

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, JULY 20, 2009

PORTSMOUTH, NH
TIME: 7:00PM [or thereafter]

At 5:30 p.m. an Anticipated "Non-Meeting" with Counsel was held regarding Negotiations – RSA 91-A:2, I (b-c).

I. CALL TO ORDER

Mayor Ferrini called the meeting to order at 7:15 p.m.

II. ROLL CALL

Present: Mayor Ferrini, Assistant Mayor Blalock, Councilors Novelline Clayburgh, Dwyer, Smith, Kennedy, Spear, Pantelakos and Hejtmanek

III. INVOCATION

Mayor Ferrini 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.

PROCLAMATION

1. The 26th Annual National Night Out in Portsmouth – August 4, 2009

Councilor Smith read the proclamation regarding National Night Out in Portsmouth and Mayor Ferrini presented it to Police Chief Magnant.

PRESENTATIONS

1. Presentation to Police Chief Michael Magnant
2. Presentation to Deputy Police Chief Len DiSesa

Mayor Ferrini stated that we are honoring these two individuals for their hard work and to recognize the commitment and skill with which they have done their jobs throughout the years. He then opened the floor to anyone wanting to speak.

Commission Chairman Howe stated he has been on the Police Commission for 8 years and will miss working with both of these individuals as it has been an honor and a privilege. He stated they have both taught him a lot about integrity, compassion and commitment.

City Manager Bohenko stated he has worked closely with Deputy DiSesa over the years on the events occurring in the city. He stated that there was always extreme cooperation and communication between the Police Department and other departments due to Deputy Chief DiSesa. Next, he addressed Chief Magnant, stating that there has been no one more

professional. He stated Chief Magnant has been a continuous student of public administration and continuing his education getting his MPA which he will be putting to good use in the future. He stated he has been proud to work with both of them.

City Attorney Robert Sullivan stated he has worked many years with both of them. He stated that he worked with Deputy DiSesa on many daily situations and there were never any harsh words or disagreement and the duties were performed in a dedicated and professional manner. He then stated that before Chief Magnant was the Chief, he had a screen saver which he paraphrased "In matters of style, go with the flow; in matters of principal, be a rock in the stream" which he feels Chief Magnant lived by. Attorney Sullivan concluded by stating that he was a thoroughly honest, professional and excellent Chief.

Mayor Ferrini stated that he has not been in association with them as long, but has observed them both as a community member in various neighborhood endeavors which they both maintained professionalism throughout. He stated Chief Magnant has shown to be a truly hard working, sophisticated professional.

Mayor Ferrini, City Manager Bohenko and City Council then presented Chief Magnant and Deputy Chief DiSesa with a City of Portsmouth chair in honor of their retirement recognizing their years of service to the City.

Deputy Chief Len DiSesa addressed the Council stating that it has been an honor to serve with the men and women of the Police Department and the City of Portsmouth. He stated that his mother always told him that when one door closed, another one opened and he stated he is finding that to be true. He stated it has been a wonderful ride and he has no regrets.

Police Chief Michael Magnant addressed the Council stating that he found in some old files the first rejection letter he received from the City of Portsmouth in 1978 telling him that he could retake the entrance exam again which he did and received an 87.66%. He was then offered the one available position at a salary range of \$9,000 - \$12,000 a year. He stated if 30 years ago someone would have looked in their crystal ball and predicted he would be Chief, he would have told them to get another ball. He continued that over the years there have been many changes and feels that it is a better and safer community. He stated the City of Portsmouth has a talented Police Department and he thanked the Police Commissioners he has worked with over the years as well as all of the employees of the Police Department and City of Portsmouth and feels it is a wonderful city because of the employees. Finally he thanked his wife in the audience and children for their support.

V. ACCEPTANCE OF MINUTES – JUNE 22, 2009

Councilor Smith moved to approve and accept the minutes of the June 22, 2009 City Council meeting. Seconded by Councilor Kennedy and voted.

VI. PUBLIC COMMENT SESSION

There were no speakers during the Public Comment Session.

VII. PUBLIC HEARING

- A. ORDINANCE AMENDING CHAPTER 7, ARTICLE IV, SECTION 7.402 – AREAS ESTABLISHED, DESIGNATED AND DESCRIBED OF THE ORDINANCES OF THE CITY – HANOVER-FLEET STREET OFF-STREET PARKING AREA (HIGH HANOVER PARKING GARAGE).

