



6:15 PM - Exec Session

1. **MOMENT OF SILENCE**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL all present**

Those present: Councilor's Ciotti, DeDe, Deputy Mayor Hindle, Councilor Keays, Mayor Myers, Councilors Scott, Trefethen, Turner and Cheney. Also present were City Manager Joyal and City Attorney Krans.

4. **PROCLAMATIONS - AWARDS**
5. **SUMMARY OF AGENDA**

The Mayor gave a brief overview of the agenda.

6. **CITIZEN'S FORUM**

Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.

Suzanne Medbury of 3 Covered Bridge Lane read a prepared statement (see folder of 1/25/2006). She spoke regarding the high assessed value of her land and home, shortly after they purchased they found out about the garbage type odors from the Waste Management Landfill and this was not disclosed to them before the purchase. She continued to explain the tax abatement process. She urged everyone to check their property card in the assessor's office.

Don Medbery of 3 Covered Bridge Lane read a prepared statement (see folder of 1/25/2006) regarding the retirement package of George Wattendorf that he feels is an illegal agreement that was negotiated in secret sessions. He urged everyone to read the Dover Community News for more information.

John Chartier of 229 Back Road wants to bring up his own budget of the last five years, today there is a gain of \$1400 in five years in his taxes, and his heating oil has increased this year as well. We have got to stop the spending and slow down. If we ran our household like this we would all be bankrupt. The seniors cannot afford this and they must work at jobs to pay these taxes. He thinks before we venture off on the waterfront and other programs, we should take care of what we have and the roads that we have already started such as Back Road, it only has a base coat, it already has potholes in it.

Ron Huml of 199 Mast Road is here about the teacher's contracts, he feels it is excessive because of the COLA in addition to the high cost of health insurance. If they approve this contract they are approving everything in this contract as well as the prior contract as they cannot cut benefits. Also as far as the school budget goes a plus 52% of his taxes goes to the



school department. He wants the council to come up with a limit for the school department to be able to spend.

David Mincin 366 Central Avenue is confused with what is going on with the council and city manager, he quoted from the code; what is it the council does not approve and what does the city manager approve. He quoted section 3.3B of the code.

Carolyn Mebert member of the school board and lives on Dover Point Road, she urged them to vote for the teacher's contract; there is a balance here, and she feels it is a fair contract, she pointed out the 18 steps that occur over 18 years, she explained the steps. This is a much better contract than other schools in the area have. The only way to get good teachers in the system we have to provide a good salary for them.

Joyce ElKouarti of Bellamy Woods has lived here since 1995 and the downtown is a growing vital economy, she is excited about the Children's Museum and the waterfront development, she thinks this is the time to continue with this. She is pleased with the Liberty Mutual expansion; this will create jobs, also the right of access and trail system that is forthcoming. Dover has some outstanding public space; she credits the cities OLC for the open space. She continued to point out the good things about Dover. She is proud to be a member of this community, she thanked the city manager and Mayor on the great job they are doing. They have set the bar really high for this year, she complimented the new councilors as well.

Mary Hebbard of 97 Spruce Lane is here on items 12B-2 and 12B-5 and her questions have to do with the availability of this resolution. In the last whereas on the sealed minute's resolution it says the meeting minutes are published, when will they be posted to the website. Also she would like to see the two public attorney opinions as they too should be posted to the website. She wonders about minutes being open to public inspection, what does that mean?
On B-2

Seeing no one else he closed citizen's forum.

7. PUBLIC HEARINGS - NONE

8. CITY MANAGER'S REPORT

The city manager stated he had included in a report on the city attorney's office which he had emailed last month but was asked to add it into the January report. Also the compliance on the consent agreement with the EPA, he clarified the city has completed all the items in the 2004 compliance order. But there is a 2006 order now, he explained the Varney Brook Force Main, the second item is the ongoing maintenance item with the EPA and the third is the Oyster shell fish bed. The last item had to do with a study he had requested last December in preparation for CIP bonding and how he had asked the finance director to look at how the bond rating is done in house as opposed to a pooled resources of the state. The city has gone out to market and as a result there has been a little over \$1,000,000 in savings to the city. He says there is some concern about the city manager putting items into debt service. There has been a proposal to wean the city of debt financing and the prior council did start shifting some of the items that have repeatedly been debt financed to the operating budget. He followed up on citizen forum speakers and thanked Mrs. Medbery for explaining the process on tax abatements. He clarified one thing that the bond agency said and that we have a considerable amount of appreciation. The fact there is appreciation of a property does not change the tax bill. The change is if there is a change in expenditures and or other forms



of revenue and whether there is a shifting of the tax burden more onto one type of property as opposed to another class of property.

