

**MINUTES
DOVER CITY COUNCIL
CITY COUNCIL CHAMBERS
REGULAR COUNCIL MEETING
MAY 12, 2004**

**6:00 PM
COUNCIL WORKSHOP**

A. School Budget Presentation

The Mayor called the workshop session to order and recognized Dot Hooper, Chair of the School Board; she proceeded to thank those councilors that have attended their school board meetings, saying they are a diverse board. They developed the 2004-2005 school budget with a shortfall of \$1,114,555 from the State of NH and in addition to that loss we knew we had fixed costs, they also knew they had to make serious cuts across the board and every cut impacted people. Some programs had to go; they are bringing a total budget of \$33,905,574.

She then introduced Dr. O'Connor, who gave a power point presentation, (see council folder of 5/12/2004). He had hoped he would be presenting this \$33,905,574 budget in a growth period, he says they went into the budget process with two things in mind, to minimize the tax impact to the citizens of Dover and to minimize the impact on educational programming to the children of Dover. The board has asked difficult questions, they made difficult decisions about staffing, supplies, etc. He proceeded to give his presentation saying they are up 2.01% this year. He then added in the unanticipated adequacy funds received, making the increase of 2 % growth impact this year and this represents 96 cents on the tax rate. He continued about the cap that has been placed on Barrington over the next ten years saying they can only have up to 399 students.

They currently have 374 students, and they are asking them to be a lot more accurate with their reporting data as they will have to pick up any overage that they predicted and did not come thru with. He explained the adequacy grant. Regardless of which plan is in place they stand to lose a half to one million in funds this year from last year. They over estimated their revenues last year so this year the actual figure is \$5,873,520, they had a 3% error on their part. They also overestimated their enrollment from Nottingham as well. They also over calculated their revenue of \$471,915 so they had to freeze their budget earlier than usual. They believe their figures are much more accurate for next year. Laurie Verville is here to answer any questions.

DeDe asked about the auditing costs, Laurie says it fell under the GASB rule. Keays asked with the new addition at DHS he sees they are predicting 1700 students. The Dr. stated, they are trying to cap the students at 1700 students for the next several years, even with the new additions, they are strapped for space. Keays asked how many students are there from Nottingham, 165 says Laurie and 380 from Barrington.

Keays asked what are we really doing with the new addition, the Dr. explained all the new programs that have increased, and also we had no Special Education students in the 1960's. He persisted to know if the new rooms were going to be occupied. Trefethen asked about the available seats, Dover has about 1200 available seats that leaves 500 for Barrington and Nottingham to send to Dover. Mayberry asked about a virtual high school, the Dr. says there are a number of programs up and running and this is already reflected in the budget. The Mayor asked what safeguards do we have in place this year. The Dr. says the contract with Barrington is helping us to be more accurate with our numbers. The overages on the program means they need to do a better job of tracking our numbers, Laurie added they are keeping their lines of communication open with the schools. The Mayor asked what percent of their budget is made up of personnel; Dot says 82% of the budget. The Mayor then asked how much is the percentage increases over last year. They will be provided percentages in their boxes in the next couple of days. Trefethen asked is the repair budget up this year; the Dr. says it is down this year, he proceeded to read the line items. Trefethen is concerned about us not doing day to day repairs he does not want it show up in the CIP in bulk format.

Keays asked about the track at DHS that has never been sealed and this is one of the most important things, if we don't seal it, we will lose it. He hates to see this happen, also he was looking at the football field and what do they plan to do about that. The Dr. explained the track situation came to his attention about 2-3 weeks ago and he was surprised. The track had been in the CIP going back as far as the early 1990s, and then the track was finally redone in 1999, even though now money has never

been allocated to seal it. Keays asked if he has taken the time to walk the track even though the Dr. is a busy person. Also the Dr. says he is aware the football field needs re-sodding. At 7:44 PM, the Mayor thanked them for their input tonight. Hindle moved seconded by Trefethen to adjourn.

7:00 PM

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

DeDe led the Pledge.