City Manager Bohenko explained the purpose of the ordinance is that if anyone needs to park in the garage for an extended period of time over 7 days, they will need to make prior arrangements with the parking facility. He stated previously it had been 30 days.

Mayor Ferrini opened the public hearing asking if anyone wished to speak. Seeing no one wishing to speak, the Mayor closed the public hearing.

VIII. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Donations to the Coalition Legal Fund
- Town of Alton - \$500.00
 - Town of Carroll - \$1,000.00

Councilor Smith moved to approve and accept the donations, as listed, to be placed in the Coalition Legal Fund. Seconded by Councilor Dwyer and voted.

- B. Acceptance of Police Department Grant from the New Hampshire Department of Justice for Enforcing Underage Drinking Laws - \$9,732.00

Councilor Smith moved to approve the Police Department Grant from the New Hampshire Department of Justice for Enforcing Underage Drinking Laws in the amount of \$9,732.00. Seconded by Councilor Novelline Clayburgh and voted.

- C. Acceptance of Police Department Grant from the Portsmouth Sunrise Rotary Charitable Corporation for the New Hampshire Statewide Explorer Competition - \$1,500.00.

Councilor Novelline Clayburgh moved to accept the Police Department Grant from the Portsmouth Sunrise Rotary Charitable Corporation for the New Hampshire Statewide Explorer Competition in the amount of \$1,500.00. Seconded by Councilor Smith and voted.

- D. Acceptance of Donations to the PAL Summer Basketball program as follows:
- Black Dog Investigations, LLC - \$200.00
 - Michael Conley - \$120.00
 - Mr. and Mrs. C. Salvadore - \$25.00
 - Wilkinson Law Offices, P.C. - \$150.00
 - Earl Cheney - \$100.00

Councilor Pantelakos moved to accept the donations to the PAL Summer Basketball program as listed. Seconded by Councilor Kennedy and voted.

- E. Acceptance of Grant from New Hampshire Coastal Program – Maplewood Avenue Bridge Upgrade - \$100,000.00

Councilor Pantelakos moved to authorize the City Manager to apply for, accept and expend a \$100,000.00 grant from the NH Department of Environmental Services' Coastal Program for the purpose of designing a new culvert inlet/outlet structure for the North Mill Pond to improve existing tidal function. Seconded by Councilor Smith and voted.

- F. Acceptance of Grant from New Hampshire Coastal Program – Mechanic Street Seawall Reconstruction - \$40,000.00

Councilor Smith moved to apply for, accept and expend a \$40,000.00 grant from the New Hampshire Department of Environmental Services' Coastal Program for the purpose of reconstructing the seawall on the City owned parcel where the Mechanic Street Pump Station is located. Seconded by Councilor Novelline Clayburgh and voted.

- G. Acceptance of Community Development Block Grant - \$657,267.00

Councilor Smith moved to accept and expend the Community Development Block Grant in the amount of \$657,267.00 from the U.S. Department of Housing and Urban Development. Seconded by Councilor Dwyer and voted.

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. ORDINANCE AMENDING CHAPTER 7, ARTICLE IV, SECTION 7.402 – AREAS ESTABLISHED, DESIGNATED AND DESCRIBED OF THE ORDINANCES OF THE CITY – HANOVER-FLEET STREET OFF-STREET PARKING AREA (HIGH HANOVER PARKING GARAGE).

Councilor Smith moved to pass second reading of the proposed ordinance, as submitted, and scheduled a third and final reading at the August 3, 2009 City Council Meeting. Seconded by Councilor Pantelakos.

Councilor Kennedy stated she has a concern with out-of-towners not knowing about the restriction and asked how they will be made aware.

Parking Manager Jon Frederick stated that a sign will be erected inside the entrance of the parking facility stating that anyone leaving a car more than 7 days must see the attendant. He stated this will also be posted on the website.

Main motion passed.

X. CONSENT AGENDA

There were no items under this section of the Agenda.

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

There were no items under this section of the Agenda.

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

1. Request for Proposal of Tentative Six (6)-Year Agreement between Portsmouth School Board and the Non-Supervisory Cafeteria Personnel.

