

**MINUTES  
DOVER CITY COUNCIL  
CITY COUNCIL CHAMBERS  
REGULAR COUNCIL MEETING  
JUNE 11, 2003  
6:00 PM**

**1. MOMENT OF SILENCE**

**2. PLEDGE OF ALLEGIANCE**

Christenbury led the Pledge of Allegiance.

**3. ROLL CALL**

Councilors Christenbury, Mayor pro-tem Dunnington, Councilors Hindle, Keays, Mayberry, Tweedie, Whitmore, Mayor Nossiff and City Manager Beecher were all present. Councilor Quigley arrived at 7:10 PM

**4. ~~PROCLAMATIONS/AWARDS~~**

**5. Citizens Forum (*SEE 7:00 PM*)**

**6. MINUTES**

- A. Workshop – May 7, 2003
- B. Regular Council Meeting May 14, 2003
- C. Workshop – May 21, 2003
- D. Workshop/Special Meeting – May 28, 2003

Tweedie moved seconded by Mayberry to accept. All in favor.

**7. REPORTS OF SPECIAL AND STANDING COMMITTEES**

- A. ~~Transportation Advisory Commission – Councilor Jason Hindle~~
- B. ~~Joint Building Committee (Horne Street School, DHS Mezzanine) – Councilor Jason Hindle~~
- C. ~~Planning Board – Councilor Parks Christenbury~~
- D. ~~Solid Waste Advisory Commission – Councilor Thomas Dunnington~~
- E. **Arena Commission – Councilor Ray Tweedie**

Tweedie explained that Bardwell has left and taken a position in Concord. Also there are some men in the audience that are interested in the RFP when it goes out. Hindle asked if consultants will come back and do a presentation to Council. The City Manager stated at next Arena Committee meeting there will be a presentation and they will invite the Council at that time. Keays asked if the roof on arena has been repaired yet. Gary Bannon says the item he is referring to is snow damage and it has been referred to the contractor but it has not been repaired just yet. Gary says there is no problem. The Mayor is glad Gary is on board at this critical time. It is unfortunate that Br. Bardwell had to depart. Everything is in place per Gary to move ahead with the contracts after the council gives their approval. Dunnington moved seconded by Hindle to accept, all in favor.

- F. ~~School Board Liaison – Councilor Brenda Whitmore~~
- G. ~~Arts Commission – Councilor Matt Mayberry~~
- H. ~~Strafford Regional Planning Commission – Councilor Kevin Quigley~~
- I. ~~COAST Bus – Councilors Matt Mayberry/Ray Tweedie~~
- J. ~~Cable Policy Review Committee – Councilor Matt Mayberry~~

**9. ~~MAYOR'S REPORT~~**

**10. ~~CITY MANAGER'S REPORT~~**

## 12. NEW BUSINESS

### A. CONSENT CALENDAR

1. Tag Permit – Dover Little Green Football
2. Raffle Permit – Dover Main Street Program
3. Parade Permit – Cote Drive Block Committee – Block Party
4. Parade Permit – Hope Chapel Assembly of God – Gathering at Henry Law Park
5. Tag Permit – Girl Scout Troop 2015
6. Resolution RE: Closing a Portion of Central Avenue for the Annual Apple Harvest Day.  
Sponsored by Mayor Alex Nossiff, by Request.

Mayberry moved seconded by Tweedie to grant with all in favor.

### B. RESOLUTIONS

1. Resolution RE: Award of Bid #B03064 for Chemicals. Sponsored by Mayor Alexander G. Nossiff, by Request.

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

2. Resolution RE: Award of Bid #B03058 for Primary Clarifier Collection System Upgrade.  
Sponsored by Mayor Alexander G. Nossiff, by Request.

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

3. Resolution RE: Award of Bid #B03063 for Directional Drilling and Sleeves. Sponsored by Mayor Alexander G. Nossiff, by Request.

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

4. Resolution RE: Award of Bid #B03061 for Wood Ash. Sponsored by Mayor Alexander G. Nossiff, by Request.

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

5. Resolution RE: Award of Purchase Order for Survey Services: Back Road Right of Way.  
Sponsored by Mayor Alexander G. Nossiff, by Request.

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

6. Resolution RE: Award of Blanket Purchase Order for Continued Professional Consulting Legal Assistance. Sponsored by Mayor Alexander G. Nossiff, by Request.

Tweedie moved seconded by Mayberry to adopt. Tweedie wants an update on this. Motion passed on a roll call vote of 8-0.