3. ROLL CALL

Those present: Councilor Mayberry, Mayor Myers, Councilors Perry, Trefethen, Colwell-Ellis, DeDe, Mayor Pro-Tem Hindle and Councilor Keays and City Manager Beecher. Reese was absent however he arrived about 7:35 pm.

4. PROCLAMATIONS/AWARDS

5. CITIZEN'S FORUM

Karen Drapaniotis, Chair of Board of Dover Main Street and **Deb Dineen** stated that last Saturday was a special day in Dover as it was their annual clean up day. She explained it is a partnership between Dover Main Street and the City. They supply the volunteers and they spent a lot of time focusing on Henry Law Park, she listed the 11 projects that were being worked on. They are very happy and thanked the Mayor and DeDe as well as Mayberry for donating water to the volunteers. She urged everyone to walk downtown; also Deb wanted to remind them they have the annual awards ceremony for the Dover Main Street project coming up.

Doris Grady of 41 Longhill Road took a minute tonight as a Board member and tax payer. She says you are aware we wear two hats, she wants them to consider the burden we put on the taxpayer. This year they are not rehiring personnel for positions, as they may get some state money or they may not. She feels there comes a time to tighten the belt. She is asking them to bring their budget down to a much lower increase than it is now. She thanked DeDe for the amount of time he has spent with the school board and stated occasionally he offers some advise that she appreciates.

Bob Paolini of 15 Bridle Lane is here to show his support for Beth Thompson, he would like them to take additional time to consider their decision about this position before voting on it.

Attorney Schulte is here as private citizen of 2 Towle Avenue in Dover, he too opposes the Economic Development resolution, he agrees with the editorial in tonight's paper. He can speak from personal experience on her competent work manner. He says we have the best planning and engineering staff of any in the area. Beth's skills and background are different though and he urged them to take their time in this difficult decision.

Bob Long has always believed an organization should regularly question the way it goes about its business. Questions *such as is there a better way to do this?* With the resolution under consideration his concern is where do we go from here, as economic development cannot be turned on and off at will. As Chair of the DEDC and being involved in the waterfront committee, his thought is this; before we get rid of the old system let us know what we want to replace it with.

David Choate principal with a real estate firm in Portsmouth is here to speak on the resolution and how it works in the real world. There has been a lot of vacancy rates. Companies come and go,

whether or not Dover has a higher or lower vacancy rate than other towns, Beth is the person knowledgeable about the opportunities in the area and is asked is there a better way to do it. He talked about specific transactions as well. The reason Rand Whitney went to Rochester is they can buy a building for \$15 per foot, he then mentioned several examples. These opportunities free up other areas, they have been working with several companies, he asked them to look at Measured Progress, their staying in Dover is attributable to the Economic Development Director, and we must do business regionally. Our competition is TN, NC, FL, all the states that offer giveaways; we do not do the incentives though. Another of Beth's successes is the Weeks Crossing Development. He urged them to sit back and take the personalities out of the discussion. And he would like to know who is the one to call to find out information if this position is eliminated.

Susan Miltner stated she is not a citizen of Dover but has done business in the area for several years here and she has known Beth for several years through networking and she is always very helpful. She mentioned that being from Rochester and without an economic development director it cost them a lot of business and they have seen the error of their ways. She feels we should encourage more industrial development and with out Beth she does not see how this will be possible.

Julie Porter of 300 Tolend Road works for Mr. Choate, she went over a few experiences she has had with Dover. Beth has been proactive in working with her clients. If it were not for Beth Two Way Communications would not be here in Dover. She is counting on Beth to secure a site for an incoming potential customer, she gave several examples saying she is approachable and knowledgeable and she is concerned with taxes. She wishes every resident knew about the work Beth has done, we cannot afford to lose her.

Stuart Arnette is not a citizen of Dover but a citizen of the State. DeDe stated point of order you must be citizen of Dover and/or own a city business here in Dover. Mr. Arnette asked would there be a time he could speak as he would be happy to answer any questions about the economic development item.

