

## **CITY COUNCIL MEETING**

MUNICIPAL COMPLEX  
DATE: MONDAY, AUGUST 1, 2005

PORTSMOUTH, NH  
TIME: 7:00 PM

At 6:15 p.m., an Anticipated Non-Public Session regarding personnel matters was held – RSA 91-A II (a).

### **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

### **III. INVOCATION**

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

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

Councilor Pantelakos led in the Pledge of Allegiance to the Flag

### **MAYOR'S AWARDS**

1. The Portsmouth Girls Softball League Champions

Mayor Sirrell and Councilor Pantelakos presented the Portsmouth Girls Softball League with Mayor's Awards and t-shirts in honor of them winning the NH State Championship.

### **PRESENTATION**

1. Donations from various individuals to the New Library Building Fund

The Portsmouth Democratic Friends of the Community donated \$1,000.00 towards the New Library Building Fund.

Mayor Sirrell stated that the Library Committee FundRaiser's, consisting of Mayor Sirrell and Former Mayor Eileen Foley, have sent out 900 letters requesting donations and are working on 300 more. She stated that Former Mayor Foley has done a wonderful job and extended thanks for her hard work.

### **V. ACCEPTANCE OF MINUTES – JULY 11, 2005**

Councilor Pantelakos moved to approve and accept the minutes of the July 11, 2005 City Council meeting. Seconded by Councilor Ferrini and voted.

## VI. PUBLIC COMMENT SESSION

Robert Padian spoke on the New Library's need for funds. He urged everybody to back the New Library by donating whatever they can.

Peter Happny spoke in opposition to Pearl Street becoming a one-way street and requested the City Council table this matter until further studies can be completed.

Richard Rash stated that he works for Robbins Auto Parts and they have five delivery vehicles that make approximately 200 delivery trips per day. If Pearl Street becomes one way, the City is going to have 200 delivery trips a day plus retail customers all using Pearl Street and Hanover Street. This will cause a large traffic problem. He urged the City Council to table this matter and send it back to Traffic and Safety for further study.

Jim Anthony stated that he works at the bottom of Pearl Street and urged the City Council to table this matter due to the effect it has on his business. He stated that making Pearl Street a one-way street restricts access to their building forcing them to drop 60-80 cars at 5:00 p.m. on Bridge Street through Hanover Street and Hill Street. He stated that this is a bigger safety issue than Pearl Street.

## VII. APPROVAL OF GRANTS AND DONATIONS

### A. Acceptance of Donations to the New Library Building Fund

- I. Pinsky - \$5.00
- Philip W. Hodgdon - \$25.00
- Christopher W. Serlin & Mariela P. Ciani - \$25.00
- Reverend Gordon R. Allen - \$25.00
- Dick Seedner - \$25.00
- Robert E. Padian - \$25.00
- James M. & Judith M. Ringer - \$25.00
- Charlene Kane - \$50.00
- Algene & Mary Bailey - \$50.00
- Peter H. Rice & Meghan Milne - \$90.00
- Paul McEachern - \$100.00
- Rex W. Richards - \$100.00
- Citizens Financial Group, Inc. - \$100.00
- Charles A. DeGrandpre - \$100.00
- Petersen Engineering, Inc. - \$100.00
- Sharon Nichols - \$100.00
- George W. & Elizabeth Shultis - \$100.00
- Eva A. & James F. Powers - \$100.00
- George C. McQuilken - \$100.00
- James O. Horrigan Revocable Trust - \$150.00
- Peter F. Somssich & Kathleen A. Pohlman-Somssich - \$150.00
- Mary Ann & Sara List - \$1,000.00

Councilor Whitehouse asked what the goal was for donations to the New Library Building Fund.

City Manager Bohenko stated that \$500,000.00 is the goal.

Assistant Mayor Grasso moved to approve and accept the donations to the New Library Building Fund as listed. Seconded by Councilor Pantelakos and voted.

B. Acceptance of Donations to the Cemetery Committee

- Anonymous - \$46.36
- Michael J. Griffin - \$50.00
- Anonymous - \$80.20
- Anonymous - \$87.01

Councilor Whitehouse moved to approve and accept the donations to the Cemetery Committee as listed. Seconded by Councilor St. Laurent and voted.