7. Resolution RE: Award of Purchase Order for River Street Landfill Site Characterization and Registration Services. Sponsored by Mayor Alexander G. Nossiff, by Request.

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

8. Resolution RE: Award of Purchase Order for In-place asphalt crack sealing services.  
Sponsored by Mayor Alexander G. Nossiff, by Request.

Mayberry moved seconded by Tweedie to adopt. Mayberry asked how many roads this will take care of, the City Manager stated that depends on the weather. Tweedie asked if we have expended any of this money so far, not yet but it will be soon said the City Manager. Motion passed on a roll call vote of 8-0.

9. Resolution RE: Transfer of Appropriation – General Fund. Sponsored by Mayor Alexander G. Nossiff, by Request.

Tweedie moved seconded by Mayberry to adopt. Tweedie wants a copy when completed. Whitmore asked what amount of money are we looking at to make it all balance out. Tweedie has question on the motor vehicle sheet that he was given. Motion passed on a roll call vote of 8-0.

10. Resolution RE: Supporting Construction of a new Spaulding Turnpike Exit (Exit 10) Benefiting Regional Economic Development, while still recognizing the need for Upgrading Exit 9 and Route 108 through Alternate Funding Mechanisms. Sponsored by Councilor Parks Christenbury.

Christenbury stated this item has been withdrawn for a workshop.

11. Resolution RE: Initiation of Cable Television Franchise License Renewal. Sponsored by Mayor Alex Nossiff by Request.

Tweedie moved seconded by Whitmore to adopt. Christenbury's question on the cable franchise is all councilors have had complaints as we are dealing with a huge company; we are under long term contract. We will make sure in the future Dover's citizens are taken care of. People at home need to know the contract is coming up for renewal and we will have a committee of nine citizens on it. Motion passed on a roll call vote of 8-0.

12. Resolution RE: Recognition of Youth Resources Office. Sponsored by Councilor Quigley. **(Motion needed to suspend the Rules to Introduce this Item)**

*Dunnington moved seconded by Tweedie to suspend the rules to introduce the next five items, motion passed on a roll call vote of 8-0.*

Quigley moved seconded by Mayberry to adopt. Quigley read the resolution. Mayberry commented on the impact this whole office has on the Youth Resources office, we cannot say thank you enough to these people. Tweedie wants to have each councilor sign the resolution for presentation. Motion passed by all.

13. Resolution RE: Award of Bid #B03062 for Dover City Hall Heating System Renovation. Sponsored by Mayor Alex Nossiff by Request. **(Motion needed to suspend the Rules to Introduce this Item)**

*Dunnington moved seconded by Tweedie to suspend the rules to introduce the next five items, motion passed on a roll call vote of 8-0.*

Whitmore asked did we get results of the cost analysis and did we get the test results for asbestos. Paul Chalue says this is not a cost saving measure, we will not have heat if we don't do this. Whitmore asked does this resolution include the cost analysis, she continued so this is \$200,000 less than in the CIP proposal. Chalue says we run oil because that is cheaper, we are not changing the boilers, only the pipes that deliver the heat. They will be including more zones with the new system. Hindle thanked the administration for bringing this resolution forward. This is long overdue, City Hall is the only building in the City that all taxpayers use, he is happy this will be installed. Christenbury stated this is off the subject but Dover's most expensive bookends are in the parking lot, is there any way to get rid of these and apply the sale of the generators to this project as we will not be using them because the price of gas is prohibitive. Chalue says we need some sort of emergency back up power though. Mayberry asked what is this going to replace. Christenbury stated the heating distribution system. Mayberry thought it was the boiler that was being replaced. The original piping is from the 1930s Chalue says. Whitmore tags on to what Christenbury said and she realizes the need for heat in this building. But are there contractual obligations with our gas provider that maybe could allow us to run air conditioning off of these two generators. The City Manager says he would like AC in this room, she continued maybe some other facility could use these. Keays asked what is the estimate on what this will cost. Chalue explained the amount to him. Dunnington asked why is there such a difference in the bid. Chalue explained again. Motion passed on a roll call vote of 8-0.