Ellen Bates started a company called Office Interiors in 1986 at first they were located on Pierce Street and then moved to their current location on Washington Street. She has been networking with Beth for a number of years both formally and informally. This January she had a flood that totally wiped out her building. She called Beth and Beth jumped in to help her, she would be happy to see the Economic Development grow in Dover and business would grow as well. Please consider this when you vote.

Seeing no one else the Mayor closed citizen's forum.

6. PUBLIC HEARINGS

- A. Resolution RE: Amendment to Pine Hill Cemetery Fees. Sponsored by Otis E. Perry, City Councilor at-large. **(SEE ITEM 11C-1)**

Ed Wentworth of 192 Washington Street is here as chair of the Cemetery Board. They believe it is time to review the fees of the cemetery; they worked for several months on this. They compared municipalities as well as other cemeteries here in the City. The board unanimously voted fro the increase. The fees currently paid are 40 % of the total budget of the cemetery. The new fees will be 50% of their budget and they believe the fees will cover the actual costs for now and several years to come. He urged them to approve the fees.

- B. Resolution RE: Sale of City Owned Property. Sponsored by Mayor Scott Myers, by Request. **(SEE ITEM 11C-2)**

Attorney James Schulte stated his office is at 660 Central Avenue and he represents Roy Josselyn, who is requesting to purchase this property. (see handout #2 in City Council folder), he explained the procedure the City uses to sell property, the prior council had made amendments to the ordinance on purchasing City owned property. Last month they approved an amendment on Washington Street and allowed that to be put thru. He continued about the building on Dover Point Road that used to be the old fire house for Dover. It is a building that deserves protection. The building is not in good condition and it has not been maintained. The group that has been using it has not had the money to take care of it either. Mr. Josselyn has family roots in that neighborhood, and he has an interest in preserving the building. Last month they presented their proposal. He is interested in this building to maintain it and work out a maintenance schedule with city code enforcement people. This agreement and sale will protect the property and it will ensure it is preserved and not developed. He understands they have been looking at this process; there was a vote last year on this recently. Mr. Josselyn has a strong interest in working with the preservation society, if the property is not transferred to Mr. Josselyn, the building will continue to deteriorate and the front part will rot thru and the building will fall down. He offered to speak with them about this building. The Mayor says for clarification purposes, this came before the previous City Council and was voted down.

Russ Newell lives at 2 Grove Street here in Dover and he is feeling sick but he wants to be heard, he is representing the Knights of Pythias, and as one of the so-called last of the Mohicans they have leased the property for some years now, it is not in the best of shape, but there was a contract to have the building painted this summer, they have limited funds, they treat that as a historical site, and the Knights of Pythias has an emblem on the front of it dated 1887. They hope to keep it for the historical purposes and presently they use it for storage. It is their wish that the sale be postponed, as they want use of it for a few more years and then it could be turned back to the City. They were caught unaware that this was going to be brought up tonight and were not able to meet with their attorney. He urged them to wait a few more years before it passes and they will put the building back into shape.

Attorney Schulte assured Mr. Newell and members of the Knights that Mr. Josselyn understands there is a lease agreement. Mr. Josselyn wants to work with them and allow them to continue to use it as it needs some organization and they just want to take over the maintenance of it.

Russ again stated he appreciates their generous offer but he cannot understand how the reformation is going to take place with all their stuff in it as he feels it would be hard to work on it this way.

The Mayor feels this will be tabled until 6/9 and then subject to a vote so that any info that can be presented to City Managers office will be appreciated.

- C. Resolution RE: Ballot Question for Formation of Charter Commission. Sponsored by Mayor Pro Tem Jason Hindle. **(SEE ITEM 11C-3)**

The Mayor opened the public hearing, seeing no one he closed the public hearing.

- D. Ordinance #08-04/14/2004, Chapter 116, Public Health, Section 116-9, and adding Section 116-13, Operation of Premises Promoting Illegal Drug Activity. Sponsored by Councilor Dean Trefethen. **(SEE ITEM 11A-1)**

The Mayor opened the public hearing.

