

## **CITY COUNCIL MEETING**

MUNICIPAL COMPLEX  
DATE: MONDAY, MAY 1, 2006

PORTSMOUTH, NH  
TIME: 6:15PM [or thereafter]

At 6:15 p.m., a Work Session was held with the Legislative Delegation.

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

Mayor Marchand called the meeting to order at 7:30 p.m.

### **II. ROLL CALL**

Present: Mayor Marchand, Assistant Mayor Ferrini, Councilors Grasso, Dwyer, Raynolds, Pantelakos, Whitehouse, Smith and Hynes

### **III. INVOCATION**

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

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

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

### **PROCLAMATIONS**

1. Bike/Walk to Work Day – May 19, 2006

Councilor Raynolds read the Proclamation declaring May 19, 2006 as Bike/Walk to Work Day in the City of Portsmouth.

2. National Police Week – May 14, 2006 – May 21, 2006

Councilor Dwyer read the Proclamation declaring May 14, 2006 – May 21, 2006 as National Police Week. Mayor Marchand presented the Proclamation to Lieutenant Earl Case who accepted it on behalf of the Police Department with thanks and appreciation.

### **V. ACCEPTANCE OF MINUTES – APRIL 17, 2006**

Councilor Grasso moved to approve and accept the minutes of the April 17, 2006 City Council meeting. Seconded by Councilor Pantelakos. Councilor Whitehouse requested to amend page 1 of the minutes under the Presentation regarding Packard Development to include the following two sentences at the end of the first paragraph: *Assistant City Attorney Woodland also referred to Councilor Whitehouse's concern about an approved septic system if no sewer connection is approved. Assistant City Attorney Woodland assured Councilor Whitehouse that approvals from all agencies have been given to Packard Development.* Main motion passed to include the amendment to the minutes requested by Councilor Whitehouse.

## VI. PUBLIC COMMENT SESSION

Laurel Brauns said that she is a public performer and spoke to the importance of allowing individuals to perform here in the City of Portsmouth. She also addressed the need for some performers to be allowed the use of amplification.

Peter Bresciano said that this year's budget is tough and the majority of the taxpayers do not support funding for the public art. He urged the City Council to bring the ordinance back and vote it down.

Robert Hassold spoke in support of the request to establish a forgiveness parking ticket program. He said that many visitors come to the City and get very angry when they receive a parking ticket and have stated that they would not come back to visit the City again. He advised the City Council that this is not a good atmosphere to have or project to visitors. He urged the City Council to establish this program this year.

Beth Gross Santos spoke in support of street performers. She said that performers add to the charm of the downtown and the City.

Atlanta McIlwrath spoke in support of street performers and how it enhances a City. She urged the City Council to make Portsmouth a welcoming place for performers.

Denise Wheeler advised the City Council that she has been reporting about the arts for the last 15 years. She spoke to her great appreciation for the arts and performers. She urged the City Council to invite more artists in the City rather than discourage them. She advised the City Council that she and others would be in favor of creating a coalition to bring performers to the City. She also read a letter from Peter Egelston expressing his support of street performers and allowing their presents in the City. His letter spoke to the tradition of allowing street performers in communities and their importance.

City Attorney Sullivan spoke to the City's regulations relative to street performers. He said that the City is friendly and allows performers in the downtown on the sidewalks. He said that the City does not allow amplified music and we require that the sidewalks are clear for public travel. He spoke to the minimal regulations for street performers and that this is often times not understood. He said anything that we do to change how we address this matter could in fact restrict performers more, rather than less.

City Manager Bohenko said that we have allowed performers in the City. He advised the City Council that the City and staff want to work closely with performers. He also said that the sidewalks must be kept clear for travel. He reported that he would work to allow performers in the Vaughan Mall.

Councilor Dwyer asked when the City Council would receive information relative to recommended changes and/or regulations of street performers. City Manager Bohenko said that a report would be brought forward to the City Council after the adoption of the budget. He advised the City Council that we need to be cautious on regulating and enforcement of performers.