14. Resolution RE: Award of Purchase Orders for Concrete and Various Block Work at the Henry Law Park Amphitheater. Sponsored by Mayor Alex Nossiff by Request. **(Motion needed to suspend the Rules to Introduce this Item)**

*Dunnington moved seconded by Tweedie to suspend the rules to introduce the next five items, motion passed on a roll call vote of 8-0.*

Tweedie moved seconded by Mayberry to adopt. Christenbury is leery of this project; why did we only have one GC respond, and now we are going to try to get sub contractors. He knows it needs to be done. He wants to know the minute this is in a cost over run. He also wants assurances from the City Manager that this will not go over. The City Manager says the \$75,000 is not going to take care of everything down there. Pete explained there is a balance in the account of \$174,000 and \$75,000 of it will be for contractors to do the stone work. Christenbury wants to know where the rest of the money will come from if it goes over. Pete stated he wants to move it forward now because the contractor has time in the next three wks to do it. Tweedie reads that it says two contractor's bids are way over on this and then they are going to work as subcontractors; he also does not want to over run this by a penny. Tweedie wants a set of plans; Pete will get it for him. Mayberry asks is this going to finish the project. Pete says this is the walkway, seating, and concrete work, etc. Whitmore asks if Pete is pretty confident that the pavers and retaining wall, grading, and power can be installed by the gym. Pete says it will be sloped off gradually, Tweedie says you went before us and there will be handicapped parking right off Washington Street. Christenbury has a short list of administrative jargon and he will vote no on this issue. Motion passed on a roll call vote of 5-3, Christenbury, Hindle and Keays opposed.

15. Resolution RE: Award of Purchase Order for Continued Professional General Legal Consulting Services. Sponsored by Mayor Alex Nossiff by Request. **(Motion needed to suspend the Rules to Introduce this Item)**

*Dunnington moved seconded by Tweedie to suspend the rules to introduce the next five items, motion passed on a roll call vote of 8-0.* Tweedie moved seconded by Mayberry to adopt. Motion passed on a roll call vote of 8-0.

16. Resolution RE: Award of Purchase Order for Site Restoration at the Dover District Court Location. Sponsored by Mayor Alex Nossiff by Request. **(Motion needed to suspend the Rules to Introduce this Item)**

*Dunnington moved seconded by Tweedie to suspend the rules to introduce the next five items, motion passed on a roll call vote of 8-0.* Tweedie moved seconded by Mayberry to adopt.

Whitmore asked why are just seeing this bill now and how long ago was it completed. Dean Peschel says the work was completed in October but this amount relates to covering the cost of covering contaminated soils. Whitmore asked has the restoration been completed. Tweedie says it looks like a lot more money on this. Dean says all those itemized expenses were incurred by the City. Mayberry asked if this was received back in May how come it is not coming up until now. Dean explained why this occurred, Mayberry understands but he can't support it because the work has been already done. Dean says there was no attempt to hide this issue he just can't help that it went over by \$10,000. Mayberry would have liked a memo to let him know. Tweedie would have liked a simple email. Dean explained that is not true at all. Dean says there was no way to know when or how and they had to find the money some where. The only reason they are seeing it is it went over \$10,000. The City Manager says the previous council promised to give the State of NH a site clean of contaminated soils and yes we could have gotten it here sooner. We were looking for alternative ways to pay it, in the end there was a signed agreement that we would provide a contamination free soil site. Dunnington says voting against this is not going to make the bill go away, this is not a real cost overrun, this was an unanticipated expense that we have agreed we would take care of. Could we have been notified earlier, of course we could but we need to pay it and he urged the rest of the council to vote for it.

Whitmore wants to know if we did a soils analysis before building. Dean says essentially yes, but it was an old AT&T site and that was on the City's land and the road has since been realigned. Mayberry says so we have no other avenues if we don't pay them. Now he will vote yes to get it done. Motion passed on a roll call vote of 5-3, Christenbury, Tweedie and Whitmore opposed.

**C. ORDINANCES IN 1<sup>ST</sup> READING**

1. Ordinance #10-06/11/03, Chapter 79, City Property, Section 11-K, Disposing of Tax-Deeded and City Owned Real Estate. Sponsored by Mayor Alex Nossiff. **(Refer to Public Hearing on July 9, 2003)**

Tweedie moved seconded by Whitmore to move to a public hearing on July 9, 2003 . Motion passed on a roll call vote of 8-0.

**D. COUNCIL CORRESPONDENCE**

1. Wetlands Application – Morgan Ryan Realty Trust
2. Letter – Comcast
3. Letter – William Gillis

Tweedie moved seconded by Mayberry to accept, Christenbury moved seconded by Mayberry that item 12D-2 be accepted under protest. All were in favor.