Vicki Hebert of 11 Rutland Street is a senior at DHS and active member of Dover Youth to Youth. She explained what Youth to Youth does; this can be used to support Youth to Youth projects. They found a quote in the newspaper that said bongos are used for tobacco, she said kiddingly, yea right, and they held a protest on it recently, she gave more examples of projects that they do to promote and educate the community about the drug free lifestyle. She passed around pictures of their protest saying they had several students out there working on this issue.

Seeing no one else wishing to speak the Mayor closed the public hearing.

- E. Ordinance #09-04/14/2004, Chapter 58, Alarms and Security, Amend section 58-21, Applications. Sponsored by Mayor Scott Myers. **(SEE ITEM 11A-2)**

The Mayor opened the public hearing, seeing no one he closed the public hearing.

7. MINUTES

- A. Workshop – April 7, 2004
- B. Regular Meeting – April 14, 2004
- C. Special Meeting/Workshop – April 21, 2004

Hindle moved seconded Mayberry to accept with all in favor, Councilor Reese arrived at 7:45 p.m.

8. REPORTS OF SPECIAL AND STANDING COMMITTEES

- A. Appointments Committee – Councilor Otis Perry – **(No Report)**
- B. Arena Commission – Councilor Darlene Colwell-Ellis – **(No Report)**
- C. Arts Commission – Councilor Matt Mayberry – **(No Report)**
- D.** Planning Board– Councilor Dean Trefethen **(Report submitted)**
- E. School Board Liaison – Councilor Doug DeDe (Report submitted)
- F. Solid Waste Advisory Commission – Councilor Otis Perry – **(No Report)**
- G.** Transportation Advisory Commission – Councilor Jason Hindle - **(No Report)**
- H. Joint Building Committee – Councilor Jason Hindle - **(No Report)**
- I. Recreation Advisory Board – Councilor Bob Keays

Keays stated they had met on Monday night, and that Gary Bannon reported that the all purpose fields are ready to use at Shaw's Lane, WPS tennis courts have severe cracks in them. Two eagle scouts are doing work up at Sullivan Drive on the roof and walking trails. Mike Arsenault is the new pool supervisor and the outdoor pool is open for swim meets only. Woodman Park School has a new electronic scoreboard; also Sullivan Drive has a new scoreboard. They also discussed the condition of Guppy Park.

- J. COAST Bus – Mayor Scott Myers

The Mayor reported they went over the monthly financials and then discussed routes for the spring of 2006. They also had a discussion on a Salem-Derry regional transit route.

Hindle moved seconded by Perry to accept with all in favor.

9. MAYOR'S REPORT

Mayor Myers stated this has been a busy month and that he threw out the first pitch for Dover softball, baseball and Dover Little League teams. He also attended several groundbreaking ceremonies. He thanked the hospital for their donation of the cardio vascular equipment to the City. He attended the Dover Main Street cleanup event with his son and it was great to be out there; thanked the Kiwanis for putting on the lunch. Lastly he attended his first Eagle Court of Honor for Adam Eaton who became an Eagle scout a couple of Sunday's ago saying they are proud of him. Hindle moved seconded by Mayberry to accept with all in favor.

10. CITY MANAGER'S REPORT

The City Manager mentioned he saw the Mayor take his son to Golick's after the cleanup. Also he is pleased to report that the library has received an award fro the Eunice Thompson estate and it will be used to purchase books. They (the council and he) have been communicating thru the newspaper for the last few days and he is not in favor of this so to

clarify a few issues his labor attorney, Mark Broth will be a the workshop session next week. Hindle moved seconded by Perry to accept with all in favor.

11. UNFINISHED BUSINESS
A. ORDINANCES IN 2ND READING

1. Ordinance #08-04/14/2004, Chapter 116, Public Health, Section 116-9, and adding Section 116-13, Operation of Premises Promoting Illegal Drug Activity. Sponsored by Councilor Dean Trefethen.

Trefethen moved seconded by Mayberry to adopt. Trefethen explained the ordinance that will close the loophole that allows them to go after businesses that support illegal drug activity. He urged them to support this. Perry has questions on the application. Perry wondered if it could be expanded to include private parties. The Chief says the law already allows for this and it really allows the City to petition Superior Court for an injunction. He continued this complies with the federal ray vac, section two. Perry asked do we have to petition the Superior Court, the Chief confirmed this saying this is for ongoing infractions.

