

**MINUTES
DOVER CITY COUNCIL
CITY COUNCIL CHAMBERS
REGULAR COUNCIL MEETING
AUGUST 11, 2004
7:00 PM**

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

Councilor Trefethen led the Pledge.

3. ROLL CALL

Those present: Councilor Colwell-Ellis, DeDe, Mayor Pro-Tem Hindle, Councilor Keays, Mayberry, Mayor Myers, Councilor Perry, and Trefethen as well as City Manager Beecher.

4. PROCLAMATIONS/AWARDS

5. CITIZEN'S FORUM

The Mayor opened citizen's forum stating the 3 minute rule.

Gregory Hunt of 295 Back Road is here with concerns along with fellow neighbors on Back Road. He is a long time Dover resident and has returned to live here and is trained as a construction officer in the Army Corp and also in corporate finance. He is here to talk about one of our city treasures and that is Back Road; this is one of a rare collection of old neighborhood country lanes that are left. He understood last year this was going to be re-done; subsequently he learned it was to be widened from 19 to 24 feet. He feels this will change the neighborhood by doing this as it is an expansion project and not a rehabilitation project. It has been launched without resident input. Their only notice was from a tree service company last winter. They had a neighborhood meeting this A.M. with 20 residents present; they learned there is no design or plan by engineering. They are building a 24 foot road way, and there is no traffic study, it will be an enticing place for more people to drive at higher speeds. This is a project of more than \$300,000., how can this happen. Some of this is a wetlands area; tree cutting was done for the length of the road with no specifications or guidance, some old and scenic trees have already been taken down. This changes the character of the road in a scenic way; he had several more issues with this project. The residents at the WTSN end were told this A.M. that in about 3 weeks their portion of the road would be repaired. Others have no idea how long this will take or cost. He is prepared to submit a petition with several requests. He appreciates them looking into this matter and if this is the standard operating procedure in play, these budgetary control issues should be examined quickly and be rectified. He submitted the petition to the City Clerk.

Jeff Hollinger of 346 Back Road is here to reiterate what Greg said about the tree/brush cutting. He stated he has been studying the organizational chart for Community Services. The decision was made after a drive by survey. People do not know what the final outcome is going to be nor do they know the cost. This is an arbitrary project that was just recently found out about. He would like some answers about this.

David Scott of 220 Back Road, stated these council meetings are supposed to be televised on channel 22 so that neighbors at home can see it. He reiterated the schedule. It has not been adhered to for the July 14th meeting. He has been looking for this all month. He hopes that someone at city hall has not taken it upon themselves to not show the entire tapes as that would be censorship. There were several negative comments about the City Manager on that meeting that need to be seen by Dover citizens. He continued about his requests to see the City Managers contract and complete salary with

add ins. He did comparisons with several other cities in the area. He was told some of this info is private. The solution to this rapidly rising spending is to not renew his contract. He wants this addressed with some changes forthcoming.

Steve McCusker 4 Woodland Road stated his Dad worked for the City of Dover in the water department and he too worked for the City. He has first hand knowledge of budgetary items in the City; he received compensation when he retired by virtue of a contract. It happened for many years until the City Manager proposed a change. People were grandfathered by the contractual process so from that point on there was no more build up of this sick leave and vacation leave. In his opinion, this council is new and he does not feel you can come in and tell someone like the City Manager how to run the city. Dover is a nice place to be and you get what you pay for. There are needs by departments of the City, and this comes from pride, these new ideas have all come up before and they do not work. He continued about the split up of the Community Services department but that was the City Manager's proposal, not the City Councils. The City Manager quotes Dr. Maslow's book, if you have the basic needs of the City covered then everything else is a bonus. He continued then all the special interest people get up with their needs concerning the pool, parks and library, etc. when all we really need is police and fire. Don't criticize the City Manager, he is doing his job. He as a former employee has come to appreciate Mr. Beecher's skills, it seems as though in his opinion his negotiating tool is not being utilized. If he is always spending his time defending himself then he won't have time to pull us out of the rut we are in.