Councilor Novelline Clayburgh moved to approve the Six (6)-Year Agreement commencing July 1, 2008 through June 30, 2014 with the Non-Supervisory Cafeteria Personnel. Seconded by Councilor Pantelakos and voted.

2. Adoption of Policy Re: Public Gatherings in Market Square

Councilor Smith moved to remove the item from the table. Seconded by Councilor Dwyer and voted.

City Manager Bohenko reviewed the proposed policy stating that this will allow the opportunity for larger gatherings to assemble without disrupting of activities that may be occurring at the North Church. He continued that this will give him the authority to move events if it is determined to be necessary.

City Attorney Sullivan stated that there needs to be an amendment to add "content neutral" to the 4th Whereas clause after the word "adopt, so that the content of the activity is not a factor when making these decisions.

Councilor Spear moved to adopt the Policy regarding Public Gatherings in Market Square as presented (including Attorney Sullivan amendment). Seconded by Councilor Smith.

Councilor Dwyer stated she needs clarification on item 3 as the process is defined as to having to write to the City Manager if there are any obstructions, but doesn't feel that the final approval authority is clearly defined as it is in items #4 and #5.

Attorney Sullivan suggested adding "who shall have the authority to approve the same" to the end of the sentence of Item #3.

Councilor Dwyer moved to amend Item #3 as stated by Attorney Sullivan. Seconded by Councilor Pantelakos.

Councilor Smith asked what is the timeline for approval once a request is submitted.

City Manager Bohenko stated that he doesn't want to have specific time-lines because there are times when an event starts out at a small number of people participating and can quickly

grow in numbers and this will give him the authority to make the decision to move it to the Vaughan Mall area.

Councilor Smith asked if someone comes in on a Thursday with a request for a rally on a Saturday, will that be enough time.

City Attorney Sullivan stated that if the City Manager has the authority of approval, he will be able to act more quickly on these requests.

City Manager Bohenko stated that if there is a problem with this policy as it goes forward, he will come back to the Council for a policy amendment.

Council Smith stated he feels that people should be able to have a quicker response.

Motion to amend policy voted unanimously.

Councilor Spear stated he will be interested in seeing how we can actually get money from groups that don't have money and are just there to express their causes, as far as reimbursement for the traffic details and public works clean up etc.

City Manager Bohenko stated that the city departments actually have this type of activity pretty well handled and that people are used to the traffic being rerouted and feels that this is better than disrupting weddings at the North Church and feels that Reverend Schippe has been very patient.

Motion to approve policy as amended voted unanimously.

3. Report Back Re: Market Square Informational Kiosk

City Manager Bohenko stated he would like to have the new Planning Director Rick Taintor address this issue as it was referred to the Planning Board.

Planning Director Taintor stated that this kiosk is owned by the City but is operated and maintained by the Chamber of Commerce. He stated that over time there has been a lot of deterioration from the elements and from numerous postings, etc. He then reviewed the proposed stipulations of the Planning Board.

City Manager Bohenko clarified that the electronic display has been withdrawn from the original proposal.

Assistant Mayor Blalock moved to accept the recommendation of the Planning Board with the aforementioned stipulations. Seconded by Councilor Kennedy.

Councilor Smith stated he has received a lot of calls and several e-mails on this issue stating that people have a problem with having to pay to post items when other postings will get put up over the ones that are being paid for and he feels this will be a headache.

Councilor Smith moved to amend by removing stipulation #1. Seconded by Councilor Spear. Motion to amend voted 8-1, Assistant Mayor Blalock opposed.

Motion to accept recommendations as amended voted unanimously.

Planning Board Stipulations:

- ~~Approve the installation of display cases for event advertising as requested in Mr. Bates' letter of June 9;~~
- Approve the installation of off-season panels as outlined above;
- Enter into an agreement with the Chamber for operation and maintenance of the kiosk, in order to formalize the City's authorization and to outline the respective roles of the two parties, including review of rental policies; and
- Explore possible locations in the downtown area as alternatives to the kiosk for posting notices during the tourist season.

City Manager Bohenko stated that items #4-8 are projecting sign requests which have gone through the new process over going before the Planning Board before coming to the Council.

4. Request for a License from Mike Bristow, owner of Roly's English Fudge for property located at 10 Commercial Alley to install a projecting sign

Councilor Pantelakos moved to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Mike Bristow, owner of Roly's English Fudge to install a projecting sign at 10 Commercial Alley and further authorize the City Manager to execute a License Agreement for this request. Seconded by Councilor Blalock and voted.