DeDe asked what constitutes illegal drug paraphernalia. The Chief says that is at the heart of several pending cases; it has been defined by state law and district court. Motion passed on a roll call vote of 9-0.

2. Ordinance #09-04/14/2004, Chapter 58, Alarms and Security, Amend section 58-21, Applications. Sponsored by Mayor Scott Myers.

Hindle moved seconded by Mayberry to adopt. Perry explained the central station alarm system. Motion passed on a roll call vote of 9-0.

B. ORDINANCES IN 3RD READING - NONE

C. RESOLUTIONS

1. Resolution RE: Amendment to Pine Hill Cemetery Fees. Sponsored by Otis E. Perry, City Councilor at-large.

Perry moved seconded by Hindle to adopt. Perry explained the resolution saying this is a 10% increase and that 50% of it goes to a capital reserve fund. Hindle thanked Perry. The Mayor feels this is a worthy appropriation. Motion to adopt passed on a roll call vote of 9-0.

2. Resolution RE: Sale of City Owned Property. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Mayberry to adopt. Perry moved seconded by Trefethen to table until the next meeting on June 9th. Motion passed on a vote of 8-1 to table, Mayberry opposed.

3. Resolution RE: Ballot Question for Formation of Charter Commission. Sponsored by Mayor Pro Tem Jason Hindle.

Hindle moved seconded by Trefethen to adopt. Hindle explained the resolution. If the public votes in favor of the commission, the City would need a special election for the formation of a formal Charter Commission. The issue here is the role of the council is in his opinion too much hands on into the process. Perry has two questions, does the vote have to be unanimous. Hindle says no just a majority. If there is an election for members, are City Councilors allowed to run for the commission. Hindle says no they are not. Perry will vote against this because he is against it also there is money attached to this and he cannot support this until the budget is settled. Trefethen will support this and agrees with Hindle in

the status quo. He feels it would be beneficial to have a group of people look at this. Mayberry is not disagreeing with the charter commission, but feels we could save \$20,000 if we could wait one more year. As a voter he will not be voting for it. DeDe stated this is one of those situations where judgment is called for with a further reaching eye; this will yield many opportunities to make sure the city is running smoothly. The charter should be reviewed. He feels this issue does deserve support. Keays will support this, 14 years is a long time to not look at the charter. He feels it is time. Hindle pointed out we are only voting on the question tonight. The Mayor will support this also; and the question will go to the voter's hands. Mayberry had a thought that we may want to address this further down in the budget process. Motion passed on a roll call vote of 6-3, Mayberry, Perry and Reese opposed.

12. NEW BUSINESS

A. CONSENT CALENDAR

1. Raffle Permit – St. Joseph Church
2. Raffle Permit – Cocheco Valley Humane Society
3. Parade Permit – Joseph Turcio – Protest
4. Road Toll – Dover Lion's Club
5. Raffle – Strafford County House of Corrections

Hindle moved seconded by DeDe to grant. Mayberry wants to pull #'s 3 and 5, Reese seconds the motion. Motion to grant item's 1, 2 and 4 passed by all. Reese has a question on item #3 and what is he protesting, it is not known, but the Police Department has approved this and it is his constitutional right to protest. Motion to grant item # 3 passed on a 6-3 vote with Reese, Mayberry and Perry opposed. Mayberry moved seconded by DeDe to table item # 5 for more information until the next meeting, all were in favor.

B. RESOLUTIONS

1. Resolution RE: Award of Change Purchase Order for Additional Engineering Services for the Broadway Railroad Culvert Project. Sponsored by Mayor Scott Myers, by Request

Hindle moved seconded by Mayberry to adopt. DeDe asked for more information. Pete Lavoie explained it is next to Red's Shoe Barn, they found ash next to the railroad when they dug, and they need to continue to do extra borings to assure we do not have an environmental problem. Motion to adopt passed on a roll call vote of 9-0.