Bob Steele retired Dover City Manager, came with a reputation for a stabilized tax rate, he stayed here until 1985, and he is really here tonight because of Norm Champagne and Tom Hardiman who he sees here tonight. He is appalled and disgusted by the activities of the Dover City Council, which are no more than shenanigans as the Council runs the city. He continued apparently the Council did not take 6th and 7th grade as they missed a basic course in civics. We have a Council/Manager form of government. He has come out of two retirements and is in a neighboring community. He feels we have a real serious problem. His Dad was a police officer and his whole family has been involved in local government for years. He knew about the organization of city government, as his family was involved in it. He was criticized when he was city manager because they (the City Council at that time) were a group of neophytes. A neophyte is a freshman or a beginner. The elected officials have the obligation to educate themselves; he is appalled that we have state legislators that do not even know the process. He feels it is time for this stuff to end, he urged them to conduct themselves in a professional manner. You don't need to sell newspapers.

Tom Hardiman is a lifelong resident of City of Dover, and for the past 33 years he has driven Route 4, the long road to Concord because he likes to live in Dover. He is proud of his city, he comes before them very seldom; twelve years ago he was a member of the committee to review all the hundreds of applications to hire a city manager. Do their job and let the city manager do his job, everybody seems to be working well and moving forward. He thanked them.

Christina Hollinger 346 Back Road would like to show support for the widening of their road. She comes from the Philippines where there are no trees, there seems to be no interest here. Without citizen's participation, the people become insensitive to the needs of the people they are supposed to serve. She stated the structure of the city which is a Mayor and City Council and City Manager. No one of the people is on the top, the government is for the people and by the people, and they need to serve the people. There are a lot of homeowners that are retired and living on a regulated income, and they have concerns that they will not be able to continue to live in Dover. Let us not forget the older ones.

Peter Schmidt of 53 Fourth Street is here to speak to the citizens of Dover because of what we have seen in the last couple of months and feels it is important that they take Bob Steele's advice on how the City Manager, City Council form of government works. He watched the tape of last month and saw Mr. Scott broadside the City manager. Scott was blaming the City Manager for out of control spending. He reiterated what Bob Steele has said and the truth is the city council has the final say on spending in the city. The City Manager's salary is what it is because other councils have given him an annual raise and felt he must be worthy of it. He is addressing his fellow elderly citizens, taxes are going up because of people you have put in office, in a larger context the city is run by state government and the state is all property tax based. This city council just voted to increase this budget by about 5% and this is because the city council voted for increased spending. He suggests that they look at what the citizens want. Another aspect that is important for them to understand is number one there is an election coming up, with Scott and Hollinger running for state representative seats and Schmidt is also running for re election for state representative. The Mayor reminded him of the time limit. Schmidt continued there is an ongoing effort in the state to dismantle government; there is a perception that somehow city government or government in general is bad. He told them they have a responsibility to the citizens.

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

6. PUBLIC HEARINGS

- A. Ordinance #15-07/07/14/2004, Chapter 99, Eating and Drinking Establishments, Section 99-3-A, Fee Schedule. Sponsored by Mayor Scott Myers, by Request. **(See Item 11A-1 - To be substituted as a whole**

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

7. MINUTES

- A. Council Workshop – May 5, 2004
- B. Council Workshop – July 7, 2004
- C. Regular Council Meeting – July 14, 2004
- D. Special Meeting – July 21, 2004

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

8. REPORTS OF SPECIAL AND STANDING COMMITTEES

- A. Appointments Committee – Councilor Otis Perry

See report and Perry added they decided to interview a few people and made some appointments; Mr. William McCann was appointed as an alternate to the Conservation Commission and Roland Hofemann was appointed as an alternate to the Cemetery Board as well as a regular to the DUC.

- B. Arena Commission – Councilor Darlene Colwell-Ellis

Report submitted.

- C. Arts Commission – Councilor Matt Mayberry **No Report.**
- D. McConnell Center Reuse Committee – Councilor Matt Mayberry **No Report.**
- E. Planning Board– Councilor Dean Trefethen

Report submitted, Trefethen also pointed out the Emeralds Woods project was denied by a vote of 3-2 of the Planning Board and it appears to him that the developer met all the rules and they agreed with him; he expects this will be going to court. Perry asked about the Venture Drive intersection, Trefethen says they will be studying this intersection all the way back to the Liberty Mutual intersection. Perry

says the other intersection that is a problem is Watson Road where it goes on to County Farm Road. Trefethen says this too is becoming a sore point.