**7:00 PM**

**5. CITIZEN'S FORUM – 30 MINUTES**

Chris Nash 32 Blackwater Road wants to ask about the workshop on exit 10 but since it has been withdrawn, he will withhold his comments.

Bernard Stillwagon of 20 Old Littleworth is here on where they want to put more junk on his road, he has several businesses nearby. He wants to know who has gone out and checked this out, there are three ponds out there and this is all wetlands. The pond is on Mrs. Sousane's property and drains down to the lawnmower business; that area was wetlands too. He wishes they had stayed on the west side of the railroad tracks. He has a problem with Mr. Hindle, then about the high taxes. He talks about sheep and who is the leader of the council. He continued on about all the terrible things the council is doing. Then he went back to his childhood, saying they are destroying Dover and bringing a bunch of industry into his road. He was up north recently and he explained how they tax the elderly there and how their (the elderly's) tax rate does not go up. He went on about every department in the City. He misses the police that used to walk on the sidewalks; he wants the council to solve their own problems and not use outside consultants. You took the Mayor's right to vote away from him, he is not happy.

Linda Brennan of 49 Oak Street stated a couple of weeks ago a councilor spoke in a loud belligerent manner. She continued about the councilor that spoke loudly on the council rules. Then he recused himself the very next week, she is very concerned and the subject was the waterfront. Christenbury also lives right there on the water, she thought he might have a conflict. She wants to stress how important it is that the councilors control their yelling at a meeting.

Donna Sullivan of 19 Cote Drive stated she is concerned about the parade permit. Her neighbors have applied for a block party to close her street and have a party to meet each other but this has gotten way out of hand. This is not her kind of a block party and there are only 5 children on the street and she does not feel this will be appropriate for children. The Mayor commented and the Chief had to explain the block party permit and that the council really approves it. Mayberry says that is his ward so he will resolve this matter with the neighbors.

John Curth of 16 Cote Drive has a few concerns as well, he received a copy of the permit from the Police Department but the paper handed out last night in the neighborhood asks for donations. Also the invited list is extending all the way up Dover Point Road and all the way down to Hilton Park. The permit says it is only for residents of Cote Drive and the band will be located behind his property, this is also in violation. Also access needs to be restricted to Cote Drive. This also concerns another neighbor behind him on Center Drive where the band is going to perform. He wants assurance this all will not happen there. He does not want Cote Drive to be a party place in Dover. The Mayor says Mayberry has volunteered to entangle himself in this. Point of order Christenbury says this is not the appropriate time to rescind this; they will work on this at the next meeting. Mr. Curth continued that he had spoken to Captain DeColfmacker yesterday and he said it is only for the residents of Cote Drive.

Dianne Stowell of 5 Old Littleworth Road is directly across from this proposed use for rezoning. She is an abutter to Dickie Kay's cow field and she was not notified of this rehearing. This is another example of the pick and peck rezoning. She only works 1 ¾ mi. from her home and it takes her 20 minutes to get to work, traffic is horrific on Littleworth. They bought their home 22 yrs ago and were assured the railroad tracks and little area beyond was a buffer zone. This is not true; this is a horrible decision; you do not care about these citizens. This is a very old neighborhood and some of the homes were built in the 1800's. She has no problem with agriculture so we act prematurely. We have vacant retail businesses all over the city that are not making it. The kind of traffic that goes thru there is commuters; the wetlands is also an issue. She will be emailing the guys, she was never aware of it the first time. Any citizen in the city that is going to be affected should have been notified. It is a very sad thinking, you are not going to get anywhere with them, this is a very sad state of affairs. You need nice long range planning; they need to think about this seriously.

Debra Sousane lives next door to the property that they would like to rezone. When you rezoned and you put a toxic dump there as before, we have a gas station that is right in a wetland area. Traffic is horrendous on Littleworth, when this was rezoned originally, everything they voted on that night all went on the same lines. She has not had a fair shot at why the city needs to zone this commercial. John Deere clear cut the land and destroyed all the trees. She wants to see the long term effects on rezoning; this matter of no notification should not be an issue; she feels a lot of people were not notified. We need to think about our environment; we need setbacks or a berm and we need to be more responsible. Everyone gets angry about this; this is not the way to resolve it.

Christenbury reminded everyone that there would be a public hearing on the Littleworth issue.

