

**MINUTES
DOVER CITY COUNCIL
REGULAR COUNCIL MEETING
APRIL 10, 2002
CITY COUNCIL CHAMBERS
7:00 P.M.**

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

Taylor led the Pledge of Allegiance.

3. ROLL CALL

Members Present: Taylor, Tweedie, Whitmore, Christenbury, Dunnington, Hindle, Hofemann, Quigley, and Nossiff.

4. PROCLAMATIONS/AWARDS

The Mayor began by recognizing the DHS Golf Team and DHS Cheerleaders and their coach, Kathy Boucher, for their outstanding seasons.

He then introduced the entire DHS Girls Basketball Championship Team and presented them with individual proclamations and keys to the City. He concluded by presenting the DHS girl's basketball coach, Ernie Clark, with a plaque for the Dover High School wall. Ernie Clark then presented the award to Athletic Director, Peter Wotton.

Andy Shackner of WTSN presented a tribute audio tape of the team's season highlights, which he played for the audience.

The Mayor then read a proclamation for the Dover Adult Learning Center celebrating 30 years and presented it to Jim Vercheren, Director.

5. CITIZEN'S FORUM

Mayor Nossiff opened the Citizens' Forum asking if anyone wished to speak:

Richard Hughes, 51 New Rochester Road, spoke regarding the staggered terms resolution to change back to 2 year terms and to not conflict with the Charter or state RSA's.

Next he discussed the change that disallowed the mayor the right to vote except in the case of a tie. He feels that the wording of the questions were misleading. He feels that the fact that this was not disclosed until after the last Mayor was out of office was political. He stated that Mayor Nossiff is suddenly being denied his right to vote when he is ready to stop spending in the city. He discussed several meetings that were unable to be held due to several councilors' objections.

Next he stated his second issue is regarding budget deliberations which he is discussing now because the public hearing is always held after the budget workshops have already been held. He discussed the proposed \$2.31 increase in the Manager's proposal, which includes the school budget. He asked that a hiring freeze be put in place and asked why there is not one.

Nossiff stated that there isn't one in place at this time although there is one in Rochester. He stated that Dover receives more tax revenue in Dover from Liberty Mutual, etc.

Hughes stated that department heads should be recommending their priorities, ie, school resource officer at DHS, etc. He also discussed the recent ordinance, which changed the parking fine and only focused on revenue and not expenditures. He concluded by stating that they should not accept an "I'll get that answer for you later" answer.

Gary Gilmore, 39 Middle Road, State Representative - spoke regarding 11-B-2, Langdon Place as the Ward 3 polling place. He stated that he and the City Clerk met with a representative from Langdon Place who was very glad to offer their facility for this purpose and he feels it will serve the city's best interest.

Secondly, he discussed 11-B-3, regarding changing the staggered terms and allowing a one-time same day municipal/state general election. He stated he spoke with the Secretary of State and Senate chair regarding an amendment to allow the city to hold the municipal election same day as the State, which if allowed, would require the city to put an amendment on the ballot to change the staggered terms. He stated that it would be understood that if this were not passed, the same day election would not be allowed again. He stated he was originally going to draft the wording, but felt the city council should do it. He feels it will be adopted by the senate next week, and that passing this resolution will assist the process.

Kathy Derby, Henry Law Ave – discussed the SAVEDOVER.org web-site, which is polling residents on some of the activities of the city. She discussed the results of the casino gambling 8% yes, 83% no, 7% not sure – 263 individual votes, individual IP addresses to guarantee individual voting. She also gave the latest results of the waterfront development – restaurants/shops 12% , public boat launch 49%, public conference center 1% , green space 20% - etc, with 210 votes thus far, closes Sunday. She then thanked the Appointments committee for her appointment to planning board as alternate and Councilor Christenbury for his e-mails congratulating her to this appointment.

Eric Sweetser, 6 Paul Street - also commended the Appointments Committee on appointment of Kathy Derby to serve as an alternate on the Planning Board, and also thanked the staff for update on riverfront development at a recent workshop.

