elkus, Me & Ollies Café to place 6 tables, 18 chairs and 1 A-frame sign in front of establishment

Assistant Mayor Grasso moved to refer to the City Manager with power. Seconded by Councilor Pantelakos and voted.

- E. Request for Sidewalk Obstruction License from William Thorpe, Seacoast African American Cultural Center Association, Inc., to place 1 A-frame sign in front of establishment

Councilor Ferrini moved to refer to the City Manager with power. Seconded by Councilor Pantelakos and voted.

Councilor Whitehouse requested that the A-frame sign not be chained to the telephone pole.

- F. Letter from Kenneth & Deborah Smith requesting a license for land use beside and in back of their property located at 298 Myrtle Avenue

Assistant Mayor Grasso moved to refer to the Planning Board for a report back. Seconded by Councilor St. Laurent and voted.

- G. Letter from Tracy Heine expressing her opposition to the Proposed Dog Ordinance

Assistant Mayor Grasso moved to accept and place the letter on file. Seconded by Councilor Pantelakos and voted.

- H. Letter from John Zwalley requesting that dogs using Goodwin Park be leashed

Councilor Whitehouse moved to accept and place the letter on file. Seconded by Councilor St. Laurent and voted.

- I. Letter from Ken Linscott, Maine Maritime Academy Alumni Association, requesting permission to hold tours of Schooner Bowdoin at the Prescott Park dock on July 6, 2005 – July 7, 2005

Councilor Ferrini moved to refer to the City Manager with power. Seconded by Councilor Pantelakos and voted.

- J. Letter from Josh Pierce, Seacoast Area Bicycle Routes, requesting permission to hold a “commuter breakfast” from 7:00 a.m. – 9:00 a.m. in Market Square in front of Breaking New Grounds

Councilor Raynolds moved to refer to the City Manager with power. Seconded by Councilor Whitehouse.

Councilor Whitehouse spoke against the request for the use of amplification for this event.



City Manager Bohenko advised the City Council that he would not approve their request to erect a tent for the event.

Motion passed.

## **XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS**

### **A. CITY MANAGER**

1. Newcastle Avenue Roadway and Seawall Reconstruction Project Burying Overhead Utilities-Cost Sharing Proposal

City Manager Bohenko asked City Attorney Sullivan to address this matter. City Attorney Sullivan said that the City Council considered the concept on a 50/50 share in the cost of burying the utilities with several abutters. He reported the total estimated cost of relocating the overhead utilities underground is \$350,000.00. He said that if the proposal is acceptable to the City Council, we would bond the entire cost of the overhead utility relocation and secure agreements with individual property owners for payment of principal and interest over the bonding period. He advised the City Council if all property owners do not agree to participate in the program the City would not bury the utilities underground.

City Manager Bohenko advised the City Council that the City funds 20% of the seawall reconstruction and 80% is federally funded. City Manager Bohenko reported that the bond is anticipated to be a 20-year bond.

Assistant Mayor Grasso moved to authorize the City Manager to bring back for first reading at the June 6<sup>th</sup> meeting a bond authorization for the Newcastle Avenue Roadway and Seawall Reconstruction Project Burying Overhead Utilities-Cost Sharing Proposal. Seconded by Councilor Ferrini.

Councilor Hynes spoke in support of the request and said it would be a tremendous improvement to the area.

Councilor St. Laurent asked if a landowner sells their home before full payment is made what would happen. City Attorney Sullivan said that they can pay the amount in one payment or it could become part of a mortgage and the City would receive the money at the sale of the home.

Councilor Whitehouse spoke in support of the request and said it would make the area much safer with the proposed improvements.

Motion passed.

2. Proposed Landscape & Drainage Easement Deeds Re: Changing Places, LLC/Development on Michael Succi Drive

City Manager Bohenko said he is requesting the City Council to approve the easement deeds as recommended by City Attorney Sullivan.

Councilor Whitehouse moved to accept the easement deeds, as listed, so that the originals may be forwarded to the City Clerk for inclusion into permanent City records. Seconded by Councilor St. Laurent and voted.

6. EDC Recommendation Re: Chamber Partnership and Guide to the Seacoast

City Manager Bohenko recommended approval by the City Council to continue the partnership between the City and the Chamber of Commerce.

Councilor St. Laurent moved to approve the appropriation of \$35,000.00 from UDAG Funds to continue the economic development partnership between the City and the Greater Portsmouth Chamber of Commerce. Seconded by Assistant Mayor Grasso.

Assistant Mayor Grasso suggested that the Chamber of Commerce include the historic cemeteries into the Guide to the Seacoast.

Motion passed.

3. Proposed Pedestrian Walkway Connecting Johnson Court and Junkins Avenue Along the South Mill Pond

City Manager Bohenko advised the City Council that Guthrie and Elizabeth Swartz would like to convey approximately an 8' wide parcel of land on the shoreline of the Mill Pond connecting their property with the municipal complex to the City for the purpose of allowing the City to construct a pedestrian walkway. He asked that the City Council refer this matter to the Planning Board for review and report back.

Councilor St. Laurent moved to refer this matter to the Planning Board for report back. Seconded by Councilor Ferrini and voted.