Lisa Dudley of 121 Glenhill Road asked did the Mayor read her email. The Mayor stated that her email comments were about the DARE officers that are conducting music lessons. This is an individual that he misunderstood; a person that spoke last week about it. If we are dedicating an experienced police officer to those kinds of programs we need to change this. She continued on about the Youth to Youth and how the money is spent. The community gives to Youth to Youth and the music lessons are a part of this. Quigley's son is one of these individuals that is in this program. The kids are feeling the loss of one of the officers; she wants them to think about funding this program. This program is an important part of Dover. She thanked the councilors that have responded to her. The Mayor says what she said is what he was articulating when the statement was made from the audience, now he understands this is not; she reaffirmed it is done by a UNH volunteer. But she reiterated that the officers make the program; the Mayor agrees but he does not feel this will be the end of these programs. He feels they are on the same page. The woman says they are NOT on the same page.

Richard Hughes of 51 New Rochester Road complimented the City Manager and Jeff for lowering the bond rating. He does not want the council to jeopardize this by borrowing from the fund balance. He knows we have a lot of contractual agreements we must adhere to. Also last week there were a number of programs that were servicing out of town residents. Unless we are going to be reimbursed for this, he does not feel we should be doing this.

Mark Moore of Forest Street stated he didn't have opportunity to come last week, he is surprised that there are not more people here. They should be commended for all the time they have put into it. He brought a copy of a budget from Portland ME, their budget is 120 million and ours is around 60 million, about half of theirs. Portland adopted a 1 ½% budget increase. He read from the Portland's report. He feels if Portland can do this, then we should be able to do it as well. When he moved here his property taxes were \$3,000, now they are \$4,000 that is a lot of money in 2 years. These increases have to stop somewhere; he could live with 3% but not the 7% increase. He thanked them all.

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

## 6. PUBLIC HEARINGS

- A. Resolution RE: Fiscal Year 2003 Budget Amendment #4. Sponsored by Mayor Alex Nossiff, by Request. **(SEE ITEM 11C-1)**

Seeing no one the Mayor closed the public hearing.

- B. Ordinance #09/05-14-03, Chapter 166, Vehicles and Traffic, Schedule I, No Parking at Any Time, Alden Woods. Sponsored by Councilor Jason Hindle. **(SEE ITEM 11A-1)**

Seeing no one the Mayor closed the public hearing.

- C. Resolution RE: Bond Authorization – Construction of Cochecho River Dredge Disposal Facility. Sponsored by Mayor Alexander G. Nossiff by Request. **(PUBLIC HEARING ONLY)**

Eric Sweetser of 2 Wallingford Street continued about Linda Brennan's issue of Kevin Quigley and his full public disclosure of abstaining. Why is this he asked. Seeing no one else the Mayor closed the public hearing.

- D. Resolution RE: Bond Authorization – City Hall Heating System. Sponsored by Mayor Alexander G. Nossiff by Request. **(PUBLIC HEARING ONLY)**

Seeing no one the Mayor closed the public hearing.

- E. Rehearing on an amendment to Chapter 170, Zoning, that was approved by the City Council on 01/15/03 as Ordinance No. 35-11/13/2002 as follows: **(SEE ITEM 11B-1)**

Rezoning an 8-acre area south of Littleworth Road., between Old Littleworth Road and Knox Marsh Road, from Low Density Residential District (R-20) to Hotel/Retail District (B-4), said area containing Map H, Lot 29A.

Bernard Stillwagon of Littleworth Road says if you put hotels out there will be more trash as he is picking up bags of garbage everyday. The 18 wheelers come thru and it spills over, he wishes and prays that they would think about the people in ward 5. You do not need to go east of the railroad tracks. On Wallace Drive the people already have their house for sale, they just can't live there any more. They just could not afford the taxes. Please stop picking on Ward 5.

The city council has to think of people on fixed incomes, he used to live on Waldron Street as a kid, and was born there. His house is now a parking lot, he will be 74 this year, he continued about the high taxes. He still wants to see a police officer walking the street. He feels this is the reason we have so much trouble with the kids in the downtown area. He would rather see four houses go in there. Ask yourself would you

like to see this in your neighborhood. He hopes he lives long enough to see them all gone.

Peter Schmidt of 53 Fourth Street feels the need to speak after Stillwagon's diatribe even though he does not agree with everything they have done, he does not feel they are a disgrace. These items come before his committee at the State level and the Municipal and County Government Committee that he serves on. He always argues growth is not always good; if houses are built, their taxes will go up even more. Industrial zoning will only stabilize it. He left them with a final thought if the citizens of this city want to remedy the situation, they could support the city council. Costs are constantly going up and property taxes are a very inelastic source of revenue. He wants them to address the city's legitimate needs and they are not a disgrace.