Norm Champagne, 13 Church St. – not able to attend last few meetings but has watched on TV. He has heard that \$1.00 on tax rate isn't that bad, but \$1.00 isn't a dollar anymore, as the property value has increased. He appreciates those who are attempting to save money, but he doesn't feel that there is enough being done to save money. He stated that Mr. Beecher probably has some ideas, although people may not like to hear what they are. The last tax increase hurt a lot, and that cutting to the bone will hurt too, but needs to be done. He stated that the city needs to "stop the bleeding". He then stated that although no one wants to spend ½ million on a firing range, our officers are going to Somersworth and are waiting and causing loss of time. Also our bullets are bad for the environment and not welcome in Somersworth, which means we need more environmentally friendly bullets, which cost 3-4 times more. He said the shooting range was ruined when the gravel was removed and feels that the money from that should be used to build a firing range. He discussed the Ice arena funding and financial losses and hasn't heard anything regarding the arena other than appointment of a councilor which took a lot of effort. He stated that we should do whatever it takes to stop the spending.

Peter Schmidt, 53A Fourth Street - supports two items on the agenda, first the staggered terms issue stating he is proud to say he voted against them in the first place and urges the

Council to vote to put the question to the voters to eliminate staggered terms, back to 2 year terms, so that voters can vote in or out all or none. He feels it is a unifying city event to hold elections city wide and not just individual wards.

Secondly, he also supports the resolution opposing the Casino in southern Maine because reports show that a casino would have negative effects on a 35- mile radius, including increases in crime, divorce, bankruptcy, etc.

Seeing no one else wishing to speak, the Mayor closed the Citizen's Forum.

6. PUBLIC HEARINGS

- A. Ordinance #03-01/09/2002, Chapter 22, Code of Ethics, Repealing Sections 22-13 through Sections 22-23, Article IV, Complaint Procedure; Sanctions. Sponsored by Councilor Parks Christenbury and Councilor Ray Tweedie. **(See Item 10A-1)**

Mayor Nossiff opened the public hearing asking if anyone wished to speak:

Christenbury clarified that this will be tabled again until the July meeting.

Phyllis Woods, 1 Barry Street, discussed the special hearings panel proposal which she feels should include designating 2 members from a random selection process instead of Councilor and school board member as there shouldn't be counterparts sitting on a board to judge each other. She asked that this selection process be clarified and suggested that past councilors and school board members would be good candidates. She asked that she be informed when this will be discussed.

Gary Gilmore, State Rep, - discussed the state ethics panel consisting of 7 members representing both parties, and stated there are 400 members of the house, and a member must step down if they serve on a committee with the person being investigated. He fears there could be a majority faction who can embarrass minority factions through an ethics complaint. He concluded by stating that although he is sure it won't happen, he urges due diligence.

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

- B. Ordinance #16-03/13/2002, Chapter 166, Vehicles and Traffic, Section 166-50, Schedule C, Stop Intersections (Various). Sponsored by Councilor Jason Hindle, Transportation Advisory Commission. **(See Item 10A-2)**

Mayor Nossiff opened the public hearing asking if anyone wished to speak.

Seeing no one the Mayor closed the public hearing.

- C. Ordinance #17-03/13/2002, Chapter 100, Elections, Adding New Chapter. Sponsored by Councilor Brenda Whitmore, Councilor Raymond Tweedie and Councilor Thomas Dunnington Jr. **(See Item 10A-3)**

Mayor Nossiff opened the public hearing asking if anyone wished to speak:
Seeing no one the Mayor closed the public hearing.

- D. Resolution RE: Acceptance of the Action Plan and Expenditures for the Fiscal Year 2002 CDBG Entitlement Funds. Sponsored by Mayor Alex Nossiff by Request. **(See Item 10C-1)**

Mayor Nossiff opened the public hearing asking if anyone wished to speak:

Seeing no one the Mayor closed the public hearing.