F. Cable Franchise Negotiations Committee – Councilor Doug DeDe

DeDe stated they have had two meetings since they last met and have put together a questionnaire that is available on our website.

G. School Board Liaison – Councilor Doug DeDe Report submitted.

H. Solid Waste Advisory Commission – Councilor Otis Perry No report.

I. Transportation Advisory Commission – Councilor Jason Hindle

Hindle stated they met last month and discussed a couple of issues on Royer Lane and also Rizzo Associates have asked for a extension until the end of the year for the downtown traffic studies when they will present their finding to us. Mayberry thanked him for placing a stop sign at Wilbrod Avenue.

J. Joint Building Committee – Councilor Jason Hindle (Report submitted)

K. Recreation Advisory Board – Councilor Bob Keays

Keays stated there no meeting until September.

L. COAST Bus – Mayor Scott Myers (Report submitted)

M. Joint Fiscal Impact Committee – Mayor Scott Myers - No report

Hindle moved seconded by DeDe to accept the reports as well as the appointments made by the appointments committee with all in favor.

9. MAYOR'S REPORT

The Mayor stated there have been several great events including National Night Out held last week at Henry Law Park; he recognized several organizations that contributed to the event where families interacted with several city staff. This is one of the best he has been to. Additionally he took part in the groundbreaking for Churchill Medical Systems that started in 1987; they began growing then moved to Dover's Enterprise Park. Jenny Thompson is in her 4th Olympics, she continues to call Dover her home. He listed the Olympic events she will be in these upcoming weeks. He listed Gary Bannon's email address at the Recreation Department as a contact person for her if anyone wants to wish her well, Gary will be forwarding all the wishes to her. Hindle moved seconded by Perry to adopt with all in favor.

10. CITY MANAGER'S REPORT

The City Manager stated they have the written report, and he wanted to comment on a couple of things at citizens forum, one is what David Scott said; he can't read the numbers we gave him, he is misrepresenting a number of facts. NHMA salary survey numbers do not reflect the other city managers benefit packages, his does. He is not the highest paid city manager in the area. He had a meeting with him but Mr. Scott does not want to listen to anything he has to say other than to say he asked him to resign about 20 times but he will find out if he does take the City Manager to court. He asked Doug Steele to come forward to go over the Back Road project. Doug stated the Back Road project is one of our annual projects; this is the largest project we are undertaking this year. He did not foresee this as being a major design project so he feels people in house are qualified to do it; we are doing it in 2500 foot increments They have a set budget and he monitors these projects and checks in daily with these contractors, they have already gone out to bid on this. He has met with many of the

neighbors to keep them informed. The City Manager asked how much are we going to get done with \$300,000 and will it be complete in 6 to 8 weeks. The controversy is the width and 24 feet is the standard road width, no more of the road will be ground and until we have finished what we have already done. Perry feels we can't do anything about what has been done but this is a disruption to the neighborhood that came as a surprise to them and asked Doug to enlist the neighbor's ideas for the next 500 feet. The City Manager says this is not considered major, Perry disagrees. Trefethen commented about doing this project in house. Doug says when he said in house, he meant the City Engineers are changing the elevation to the road to provide decent drainage. Trefethen stated when we reviewed this project during the budget year, he remembers Pete Lavoie discussing it with the council. This will offer people an alternative route to get to the downtown from Dover Point. Mayberry thanked Mr. Beecher for the meeting with Doug Steele that was held in the neighborhood and wants him to know their concern comes from the expanded scope of this. He is meeting with the citizens again tomorrow evening. Can there be a variable width in the road from 24 feet down to 19 feet as there is a historic tree on one of the bends. The City Manager says when the engineers look at it they have to have so much height for drainage. But they will take a look at the concerns. DeDe is curious as to how the residents feel there was no budget. Doug is not sure. DeDe is concerned about the comments made about no budget.