The council received an email on some damage on Back Road he drove out there today and there is an area where two pot holes have developed, what that suggests there is some sort of water under the roadway, the crews will be out there tomorrow to patch the pot holes, the final top coat will be put down. Also the comment about meeting minutes being posed to the website; he will speak to the web person tomorrow to have this done. He will also discuss the implications of releasing city opinions with the city attorney.

Cheney wanted to correct the top paragraph on the of the city manager's report of the back of the first page she would like it changed to: the establishment of readily accessible lines of communication and service between individual councilors and the city attorney through the city manager by the city council. She would like the "city manager" portion removed altogether before problems arise; this should not be in the city manager's report. As the city council is supposed to have direct access to the city attorney and should not have to go through the city manager's office. Joyal stated he has no problems with this. He cautions them on productivity as Allan has work to be done. He also would like any proposed resolutions directed to his office. Any queries can be directed to the city attorney. Scott seconds what Cheney says. He continued because if the city manager did not like a particular resolution; he could block it. Joyal clarified he will not block a city councils attempt to bring a resolution forward. He just wants to make sure it is in proper form, for instance there may be background information that needs research for a resolution. This should go through him. Scott disagrees. Hindle seconded by DeDe with all in favor.

9. MINUTES - NONE

10. MAYOR'S REPORT

The Mayor reported the waterfront is going forward with the RFP and there is also continued progress at the project at Enterprise Park. He made everyone aware the county is presenting their budget on February 1st at 7 PM and they will be having a public hearing but the council has a workshop here at that same time. He recognized Peter Schmidt in the back of the room as the chair of the county delegation. The Mayor continued we have a 24% increase in the county portion of the budget this past year. For anybody that wants to get a feel they should get a copy of the county budget and review it.

He wants to start something new this year with a coffee round table discussion, every 6-8 weeks; the first is at 9am on Saturday, February 11th he will announce a downtown location for it to be held at soon; he has asked the city manager to join him. Anyone is welcome to sit in on it. But if anyone coming has a real detailed discussion or question, he would like them to please let him know in advance so he can research it. Hindle moved seconded by Ciotti with all in favor.

11. UNFINISHED BUSINESS

A. ORDINANCES IN 2ND READING - NONE

B. ORDINANCES IN 3RD READING - NONE



C. RESOLUTIONS - NONE

12. NEW BUSINESS

A. CONSENT CALENDAR

1. Tag Permit – Dover Little League
2. Tag Permit – Dover Girl Scouts
3. Raffle Permit – Maine Coast Runner Fly ball Team (Dog Event @ Arena)

Hindle moved seconded by Ciotti to grant. Keays asked to remove the item #3 Raffle Permit because of a concern that they are not from around here. All were in favor of the rest of the items in the report. The Mayor explained about how the dog show is renting the arena. There will not be tagging by kids just selling the tickets at the arena. Motion was approved with all in favor.

COMMITTEE REPORTS

1. Appointments Committee
2. Arena Commission
3. Arts Commission
4. McConnell Center Committee
5. Planning Board
6. Cable Franchise Negotiations Committee
7. School Board Liaison – **Report submitted**
8. City/School Joint Services Study Committee
9. Solid Waste Advisory Commission
10. Transportation Advisory Commission
11. Joint Building Committee
12. Recreation Advisory Board - **Report submitted**
13. COAST Bus

B. RESOLUTIONS

1. **Collective Bargaining Agreement Between the Dover School Board and the Dover Teachers Union.** Sponsored by Mayor Scott Myers by Request.
COUNCILORS HAVE PREVIOUSLY RECEIVED CONTRACT FOR REVIEW

Hindle moved seconded by Ciotti. Scott says it is too expensive; the Mayor says the councilors have had the contract for review for at least a week now. Trefethen also feels it is too expensive. Motion to adopt failed on a roll call vote of 0-9.

2. **Release of Minutes of Executive Sessions Dealing with the Hiring of the City Manager.** Sponsored by Councilor Dean Trefethen.