- E. Resolution RE: Appropriation for FY03 Capital Improvements Program and Authorization for Bonding. Sponsored by Mayor Alexander G. Nossiff by Request. **PUBLIC HEARING ONLY**

Mayor Nossiff opened the public hearing asking if anyone wished to speak:

Richard Hughes, 51 New Rochester Road - discussed the so-called built in items in the budget, which come from the CIP. He suggested several things that the Council should consider concluding that they have a chance to live up to the promises they made when they ran for the City Council to stop the spending.

Nick Skaltsis, School Board Chair - advocating CIP requests for the School and because there are 5 new members since last time it was voted on, he reviewed the process and the expenditures. He explained the status report of those projects that are currently being put out to bid, including the boiler replacement at the high school, which was awarded Monday night (04/08/02) pending approval of the CIP. He also discussed the addition of classrooms at the high school, which originally was going to be done by decking the mezzanine. He explained that the first reason was it seemed the most economical way to utilize the space already within the footprint of the building, and secondly there are no soils around the high school that will support an additional building. There is a great opposition from students and teachers not to lose the mezzanine space. So they have re-examined going outside and have determined there is a place available, but still need to continue to investigate. He explained that when the High School was built in 1967 it fully supported the number of students it was built for. But now because of the ADA requirements, computer labs, and program studies requirements it is beyond capacity and teachers have to move room to room because all rooms are used during all periods of the day. He stated they can't expand programs or reduce class size without additional classrooms.

Finally he stated that the boilers at the high school are time sensitive as well as the Horne Street school classrooms which are needed by Labor Day.

Ken Latchaw, Vocational Director - reiterated Nicks' requests for passage of the CIP. He also added some history as to how programs have changed over 30 years. There were only 9 required courses for graduation back in the '70's, now 13.5 are required for graduation. Also there was an "open campus" which had 400 students but not all of them were on campus at any given time. He stated that there are 30 classes per day necessary for this requirement, and this doesn't include study halls, extras, etc.

Norm Champagne, 13 Church St – considering last election, feels that some of them ran because there was too much spending and feels that this is their chance to change it. He stated that Nick Skaltsis keeps saying that 1% is negligible and if so, feels the school department should be able to find it. He concluded by stating that a year or two down the line these will be built in costs, and feels that the council should do what they were elected to do and either cut spending or find other places for revenue.

Seeing no one else wishing to speak, the Mayor closed the Public Hearing.

7. MINUTES

- A. Special Council Meeting/Workshop – March 6, 2002
- B. Regular Council Meeting – March 13, 2002

Taylor moved to accept and place on file, seconded by Tweedie. Motion passed on an 8-0 vote.

8. REPORTS OF SPECIAL AND STANDING COMMITTEES

- A. Transportation Advisory Commission – Councilor Jason Hindle

Hindle reported that the Commission didn't meet last month, but will meet on 04/17/02.

B. Appointments Committee – Councilor Jason Hindle

Hindle stated he will address this report when the resolution comes up on the agenda.

C. Joint Building Committee (Horne Street School, DHS Mezzanine) – Councilor Jason Hindle

Hindle stated the committee will be meeting 04/11/02 to interview builders and will conclude their decision on Horne Street School.

D. COAST Bus – Councilor Ray Tweedie

NO REPORT

E. Planning Board – Councilor Parks Christenbury

Christenbury stated the Planning Board met twice in last month. He stated the first hot issue was a proposal for 238 lots at Thornwood Farms. He explained that this was just a workshop presentation as a courtesy to the developer at which time the staff made it clear it would be considerably reduced. He feels the local newspaper blew it out of proportion. Secondly, he discussed the Knox Marsh Road project, which didn't need to happen, but because of the rezoning which was voted down, it is happening, instead of the small shopping development. He then discussed the waterfront development and more proposed rezoning which will be coming forth. He urged the council to support the planning board in their efforts. He concluded by asking the Mayor to confirm the Planning Board recommendation to reappoint Otis Perry to the Strafford Regional Planning Commission.