Dianne Stowell of 5 Old Littleworth Road is here again agrees with Mr. Schmidt. She also agrees they need a plan so that you get what you want, we have a beautiful historic City. She is originally from MA and they did spot zoning in her town of Stoneham MA. We have retail zoned areas already; you don't have to rezone everything, maybe it will stay undeveloped because there are already rezoned areas that are vacant. She stated she volunteers, so she won't bash the councilors. She volunteers and its tough to sit there. She urged them to go out there to observe all the traffic on Littleworth Road. She would like them to postpone the vote; she only found out about it by a flyer she found on the side of the street yesterday. She urged them to please look at both sides.

Seeing no one else the Mayor closed the public hearing.

## **11. UNFINISHED BUSINESS**

### **A. ORDINANCES IN 2<sup>ND</sup> READING**

1. Ordinance #09/05-14-03, Chapter 166, Vehicles and Traffic, Schedule I, No Parking at Any Time, Alden Woods. Sponsored by Councilor Jason Hindle.

**Item withdrawn.....moved to a 3<sup>rd</sup> reading..**

### **B. ORDINANCES IN 3<sup>RD</sup> READING**

1. Rehearing on an amendment to Chapter 170, Zoning, that was approved by the City Council on 01/15/03 as Ordinance No. 35-11/13/2002 as follows:

Rezoning an 8-acre area south of Littleworth Road., between Old Littleworth Road and Knox Marsh Road, from Low Density Residential District (R-20) to Hotel/Retail District (B-4), said area containing Map H, Lot 29A.

The Mayor wonders if we shouldn't move to postpone the vote. Christenbury stated he will make a motion to reaffirm and then he will vote to kill it. Hindle says he has done many rezonings in the past. He will also vote against this as well because of the historical aspects of the City. Hindle urged citizens to call him to get items on the agenda. Tweedie seconded the motion to reaffirm the vote. The Mayor wants Tweedie to shut up. Tweedie wants the vote clarified by someone. Stancel came forward to explain. Christenbury understands it will take six votes in the affirmative to keep the rezoning. Then if it fails, it reverts back to residential. Stancel recalls that George Wattendorf says you take a vote to reaffirm, then you take a vote to rezone. They need to vote down the reaffirmation. Then vote to rezone or not and that action will take a 2/3 vote. If they vote to reaffirm, the zoning stands. Mayberry thanked Christenbury for the explanation in simple terms. Whitmore voted no originally and intends to stand on this. Christenbury stated in defense of the Planning Board says this issue went on for over a year. The city has followed the master plan however it

was a long complicated process and everyone was doing the best they could for the community. This one parcel has caused too much stress for the residents in this area. But it will contribute to more traffic when houses are built here. Tweedie reiterates what Christenbury has said, he agrees that this land is not critical to the rezoning process. The Mayor says we have to respect the quality of life in Dover. No one was in favor of reaffirming by a hand vote. Christenbury moved seconded by Tweedie to rezone. Motion failed on a 0-8 roll call vote, this area is now not rezoned.

C. **RESOLUTIONS**

1. Resolution RE: Fiscal Year 2003 Budget Amendment #4. Sponsored by Mayor Alex Nossiff, by Request.

Christenbury moved for a 5 minute break.

The Mayor called the meeting back to order at 8:30 pm

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

2. Resolution RE: Fiscal Year 2004 Budget Appropriations, Fees and Capital Improvements Program. Sponsored by Mayor Alex Nossiff, by Request.

Christenbury moved to divide the question. Mayberry seconds the motion to take account #'s 2800-3830 out and vote on these items first. These are the school items and most of the council has been on board with the school budget because of all the hard work they did. All in favor on a hand vote of dividing the question. The Mayor says we are now ready for a vote on the school side. Christenbury then made a motion to approve the school portion as submitted for \$32,800,230. Motion to adopt school portion passed on a roll call vote of 8-0.