Hindle moved seconded by Ciotti to substitute as a whole with all in favor.
Hindle moved seconded by Ciotti to adopt. Trefethen explained how the minutes have been available but no one had asked for them. He cannot get into too much detail on the sealed minutes but his intention on releasing the minutes was because of the continuing dialogue of a small minority in the community. And one of the things that keep being said is what the city manager did or did not do during the process. When you read through the minutes it is clear to him that the city manager played a roll in the search like he does in many other instances. He served as the point of contact for meetings; his involvement was not any more than his normal duties. The council made the decision to search and the council made the decision to



stop the search. He feels the city manager has been treated unfairly. Hindle supports this and concurs with Trefethen. Hindle wrote most of the minutes of the meetings and there is not much detail. DeDe supports the resolution as well and reiterates Hindle as well. The minutes are the super readers digest version in the minutes. In the final "now therefore" it should be 1/4/2005 not 2006. Trefethen made a final clarification on where it says in the last whereas "unsealed"; this should say "made available" as they were never sealed as stated in the last "whereas" All were in favor of amendment. Hindle commented on Mrs. Hebbard's question, the city clerk has the minutes of these meetings and all other meetings. All were in favor of the resolution.

Trefethen stated on the 4/6/2005 the minutes are extremely brief. So he has polled the returning councilors for a consensus of what happened at this meeting, he could not get that. But there were a few things agreed upon, Mr. Joyal was not present, at that point they were still in the process of a search, a couple of councilors approached the Mayor about stopping the search to hire Mr. Joyal. Otis Perry and Keays were in favor but DeDe and Hindle were opposed to this. Mr. DeDe felt the city manager was not qualified for the decision. DeDe interrupted that he never said he was not qualified, DeDe clarified that he thought he was not appropriate for the City of Dover. And Trefethen continued on his recollection of what occurred at that meeting. Motion to adopt passed on a vote of 9-0.

3. Budget Amendment. Sponsored by Councilor David Scott.

Scott moved to substitute as a whole with Trefethen seconding the motion that passed with all in favor. Scott moved to adopt DeDe seconded the motion. Scott says this is a first step in addressing the high tax problem in Dover. Reducing municipal headcount is where we must start. There has been a study done of peer communities. He stated facts about the neighboring communities comparing them to our city employees. We are 30% higher than the neighboring communities. The study is about 80% complete; he has a report that he wants to present to the council after Keays studies it as he has an accounting background. He agreed with Krans that we should not try to micro-manage the city. He added the "be it further" and read the entire paragraph. DeDe explained his idea of the study and how it could be a meaningful evaluation tool. He noted the way the data is compiled here is that it needs to be broken down more as there are many elements to be taken into consideration. Trefethen has a comment on the "natural turnover rate" he pointed out 14 of the 35 employees that left the employ of the city were from the police department. He does not think this attrition rate can be agreed upon by the city councilors. Not all employees are created equal in the city. His question is in the "therefore be it resolved section" why are we not asking for budget items that are not going to go over budget? Why not get both sides of the information. Scott does not understand saying he is interested in items that are going over budget. Trefethen feels this is one sided and it will be presented as a bad thing. He would like to see the offset. Scott thinks people want to see a report on how we can cut costs. The Mayor asked Scott who is putting the data together for this study; the Mayor says sometimes the best of sources are not always accurate. Also with regards to roads are all these municipalities providing their own water and sewer; you must compare apples to apples in doing a comparison. He continued we have not added any full time employees for 4 years other than 4 new firefighters. Data is often skewed. He also has issues on the line items as we already get financials every month. There are many variables. Also it includes the option of a hiring freeze, he would hate to see this as we are coming up to summer camp time and we not be able to hire life guards in the summer or any of the 85 seasonal help that manage the summer



City of Dover
City Council Meeting Minutes
City Council Chambers

Date: January 25, 2006 Time: 7:00 PM

camps. There is already a resolution on the books of not exceeding a 3% increase. He thinks the city manager is very good about coming to them. They get the data monthly; he is not interested in getting into this level of micro-managing. You need a crystal ball to know what to put in for the snow budget and to know the temperatures outside, the heating fuel because of the weather. He does not see this as the role of city councilors, he will not support it. Turner in looking at the numbers says he could draw the line at seasonal, we don't need to throw them into this resolution. He thinks it needs to be refined. The sources look strong. He would like to see this go forward as these are knowledgeable sources. He will support this. Hindle wants to let the public know that the power he is utilizing is C5-5 by the recommendation of the charter commission and voted upon by the residents. DeDe says some of the language is narrowly focused; he does not see this as something of where we must look at every nickel and dime and we do get financial reports. He thinks the unknown is if there are some things that are occurring he would like a report to the city council; there probably will be increases in heating fuel. He will support the motion but he would like something more broadly based. Keays asked how much part time help do we hire in the summer time. Joyal says over the course of a year in the area of recreation we hire 22 full time equivalents and 6 at public works. Keays asked about the cemetery workers. Joyal says we hire a little over two full time employees there. Keays says when we reorganized in 1992 wasn't it to save on help under Mr. Beecher. Do we do that and is there a sharing of resources between the departments. Keays wants to know why we need so much summer help. If we utilize the help that we have we wouldn't.