F. School Board Liaison – Kevin Quigley

Quigley stated he attended the meeting on 04/08/02, at which time they approved the Laidlaw School Bus Transportation contract renewal, tenured teachers' contracts and upgraded positions at the high school.

G. Solid Waste Advisory Commission – Councilor Thomas Dunnington

Dunnington stated that the Commission met on 03/14/02 and that although he was unable to attend, he has reviewed the minutes. He stated that city attorney George Wattendorf attended the meeting in order to address the neighborhood compost issue. Under state law, people can't do composting in backyards without complying with regulations and this particular site meets all the requirements. The City of Concord has an ordinance on their books addressing this issue in detail, which we will use as a model. It was also discussed if the site is commercial or not as the neighbors feel it is because trucks come into the neighborhood to pick up compost. The owners had stated the purpose of the composting initially was to reclaim the land, but if it has become a commercial enterprise there are different rules. He stated that odor and health risks were the main concern from the beginning, which seems to be under control now, but it has been winter. If it becomes a zoning issue, the Hebbards will have to appear before ZBA, but he may be grandfathered. Dunnington feels that a city ordinance would be a better way to handle the situation. He stated that the Hebbards have been asked to come up with an operational plan and Rick is taking a composting workshop and feels that he is making good effort. If it rises to levels that the Health Officer determines health risks, then it will be a different story. He stated that last summer he didn't find it to be a health hazard. Mark Morgan, certified by Maine composting assoc. has been invited to talk about the process and what the city can do to allow it and keep it within safe parameters. He stated he is still concerned with the issue because the neighbors are still concerned. He concluded by stating that final plans for the recycling center were reviewed and he will report on it next month.

Christenbury stated that if there are business cards being distributed, then it would help in the determination of if this is a commercial or private entity.

H. Dover Arts Commission – Councilor Thomas Dunnington

Dunnington stated there has not been a meeting recently because it has been difficult to set a date.

I. Seniors Advisory Committee – Councilor Roland Hofemann

Hofemann reported that he has been working on a tax abatement for seniors and veterans. He also attended the American Legion dinner with the Mayor, as well as the Odyssey House Open House/ribbon cutting ceremony. He also attended the Portsmouth Legislative reception and met with Senator Smith. He is coordinating with Nextel to provide cell phones, as a part of the “Don’t shut out the shut ins” incentive with the police department. He is also working on getting the roof repaired at the senior center and is working on the Willand Road speed bump issue.

Taylor moved to accept the reports, seconded by Hindle, all in favor.

9. CITY MANAGER’S REPORT

Mr. Beecher reviewed his figures in the City Manager’s Report. He asked Mr. Hughes to e-mail his questions and he will get the figures he is requesting. He stated that regarding the freeze on hiring, in the 10 years he has been the City Manager, he does not run the business through the newspaper and that if the decision is made to have a hiring freeze, he may not necessarily be aware of it.

Christenbury discussed Fourth Street and Tuttle Lane and assured people that their concerns are being addressed.

Mr. Beecher stated we have continually worked with the Fourth Street neighborhood throughout the project and regarding Tuttle Lane, he was very dismayed to learn of the situation and it is being looked into by Pete Lavoie.

Quigley stated that he talked to the Watson’s of the Tuttle Lane area at 5:00 and they hadn’t heard anything from anyone. He stated that there needs to be a neighborhood meeting held ASAP.

Taylor moved to accept the Manager’s Report, seconded by Tweedie. All in favor.

5 minute break.

10. UNFINISHED BUSINESS

A. ORDINANCES IN 2ND READING

1. Ordinance #03-01/09/2002, Chapter 22, Code of Ethics, Repealing Sections 22-13 through Sections 22-23, Article IV, Complaint Procedure; Sanctions. Sponsored by Councilor Parks Christenbury and Councilor Ray Tweedie.

Christenbury moved to table until July, seconded Tweedie. All in favor.