Planning Board Stipulations:

- *That the request shall be subject to a municipal license and this license shall be approved by the Legal Department as to content and form, it should be revocable by the City and if an encroachment needs to be removed or relocated for any purpose, it will be done at no cost to the City; and*
- *That any resulting disturbance of a sidewalk, street or other public infrastructure shall require its restoration at no municipal cost and subject to review and acceptance by the Department of Public Works.*

5. Request for a License from Alessandra Domina, owner of Sandy Domina Associates for property located at 10 Ladd Street to install a projecting sign

Councilor Kennedy moved to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Alessandra Domina, owner of Sandy Domina Associates to install a projecting sign at 10 Ladd Street and further authorize the City Manager to execute a License Agreement for this request. Seconded by Assistant Mayor Blalock and voted.

Planning Board Stipulations:

- *That no sign is authorized to be placed, unless, it is at least 7' above the sidewalk surface;*
 - *That the request shall be subject to a municipal license and this license shall be approved by the Legal Department as to content and form, it should be revocable by the City and if an encroachment needs to be removed or relocated for any purpose, it will be done at no cost to the City; and*
 - *That any resulting disturbance of a sidewalk, street or other public infrastructure shall require its restoration at no municipal cost and subject to review and acceptance by the Department of Public Works.*
 - Please be advised that since the Planning Board took its vote on this matter, the Planning Department has determined that the proposed sign does not comply with the minimum height requirement.
6. Request for a License from Philip Thanas, owner of Thanas Galleries for property located at 39 Ceres Street to install a projecting sign

Councilor Smith voted to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Philip Thanas, owner of Thanas Galleries to install a projecting sign at 39 Ceres Street and further authorize the City Manager to execute a License Agreement for this request. Seconded by Assistant Mayor Blalock and voted.

Planning Board Stipulations:

- *That no sign is authorized to be placed, unless, it is at least 7' above the sidewalk surface;*
 - *That the request shall be subject to a municipal license and this license shall be approved by the Legal Department as to content and form, it should be revocable by the City and if an encroachment needs to be removed or relocated for any purpose, it will be done at no cost to the City; and*
 - *That any resulting disturbance of a sidewalk, street or other public infrastructure shall require its restoration at no municipal cost and subject to review and acceptance by the Department of Public Works.*
 - Please be advised that since the Planning Board took its vote on this matter, the Planning Department has determined that the proposed sign does not comply with the minimum height requirement.
7. Request for a License from Stuart Tulchinsky, owner of Headlines for property located at 103 Vaughan Mall to install a projecting sign

Councilor Smith moved to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Stuart Tulchinsky, owner of Headlines

to install a projecting sign at 103 Vaughan Mall and further authorize the City Manager to execute a License Agreement for this request. Seconded by Councilor Kennedy and voted.

Planning Board Stipulations:

- *That the request shall be subject to a municipal license and this license shall be approved by the Legal Department as to content and form, it should be revocable by the City and if an encroachment needs to be removed or relocated for any purpose, it will be done at no cost to the City; and*
 - *That any resulting disturbance of a sidewalk, street or other public infrastructure shall require its restoration at no municipal cost and subject to review and acceptance by the Department of Public Works.*
8. Request for a License from Alex Rogers and Jane Derry, owners of J. Covington for property located at 185 High Street to install a projecting sign

Councilor Kennedy moved to accept the recommendation of the Planning Board with the aforementioned stipulations and approve the request of Alex Rogers and Jane Derry, owners of J. Covington to install a projecting sign at 185 High Street and further authorize the City Manager to execute a License Agreement for this request. Seconded by Councilor Novelline Clayburgh and voted.

Planning Board Stipulations:

- *That the sign to be removed is removed either before or at the same time as the proposed sign is placed and the one removed shall not be replaced unless all approvals are secured;*
- *That the request shall be subject to a municipal license and this license shall be approved by the Legal Department as to content and form, it should be revocable by the City and if an encroachment needs to be removed or relocated for any purpose, it will be done at no cost to the City; and*
- *That any resulting disturbance of a sidewalk, street or other public infrastructure shall require its restoration at no municipal cost and subject to review and acceptance by the Department of Public Works.*

Councilor Smith moved to accept the recommendation from the Planning Board, as submitted. Seconded by Councilor Dwyer and voted.