Joyal says we take advantage of the summer weather to get more projects done. Keays mentioned the ball fields again and how there was still not much improvement in the fields. We have sunk \$700,000 down there and it is a mess. Cheney sees here an attempt to control spending. This would be really beneficial if they were alerted when items are going for an amount above what is budgeted. She will support it to help control spending. The Mayor would like a report and an update from the city manager mid way through. He asked, do we want a city manager that is going to run the city.

Ciotti will vote against this because he does not want to micromanage, he feels this is redundant when all you have to do is ask Mr. Joyal and he will give the information. He will not micromanage the city manager when info is readily available. Trefethen offered an amendment to eliminate the two "now therefore" clauses and to add "report to us where you expect to have budgetary problems by the end of the year"; DeDe seconded the motion.

He continued the powers of an individual councilor are so limited. Trefethen has asked Scott what he is doing with all the information and he does not get an answer. Keays will not support any micro-managing of the city manager's job, if he has to cut. Scott thinks the comments on micro-managing are well stated. He wants to take out the two middle paragraphs and leave the last one. The Mayor stated point of order on the floor to get the first amendment voted on that is currently on the floor. Turner disagrees that all three wipes this out. Cheney asks for clarification if it is the third paragraph as well. The Mayor says it is the three paragraphs. DeDe says to take all three out of here and then there is no motion. It is not a surprise to him to find a motion like this from a new councilor. He will vote against this to take all three paragraphs out of there as he likes Scott's proposal. The vote on amendment fails on a vote of 3-6 with Myers, Ciotti and Trefethen in favor. Scott now wants to eliminate the first and second paragraph and leave the third one. Hindle seconds the motion for the 2 paragraphs. Turner says the city manager may already be doing



this but this will reinforce this. The Mayor is still concerned about the hiring freeze and the word "specifically". He feels the city manager is doing this anyway. Trefethen clarified that on the proposed amendment, it does not require a hiring freeze it just suggests it. The vote on the amendment passed on a vote of 7-2 with Myers and Keays opposed. The main motion on the resolution passed with Keays, Myers and Ciotti opposed.

4. Establishment of Evaluation Process and Format for City Manager.

Sponsored by Councilor Douglas DeDe.

DeDe moved seconded by Hindle to adopt. DeDe explained the resolution and the sample format he is proposing; he read from an article, in a city manager evaluation booklet that was presented last summer. (the clerk does not have a copy) he disagrees with what the format of what the review was on in December there are many inconsistencies and it was unfocused. He explained the spreadsheet and how it would work. The RSA's do state that if the manager asks for a public review then the council must comply. There have been many evaluations that many have been through the one submitted was what was agreed to last July. The Mayor appreciates DeDe's resolution and the time he spent. For their information the council did adopt the evaluation handbook, it was the first time the evaluation had been done in public but there was a difference of opinion that night on how the evaluation was done. He thinks this will enhance the process. Scott supports this also. Ciotti echoes Mr. Scott's words. All were in favor.

5. Release of City Attorney Opinions. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Ciotti to adopt. Hindle thinks this will go on record for the release of the opinions. He also recalls Attorney Broth spoke to the council in May of 2004 where the council was requested to waive the attorney client privilege he his happy to see this is on the record and will be released.

The Mayor disagrees saying the first was the 5/18 workshop and the second was the 5/20 workshop, he does support having the release of both meetings. DeDe clarified the 5/18 opinion has not been made public yet, it was to correct that something had been said. Re: the Memorandum of Understanding and how future ones would have to come before the council; what happened on the 20th was to undo what happened at the public meeting. Motion was passed by all

6. Setting the Property Tax Exemption Levels and Qualifying Criteria and Tax Credits for Fiscal Year 2007. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by DeDe to adopt.