The Mayor suggests going around the room to see where everyone is on this portion of the budget. The City Manager clarified that the staff went back and looked at revenues and found an additional \$255,678 worth of revenues by increased fees. On the other side of the coin the bond rating has been restructured and we have a reduction in debt service of \$157, 358. So now we are down to 6.3% from .57 to .43 cents per thousand on the City's side, the School is .46 cents and the County .41 for a total of \$1.30 on the tax rate. The Mayor confirmed that based on the manager's revelations; we are already at 6.3%. Christenbury thanked Rita Frechette for calling him late tonight, he is still at 0%. He has heard the term quality of life, this is a subjective term, we all pick who we are going to be a voice for and this is his voice. Mr. Beecher has been clear from the beginning. This 0% means there will be less people working for the city and the council has to be willing to take responsibility for their actions. Dunnington states with all due respect; Christenbury's suggestion is admirable but a short term solution to a long term problem. There is truly not a lot of new stuff in this budget, if we put these projects off today, some other council will have to raise the taxes. Most of his emails are in support of the City Manager's budget, this is the vast majority of the calls he has had and he will support the 6.3% budget of the City Manager.

Whitmore says when she started this, she was at 3%, she has gone thru each department and she appreciates all the departments and she is willing to show anyone her spreadsheets. She prioritized items for each budget, she has the fire department at the highest priority. The reason is they provide life services. The police department keeps order and protects us; she went all the way down her list as she used this kind of criteria. She does not want to destroy the fabric of our community and as hard as she tried she tried to get to 3%, she is now close at a 3.47% increase. She hopes that all non essential services in the budget will be targeted to maintain the level of service that we provide to the community. 0% is not achievable in her life and not for the City.

The Mayor says that is impressive.

Mayberry says the first question is addressed to the audience; who wants to pay more taxes, nine reasonable people need to do what is reasonable. He has looked at life and property and takes people at their word; he does not want to see layoffs in the community. Mayberry goes on and on about his

theory of a 0% budget saying this is a pendulum and he wants to find middle ground. He is now supporting the City Manager's budget.

Christenbury says point of order, he introduces a motion to vote on the City Manager's budget, seconded by Hindle, Keays has a few words about his old tax receipts he had at home that are from 1960. In 1992 the assessment for his property was \$74,000. The assessment today is \$154,000. He will be voting for the 0% tonight. Everyone is still getting good raises, he don't know how they figure their raises but they certainly are good. He has talked to a lot of constituents in his ward and most of the people are on retirement, how long can we keep going up, up, up. He has not seen any effort to cut. He's telling us the raises are there every year and he cannot condone it and he won't.

Hindle says last week we heard from all sections of the community about the budget and from citizens that came out to speak out in support of a lot of programs. He commented from a 100 year quote that an old Governor had said, his name was Charles Sawyer who had hoped this would be called the people's house because the people rule. He has sat there four years now and times were very good back then, to say that this council has not worked hard to reduce spending is kind of unfortunate. We have debated our CIP's in the last year. He commends all of them for cutting the CIP back in March. He continued on his points of what we have been hearing. At this moment in time although he would like to see some areas to cut, he is not in favor of a 0% budget. He too has contacted the York, ME town clerk who provided numbers to him on their budget. He asked the clerk about the public sentiment on this budget, people spent 45 minutes voting on the 107 items in their budget, before he concludes, there are areas they can work on, first he wants to come together as a community and he encouraged the people to talk to their State Rep and County Commissioners to work at a higher level to reduce spending. He thinks if we had a program to bring people together, there should be a place to go so people can talk. He mentioned a few solutions to help lower the budget. The Mayor commended him on his presentation.

Tweedie has several points he would like to make and we will probably have a little auction later on. He cannot speak for his peers but he knows what he has done on this, he proposed the 3%, he is looking at all the numbers in the budget and a lot of it is debt service. This is coming from prior councils but tonight we have to pay the bills; because the City Managers knows the city well, the bonding is at 3.13% that we actually bonded out. He challenged the recreation department to raise their rates. The City Manager sat down and came up with another \$29,000 in revenue, he continued on his theories. There is a quality of life in the City and this budget does that but very thinly, we addressed the elderly this year and passed the elderly exemption. We are a full 1/3 less than we were last year, we have pinched everywhere we possibly could of. He has some ideas to bring the City Manager's budget down another percent.

Quigley has sat here for a year and a half and voted on very little spending, we increased the school and gave them extra money; he will back the City Manager's budget, he does not want to see all these cuts. He feels we need all these services and people have come to expect the quality of life here in Dover, he agrees with this budget. The tax rate will be 1.05 or .95 and he does not feel that is bad. We cannot shirk our duty; we passed these huge contracts. He will not be shirking his duties so he wants to pay our bills, let's pass it and move on.