## VII. PUBLIC HEARINGS

- A. RESOLUTION INCREASING THE MAXIMUM INCOME LIMITS FOR INDIVIDUALS QUALIFYING FOR THE DISABLED REAL ESTATE TAX EXEMPTION TO \$30,000.00 FOR SINGLE AND \$37,000.00 FOR MARRIED

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

City Manager Bohenko advised the City Council that these amendments are similar to the amendments made to the elderly exemption. He reported that there are 6 individuals who qualify for this benefit at a total tax loss of \$10,560.00.

Ralph DiBernardo, Portsmouth resident, asked if it is a flat cut off or is it pro-rated. City Manager Bohenko reported that it is a flat cut off.

After three calls and no further speakers, Mayor Marchand declared public hearing closed.

- B. ORDINANCE AMENDING CHAPTER 7, ARTICLE III, SECTION 7.330 – NO PARKING SUB-SECTION A BY THE ADDITION OF COTTAGE STREET: BOTH SIDES FROM ROUTE 1 BY-PASS
- THE SOUTHERLY SIDE FROM ROUTE 1 BY-PASS EASTERLY THREE HUNDRED FEET (300')
  - THE NORTHERLY SIDE FROM ROUTE 1 BY-PASS EASTERLY FOUR HUNDRED FEET (400')

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

City Manager Bohenko reported that a letter from Attorney Griffin has been provided requesting that the City Council postpone the third and final reading of the Ordinance until the June 5, 2006 City Council meeting to allow for the completion of construction at the dealership.

Attorney Charles Griffin addressed his letter requesting that the third and final reading of the Ordinance be postponed until the June 5, 2006 City Council meeting. He said that the site work at Coast Pontiac was expected to be completed, however it is not therefore, they are requesting third and final reading be postponed.

After three calls and no speakers, Mayor Marchand declared the public hearing closed.

Assistant Mayor Ferrini move to suspend the rules in order to take up Item IX. B. - Second reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking sub-section A by the addition of Cottage Street: both sides from Route 1 By-Pass

- the southerly side from Route 1 By-Pass easterly three hundred feet (300')
- the northerly side from Route 1 By-Pass easterly four hundred feet (400')

Seconded by Councilor Grasso and voted.

Assistant Mayor Ferrini moved to pass second reading of amended ordinance, as submitted, and hold a third and final reading at the June 5, 2006 City Council meeting. Seconded by Councilor Pantelakos and voted.

- C. ORDINANCE AMENDING CHAPTER 7, ARTICLE IVA, SECTION 7A.402 – BUS STOPS, TAXICAB STANDS & HORSE DRAWN CARRIAGES BY THE ADDITION OF MIDDLE STREET: A STRIP 10 FEET ADJACENT TO THE SIDEWALK ON THE WESTERLY SIDE OF SAID STREET FROM THE POINT OF INTERSECTION OF MADISON STREET AND RUNNING NORTHERLY ALONG MIDDLE STREET A DISTANCE OF 40 FEET

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

City Manager Bohenko advised the City Council that this Ordinance creates a bus stop on Middle Street.

After three calls and no speakers, Mayor Marchand declared the public hearing closed.

- D. ORDINANCE AMENDING CHAPTER 3, ARTICLE IV, SECTION 3.403 – NOISES PROHIBITED – UNNECESSARY NOISE STANDARD BY THE ADDITION OF ITEM R – ENGINE COMPRESSION BRAKES

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

City Manager Bohenko asked City Attorney Sullivan to provide an overview of this Ordinance.

City Attorney Sullivan said that engine compression brakes are commonly known as jake brakes. He advised the City Council that this ordinance would prohibit the use of jake brakes in the City.

Deputy Police Chief DiSesa said that the department would use this Ordinance as a tool to regulate noise issues in conjunction with the Noise Ordinance. He said the department would reach out to the truck companies to make them aware of this new regulation.

Councilor Raynolds asked what is standard for enforcement of this Ordinance. Deputy Police Chief DiSesa said it would be at the discretion of the officer. He said that the officer would observe and determine if a trucker is in violation of the Ordinance.

Martin Cameron spoke to the number of trucks that travel on Ocean Road and use the jake brake. He spoke to the difficulty in enforcing this Ordinance on the interstate and the need for truckers to use the jake brake in certain situations. He suggested that signs be posted to make truckers aware of the Ordinance.