The City Manager says if we went through all the things outlined by Mr. Hunt, we would have spent a million dollars on the project. Colwell-Ellis has a question on changing the width from 19 to 24 feet as they had a concern with the traffic moving faster. Doug says the speed limit won't change. Keays wants the entire distance of the road. Doug says it will be 1.6 miles and will be done in 6 to 8 weeks. The City Manager stated he would like some feedback from the council. Hindle moved seconded by Perry to coordinate with the neighbor people and Community Services and Engineering Department to hold a public forum to consult with the neighbors for feedback by holding a public hearing. He feels this will let them air their concerns with each phase of the project. Trefethen says he understands but what is this for. Hindle says this will be an informational meeting to air their concerns. Mayberry will have a list of their concerns and present them to the City Manager as his meeting is at 7 pm in his office tomorrow night. Perry stated Mr. Hunt said his requests are that the tree cutting is to cease, paving is to cease, and more grinding is to cease, but Hindle's motion requires that the people have an opportunity to respond to this. There should be some neighborhood ownership. Hindle moved seconded by Mayberry to accept with all in favor.

11. UNFINISHED BUSINESS

A. ORDINANCES IN 2ND READING

1. Ordinance #15-07/07/14/2004, Chapter 99, Eating and Drinking Establishments, Section 99-3-A, Fee Schedule. Sponsored by Mayor Scott Myers, by Request. **(See Item 11A-1 - To be substituted as a whole)**

Hindle moved seconded by Mayberry to substitute as a whole with all in favor. Hindle moved seconded by Mayberry to adopt.

Mayberry read the background and stated he is concerned that we are welcoming new restaurants to Dover and then we are raising the fees on them. \$150 to \$250 is not welcoming and he will be voting against this. Perry does not see where we would class the day schools or vending machines with the non-perishable foods that are mentioned, he is more concerned about school for profit, where do these schools fit into this.

Tom Clark came forward and explained schools do not get charged and non profit organizations do not get charged. Perry asked what about profit making schools. George Wattendorf clarified these would be in category 2, that is general institutions and we would be covered. The Mayor will also be voting against this tonight for the same reason as the economy is still not great. For some of these businesses this is a significant increase. Perry does not agree with Wattendorf's interpretation of the schools. Perry motioned for an amendment to fit for profit

schools into category #4, instead of #2 an institution; Trefethen seconded the motion with all in favor of amendment. Main motion failed on a roll call vote of 4-4, with Colwell-Ellis, Keays, Mayberry and Myers opposed.

B. ORDINANCES IN 3RD READING - NONE

C. RESOLUTIONS – NONE

12. NEW BUSINESS

A. CONSENT CALENDAR

1. Tag Permit – Cub Scout Pack 180 of Dover
2. Raffle Permit – Dover High School Football Boosters (Calendar)
3. Raffle Permit – Dover High School Football Boosters (50/50)
4. Parade Permit – Hannah Circle of St. John's Methodist Church – Walkathon for Special Olympics
5. Road Toll – Dover Professional Firefighters Assoc.
6. Block Party – Friend's of Florence Street
7. Block Party – 6th Annual Gagnon Halloween Block Party – Cherrywood Drive

Hindle moved seconded by DeDe with all in favor of granting.

B. RESOLUTIONS

1. Resolution RE: City Manager's FY 2005 Contract. Sponsored by Mayor Pro-Tem Jason Hindle and Councilor Dean Trefethen. **(TO BE REMOVED FROM THE TABLE)**

Hindle made a motion to remove from the table, Trefethen seconded the motion. Motion passed on a roll call vote of 8-1. Hindle moved seconded by Trefethen to adopt. Trefethen proposed an amendment, with Hindle seconding. Trefethen read his proposed amendments (see council folder of 8/11/2004) then clarified with an explanation of the amendments. Perry then commented about the non meeting and stated there is a representative from the legal firm here who said the legal situation at the end of the 180 days was fuzzy as there is nothing that says what we should do at the end of these 180 days, it only called in the MOU. They have the original proposed resolution in front of them. He also finds paragraph #5 contentious in the new proposal.