2. Ordinance #16-03/13/2002, Chapter 166, Vehicles and Traffic, Section 166-50, Schedule C, Stop Intersections (Various). Sponsored by Councilor Jason Hindle, Transportation Advisory Commission.

Hindle moved to adopt, seconded by Whitmore.

Hindle explained that this is a housekeeping matter and the stop signs are already there and are just not in the codebook.

Motion to adopt passed 8-0 roll call vote.

3. Ordinance #17-03/13/2002, Chapter 100, Elections, Adding New Chapter. Sponsored by Councilor Brenda Whitmore, Councilor Raymond Tweedie and Councilor Thomas Dunnington Jr.

Whitmore moved to adopt, seconded by Tweedie.

Whitmore explained that this is a cooperative effort of city clerk, city attorney and election staff.

Councilor Dunnington asked about conduct of poles Section 100.4 Conduct at polls C (1) and C (2) and moved to amend by deleting "the candidate or representing candidate", seconded by Tweedie. Also moved to amend "shall" to "may" in section 100.5, seconded by Tweedie.

Motion to amend passed 7-1, Hoffeman opposed.

Hofemann feels that this ordinance implied guilt of last election.

Quigley is also against this because it doesn't need to be done now and can be addressed by a charter review commission instead.

Taylor asked about 100.4 conduct at polls (A), education – who will do it, how much cost.

Whitmore explained the city clerk will do the training class and there will be no additional cost.

Nossiff agrees with Hofemann and Quigley that it is premature and should be addressed with charter revisions.

Whitmore explained that this is not a charter amendment – but is a section of the Code book which can be more readily addressed by the council without going to the voters and is a step to improve the process.

Quigley moved to table until July, seconded Hofemann. Motion to table passed 5-3, Whitmore, Tweedie and Dunnington opposed.

B. ORDINANCES IN 3RD READING

C. RESOLUTIONS

1. Resolution RE: Acceptance of the Action Plan and Expenditures for the Fiscal Year 2002 CDBG Entitlement Funds. Sponsored by Mayor Alex Nossiff by Request.
Taylor to adopt, seconded by Hindle.

Christenbury explained that the Planning Board struggled with this because there was not as much money available this year. He stated that lots of work has gone into this and anything considered a low priority was not funded at all and everything else was reduced. He explained that in some cases ie., sexual assault and American Red Cross could go elsewhere for funding, where other agencies couldn't. He stated he feels it is a fair proposal.

Whitmore stated she sees that the Triangle Club and School request was fully funded, and is concerned that the American Red Cross, Recreation, etc. are not and feels that sexual assault is an

important service to be funded. She stated she knows the work that goes into the CDBG process because she did it last year. She asked why program administration costs 20% of this budget.

Planning Director Steve Stancel discussed the expenditures of CDBG funds stating they fall into 2 categories; public service and rehabilitation. First, the community can only spend 15% of projected income – limited to 85,075.00 for those agencies and cannot distribute from other areas. 2nd, administration money is used to fund portions of several planning staff salaries, based on the percentage of time spent on CDBG funds, 15% of his salary, 40 % of secretary, 35% of a planner. Whitmore asked about DELP and program administration.

Steve explained that it is the Dover Economic Loan Program which provides low interest loans to start-up companies and to existing companies to create jobs.

Whitmore asked who administers this program. Stancel stated Rick Jones is the Community Development Coordinator.

Quigley asked about the Triangle club and if it is city owned, and why they are getting \$40,000.

Steve explained that it is a private non profit organization that runs on a shoe string budget and they need to bring the building and parking lot up to code.

Quigley asked about the letter from My Friends Place (distributed to Council prior to meeting) requesting additional \$3,000 and if it can come from administration costs.

Steve stated no and explained the 15% cap requirement again.

Taylor asked what is the Dover welfare deposit program? Stancel replied that it is city welfare money for apartments and is a loan pool. He explained that apartment rents are high and people often need to provide first months rent and security deposit and this helps with that.