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

Assistant Mayor Ferrini moved to suspend the rules in order to take up Item IX. D. - Ordinance amending Chapter 3, Article IV, Section 3.403 – Noises Prohibited – Unnecessary Noise Standard by the addition of Item R - Engine Compression Brakes. Seconded by Councilor Pantelakos and voted.

Assistant Mayor Ferrini moved to pass second reading of amended ordinance, as submitted, and hold a third and final reading at the May 15, 2006 City Council meeting. Seconded by Councilor Grasso.

Councilor Whitehouse asked what jurisdiction we have on I-95. City Attorney Sullivan said that we have jurisdiction on any interstate highway located in the City of Portsmouth.

Councilor Smith announced that fire engines would be exemption for this Ordinance.

Motion passed.

### **VIII. APPROVAL OF GRANTS AND DONATIONS**

- A. Acceptance of Grant from NH Charitable Foundation-Piscataqua Region for the New Library Building - \$5,000.00

Councilor Pantelakos moved to accept the grant from the NH Charitable Foundation-Piscataqua Region to the Library in the amount of \$5,000.00. Seconded by Councilor Smith and voted.

- B. Acceptance of Federal Transit Authority Grant for Hanover Street Intermodal Transportation Project - \$275,000.00

Councilor Hynes moved to accept the grant from the Federal Transit Authority for the Hanover Street Intermodal Transportation Project in the amount of \$275,000.00. Seconded by Councilor Pantelakos and voted.

### **IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES**

- A. Adoption of Resolution Increasing the Maximum Income Limit for Individuals Qualifying for the Disabled Real Estate Tax Exemption to \$30,000.00 for single and \$37,000.00 for married

Councilor Grasso moved to adopt the Resolution amending Disabled Exemption Income Limits as presented. Seconded by Councilor Pantelakos and voted.

- C. Second reading of Ordinance amending Chapter 7, Article IVA, Section 7.A402 – Bus Stops, Taxicab Stands & Horse Drawn Carriages by the addition of Middle Street – a strip 10 feet adjacent to the sidewalk on the westerly side of said street from the point of intersection of Madison Street and running northerly along Middle Street a distance of 40 feet

Councilor Grasso moved to pass second reading of amended ordinance, as submitted, and hold a third and final reading at the May 15, 2006 City Council meeting. Seconded by Councilor Hynes and voted.

Councilor Whitehouse requested that the Traffic & Safety Committee review a sight issue for vehicles making a left hand turn from Cass Street onto Middle Street.

- E. Third and final reading of Ordinance amending Chapter 7, Article XVI, Section 7.1602 – Locations – Resident Only Parking by the addition of Pearl Street – Easterly side of Pearl Street, from a point ninety feet (90') north of Islington Street to the corner of Pearl Street and Hanover Street

Councilor Pantelakos moved to pass third and final reading of amended ordinance, as submitted. Seconded by Councilor Grasso and voted.

- F. Third and final reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking sub-section A by the addition of Pearl Street – Westerly side of Pearl Street after 8:00 a.m. and before 5:00 p.m.

Councilor Hynes moved to pass third and final reading of amended ordinance, as submitted. Seconded by Councilor Grasso and voted.

- G. Third and final reading of Ordinance amending Chapter 7, Article VI, Section 7.601 - Truck Loading/Unloading by the addition of Pearl Street – Easterly side from a point thirty feet (30') north of Islington Street to a point seventy feet (70') north of Islington Street

Councilor Hynes moved to pass third and final reading of amended ordinance, as submitted. Seconded by Assistant Mayor Ferrini and voted.

## **X. CONSENT AGENDA**

Councilor Whitehouse requested that Item D - Letter from Paul Sorli, Downtown Business Association, requesting that the City Council establish a "forgiveness parking ticket" program be removed from the Consent Agenda.

Councilor Grasso moved to adopt the remainder of the Consent Agenda as presented. Seconded by Assistant Mayor Ferrini and voted.