2. Resolution RE: Award of Purchase Order for a New Mobile Seat Belt Convincer Unit. Sponsored by Mayor Scott Myers, by Request.

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

3. Resolution RE: Award of Change Purchase Order for Handicap Parking Spaces and Other Related Work at Henry Law Park. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Mayberry to adopt. Pete explained they reconfigured the shape of the brick walkway and curve for handicap parking on Washington Street as it would not allow them to do any widening on Henry Law Avenue. This is an ongoing project. Mayberry wants to know wasn't this factored into the original design, Pete says it was in the CIP this year. These spaces will be for only a full size bus and handicap vans. The City Manager clarified it was in the original design but not in that spot. The regular handicap single vehicles can park off Henry Law Avenue. Motion to adopt passed on a roll call vote of 9-0.

4. Resolution RE: Award of Bid #B04038 for Sand and Gravel Materials. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Keays to adopt. Keays asked wasn't it in the contract that we would supply sand and gravel when needed. These are processed, washed 3/8 stone says Pete; Keays asked where do you get your sand in the winter. Pete says it goes out to bid and Severino received the bid this past winter at \$1.50 per yard plus his screening costs. Keays feels we are giving good sand and gravel away, he cannot understand it. Pete explained the competitive bid process.

Mayberry asked when the contract is up; Pete says they are allowed two million yards. Mayberry shares Keays concerns saying this is like apples and oranges; Keays says apples and pineapples. DeDe wants Pete to explain about the differences in the gravel with a chart one of these days. Motion to adopt passed on a roll call vote of 8-1 with Keays opposed.

5. Resolution RE: Appropriation of Funds for Emergency Water Main Repairs for Crosby Road Industrial Park. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Mayberry to adopt. Hindle commended Pete's staff for fixing this problem as soon as possible. Motion passed on a roll call vote of 9-0.

6. Resolution RE: Award of Purchase Order for Asphalt Micro-surfacing on a Portion of Central Avenue. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Mayberry to adopt. Trefethen asked is this crack filler or something different. Pete says it is a thinner application and there also may be a savings here because he wants to start further down Central Avenue than originally planned because of possible re-construction going on further up Central Avenue.

Trefethen asked the life expectancy of this, Pete says close to 10 years. DeDe says knowing the traffic pattern in that spot, when will this be done and what are the traffic control measures that will be put in place. Pete would like them to do it at night but they need the sun on it, they will divide it into three lanes to do the asphalt. Motion passed on a roll call vote of 9-0.

7. Resolution RE: Award of Purchase Order for Corrosion Inhibitor Water Treatment Chemical. Sponsored by Mayor Scott Myers, by Request.

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

8. Resolution RE: Transfer of Appropriation – General Fund. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Perry to adopt. Motion passed on a roll call vote of 8-1, with Reese opposed.

9. Resolution RE: Sixth Street Sewer Transfer of Appropriation and Capital Reserve. Sponsored by Mayor Scott Myers, by Request.

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

10. Resolution RE: Unsealing Executive Session Minutes from 1973-1989. Sponsored by Mayor Pro Tem Jason Hindle.

Hindle moved seconded by Mayberry to adopt. Hindle thanked the City Manager and Attorney Wattendorf for allowing these minutes to be reviewed; there is nothing that is eye opening about them. Motion passed on a vote of 8-1, Reese opposed.

11. Resolution RE: Directive to Remove Capital Items from the FY'05 Budget for Bonding. Sponsored by Mayor Scott Myers, Mayor Pro Tem Jason Hindle, Councilor Darlene Colwell-Ellis, Councilor Doug DeDe, Councilor Robert Keays, Councilor Matt Mayberry and Councilor Dean Trefethen.