The city manager explained the resolution. Hindle commented on RSA 72:27 saying he believes there are limits to the amount we can propose. He asked if we are giving the maximum amount that we can give. The city manager asked Jeff Harrington to come forward. Jeff says there is no ceiling to the exemption levels. As far as credits go the Veterans credit we are proposing is \$300; the maximum is \$500. We are increasing \$50 per year until it reaches the \$500 limit. Ciotti asked how many people are taking advantage of this in Dover. Jeff referred them to the background and how we have 317 for a total of exemptions of 36 million dollars. And for credits we have 1318 eligible that for a tax credit. Trefethen is in favor but points out that because we are exempting certain people it adds to those that are not exempted. Scott wants to go to the top of the State's limitations. He quoted other communities who are at the max. He mentioned a person that had spoke earlier; he wants a



study done to see what we can do to limit. Jeff says there are no limits. Portsmouth and Newington have 2004 rates. He wants a study on what we can do to increase the exemption for people that cannot afford to pay. The Mayor does not disagree that we should be doing things for our elderly but as Trefethen pointed out there is a cost for reducing some people's taxes. Jeff referred them to page 4 and the tables. The Mayor says it will have an impact of 2 ½ cents on everybody's tax bill. He feels it is important to strike a balance. DeDe rebuts the councilors the segment of population that can take advantage of this has paid their dues. There are enough hurdles of what they can qualify for; the reality is this is the right thing to do. These folks need this type of help. Cheney supports giving all we can to people in this situation and the impact will be minimal to those that need it. The reward is great to know these people can remain in their homes. Turner stated he looks at the market growth and the number of seniors; shouldn't that even out over the next year. Jeff says this will not keep their tax burden level but proportionate. Jeff says they are proportionally staying the same. Ciotti says back up to when he was running for office he and Don Andolina both felt the older citizens should be rewarded, the RSA would not let them specifically exclude a person that was 75 years old living in the same household in Dover paying taxes; that was to fine of an exemption. He is all for this but we have a 55 older community popping up everywhere they are all low dollar amount houses. The tax burden will shift to these new people that are paying and the new people will take advantage of this exemption. He would like to raise the amount of exemption for citizens that have been here for the long term. Jeff says you must be a resident of the State for at least 5 years and the number of people receiving the exemption has grown. He pointed out the number of exemptions on a chart. Scott wants to double the amount as it is still tiny, tiny and he is making this motion, Hindle seconds the motion for discussion. Scott wants 3.5% where it says residential people where it says 1.84%, he wants it to say 3.5% and have Jeff redistribute it. Joyal stated in trying to achieve that they will have to work that number back to find how many people will qualify to make that percent and reach that level. Jeff says it is based on a single family home and one of the problems is the average of a person receiving an exemption as you increase the exemption levels you diminish the returns of who can benefit from an increase and that are already not increasing the value of their home. Scott says they need a policy tonight that the council is only giving a tiny exemption but will leave it to the city manager and Jeff to work it out. DeDe says there is a point of order on the amendment. Trefethen is not proposing to table but asked is there a time constraint. He is not clear what we are doubling or increasing. Joyal asked if we could come back in March with the budget looming for Jeff. Jeff commented that setting the levels is more of an art than a science and what the tax rate can bear. As we found out in 2004; this is why we used this group of municipalities to see if our exemption levels are being kept up to snuff. DeDe says he has seen the surrounding community's limits and the bar you must jump over is more restrictive in other communities. He is in favor of the proposal as it stands. He won't vote for the amendment. The amendment is to double to 3.6% or 3.7%. Cheney asked if you have to bring your assets. Jeff confirmed this. Ciotti agrees with DeDe that the amendment should not fly and it should be looked at again. This may not benefit anybody in the long run. Hindle reiterates what Trefethen says about tabling the issue. He would like to table this item to the first meeting in March so the city manager and finance director can come back with what Scott is proposing. Hindle moved seconded by Trefethen and Scott to table with DeDe, Myers, and Turner opposed to tabling 6-3 vote.

7. Hearing on Revocation of Pole Licenses of Verizon. Sponsored by Mayor Scott Myers by Request.

Hindle moved seconded by Ciotti to refer to a public hearing at the first meeting in February which is the 8th. Scott wants an explanation; Joyal explained Verizon was asked last summer to remove the extra poles. What this is related to is the city is required to license poles and



conduits in the city's rights of way and to assure that the utilities need that license. We have been providing licenses and there is an agreement where PSNH and Verizon own the pole, and Verizon owns the poles on the other side of the state. Verizon is not coming back after a new pole is installed and removing their old poles. We have been looking at this for a number of years and have tightened up the licensing process to come up with a state wide licensing scheme. We have been trying for years to do this. We have given notice to the utility companies as they are encroaching on the public rights of way. Scott wonders if we have sent them a certified letter as a communication yet. Also this will give them the opportunity to speak to us on this issue. Hindle says in addition there is a safety issue and we did have a minor accident with one of these poles on Back Road. The city manager says you need to adopt the resolution and include a date for the public hearing. Hindle moved to adopt the resolution and refer to a public hearing with Ciotti seconding the motion. All were in favor.