- A. Letter from Ronald Gale, Trans NH Bike Ride, requesting permission to hold the Trans NH Bike Ride to benefit Muscular Dystrophy on Sunday, June 25, 2006 **(Anticipated action – move to refer to the City Manager with power)**
- B. Letter from Stacy Chilicki, Seacoast Repertory Theatre, requesting permission to hold the Bow Street Fair on Saturday, July 22, 2006 and Sunday, July 23, 2006 from 10:00 a.m. – 5:00 p.m. **(Anticipated action – move to refer to the City Manager with power)**
- C. Letter from Nick Ciani Re: Settlement of Litigation with Olde Port Properties concerning Mill Pond Way Development Plans **(Anticipated action – move to accept and place the letter on file)**
- E. Request for Sidewalk Obstruction License from Nick Saunders, Anna Street, LLC, to place 1 A-frame sign in front of establishment **(Anticipated action – move to refer to the City Manager with power)**
- F. Letter from Josh Pierce, Seacoast Area Bicycle Routes, requesting permission to use the sidewalk near the Market Square Kiosk on May 19, 2006 from 7:00 a.m. – 10:00 a.m. for the commuter breakfast **(Anticipated action – move to refer to the City Manager with power)**
- D. Letter from Paul Sorli, Downtown Business Association, requesting that the City Council establish a “forgiveness parking ticket” program

Councilor Smith moved to refer to the Parking Committee for report back. Seconded by Councilor Grasso.

Councilor Whitehouse read a small portion of Mr. Sorli’s letter outlining the request for the forgiveness ticket program. He advised the City Council that the City of Portland, Maine created this program 10 years ago and it works well.

Councilor Dwyer said it is a good idea for visitors, but she questioned whether the City should do it every six months for every individual.

Councilor Raynolds suggested forwarding the letter for review and consideration by the Economic Development Commission.

City Manager Bohenko said that we need to review the loss of revenue the creation of this program would create. He advised the City Council that the Parking Committee would review this request and provide a detailed report back with recommendations.

Assistant Mayor Ferrini said that he has received a number of calls on aggressive enforcement. He also said that it is absolutely a budget consideration and may come back to the City Council before the nuts and bolts come back, but it’s going to require a more comprehensive analysis.

Councilor Pantelakos said that it is important to remember if this program is created everyone would be involved and not just visitors because it would be unconstitutional to select those who would qualify.

Councilor Smith said that the Parking Committee is a public meeting and encouraged individuals to attend and provide public input on this matter.

Motion passed.

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

- A. Letter from Bryan Wyatt, The Housing Partnership, regarding the redevelopment of Lafayette School

Councilor Hynes moved to accept and place the letter on file. Seconded by Councilor Smith and voted.

- B. Letter from Rick O'Connell, Boston Pedal Party, requesting permission to operate (2) 7 passenger CoBi bikes in the City seasonally from May to September

Councilor Whitehouse said he would like all passengers to wear helmets. He also suggested that the City Council receive a demonstration of the bike at the next City Council meeting.

Councilor Whitehouse moved to table this request until the May 15, 2006 City Council meeting to allow for a presentation by Mr. O'Connell. Seconded by Councilor Hynes and voted.

- C. Memorandum from the Mayor's Blue Ribbon Cemetery Committee requesting that the City Council make the present Committee an official City Committee by ordinance with a new name to be determined at a later date

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

City Attorney Sullivan advised the City Council that this is a policy decision.

Councilor Whitehouse moved to amend the motion to refer this matter to the City Attorney for report back with a possible ordinance change. Seconded by Councilor Smith.

Councilor Pantelakos said that this is a Blue Ribbon Committee and should remain as such.

Assistant Mayor Ferrini said that City Attorney Sullivan should not write an Ordinance without knowing the charge of the committee.

Mayor Marchand said he would continue the committee in the Blue Ribbon Committee setting and in its current form.



Councilor Dwyer said that we need a set of reasons to make this a permanent committee. She asked if we have a formal process to move a committee from Blue Ribbon status to permanent. Mayor Marchand said it is an informal process.

On a voice vote 1-8, amendment to motion to refer this matter to the City Attorney for report back with a possible ordinance change failed to pass. Councilor Whitehouse voted in favor. Assistant Mayor Ferrini, Councilors Grasso, Dwyer, Raynolds, Pantelakos, Smith, Hynes and Mayor Marchand voted opposed. Main motion passed.