C. Acceptance of Donation to the Portsmouth Police Honor Guard from the PPRA in the amount of \$3,960.00

Councilor Reynolds moved to approve and accept the donation to the Portsmouth Police Honor Guard from the PPRA as listed. Seconded by Assistant Mayor Grasso and voted.

**VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES**

A. First reading of Resolution Authorizing a Bond Issue of up to Nine Hundred Fifty Thousand Dollars (\$950,000.00) for City Improvements for the FY 06 Capital Improvement Program

Councilor Ferrini moved to pass first reading of the Resolution, as submitted, and hold a Public Hearing and adoption at the August 15, 2005 City Council meeting. Seconded by Assistant Mayor Grasso and voted.

B. First reading of Resolution Authorizing the Borrowing of up to Three Hundred and Fifty Thousand Dollars (\$350,000.00) through the Issue of Bonds and Notes or the Execution of Lease Purchase Agreements for the Acquisition of One Fire Apparatus

Councilor Pantelakos moved to pass first reading of the Resolution, as submitted, and hold a Public Hearing and adoption at the August 15, 2005 City Council meeting. Seconded by Councilor Marchand and voted.

First reading of Resolution Authorizing Participation in the State Revolving Loan Fund (SRF) for Costs Related to Five Water System Improvements Participation up to Ten Million One Hundred Thousand Dollars (\$10,100,000.00)

Councilor Hynes moved to pass first reading of the Resolution, as submitted, and hold a public hearing and adoption at the August 15, 2005 City Council meeting. Seconded by Assistant Mayor Grasso and voted.

- C. Third and final reading of Amendment to Chapter 7 – Vehicles, Traffic Parking (Omnibus Parking Ordinance April 16, 2004 to June 14, 2005)
- Chapter 7, Article III, Section 7.327 – Limited Parking – Two Hours – by the deletion of Hancock Street: both sides from Marcy Street to Pleasant Street

Councilor Ferrini moved to pass third and final reading of the action to be incorporated into the Parking Ordinance, as amended. Second by Assistant Mayor Grasso and voted.

- D. Third and final reading of Ordinance amending Chapter 7, Article III, Section 7.336 – One Way Street by the addition of Pearl Street: Northerly from Islington Street to Hanover Street

Councilor Pantelakos moved to table third and final reading and refer to the Traffic & Safety Committee for a report back. Seconded by Councilor St. Laurent.

Councilor Whitehouse stressed the importance of contacting the people that are going to be involved.

City Manager Bohenko stated that the Traffic & Safety Committee are volunteers and they handle a lot of issues. He went on to say that, in this case, the system did work. The Ordinance is going back to Traffic & Safety for another public hearing.

Councilor St. Laurent asked if after the Traffic & Safety public hearing, the Ordinance would come back to the City Council.

City Manager Bohenko stated that it will come back.

Councilor St. Laurent asked if it would be coming back with another Public Hearing. He stated that the Traffic & Safety Committee has their public hearings at 8:00 a.m. and he doesn't think that a lot of people can attend at 8:00 a.m. due to having to work. Therefore, he would like to see this come back to the City Council for another public hearing.

City Attorney Sullivan stated that it is presently at third and final reading and would come back at third and final reading unless the Council votes to have another public hearing.

Councilor Hynes stated that the Traffic & Safety Committee does hold site reviews inviting all affected people. He stated that the meetings are held at 8:00 a.m. due to a number of the volunteers that work. He further stated that site reviews are held on Tuesdays and the public hearings are held on Thursday of the same week. He recommended that this Ordinance be tabled due to the number of people that were not notified.

Councilor Whitehouse asked City Attorney Sullivan if the motion on the table mandates that this issue be brought back to the City Council for the final decision.

City Attorney Sullivan said yes. The exact words are not in the motion, but it is an unavoidable implication.

Motion passed.

- E. Third and final reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – by deletion of Pearl Street: westerly side from Islington to Hanover Street

Councilor Pantelakos moved to table third and final reading and refer to the Traffic & Safety Committee for a report back. Seconded by Councilor St. Laurent and voted.