He also wants to hear from the attorney to clarify about the 180 days. He knows they are about to breach the attorney client privilege they already established. Trefethen understands about point #5 but says, in fact it has already happened, and he does not mean the resolution to be contentious. The City Manager wants to know where it has been violated. Trefethen says with the City Attorney and Assistant City Manager. The City Manager stated they can do that by charter, but if they keep getting legal advice from Nick Skaltsis, it will cost them more and more money. The City Manager clarified the content of the contract, if you vote tonight 6-2; that is a vote to fire me; you will have to pay me 180 days salary. His attorney is Chuck Douglas and will represent him in negotiations and at his cost. Mayberry is also wondering what happens on day 181. The City Manager says nothing happens on day 181; the City Manager says this could all have been prevented if Trefethen or Hindle had the courtesy to come into his office to talk to him. This is chicken shit, just unbelievable. Would you want your employer to treat you this way. The City Manager says go ahead and do it, but you will not like it. Mayberry says you will not, and there is a concern that Paul Beecher does want to re-negotiate his contract with them. They have never asked him to do this. Mayberry says we critique the communications skills of the City Manager, at the end of the day do we want this done to us. He will not vote for this. He urged them to extend the courtesy to their employee to renegotiate. This is not the way to run a business. Perry says if we vote in favor of this by 6 to whatever votes will the City Manager be fired with this vote. Ken Bartholomew, with Rath, Young and Pignatali stated if any other legal analysis is asked for it would require a new vote. He would like to ask them to take a vote before he discloses anything. DeDe moved seconded by Perry with all in favor of hearing any questions and

answers from the attorney. Perry asked about the effect of the 180 days and then if there is a 6-2 vote to fire with 180 days. The termination of the MOU does not have 180 days. The MOU does have a "what happens at the end of 180 days" unless some action was taken on the city charter and it is open to interpretation. The attorney says it would probably require some decision making and maybe a judge.

Keays has set here tonight and has dealt with contracts for a good many years. Mr. Beecher's contract is very flexible; he is from the old school. He feels they could negotiate a contract with the City Manager but we owe it to him to work with him. He is not taking Mr. Beecher's side. He would like to do this tomorrow night and get it done. He does a lot of research and we can negotiate a contract with Mr. Beecher, he is not that hard to get along with. Keays says he is an average guy with an average income and he is not spending another cent on attorneys when we can negotiate ourselves with the City Manager. Mayberry asked the City Manager if he is willing to negotiate his contract with the City Council. The City Manager says as he said before yes anytime except tomorrow night. The Mayor says we have a year and a half left to work together, union contracts, waterfront project, McConnell Center, and several other projects are coming along, he wants to get back on track, he does not feel we communicated with the City Manager. We need to sit around the table and discuss it and not be doing resolutions and not be doing it through the press. He wants what is best for the city and the taxpayers. We should talk around the table as a first step and not involve any attorneys. They have done some major damage here. We have too much important stuff to do in the next year and a half to not do this. He offered them all a challenge to get back on track and go forward with what is important to the City. We have a resolution with an amendment. Motion to amend failed on a 3-5 vote with Hindle, Trefethen and DeDe in favor. Original resolution failed on a vote of 1-7 with Hindle in favor.

2. Resolution RE: Memorandums of Understanding and Merit Plan. Sponsored by Councilor Doug DeDe. **(TO BE REMOVED FROM THE TABLE)**

Hindle moved seconded by DeDe to remove from the table. Motion passed on a roll call vote of 7-1, with Perry opposed.

DeDe moved seconded by Hindle to adopt. DeDe then moved to substitute as a whole his resolution that was distributed at the beginning of the meeting. Hindle seconded this motion with DeDe's amendments. Motion to substitute passed on a vote of 5-3 with Colwell-Ellis, Hindle, Myers, Trefethen and DeDe in favor of substitution. DeDe proposed a second amendment to the substituted resolution in the third line of the fifth whereas to read: "legal council" instead of "neutral professional" with Hindle seconding the motion.

Perry says we do not need to hire any more attorneys at this juncture.