- D. Letter from Tom Holbrook, RiverRun Bookstore requesting permission to hold a series of five music concerts at the Vaughan Mall Thursday nights on June 1, June 8, June 15, June 22 and June 29, 2006. (Not on agenda)

Councilor Whitehouse moved to suspend the rules in order to allow consideration of this request from Mr. Holbrook. Seconded by Councilor Pantelakos and voted.

City Manager Bohenko suggested referring Mr. Holbrook's request to him with power.

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

Councilor Hynes expressed concern voting on this matter this evening because it was not listed on the agenda and the Council has not had an opportunity to review the request in detail.

City Manager Bohenko advised the City Council that they could approve just the June 1, 2006 date and consider the remaining dates at the next City Council meeting.

Councilor Grasso said that Mr. Holbrook has addressed all issues in his letter and she would support the motion to refer the request to the City Manager with power.

Motion passed with Councilor Hynes voting opposed on the basis of procedure not the request.

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

### **A. CITY MANAGER**

- 1. Request for Approval of Verizon License Agreement 9AAX4A

City Manager Bohenko reported that Verizon is requesting this license for the placement of buried cable and conduit on Portsmouth Boulevard. He advised the City Council that this request poses no impact to existing City infrastructure and the Public Works Department is recommending approval.

Councilor Whitehouse moved to approve the request from Verizon for Petition and License for Buried Cable and Conduit Location Petition 9AAX4A, as recommended by the Public Works Department. Seconded by Councilor Pantelakos and voted.

City Manager's Informational Items

1. Sustainable Practices Committee Appointment

City Manager Bohenko advised the City Council that the School Board has appointed Ann Walker to the Mayor's Blue Ribbon Committee on Sustainable Practices.

2. Proposed FY 2007 City Budget on Web

City Manager Bohenko announced that the proposed FY 2007 City Budget is available online at the City's web site, [www.cityofportsmouth.com](http://www.cityofportsmouth.com).

3. Community-Wide Work Shop on Sustainability

City Manager Bohenko announced that a community-wide workshop on sustainability has been scheduled for Saturday, May 20, 2006 from 8:00 a.m. to 1:00 p.m. at the Portsmouth High School Little Theater.

4. Work Session with School Board Re: Portsmouth Middle School

City Manager Bohenko reported that the School Board is unable to attend a Work Session with the City Council on May 8, 2006 due to a scheduling conflict.

5. Public Hearing on May 2<sup>nd</sup> Re: FY 2007 City Budget

City Manager Bohenko announced that the City Council would be holding a public hearing on the FY 2007 City Budget tomorrow evening. He said the public hearing would be held here in the City Council Chambers starting at 7:00 p.m.

Councilor Whitehouse expressed concern with the length of presentations by staff relative to the budget tomorrow evening prior to the opening of the public hearing. He said that there will be a large number of individuals wishing to speak on the budget and we should limit the amount of time for presentations by staff.

Councilor Dwyer said that she does not agree with Councilor Whitehouse. She said it is important for the staff to make their presentations and bring the information forward for the public.

Councilor Reynolds said he understands the point made by Councilor Whitehouse but he agrees with the comments made by Councilor Dwyer. He asked if we could limit the amount of presentations and time for each. City Manager Bohenko said we need to inform the public. He said that the prior City Council requested more presentations and information provided by staff members.

Mayor Marchand said that he feels it is also important for the staff to make their presentations and bring the information forward. He advised the public that the City Council would be recessing the public hearing and reconvening it at the June 7, 2006 City Council meeting.

Councilor Pantelakos advised the City Council that she would be away June 4, 2006 – June 9, 2006 and asked if the date for reconvening the public hearing could be changed to allow for her to attend.

Assistant Mayor Ferrini said that we need to outline the process of the public hearing for tomorrow evening as well as June 7, 2006.

**B. MAYOR MARCHAND**

1. Appointments

Councilor Whitehouse moved to reappoint Charles Cormier to the Conservation Commission until April 1, 2009. Seconded by Councilor Smith and voted.

Councilor Smith moved to appoint MaryAnn Blanchard as an alternate to the Conservation Commission until April 1, 2009. Seconded by Councilor Pantelakos and voted. MaryAnn will fill the expired term of Skye Maher who has been appointed as a regular member to the Conservation Commission.