- G. Third and final reading of Ordinance amending Chapter 7, Article X, Section 7.1004 – Towing or Immobilization of Motor Vehicles for Non-Payment of Parking Fines

City Attorney Sullivan stated that the Parking Clerk has requested the City Council to consider suspending the rules to make a minor amendment to this Ordinance at third and final reading. The change would be to the second sentence and would change the words "in excess" to "in the amount of" thereby changing the sentence to read "*At any time subsequent to the accumulation of unpaid parking fines in the amount of one hundred twenty-five dollars (\$125.00)*". He stated that the reason for this change is that the fines run in increments of \$25.00. If the Ordinance reads "in excess of \$125.00", then that really means \$150.00. The whole intent of the Ordinance was for it to read \$125.00.

Councilor Marchand moved to suspend the rules to amend the Ordinance to read "*At any time subsequent to the accumulation of unpaid parking fines in the amount of one hundred twenty-five dollars (\$125.00)*" and pass the third and final reading as amended. Seconded by Councilor Pantelakos and voted.

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

- A. Letter from Janet Bourne, Arthritis Foundation, requesting permission to hold the annual Jingle Bell Run on Saturday, November 19, 2005 at 10:00 a.m.

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

- B. Letter from Barbara Massar, Pro Portsmouth, requesting permission to hold the 2005 Snowflake Festival on Friday, December 2, 2005 and First Night Portsmouth 2006 on Saturday, December 31, 2005

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

- C. Letters from James Anthony, Heinemann Educational Books, Matthew and Michelle Wirth, Peter Happny, Ballard Mattingly, Jane Fithian, Eileen MacDonald, Jonathan and Kathryn Dennett, Jane Wright, J & J Steel & Stone, Andrea M. Quigley and Keith Kohler and Nicole LaPierre opposed to the making Pearl Street one way northerly from Islington Street to Hanover Street

Assistant Mayor Grasso moved to accept and place the letters on file with copies to be sent to the Traffic and Safety Committee. Seconded by Councilor St. Laurent and voted.

- D. Letter from Neal Turnquist, New Hampshire Public Interest Research Group, requesting permission to hold a visibility event on Saturday, August 13, 2005 from 2:00 p.m. – 4:00 p.m. at the corner of Market and Pleasant Streets, next to the North Church

City Attorney Sullivan stated that these requests from people who wish to conduct expressive activity or make statements on public property are very complex. He stated that the way the First Amendment basically works is that once an area gets designated as a public forum, the City Council could never say no to any person choosing to use that area for expressive conduct. Because of that, it is quite simple for the Council to trap itself. By granting something that looks like good conduct, you would be compelled to later grant what you might think is bad conduct. Even within the First Amendment framework, the City Council always retains the authority to keep public sidewalks open for public travel, so what you cannot regulate in a public forum is expressive conduct, you can regulate obstruction of public passage of pedestrians.

City Attorney Sullivan stated that because of the complexity of the First Amendment issue and his desire to keep the Council from a difficult situation, he simply asked them to not put up any structures that would obstruct pedestrian travel and they said they would agree. That being true, then the area they wish to operate and the conduct they wish to follow is constitutionally protected and there is no need for the Council to act on this issue.

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

- E. Letter from Johanna Lyons requesting that the City Council and Planning Department review current ordinances regarding development in the Historic District Commission

Assistant Mayor Grasso stated that it is her understanding that requirements concerning views are regulated by the State and not the City.

City Attorney Sullivan stated that to his knowledge there is no law in the City of Portsmouth, nor a law in the State of New Hampshire, which protects a person's view.

Assistant Mayor Grasso stated that what Ms. Lyons is asking for here is something we can not grant.

City Attorney Sullivan stated, only if the City Council wants to find a way to pave new ground.

Assistant Mayor Grasso asked if there is any Ordinance citywide or statewide that protects a person's view.

City Attorney stated that basically in New Hampshire, to his knowledge, the only way to protect a person's view is to purchase an easement or something to that affect from the person who might block the view to prevent it from being blocked.

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

Councilor Pantelakos asked if there was any way this Council could set up an Ordinance or something on this issue. City Attorney Sullivan stated that in this particular situation it is too late. Councilor Pantelakos asked if we could set up an Ordinance or something for future issues. City Attorney Sullivan stated that it would be possible, but it is a complex area.