Tweedie discussed the background of the resolution specifically the \$31,217 HRL (Housing Revolving Loan Pool) fund – transfer of funds and asked why it is labeled FY96 and what has it been used for thus far.

Steve explained that there are at any given time pockets of money left in each year's fund that are transferred to the next one.

Christenbury explained that all of these questions were reviewed with each agency and staff over several nights. All agencies receiving less and were told that up front and feels that is why they didn't come to the meeting tonight. He stated that Councilors could sponsor resolutions to fund through the general fund.

Councilor Tweedie asked if there is extra money in the HRL fund, why can't we fund sex assault, red cross, what is it being saved for?

Stancel again explained why they can't go above \$85,000 in human services funding.

Dunnington asked what are the parameters as some are not Dover-based organizations and does that come into play.

Stancel explained that there is a strenuous application process with part of the application including how many Dover residents are impacted and how many are on the board of directors, etc.

Taylor asked if we removed \$4,500 from Triangle Club parking lot, can it go to My Friends' Place?

Stancel explained no, and then read explanation of the 15% rule.

Motion to adopt passed on an 8-0 roll call vote.

2. Resolution RE: Designation of the Riverside Rest Home as the Ward Six (6) Polling Place.
Sponsored by Councilor Thomas Dunnington, Jr. City Councilor, Ward 6 **(TO BE REMOVED FROM TABLE)**

Dunnington moved to remove from the table, seconded by Tweedie. Motion passed on a 6-2 roll call vote, Hofemann and Quigley opposed.

Dunnington moved to adopt, seconded by Tweedie.

Dunnington explained this was originally tabled because they wanted to find a place that wasn't so far out of the way. He stated he has since met with the City Clerk and some others and reviewed the Ward 6 map, which is mostly in the country and all of the other suggestions

that people had have been explored previously. He stated that there just aren't any other options and that although Riverside is "out there", it is a well-known facility with ample parking. He stated the city clerk encouraged absentee ballots for those who can't get there.

Hofemann doesn't support this polling place because it is too far out and he has had lots of calls. He stated suggesting absentee ballots is an abominable solution and feels that we need to keep trying to find somewhere else.

Christenbury went out to the location and feels it will serve the purpose well. He stated that no matter where it is located, someone can't get there. There are not a lot of places available. Many people do utilize the absentee ballot system and he feels we have to go where people are willing to have us.

Whitmore stated she also attended the meeting and it is clear that a majority of ward 6 voters will have to drive. She stated they did look at other places but they did not meet all of the requirements.

Hofemann is particularly concerned as he is going to be in ward 6 and wants to amend the resolution to ensure that there will be ample signage.

Taylor stated that the State primary will be the first election held at the new locations and there will; be a lot of interest so political parties will be offering rides to the polls.

Mr. Beecher ensured the Council that there will be ample signage and voters will also be notified by the Clerk's Office.

Motion to adopt passed on a 7-2 vote, Quigley and Hofemann opposed.

11. NEW BUSINESS

A. CONSENT CALENDAR

1. Tag Permit – Christie Drouin Post 752 – Veterans of Foreign Wars
2. Tag Permit – American Legion Post #8
3. Tag Permit – Hope Worldwide New England
4. Raffle – Greater Dover Chamber of Commerce
5. Parade Permit – Dover Cooperative Ministries
6. Parade Permit – Dover Track Boosters
7. Parade Permit – Student Mediation
8. Parade Permit – Options for Women – PHCC
9. Raffle Permit – American Legion Post #8
10. Parade Permit – Dover Knights of Columbus – Our Lady of the Rosary Council #807

11. Resolution RE: Street Closing for 59th Annual Soap Box Derby. Sponsored by Mayor Alexander Nossiff, by Request.

Taylor moved to grant 11A1-10 and to adopt 11A-11, seconded by Whitmore.
Motion passed 8-0.

B. RESOLUTIONS

1. Resolution RE: Designation of the St. Mary Church Hall as the Ward One (1) Polling Place. Sponsored by Councilor Roland Hofemann, City Councilor Ward 1.