4. Request to Waive Pease Airport Terminal/Municipal Services Fee

City Manager Bohenko advised the City Council that business at the airport terminal has significantly reduced over the past few years. He said that the Pease Development Authority is asking the City to waive the collection of the Municipal Services Fee to the air terminal tenants whose rental or lease payments have been suspended by the Pease Development Authority. The waiver will be approximately \$255.00 annually. He said if flights increase and business picks up the fee could be reinstated.

Councilor Hynes moved to authorize the City Manager to execute the necessary documents to accommodate the request of Pease Development Authority. Seconded by Councilor St. Laurent and voted.

5. Report Back Re: Request from Portsmouth Babe Ruth for Temporary Signage at Leary Field

City Manager Bohenko advised the City Council that the Planning Board has reviewed the request and is recommending approval with various conditions.

Councilor Pantelakos moved to accept the Planning Board's recommendation with the conditions, as listed. Seconded by Councilor Ferrini.

*Planning Board Recommendations*

1. *That this proposal should be considered as a pilot type program;*
2. *That it should be authorized for no longer than one season;*
3. *That the trial period should commence in the 2006 season;*
4. *That as part of this trial, there will be no "tagging" activities conducted by this league;*
5. *No more than 5 sign blanks shall be erected on the outfield fence, each with the dimension of 3 feet by 5 feet and with the height and location of each sign to be determined by the City;*
6. *That the League shall place no signs earlier than May 15<sup>th</sup> and these shall be removed by the League no later than July 15<sup>th</sup>;*
7. *All sign facings shall be in or towards the playing field; and,*
8. *All sign backings shall be white in color, all lettering/logos shall be of a dark green color, and any lettering shall share the same style and font*

Councilor Whitehouse spoke opposed to the request because other fields will request it. He said the only signs should be allowed at the Little League fields. He said signage along the fence is not proper.

Councilor St. Laurent said he would support the motion because it would be allowed for one season. He said he would like to know after the pilot program has ended who had opposition to the program and any complaints received.

Councilor Ferrini said the Planning Board recommended this approval with the conditions as outlined and that it be a pilot program for one year.

Councilor Marchand said that the pilot program takes away any concern. The signs could improve the look and add character to the ball field.

Councilor Pantelakos spoke in support of the request and that there is no harm in placing the signs at the field.

Assistant Mayor Grasso said she supports the motion because it is a pilot program. She suggested that the Little League fields could adopt the requirements for size, lettering and color of the signs.

Councilor Reynolds said he is pleased that this is a pilot program and the signs will at the field for a 60-day basis.

On a roll call vote 8-1, motion passed. Assistant Mayor Grasso, Councilors Ferrini, Marchand, Pantelakos, Hynes, Raynolds, St. Laurent and Mayor Sirrell voted in favor. Councilor Whitehouse voted opposed.

7. Request to Establish Additional Budget Work Session

Assistant Mayor Grasso moved to schedule an additional budget work session for Tuesday, May 24<sup>th</sup> at 6:30 p.m. in Conference Room A. Seconded by Councilor Ferrini and voted.

Councilor Pantelakos advised the City Council that she will not be attending the May 23<sup>rd</sup> Municipal Budget Work Session due to a prior commitment.

City Manager Bohenko announced that the Shriners Parade would be held on Saturday, May 28<sup>th</sup> at 2:00 p.m. starting at the Masonic Parking Lot.

**B. MAYOR SIRRELL**

1. Donation to the Coalition Legal Fund

Mayor Sirrell passed the gavel to Assistant Mayor Grasso.

Mayor Sirrell moved to accept the \$1,000.00 contribution from the Town of Stoddard to be placed in the Coalition Legal Fund. Seconded by Councilor Marchand and voted.

- Save our Shipyard (Not on agenda)

Mayor Sirrell moved to authorize the City Manager to expend \$10,000.00 from the FY05 Contingency for the Save Our Shipyard effort. Seconded by Councilor Pantelakos.

Mayor Sirrell spoke to the importance of having the Portsmouth Naval Shipyard removed from the base closure list and urged the support of the City Council.

Motion passed.

Assistant Mayor Grasso passed the gavel back to Mayor Sirrell.

2. Reports

- Central Veterans Council – Memorial Day Parade

Mayor Sirrell announced that the Memorial Day Parade would be held on Monday, May 30<sup>th</sup> at 1:00 p.m. and urged members of the City Council to attend.

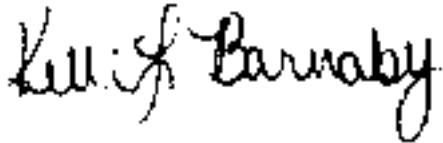
**XII. MISCELLANEOUS/UNFINISHED BUSINESS**

Councilor Whitehouse asked about dogs in private and public cemeteries. City Attorney Sullivan said all dogs must be on a leash and the owner must pick up after the dog. He advised the City Council that private cemeteries could simply post a sign prohibiting dogs if they choose.

Councilor Pantelakos asked City Manager Bohenko if we could change the location of the no dogs allowed signs at the Little League field. City Manager Bohenko said he would review that and make any necessary changes.

**XIII. ADJOURNMENT**

At 9:45 p.m., Councilor Whitehouse moved to adjourn. Seconded and voted.

A handwritten signature in black ink that reads "Kelli L. Barnaby". The signature is written in a cursive, flowing style.

Kelli L. Barnaby, City Clerk