Planning Board Recommendation:

That the requested zoning change be considered as part of the overall revision of the Zoning Ordinance and Zoning Map, and requested the Planning Department to review land use and circulation issues in this Industrial district and the immediate surround area. The Board's recommended zoning for this area will be included on the revised Zoning Map which will be recommended to the City Council this fall along with the revised Zoning Ordinance.

City Manager's Informational Items

1. Events Listing
2. Police Commission Meeting

City Manager Bohenko stated that he had previously notified the Council to save the date of 07/30/09 for the Lafayette School, but informed them that they can take this off their calendars as another date will be selected for this event.

Councilor Smith stated he likes the new sign policy but would like to have images of what the signs will look like included in the packages.

Assistant Mayor Blalock stated that most people don't want to invest in the actual sign until they know it is approved so maybe it can be a drawing.

Councilor Kennedy stated the date of the Lobster Festival is incorrectly stated as September 12th on the event listing and should be September 19th.

Mayor Ferrini stated that Deputy Chief Ferland will be at the Library in the Levenson Room on Wednesday, July 22nd at 6:30 for a public question and answer period in relation to his recent appointment as Chief of Police.

B. MAYOR FERRINI

1. Appointments to be Voted:
 - Dennis Moulton – Reappointment to the Building Code Board of Appeals

Councilor Novelline Clayburgh moved to reappoint Dennis Moulton to the Building Code Board of Appeals with term to expire 07/01/2013. Seconded by Councilor Dwyer and voted.

- Ron Zolla – Appointment to the Economic Development Commission

Councilor Kennedy moved to appoint Ron Zolla to the Economic Development Commission with term to expire 10/01/09 (filling unexpired term of Ed Hayes). Seconded by Councilor Pantelakos and voted.

- Robert Pollard – Appointment to the Peirce Island Committee

Councilor Pantelakos moved to approve the appointment of Robert Pollard to the Peirce Island Committee with term to expire December 31, 2009. Seconded by Councilor Kennedy and voted.

Resignation:

- Amy Brnger – Library Board of Trustees

Councilor Smith moved to accept the resignation of Amy Brnger from the Library Board of Trustees with regret and letter to follow. Seconded by Councilor Novelline Clayburgh and voted.

3. Portsmouth Middle School Request for Special City Council Meeting.

Mayor Ferrini asked the City Manager to update the Council on some information that bears on the process.

City Manager Bohenko stated one of the things we have been waiting for was an appraisal on the taking of the property and the City Attorney did receive that last week and they wanted to evaluate it first to make sure it accurately reflected the value of the property before releasing it. He stated that the value that has been placed on the property is \$590,000.00 for that taking and that is what the City Attorney will submit to the Attorney General's Office.

City Attorney Sullivan stated that we had a pre-approved Appraiser by the Attorney General's Office, Harvey Cohen from New York who had done work for the City in the past. He stated he looked at the situation and was struck by the fact that City was required to put an acquisition value on land that it already owns. His analysis of the situation is that the Peirce restriction on the property basically said that the city could not develop its own property so what we had to take for the Middle School expansion was the development rights. So he compared the development rights acquisitions to this property and came up with the figure of \$590,000.00. So they will be submitting this to the Attorney General in 2-3 days.

Mayor Ferrini explained that currently the bonding amount is currently at \$38,300,000.00 but may be less now with the new figure for eminent domain, etc. He stated that procedurally the Council can go forward with the current figure and schedule the presentation and public hearing for Monday, August 10th.

City Manager Bohenko stated the amount of money budgeted for the taking was \$2,000,000.00 so if we have the public hearing on the 10th as advertised, and then have the vote on August 17th, they can amend the amount on the 17th.

Councilor Novelline Clayburgh moved to establish a Special City Council meeting for Monday, August 10, 2009 at 7:00 p.m. for the purpose of conducting a Presentation and Public Hearing Re: Resolution Authorizing a Bond Issue of up to Thirty Eight Million Three Hundred Thousand Dollars (\$38,300,000.00) for School Improvements). Seconded by Councilor Pantelakos.

Discussion then ensued regarding Councilors' various schedules and the possibility of changing the public hearing/presentation date from the 10th to possible August 5th.