Hofemann moved to adopt, seconded by Whitmore.
Motion passed 8-0 vote.

2. Resolution RE: Designation of Langdon Place as the Ward Three (3) Polling Place. Sponsored by Councilor Brenda Whitmore, City Councilor Ward 3..

Whitmore moved to adopt, seconded by Tweedie.
Motion passed 8-0.

3. Resolution RE: Concerning November 5, 2002 Election and Staggered Terms Sponsored by Mayor Pro Tem Kathleen Taylor.

Taylor moved to adopt, seconded by Tweedie.

Taylor moved to substitute in entirety, seconded by Whitmore.
Motion passed 8-0 vote,

Taylor explained that the Secretary of State is requiring that the city of Dover promise that if allowed to conduct an election on the same day as the general election, they will not have it happen again no matter what. She stated that this resolution is proposing that a charter amendment question be drafted to repeal the staggered terms requirement and be placed on the ballot and also recognizes that if this doesn't pass, the city will not seek future legislation to challenge the election law again. She explained that the only change on the amended version is the date in the 5th Whereas clause from November 6, 2002 to January 7, 2003 which is when the incumbents will be sworn in and their terms will expire January 5, 2004.

Christenbury stated he will gladly give up the third year and feels we need to be careful and clear to triple check charter change language proposed on the ballot.

Quigley agrees that this needs to be changed and will also be glad to relinquish the 3rd year. He stated that the inauguration ceremony that was held this year was very good and that it will lose something when it is only for 3 wards at a time.

Motion to adopt as amended passed on an 8-0 roll call vote.

4. Resolution RE: In OPPOSITION to a Casino Locating in Southern Maine. Sponsored by Councilor Brenda Whitmore, Councilor Ray Tweedie, Councilor Parks Christenbury, and Councilor Tom Dunnington.

Whitmore moved to adopt, seconded by Tweedie.

Whitmore explained that this is not meant to be a moral position, but is a quality of life issue, which is backed up by research supporting the negative impact casinos have on surrounding communities.

Quigley stated he will vote no, because we live in New Hampshire and no one has ever contacted him.

Hofemann stated he has received some e-mails about this but feels it is not this council's position to take.

Dunnington disagrees with Quigley and Hofemann and feels the Council needs to vote their conscience. He stated he is strongly opposed to a casino anywhere in the seacoast area and feels we need to send a message. He hasn't received any feedback either, but feels it is because we aren't spending any money.

Christenbury was originally in favor of opposition, but just came back from Vegas. He stated he was reminded by Ray Proulx on open mic that the people haven't had a chance to speak on this yet and there has been a lot of misinformation. This proposal is still years out and there is plenty of time to get input. He understands the regional impact i.e. where the workers will live, affordable housing etc. but this is not the time. He concluded by stating that if we can't tell Somersworth what to do about Exit 10, then we shouldn't do anything about the State of Maine.

Taylor has had input which generally reflected that people would rather have gambling than a sales tax to address school funding issues.

Tweedie supports this resolution because we are a regional player and economically this will wear and tear on infrastructure.

Hindle agrees with Christenbury because he went to Foxwoods 2 weeks ago, which is not just gambling as it has shows too. He commends the sponsors, but feels the resolution shouldn't be opposing a casino in southern Maine, but we should bring forth resolution to oppose gambling in the State of New Hampshire.

Motion to adopt failed on a 3-5 vote, Tweedie, Whitmore and Dunnington in favor.

5. Resolution RE: Award of Change Purchase Orders for Arena Improvement Project and Reprogramming of Arena Improvements Trust Authorization. Sponsored by Mayor Alex Nossiff, by Request.

Taylor moved to adopt, seconded by Quigley.

Beecher explained that he had told the Council there was going to be one more clean-up issue regarding the arena and this is it. This would reimburse them by taking money from the arena improvement trust.

Quigley asked if this will this be the last original bill.

Mr. Beecher replied YES.