The City Manager stated he is not saying the resolution is stupid to DeDe but the original contracts were not negotiated with Mark Broth. You heard a former city employee get up and explain what happened when the MOU's were made. In addition the department heads agreed to disband their union with the idea they would have all the rights in their contract. They did not get anything more or anything less than anyone else. He explained to DeDe that #31 is not even the right chapter to sight. DeDe says the motion seeks to put these issues to rest, in fact, that they need to be worked out as they are not all the same, there are issues that need a third party to look at these things and clear things up. We have spent thousands of dollars of taxpayer's money. We should put this to rest. The City Manager says if you would spend one hour of time with me, you would not need an attorney. He is still willing to sit down and work this out and he added the MOU's can be different except for those things that they had prior to the disbanding of the union. The department heads don't even know what is in each individual contract. DeDe says earlier in the night there was references to the inexperienced council, so therefore having a professional to look at these things is the type of action to put this issue to rest. Mayberry stated that part B of what Bob Steele said was that it is our responsibility to educate ourselves. We may not be neophytes but we need to educate ourselves. He continued have you sat with Mike Joyal and gone through all the paper work. The way the statue was written unfortunately the vote was to disband not for affirmation of the contracts. Give their

employees the benefit of the doubt. There are very few councilor's that have gone thru the paper work. Perry says we must be talking about the entire resolution and he has thought about this a lot and this is probably an illegal resolution and an implicit resolution that is a lack of trust in the City Manager so he cannot vote for something he finds contentious. Keays has read the merit system and the city charter and if you read it close the City Manager does have the power to negotiate with employees. But also we have the right to ask the City Manager, there is no way that you can take the money but on the Blue Cross and Blue Shield issue they do not pay a cent for this. The City Manager clarified that all the department heads contribute to Blue Cross and Blue Shield just like everyone else including himself. Keays says being a union man all his life, he will have to back the City Manager on the sick leave and vacation issues. DeDe says one of the key things is the process. The council would have 30 days to act or dispute it. This is the process of accepting the merit plan. In the future if that was in fact something that was overlooked it does constitute a breach of due process. There was a vote earlier in the year to have a charter commission in September, it is needed. The City Manager says would you say it was due process that the city council at that time received a memo with the merit plan attached letting them know what was going on and they were fully aware.

DeDe wants to put his motion back on the table to table it and have a meeting with the City Manager to discuss the issues. Perry says are we substituting the tabling resolution. There is no second. Trefethen says it is easy to read the writing on the wall. And he wants to take the City Manager and the Mayor at their word. The Mayor says we will vote on the amendment to the substituted resolution, motion failed, DeDe is in favor with a 1-7 vote. Vote on substituted resolution fails, 1-7 with DeDe the only one in favor.

3. Resolution RE: Renewal of License Agreement with TYRA, Inc., Successor to S&H Enterprises, Inc. (and Sara Davis and Henry Sanborn). Sponsored by Mayor Scott Myers, by Request

Hindle moved seconded by Mayberry to adopt. Motion passed on a roll call vote of 8-0.

4. Resolution RE: Award of Purchase Order for Engineering Design Services for SCADA Upgrade and Installation at the Wastewater Treatment Plant. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Perry to adopt. Motion passed on a roll call vote of 7-0, Mayberry out of the room.

5. Resolution RE: Award of Purchase Order for Specialized Computer Software to Monitor Water/Sewer Collection and Maintenance Activities. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Perry to adopt. Motion passed on a roll call vote of 7-0, Mayberry out of the room.

6. Resolution RE: Award of Blanket Purchase Order for Both Children's and Adult Books. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Perry to adopt. Motion passed on a roll call vote of 7-0, Mayberry out of the room.

7. Resolution RE: Award of Bid #B05003 for Fire Apparatus Engine Replacement and Transmission Overhaul. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Keays to adopt. Motion passed on a roll call vote of 8-0.

8. Resolution RE: Award of Bid #B05009 for Protective Clothing. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Mayberry to adopt. Motion passed on a roll call vote of 8-0.