City Attorney Sullivan stated that he thinks that if the Council wanted to try to find a way to protect views, the Council probably has the authority to do so. He does not know of anyone in the State that has ever done it yet.

Councilor Whitehouse stated that he felt sorry for these people. The little people that have been here for years are being pushed out and we need to do something. He said our city is growing so fast. He can't believe that something such as an ordinance, regulation or resolution can't be passed that will help these people and protect them. Councilor Whitehouse stated that he is very concerned about what is going on in this city and the future development that is taking place, especially in the South End.

City Attorney Sullivan stated that if the Council wanted to look into that kind of an ordinance it would be possible, in his view, for the Council to adopt some law along those lines, but it is too late in this case.

Councilor Reynolds asked if Councilor Ferrini would accept a friendly amendment to his motion that we request the Planning Department to think about this matter and perhaps provide a report back to the Council.

City Manager Bohenko stated that he would ask that if it was going to be in the form of a report back, he suggested that it should come from the City Attorney's office. He stated that it is a home rule issue and would really need a lot of legal review and could even need legislation.

Councilor Ferrini stated that if it is difficult from a legal perspective then perhaps on the decision-making tree that's what the Council needs to hear first or know the extent of the issue. He stated that if we ever cleared that hurdle then we can get an extensive review by the Planning Board, Planning Department, Urban Design from other cities, etc. Councilor Ferrini stated that starting in the City Attorney's office with a review of what the legal issues are would be the most constructive place to start.

Councilor Reynolds requested that the City Attorney provide a report back to the City Council on the legal feasibility of City action on this matter.

Motion passed.

- F. Letter from Jennifer Slade, Attrezzi, requesting permission to hold the annual Fall Tag Sale Bazaar on Sunday, September 18, 2005 on Market Street

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

City Manager Bohenko stated that there is one area that should be noted, the bazaar is going to be on Market Street, but we are closing the street anyway for the Criterium Bike Race.

Councilor Whitehouse asked what type of problems will be created by moving them out of the parking lot and onto the street, with the large crowds that are expected.

City Manager Bohenko stated that it will free up the parking lot for parking.

Councilor St. Laurent said he doesn't want to see cars towed at the owner's expense because they have a right to park there.

City Manager Bohenko said that we strive, with events like this, to find a place that we can tow people to and have them pick up their car like we do on Market Square Day.

Councilor St. Laurent asked at whose expense will it be. He doesn't want it at the owner's expense.

City Manager Bohenko stated that more discussion is needed. He advised the Council on Market Square Day, we have an arrangement with a towing company to do it at cost.

Motion passed.

- G. Letter from Neil Rolde, thanking the City Council for their generous contribution of \$10,000.00 to support our efforts to preserve and enhance the Portsmouth Naval Shipyard

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

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

### **A. CITY MANAGER**

#### 1. Schedule Public Hearing for Adoption of Hazard Mitigation Plan 2005

City Manager Bohenko advised that in April the Council authorized him to send the Hazard Mitigation Plan to the Federal Emergency Management Agency for approval. The plan has been approved by FEMA, but as part of the regulation, we have to hold a public hearing on this plan and approve it. He suggested that this be done at the August 15, 2005 City Council meeting and invite the Fire Chief to be there to make a presentation.

Councilor Whitehouse asked if we have a public hearing and then vote on it, or do we need three readings.

City Manager Bohenko stated that we would have the public hearing and then adoption.

Councilor St. Laurent moved to schedule a public hearing on the attached plan for 2005 for the August 15<sup>th</sup> City Council meeting. Seconded by Councilor Ferrini and voted.

#### 2. Request for Pole License Agreement #63-426

Councilor Ferrini moved to approve the request from PSNH for pole license agreement #63-426 as recommended by the Public Works Department. Seconded by Councilor Marchand and voted.