Hindle moved seconded by Mayberry to adopt. Trefethen would like these items on as quick a pay back time as possible when it goes to be bonded. Perry is going to vote against this item. When he first came on the council this was common practice to shift items such as this to the CIP, if these are too expensive to do, then maybe we should not do them. Our interest costs will incur and bond council costs. We tie future council hands as this will be built into the budget. The City Manger does not recommend moving the account # 4750 bridges into that, it was supposed to be part of the operating budget, as it is used to repair bridges. This is not proven financial policy. Also we should look at machinery and equipment, the land improvements are related to sidewalks, the sidewalks are critical to the projects that will be started this summer. He asked Pete Lavoie to explain. Pete stated we have several trucks that are 1984, 85 and 86's the normal life of a dump truck is about 12 years. He needs to upgrade some trucks they have, he bought one last year with gravel money; we need to look at these things, especially in the wintertime. As far as sidewalks, he has several that are in bad condition in the Grove Street area and the Maple Street area as well as Fisher Street has come up for complete rehabilitation plus right around city hall. He can provide them a full list; he would like to do it with their pavement management program. Mayberry made a motion that he would like to remove bridges from the resolution, DeDe seconds the motion to remove the \$20,000 for the bridges from account # 4752. Motion to amend passed with all in favor except Reese. Main motion passed on a roll call vote of 7-2, Perry and Reese opposed.

12. Resolution RE: City Council Directive to the City Manager Regarding the FY'05 Budget. Sponsored by Mayor Scott Myers, Mayor Pro Tem Jason Hindle, Councilor Darlene Colwell-Ellis, Councilor Doug DeDe, Councilor Robert Keays, Councilor Matt Mayberry and Councilor Dean Trefethen.

Hindle moved seconded by Mayberry to adopt. Hindle read the resolution. Perry wants to go on record saying if this was just a request of the Council for the City Manager to come back with a 3% budget decrease, then he could go for it but he does not agree with the policy starting with the second whereas, he does not agree with the implication, it makes it seem the bodies that have come before us have been negligent. He also disagrees with #3 as he feels there are other departments in the City that are also very important. In fairness to them and to the rest of the city employees we must look at the impact on them with this kind of activity. He does agree with the fund balance item but he will be voting against it. He wanted the people that elected him to know why. DeDe commented the sentiment of the voters was made very clear during the campaign; there is hardly a time that he meets someone and the spending level is not the subject. In the past there have been negotiations taken place with previous councils the 3% is being applied across the board, also one of the things that has happened in the past is about how devastated the police would be and the crime rate would rise dramatically and there would be difficulty in responding to fires. It is not the intent to remove the protections in place for the citizens of this community. Motion passed on a roll call vote of 7-2, with Perry and Reese opposed.

13. Resolution RE: Directive to Reduce the Business Assistance Department Appropriation in the FY 2005 Budget. Sponsored by Mayor Scott Myers, Mayor Pro Tem Jason Hindle, Councilor Darlene Colwell-Ellis, Councilor Doug DeDe, Councilor Robert Keays, Councilor Matt Mayberry and Councilor Dean Trefethen.

Hindle moved seconded by Mayberry to adopt. Before we do something this dramatic Perry feels we should have a system in place; unfortunately the one way we can impact the city finances in a positive way is to encourage high quality industrial development; this will slow down our plan to do this. DeDe stated the intent of this resolution. He read the now therefore section and understands most of the commentary that took place this evening and he added he had received 35 – 40 emails on this subject; they only want a change in the way to go about this process. Progress needs to be looked at again. Reese moved to table, Perry seconded the motion, motion failed with two in favor (Reese and Perry) of the amendment. The Mayor feels there are false impressions and there is no budget for the Enterprise Park, they left the \$20,000 there for a new approach, the intent was to say come back with a different thought. The City Manager certainly applauds the council for its effort, but they have not shared their ideas with him. He encouraged them to come to him with their concerns and not do this in a vacuum. He also would like to know what time frame they are looking at; he would like a work shop

on it or come visit to him, he will follow whatever this means. This was not discussed with him by any councilor except by Mayberry who asked a few questions a couple of months ago. He promised his wife he would not lower himself to speak on the last resolution and now he sees this issue this evening. Motion passed on a roll call vote of 7-1, Perry opposed and Reese has left the meeting.