Christenbury stated he still has no grasp as to what is going on up there, i.e. where did the fundraising money go and wants a presentation.

Beecher stated there will be a full presentation at the budget workshop.

Hindle stated this is why we are adding a councilor to the commission to be able to keep the council abreast.

Nossiff commended Gary Bannon for the last few years of abuse during this process. He stated he feels that marketing was poor because it was done by volunteers and that revenues can be increased. He stated this is not a change order but is a reallocation of funds already approved.

Whitmore encouraged everyone to support and bring it to a close and start with a clean slate.

Motion to adopt passed on a 7-1 roll call vote, Hindle opposed.

6. Resolution RE: Appointments Committee Recommendations to Various City Boards and Commissions. Sponsored by Councilor Jason Hindle, Councilor Parks Christenbury and Councilor Kevin Quigley, Appointments Committee.

Hindle moved to substitute as a whole seconded by Quigley.

Whitmore explained why she is not voting for this because Kathy Derby is being removed from the resolution even though she had already been congratulated by the Councilors on the appointments committee. She said that an "emergency" meeting was held last night where this last minute decision was made.

Dunnington agrees that this is inappropriate as she received notification from the committee that she was appointed.

Motion to substitute passed on a 5-3 vote Tweedie, Whitmore and Dunnington opposed.

Tweedie stated he is disgusted and will vote against this as well. He clarified that he is not against the appointments of anyone on the resolution.

Motion to adopt passed on a 5-3 vote, Tweedie, Whitmore and Dunnington opposed.

7. Resolution RE: Award of Bid #B02041 for Miscellaneous Sewer/Drain Supplies and Accessories. Sponsored by Mayor Alexander G. Nossiff, by Request.

Taylor moved to adopt, seconded by Tweedie. Motion passed on an 8-0 roll call vote.

2. Resolution RE: Award of Request for Proposals #B02040 for Professional Engineering Services UV Disinfection System Upgrade. Sponsored by Mayor Alexander G. Nossiff, by Request.

Taylor moved to adopt, seconded by Tweedie.

Motion passed on an 8-0 roll call vote.

C. ORDINANCES IN 1ST READING

1. Ordinance #18-04/10/2002, Chapter 166, Vehicles and Traffic, Section 166-56, Schedule I, No Parking Any Time (Various). Sponsored by Councilor Jason Hindle, Transportation Advisory Commission.

Hindle moved to refer to a public hearing on May 8, 2002, seconded by Tweedie. All in favor.

2. Ordinance #19-04/10/2002, Chapter 166, Vehicles and Traffic, Section 166-57, Schedule J, Limited Time Parking (Various). Sponsored by Councilor Jason Hindle, Transportation Advisory Commission.

Hindle moved to refer to a public hearing on May 8, 2002, seconded by Tweedie. All in favor.

D. COUNCIL CORRESPONDENCE

1. Wetlands Application – Leslie Molleur
2. Wetlands Application – City of Dover
3. Wetlands Application – Linda Struble
4. Wetlands Application – Darlene White

Taylor moved to accept and place on file, seconded by Whitmore. All in favor.

12. MAYOR'S REPORT

Mayor Nossiff appointed Robert Paolini to the Dover Economic Development Corp. (DEDC) and reappointed Otis Perry to the Strafford Regional Planning Commission. He thanked everyone who attended the Meghan DeColfmacker Blood Drive.

Taylor moved to accept the Mayor's Report and appointments, seconded by Quigley. Motion passed on an 8-0 vote.

13. COUNCIL MATTERS OF INTEREST

Hindle commended the DHS girls basketball team.

Hofemann advertised a handicap van for sale.

Christenbury thanked Foster's for the waterfront supplement, which he thought was very good, but feels that the front page stories are misrepresenting the issue. He then discussed the budget stating that everyone has a pet project that they want to see done, and we can't do everything.

14. ADJOURNMENT

Taylor moved to adjourn, seconded and passed unanimously.

Valerie A. French
Deputy City Clerk