City Manager Bohenko stated that he needs to ensure that there are 7 "clear" days for advertising of the public hearing, but will see if the Architect would be available for the 5th since he had already committed to the 10th.

Motioner and seconder agreed to amend the motion to state that the public hearing/presentation special meeting would be held on August 5th or August 10th, depending on the availability of the architect with the vote on the bond resolution to be held on August 17, 2009. Motion voted unanimously.

4. *Reports

Mayor Ferrini stated he had one final item. He stated that the City Council, in private session, has determined that it will request the City Manager to undertake a study of contracts for non-

union, single contract employees, including but not limited to the Police Chief, Deputy Police Chief, Fire Chief, Deputy and Assistant Fire Chiefs, Superintendent of School, Asst. Supt. Of Schools, etc, asking him to begin work on development of standards for benefits and pay for those contract employees. He continued that the City Manager expects that this will take approximately 30 days and that he will begin this process. However, given that there are 2 immediate open positions to address in the Police Department, the Council has agreed that in the first instance, to invite the Police Commission to the Council meeting on August 3rd for a non-public closed session, but also the Council will make a public offering at that time and ask the City Manager to give them a preliminary outline and understanding of what he will be suggesting to go forward. He stated it will not contain all of the parameters and standards because all of the work will yet to be done but the City Manager will present a report at that time. He concluded by stating that on August 3rd, the Council can, if they wish, determine further procedure for going forward with that information. He stated that no motion is necessary and this is the privilege of the Chair.

C. COUNCILOR SMITH

1. Traffic & Safety Committee Action Sheet and Minutes of the June 11, 2009 and July 9, 2009 meetings.

Councilor Smith moved to accept and approve the action sheet and minutes of the June 11, 2009 Traffic and Safety Committee meeting (with no ordinance changes). Seconded by Councilor Pantelakos and voted 8-1, Councilor Kennedy opposed.

Councilor Smith moved to accept and approve the action sheet and minutes of the July 9, 2009 Traffic and Safety Committee meeting (with no ordinance changes). Seconded by Councilor Pantelakos and voted 8-1, Councilor Kennedy opposed.

2. Parking Committee Action Sheet and Minutes of the July 9, 2009 meeting.

Councilor Smith moved to accept and approve the action sheet and minutes of the July 9, 2009 Parking Committee meeting. Seconded by Councilor Dwyer.

Councilor Kennedy stated she was disappointed that the review of the Atlantic Valet Parking contract didn't come back to the Council because she has heard of some issues and would have like to have some discussion.

Councilor Smith stated that there was actually a large turnout at the Parking Committee meeting with many people speaking about what a great job they were doing and asset this company was for the City. He stated that are basically taking 2 spaces and turning into 80 spaces.

Assistant Mayor Blalock echoes Councilor Smiths' comments and applauds the innovation of this service.

Councilor Smith asked Councilor Kennedy to please let him know if there are any further concerns with this service as there will be another review in 90 days.

Motion voted 8-1, Councilor Kennedy opposed.

3. *Request to Rename the Northern End of Woodbury Avenue

Councilor Smith moved to request the Planning Board look at renaming of the northern end of Woodbury Avenue (Business District) to Market Street or whatever they deem appropriate. Seconded by Assistant Mayor Blalock.

Councilor Smith stated that this has become an issue with truck traffic that is supposed to be restricted but because of the GPS directions, they are taking the wrong exit off of the highway. He stated this may be a problem with the Town of Newington as it will still be Woodbury Avenue in that section, but he feels it needs to be addressed.

Motion voted unanimously.

D. COUNCILOR SPEAR

1. Articles on Pedestrian Malls

Councilor Spear explained that he included some articles in the Council packet relating to pedestrian malls as he is a proponent. He stated that he has included an article which shows where this actually failed as it is useful information.

XII. MISCELLANEOUS/UNFINISHED BUSINESS

Councilor Kennedy requested that the Fishing Fleet Committee report that is scheduled for an August Council meeting can be deferred until October which will be after the September 19th Fish and Lobster Festival.

XIII. ADJOURNMENT [AT 10:00PM OR EARLIER]

At 8:25 p.m., Councilor Smith moved to adjourn. Seconded by Councilor Pantelakos and voted.

Respectfully submitted:

Valerie A. French
Deputy City Clerk I