### **City Manager's Informational Items**

#### 1. Change in Curbside Collection of Recyclables

City Manager Bohenko stated that he received a memorandum from Steve Parkinson, Public Works Director and Silke Psula, Solid Waste Coordinator, recommending that the City implement curbside recycling with in-house staff. He stated that there would be a budget savings to the City rather than an increase of \$105,300 as provided by Waste Management. He stated that the materials collected at curbside would remain the same, therefore, City residents would not observe any change in service, rather an improvement in responsiveness in service. City Manager Bohenko stated that it appears that we will have a net budget savings of \$22,000 if we use in-house staff as opposed to having a budget shortfall of \$105,300 by using Waste Management.

City Manager Bohenko stated that after about 6 months of being under the new system, he will come back to the Council with an update with more accurate figures.

Assistant Mayor Grasso stated that this was a great idea. With the demand from Waste Management for a 26% increase we would be paying \$318,300, by doing it our self, it will save about \$200,000, which is a big difference and it will be more efficient.

Councilor Reynolds said that it seems like a good idea. He also stated that it seems that the City Manager has been very conservative on the revenue side. If we have in-house capabilities we might be able to increase the rate and perhaps increase the revenue.

City Manager Bohenko stated that like anything else, we need a year of data to show where we are.

Councilor St. Laurent stated that the people need to realize that the more they recycle the more revenue we will see.

## 2. Electronic Community Newsletter

City Manager Bohenko stated that the Electronic Community Newsletter is up and running and that you can sign up for it by going on line to [cityofportsmouth.com](http://cityofportsmouth.com). He stated that the newsletter will be out the second and fourth Wednesday of each month. City Manger Bohenko stated that anyone who has an item that they think is appropriate or that has been missed, to bring it to their attention and they will try to get it in.

Councilor Whitehouse stated that on Friday night there was a rock group in the square with amplification that was unbearable.

City Manager Bohenko stated that he would make a phone call on Tuesday.

## 3. Standard & Poor's Upgrades City's Bond Rating

City Manager Bohenko stated that Standard & Poor has raised the City's bond rating from AA- to AA due to the cities strong financial performance. He stated that the City has sole bonds and their average interest rate was about 3.95% over the last 20 years. In addition, the City has received a discount, which means that instead of having to payback the \$10 million, the City will only have to pay \$9,900,000.00. This is the highest bond rating the City has ever had.

Councilor Whitehouse stated that City Manager has represented the City in a fine, distinguished and honorable way at the last rally for the shipyard.

### **B. MAYOR SIRRELL**

Mayor Sirrill brought forward a letter that was not listed on the agenda for action.

Letter from Wendy Lull, Race Director, Portsmouth Model Yacht Club requesting permission to hold their annual Pond Boat Regatta on August 7, 2005 (not on agenda)

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

Councilor Pantelakos stated that she thought these requests had to be in 120 days prior to the event. City Manager Bohenko said that it was 120 days prior for street closures not special events. Councilor Pantelakos stated that it should be the policy for everything.

## 1. Appointments

The City Council considered the following appointments: Kevin Lanford to the Library Trustee, reappointment of Steven Berg to the Portsmouth Housing Endowment Fund Advisory Board, appointment of Steven Berg as a regular member of the Zoning Board of Adjustment, appointment of Anthony Coviello as an alternate to the Planning Board and reappointment of Robin McIntosh to the Citywide Neighborhood Committee. These appointments will be voted on by the City Council at the August 15, 2005 City Council meeting.

Councilor Whitehouse moved to appoint Kathleen Pearce to the Cable Television and Communications Commission until April 1, 2007. Seconded by Councilor Reynolds, and voted.

Assistant Mayor Grasso moved to reappoint Gene Fisk to the Cable Television and Communications Commission until April 1, 2008. Seconded by Councilor Pantelakos and voted.

Councilor Pantelakos moved to reappoint D. H. (Andy) Banks, Jr., to the PEDLP Review Committee until August 1, 2008. Seconded by Councilor St. Laurent and voted.

## 2. Cable Television and Communications Commission

Mayor Sirrell stated that due to the number of things that are taking place under the Cable Television and Communications Commission right now and the volume and complexity of work needed, she is recommending to the City Council that there be an Ordinance amendment to allow for the creation of an alternate member for that Commission. The alternate member will be able to vote at anytime when the five regular Commissioners are not all able to vote for whatever reason. She is also recommending that the Council bring this Ordinance in for first reading at August 15, 2005 City Council meeting.