14. Resolution RE: Fiscal Year 2005 Budget Appropriations, Fees and Capital Improvements Program. Sponsored by Mayor Scott Myers, by Request. ***(To be referred to a public hearing on 05/19/04 (School Portion) and June 2, 2004 (City Portion).***

Hindle moved seconded by Perry to refer to a public hearing on **05/19/04 (School Portion) and June 2, 2004 (City Portion)**. All were in favor.

15. Resolution RE: Renaming and Renumbering Portions of Towle's Lane, Spruce Lane Extension, Union Drive, Niles Drive, Maple Street Extension, Ash Street Extension, Silver Street Extension and Walnut Street. Sponsored by Mayor Scott Myers, by Request. ***(To be referred to a public hearing on 06/09/04)***

Hindle moved seconded by Perry to move to a public hearing on June 9th with all in favor.

16. Resolution RE: Adoption of 162-6. Sponsored by Mayor Scott Myers. ***(To be referred to a public hearing on 06/09/04)***

Hindle moved seconded by Perry to move to a public hearing on June 9th with all in favor.

C. ORDINANCES IN 1ST READING

1. Ordinance #10-05/12/2004, Chapter 3, Administration Code, Section 3-72, Adding Business and Industrial Development Authority. Sponsored by Mayor Scott Myers. ***(To be referred to a public hearing on 06/09/04)***

Hindle moved seconded by Mayberry to refer to a public hearing on June 9th with all in favor.

2. Ordinance #11-05/12/2004, Chapter 133, Peddlers and Vendors, Various Sections. Sponsored by Mayor Scott Myers by Request. ***(To be referred to a public hearing on 06/09/04)***

Hindle moved seconded by Mayberry to refer to a public hearing on June 9th with all in favor.

D. COUNCIL CORRESPONDENCE

1. Wetlands Permit Application – Henry Kuziomko
2. Wetlands Permit Application – Brian Short
3. Wetlands Permit Application – George Mavrikis
4. Wetlands Permit Application – City of Dover, Engineering Division
5. Wetlands Permit Application – State of New Hampshire, Dept. of Transportation
6. Letter – Diana Carroll RE: Relocation of Farmer's Market

Hindle moved seconded by Mayberry to accept and place on file with all in favor.

13. COUNCIL MATTERS OF INTEREST

DeDe stated at the last meeting there was mention that during a public forum on Waste Management on the problem of odors with Tom Fargo, the Conservation Commission has passed a motion to bring forth a request for standing representation on all future reviews on that subject. The City Manager says we will have a resolution on the next agenda.

Hindle had a request with regards to the sale of city property; he would like the fire department and remaining Knights of Pythias to come and talk to them about preserving the building.

Keays stated he had talked to three different councilors who sat on the council in 1999 and they had never seen any paper concerning these agreements. He wants a resolution at the next meeting to delve into these memorandums of understanding. He wants the people of Dover to know we are going to get to the bottom of this. The citizens have supported Mr. Beecher. This is unbelievable and he is burned right to the hilt; he wants to hire an outside lawyer. The City Manager responded he is tired of this discussion, and you, Keays of all people should know. He has copies of all the memos that went out to the council. The City negotiated to get rid of unions; he went to that union and so for certain concessions they agreed to do this. And Keays was one of the beneficiaries to this. He sat there and the department heads said what about our benefits, after that date you cannot accrue any more, there is nothing to hide here. Keays says last year when we tried to get these agreements, no one would give him the agreements. The City Manager can tell them what was asked for, he was asked for his accruals, and he does not have any. Keays read in the paper the other day about the past councilors and they said they did not remember anything. And now today they remember everything. He was talking to a lawyer who sat on this council in 1999. and Wil Boc does not remember that he did see one of these papers. Mayberry clarified the media has a copy of the contracts.

Mayberry reminded everyone May 30th is the Memorial Day Ceremony and we can donate one hour of our time at 6 PM on that day for those that have given so much.

14. ADJOURNMENT

Hindle moved seconded by all to adjourn at 9:20 pm with all in favor.

**Judy Gaouette,
City Clerk**