The Mayor commented on the prior Mayor's spending, saying he created a monster. However he does not think we can continue to drive the car and not look in the rear view mirror; moving forward we have talked about services that have existed many years, this is not true. Government has a thirst to grow, at some point in time responsibility dictates more spending, the answer is no. These services have not existed for years and years, he talks about the salary of the Rochester City manager and Dover Mounted Police, there are many new services and unlocking cars by the Fire Department, those services are unnecessary. What we have tonight is a discussion about whether these programs are going to continue to grow, but we must weigh and balance out equities in the City and balance the harm of that against people that live on a fixed income. He concurs with Quigley on the contracts, who are we harming here, city employees. We must balance out the harm to that person to the people that are paying for this, he continued on his thoughts. A lot of these services have expanded beyond the original intent. No bones about the City Manager, he is one of the top city managers in the state. We are talking about the affordability index of Main Street, he is now talking about surplus, he bets there is 5 million floating out there right now and he bets there is going to be another surplus this year which means this battlefield is much less than what we think it is. Does anyone out there believe the good

manager is going to close the Jenny Thompson pool, does anyone believe we are going to close the library. The City Manager knows how to turn out a group of people, by the same token we don't have to get on the escalator and have this happen. No one is talking about draconian measures, he just does not know what circles some of these councilors are traveling in but he knows several people that have had to move out of this city. We need to take a look at the bread and butter people of this community. Point of order says Christenbury, he has kept track and there are 4 city Councilors for the city manager's budget and 3 for 0% and 1 wants 3.5 or 3.7% and 1 that did not commit. If there are not 5 councilors to adopt the City Manager's budget for 6.3% as submitted. Christenbury makes a motion for 6.3%. Tweedie interrupts to say he is not ready for a 6.3% motion, Mayberry seconds the motion. Motion failed on roll call vote of 4-5, Christenbury, Keays, Tweedie Whitmore and Nossiff opposed. Tweedie makes proposal about motor vehicle revenues and how they are over the projected amount each year. Christenbury interrupts to make a motion to vote on 0%, to get a motion on the floor. Mayberry seconds the motion. Tweedie continues on increasing revenues. He asked the City Manager if there is a projected surplus for this year who then asked Jeff. Jeff says with all revenues considered there is a net loss of \$95,000. Tweedie says is that before or after Human Services assistance budget. Jeff says this is all revenue and actual expenditures. Jeff feels the net loss might be because of the arena, Jeff explains his numbers. Tweedie continued on this line of thinking; we have two ways of doing this. We could assume a profit from the fund balance or we could increase our revenue projections by \$250,000 and fall short...Christenbury makes a point of point of order because of the motion on the floor. So now he withdrew his motion that was in error and stated someone on the prevailing side needs to offer a motion to reconsider the City Manager's budget. Christenbury moved seconded by Mayberry to reconsider, all in favor. Motion is back on the floor for reconsideration. Whitmore respectfully disagrees on borrowing from the people's bank account to artificially decrease the tax rate. She wants to work harder to reduce spending; she motions to reduce the City Manager's budget to \$22,718,446 with the increase in revenues that has already been applied. She challenged them to find new revenues from fees, programs and services projecting a \$55,000 non property tax increase in revenues for a net overall increase of \$7,949,674 for a total of \$22,663,446 for a net overall increase resulting in 3.5% increase in spending from last year. Tweedie seconds this motion for discussion. Christenbury commends Whitmore and then defends his 0%, he felt they should have gone to the county to dispute their spending that is already locked into this budget because they cannot do anything about the county and they already passed the school budget; that is 83 cents already locked in. We are now at an 80/20 split on the Moody's report that came in the paper today, we have a residential vs. industrial tax base. As the gentleman pointed out tonight it will become a rich community. We have the choice we can maintain the status quo or we can be a self fulfilling prophecy, Moody's is absolutely correct, he would hate to see Dover become a suburb of Durham. Keays is right; also look at all the for sale signs that are out there. Hindle wants the City Manager's comment. The City Manager has nothing to say. The Mayor says we have learned the hard way the City Manager has the authority to move items around. They only have bottom line authority. Discussion ensued by the Mayor, Whitmore's proposal would be a 3.5 % increase. Whitmore's proposal failed on a roll call vote of 1-7 roll call vote, Whitmore in favor. Tweedie motioned to revisit the City Manager's budget, Quigley seconds the motion. Tweedie calls the question, Mayberry seconds motion. Motion passed on a roll call of 5-3, Keays and Whitmore opposed.

### **13. COUNCIL MATTERS OF INTEREST**

There were none.

### **14. ADJOURNMENT**

Christenbury made a motion, seconded by all. All were in favor.

**Judy Gaouette, City Clerk**