Councilor St. Laurent moved to bring the Ordinance amendment in for first reading at the August 15<sup>th</sup> City Council meeting. Seconded by Councilor Pantelakos.

Councilor Whitehouse stated that there should be a staggering of terms so there will always be an experienced person on this board.

City Attorney Sullivan stated that this Ordinance covers the situation described by Councilor Whitehouse. When the Ordinance was first created, there were three Commissioners appointed for three years and two Commissioners appointed for two years and then all terms were for three years. This creates a stagger.

Assistant Mayor Grasso stated that the additions to the Ordinance are listed in bold type and it says, "the alternate Commissioner shall be entitled to attend all Committee meetings." She stated that she feels it should say "the alternate Commissioner shall be required to attend all meetings."

The City Council agreed to change the Ordinance to read "shall attend".

Mayor Sirrell spoke in support of the change in language. She stated that a lot of alternates don't realize that they should attend all meetings. Mayor Sirrell asked City Attorney Sullivan if this was acceptable. City Attorney stated that it was acceptable and that the change would be made in the City Clerk's office.

Motion passed.

### 3. Reports

Mayor Sirrell stated that some of the Councilor's have requested to know what is happening within the City. She stated that on August 15<sup>th</sup>, the Russian group is coming in and that she is having a reception for them in the Portsmouth Room at noon. She invited all Councilors to attend.

On August 4<sup>th</sup>, Congressman Bradley will be accepting our letters and petitions for the President. We have received well over 8,000 petitions and over 400 letters to the President.

On August 6<sup>th</sup> at 1:00 p.m., Mayor Sirrell reminded everyone to attend the Military Parade.

Saturday, August 13<sup>th</sup> at 5:00 p.m. there will be the picnic at the Pease International Tradeport. This will be the last big affair for the Save Our Shipyard. Be sure to wear your yellow shirt.

City Manager Bohenko stated that the week of August 22<sup>nd</sup>, the Brack Commission will make the decision whether to take the Shipyard off the list. He stated that it will take five Commissioners to take it off the list. In September, the Brack Commission will take the list to the President. The President will then send it to Congress for approval or the President can send it back to the Brack Commission for further review. City Manager Bohenko stated that the key date is the week of August 22. That is the date we will know if we are being taken off the list or not.

Mayor Sirrell thanked all the people who wrote letters, signed petitions or lent support for the Shipyard.

Mayor Sirrell stated that she received a letter from Police Commissioner John D. Kelley requesting supplementary budget. She stated that she would like to place Commissioner Kelley's letter on the City Council agenda for August 15<sup>th</sup> for discussion only. Mayor Sirrell reviewed the rules for voting on a supplemental budget request citing the need for a public hearing and a two-thirds vote.

### **C. ASSISTANT MAYOR GRASSO**

#### 1. City Manager's Evaluation

Assistant Mayor Grasso read a press release on the results of the City Manager's Evaluation. The City Council voted a good evaluation once again. Assistant Mayor Grasso moved to accept the evaluation. Seconded by Councilor Ferrini and voted.

**D. COUNCILOR HYNES**

1. Traffic & Safety Committee Action Sheet and Minutes of the July 14, 2005 meeting

Councilor Hynes moved to approve and accept the action sheet and minutes of the July 14, 2005 Traffic & Safety Committee minutes. Seconded by Councilor Pantelakos.

Councilor St. Laurent requested that on the Sherburne Road project, all affected neighborhood residents be informed of any changes or public hearings.

Motion passed.

**XII. MISCELLANEOUS/UNFINISHED BUSINESS**

Councilor Pantelakos stated that she wished to clear up a little discrepancy from the last meeting concerning Mr. Becksted's claim that he had never submitted an application for appointment and has always applied by letter and been appointed. She stated that due to the City Clerks meticulous record keeping, you have all been given a copy of an application made out by Mr. Becksted on May 16, 2002 and turned in. Councilor Pantelakos stated that she just wants to clarify that everyone has to fill out an application.

**XIII. ADJOURNMENT**

At 8:45 p.m., Councilor Pantelakos moved to adjourn. Seconded and voted.

Dianne M. Kirby, Deputy City Clerk