Councilor Pantelakos moved to appoint Brian Gregg as a regular member to the Cable Television and Communications Commission until April 1, 2009. Seconded by Councilor Smith and voted. Brian is filling the expired term of Jeffrey Landry.

Councilor Pantelakos moved to appoint Timothy Fortier as an alternate to the Planning Board until December 31, 2008. Seconded by Councilor Whitehouse and voted. Timothy is filling the unexpired term of Anthony Coviello who has been appointed as a regular member to the Planning Board.

Councilor Pantelakos moved to reappoint Reverend Angelo Pappas to the Portsmouth Housing Authority until April 1, 2011. Seconded by Councilor Grasso and voted.

2. Letter to Pease Development Authority Re: Noise

Mayor Marchand read the letter regarding noise issues at the Port that he is requesting to send to the Pease Development Authority.

City Manager Bohenko said that the real issue of concern is the morning hours for loading and unloading salt vehicles.

Councilor Whitehouse moved to approve the letter, as submitted, and to send it to Mr. Nickless, Chairman of the Pease Development Authority. Seconded by Councilor Grasso.

Councilor Pantelakos said that she was pleased with the recent meeting of the Pease Development Authority and that they allowed individuals to voice their concerns.

Motion passed.

Assistant Mayor Ferrini moved to suspend the rules in order to allow Mayor Marchand to bring two items forwarded which are not on the agenda. Seconded by Councilor Pantelakos and voted.

3. Request from Pharmacist Providing Assistance RX Bus Tour to set up in the City of Portsmouth on May 12, 2006 (Not on agenda)

Mayor Marchand advised the City Council that Pharmacist Providing Assistance RX Bus Tour is coming to Portsmouth on May 12, 2006. He said that they are requesting to set up the bus in Portsmouth for individuals to receive assistance and sign up for the program. He recommended forwarding the request to the City Manager with power.

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

4. Request from CSPAN Book Mobile Tour to work in conjunction with the RiverRun Bookstore to set up in the City of Portsmouth on May 24, 2006 to promote reading (Not on agenda)

Mayor Marchand advised the City Council that the CSPAN Book Mobile Tour is coming to Portsmouth on May 24, 2006. He said that they are requesting to work in conjunction with the RiverRun Bookstore to set up at a location in the City to promote reading. He recommended forwarding this request to the City Manager with power.

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

**C. COUNCILOR SMITH**

1. Traffic & Safety Committee Action Sheet and Minutes of the April 13, 2006 meeting

Councilor Whitehouse moved to approve and accept the action sheet and minutes of the April 13, 2006 Traffic & Safety Committee meeting. Seconded by Councilor Hynes.

Councilor Smith reported that the Traffic & Safety Committee has appointed Public Works Director Parkinson to serve as the Vice Chair of the Committee.

Motion passed.

2. Parking Committee Action Sheet and Minutes of the April 13, 2006 meeting

Councilor Hynes moved to approve and accept the action sheet and minutes of the April 13, 2006 Parking Committee meeting. Seconded by Assistant Mayor Ferrini.

Councilor Smith reported that the Parking Committee has put the Church Street issue to rest. He advised the City Council that the Committee voted to formalize two metered spaces on Church Street and install a "no parking" sign in the dumpster area.

Motion passed.

### **XIII. MISCELLANEOUS/UNFINISHED BUSINESS**

Councilor Whitehouse inquired on the status of the construction project on Church Street from Congress to Porter Streets. City Manager Bohenko advised Councilor Whitehouse that the construction was not completed in the time projected, and the City has agreed to expand the closure of the streets on a month to month basis until the construction is complete.

Councilor Whitehouse suggested holding a Work Session on May 8, 2006 regarding the Matrix Overtime Report. City Manager Bohenko said that we need to bring Matrix back and suggested holding the discussions in a non-meeting setting with the City Negotiator after the budget has been adopted.

Assistant Mayor Ferrini said he agrees with City Manager Bohenko and that this matter should be addressed after the budget has been adopted. Assistant Mayor Ferrini indicated that there should be a public component to hear what their investment is gaining them.

### **XIV. ADJOURNMENT**

At 9:30 p.m., Councilor Whitehouse moved to adjourn. Seconded by Councilor Pantelakos and voted.



Kelli L. Barnaby, CMC  
City Clerk