9. Resolution RE: Award of Bid #B05007 for Dover Indoor Pool Renovations and Addition. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Mayberry to adopt. Motion passed on a roll call vote of 8-0.

10. Resolution RE: Award of Purchase Order for Professional Architectural Design, Bid Specifications and Consulting Services. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Perry to adopt. Motion passed on a roll call vote of 8-0.

11. Resolution RE: Appointment of Ward 2 Supervisor of the Checklist. Sponsored by Councilor Doug DeDe, City Councilor, Ward 2.

DeDe moved seconded by Perry to adopt. Motion passed on a vote of 8-0.

C. ORDINANCES IN 1ST READING - NONE

Hindle moved seconded by DeDe to suspend the rules to introduce items 12C-1 and 2, Ordinances #16 and #17 dated 8/11/2004. Motion to suspend passed on a roll call vote of 8-0. Hindle moved seconded by Perry to refer both ordinances to a public hearing on September 8, 2004.

D. COUNCIL CORRESPONDENCE

1. Letter – RE: Oak Street Drainage -Marie Boucher and Claudette Colokathis
2. Letter – RE: Support for Dover Citizens for Sound Government – Eileen M. Williams
3. Letter – RE: Gridlock – Grant L. Davis
4. Wetlands Application – Robert W. Stickney

Hindle moved seconded by Mayberry to accept and place on file.

12. COUNCIL MATTERS OF INTEREST

Perry agrees with Grant Davis about an alternate road over the river and through the City by building a new bridge across the river. Also he wants us to learn from the Back Road experience. This is not minor work for the neighbors. He is working from his experience of 4 or 5 years ago when the tree won on another street in the City. We need to revise our procedures.

Hindle would like to begin negotiations with the City Manager on the 3rd Wednesday of September and the City Manager said he would like to take an hour at the beginning of the regular meeting in September to talk with them in his office. Hindle would like to do this in public. The City Manager agreed. Hindle wants to swear in the Ward 6 councilor ASAP. The Clerk says the Ward 6 City Councilor will not be sworn in until October because the election is not until September 14th which is after the September 8th regular meeting. It is undecided when they will negotiate.

Keays has a problem in his ward, Maple Street was started 3 years ago and it is not complete, he asked Mr. Steele about Maple Street saying there are 45 residents on that street, they will be down to raise hell, he does not know the reason why it is not *being done*, he knows a lot of people are watching tonight from Maple Street. The City Manager stated Doug got himself into this mess. Doug explained the sidewalks have been completed on one side of the street, the reason the other side was not completed was they did not have enough money to complete it but it will be completed this fall. Keays wants to know about the holes that are 4 inches deep, what about them, he blames the City Manager

for this, 37 months and it is not completed yet he continues. They voted the money back in June, they are not done yet, the second coat of paving is not done, will it be another winter, this is a disgrace to the City of Dover. Doug says the final coat will go on this fall and it is out to bid right now. Mayberry asked can we take one of the other sidewalk projects and shift it over to Maple Street. It will get done the City Manager explained as all sidewalks are out to bid.

Mayberry says he trusts we will have a review of the City Manager, the Mayor says yes. He found it interesting that the good Representative from Dover was in office in the same time period the state budget has doubled. He should head back to Concord and worry about the state budget as they are in crisis.

DeDe commented that at the last meeting there was a concern about city owned property at Knox Marsh Road. It was said by Mike Joyal who referred it to the City Manager that a sheet of paper was left in their mailbox and the price stimulated the appraisal of \$107,000 and the sheet showed \$121,000, this is a mystery. This question seems to remain unanswered. This property sold for \$13,000., the City Manager says at that it would have been taken for back taxes. And at that point in time we hung onto it for a year through the DEDC and tried to get people to develop it. The high bidder that eventually got it had already decided what he wanted to do; so we put it back on the tax rolls plus whatever development occurred you could tax that. These are the special circumstances. The Mayor reminded the folks of the Ward 6 municipal election and that there are 3 candidates on the ballot and to be sure and vote.

Myers moved to adjourn seconded by all at 9:38 PM with all in favor.

14. ADJOURN

Judy Gaouette, City Clerk