8. **Authorization for the Continued Use of the State of New Hampshire Department of Transportation Fuel Distribution System for City of Dover Vehicular Gasoline-Diesel Fuel Requirements.** Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Ciotti to adopt. Motion passed on a roll call vote of 9-0.

9. **Award of Purchase Order for Engineering Services Relative to Scada System Interface Capabilities at the Bouchard Well Water Treatment Plant.** Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Ciotti to substitute as whole with all in favor. Hindle moved seconded by Ciotti to adopt. Hindle noted in the "now therefore section" the \$53,334. should be \$58334 as stated in the last whereas. Ciotti seconded the motion with all in favor of the amendment. The city manager called on Dean Peschel to explain the total dollar amount of the system. Dean explained this is part of the Bouchard Well and these people, Woodward and Curran are the city's contractor to do that, and we need to make sure the equipment we bring to tie into the existing system has a program that the rest of the system has. This is an integration of systems. Woodward and Curran has been hired to implement the program so we don't get a system that can't talk to the system we now use.

Main motion passed on a roll call vote of 9-0.

C. ORDINANCES IN 1ST READING

1. **#03-01/25/2006 – Chapter 170, Zoning, Section 170-28.2 Residential-Commercial Mixed Use (RCM) Overlay District.** Sponsored by Councilor Dean Trefethen, Planning Board Rep.
(TO BE REFERRED TO PUBLIC HEARING 02/22/06)

Hindle moved to substitute as a whole with Trefethen seconding the motion with all in favor. Hindle moved seconded by Trefethen to refer to a public hearing on 2/22/2006 with all in favor.

D. COUNCIL CORRESPONDENCE

1. Wetlands Application – Michael Davis



Hindle moved seconded by Ciotti to place on file with all in favor.

13. COUNCIL MATTERS OF INTEREST

Keays puts the council on notice that he will be introducing a resolution to take care of the problem on the north side of the city from Chili's to Indian city, he wants a moratorium up there until the water problem is corrected. We never should have put in the hotels or the restaurants up there. We have had the problem for over 25 years up there. He is sure the hotel has a pressure pump and when residents turn on the faucet they have nothing. Turner thanked Keays for bringing this up, he will second it. This issue needs to be addressed; moratorium is a big issue and we have to time this perfectly and February is a good time to start this. Scott says we have a brochure with pictures of councilors and emails for people to contact them. He has proposed to use a personal email and has told this to his constituents and they are planning to use it. He would like his personal email publicized by putting it on the website and as a public contact. The Mayor says Cheney was looking for this different email as well. The Mayor thinks they would have that ability legally if they want he just wants them to know for the record they are exposing their personal computers and exposing their personal email accounts to access for those types of records. Scott feels the Mayor is wrong and this is privileged information as he has spoken with an attorney that told him so. He would agree when they talk/email each other they should use the city email account. Cheney has had her email for awhile but she did call a state representative and an attorney and was rest assured unless it was pretty dramatic that she can let people remain anonymous. She had some reservations but apparently a lot of state representatives do this. He feels this is a cumbersome city email system as this is an open source email system. Trefethen says so this is a council policy decision that has not come up before; he wants the city manager to prepare a resolution to take a formal vote on this. It is his belief there is an ethical issue as we are all on the same email system and in 2 plus years he is not aware of a request to garner emails. His intent is to use the city email system and that only.

Scott's understanding is the agenda is made available on Friday at noon and then last Thursday evening he received a call from Foster's on little snippets to the press from, city hall; he feels this is a violation of procedure, he does not like to see leaking to the press. The Mayor says the rule requires the agenda to be available no later than Friday at noon. The city manager says the city clerk did not leak the resolution and the administration did not either. Turner wants to tell the press not to call on Thursday about the agenda. Trefethen says so there is confusion in our rules on when it is available but this does not mean that individual councilor's cannot address an issue before it is out if they are sponsoring. The rules say the agenda will be out Friday at noon; it is not a stipulation that it can't be out there before if it is ready.

14. ADJOURN

Hindle moved to adjourn with all seconding and all in favor at 10:02 pm.

**Judy Gaouette,
City Clerk**