

**MINUTES
DOVER CITY COUNCIL
REGULAR COUNCIL MEETING
SEPTEMBER 11, 2002
CITY COUNCIL CHAMBERS
7:00 P.M.**

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

Hoffman led the pledge of allegiance.

3. ROLL CALL

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

4. PROCLAMATIONS/AWARDS

The mayor read the proclamation on the US Constitution of 1787.

5. CITIZEN'S FORUM

Charles Hoskins of 18 Shawnee Lane spoke on Chapter 97 of the City Code, he continued only one citation has been issued, the council must find a way to enforce the code as we have a problem in the City.

Matt Mayberry of Dover Point Road is here in support of the resolution on public access to the Cochecho River with a public boat launch.

Jean Strand of 95 Spruce Lane in Dover thanked the mayor for giving the citizens a chance to speak. She cannot afford a lawyer to have at her side. She has questions for Mr. Beecher. She asked, do you tally hours that are spent in the City per an article in fosters or is this extra money being spent on this issue. They are honest people that have concerns about their property. In closing, if the city starts dumping leaves, any money saved should be spent on fixing the road in front of the composting place. She understands that Tweedie has promised a sidewalk and she cannot wait for it to come. Mr. Beecher answered he does not do that for every project, he was asked by councilors about this project, he finished up that it is part of his duty to do that. He did not single out this one project.

Ed Koza, of 5 Berkshire Lane spoke on the same topic, the fosters article, and the \$20,000 that it cost the City to process this composting case, if city workers are doing this, how can it cost the city \$20,000, it was not a cost to the city.

Bill Caldwell-malcontent, rabid dog, he does not think it funny Mr Flipper (Christenbury), the figure of \$20,000, figures don't lie but liars figure. He continued attacking Mr. Beecher, saying he accepted his excuses during budget season, then the City Manager called the workshop off. And at the same time put in the paper that it cost the city the \$20,000. He feels that the City Manager and Christenbury fed the newspaper false info. There was no mention in this list of costs, the several loads of gravel that were taken to the site and the several loads of loam that were given to the so called farmer at 97 Spruce Lane. He asked can any councilor give him an example of any other citizen that has received this kind of treatment. In any dispute like this, the city administration should be fair and impartial. They have been fair to one person at the cost of a neighborhood. He attacked Christenbury the tale is wagging the dog who put up all these signs during his campaign assuring the neighbors it would be

taken care of. Isn't there someone on the council that will stand up and say enough is enough. If the problem is allowed to continue, it will be 10 fold in a couple of years. The mayor will look into when they can have a workshop in the future.

Eric Sweetser, of 2 Wallingford St praised the City Clerk's staff for last night's election work, he continued it is in poor taste to attack a councilor here on the floor.

Rod Gadway of 94 Spruce Lane stated he was listed as a registered democrat on the checklist, but he remembered he had signed the form to be independent. The supervisor pulled out his card and he was a registered democrat all his years on the check list so there must be a problem. On another subject, body shops in Dover, that is people that take their cars out and work on them on the street. Wouldn't it create a problem if a person had bond-o dust and paint fumes. This does not seem to apply to farmers. The mayor tries to respond, that the situation has expanded and there has been a lot said about this issue.

He now wants to know how a law was made to not let dogs be walked in the cemetery. How did this come about. He walks his dog on the street on the leash, he has no problem with this but he feels like he is going nowhere on this other issue

Norm Champagne of 13 Church Street stated he would like to speak regarding the rezoning issue as he will not be here during the zoning hearing. He asked a question about the Cochecho waterfront district and the changes that will allow about every conceivable type of housing and a good part of this area belongs to the City and the taxpayers. He stated we are being told by several Councilors that residential building is killing us here in Dover from a financial standpoint and that we should spend taxpayer money to buy development rights to stop some of this growth. He stated that because we already own this land it doesn't make sense to rezone it to allow housing to be built that could become burdensome to other city services. He feels that there may be a need to have some sort of apartment buildings there but, he would like to give some consideration that we will allow some one- bedroom units and limit the size of per square footage. That will eliminate families and any burdens that would be put on the schools.

There is also a resolution on the consumption of alcohol on city sidewalks, some time ago the chamber wanted alcohol in the Henry Law Park and that was defeated. This might be al-right for one restaurant to do this; but he does not see how only one can be allowed to do it.

Rick Hebbard of 97 Spruce Lane thanked the Clerk's office for the hard work on the elections and answering all his questions. Secondly about his composting facility, he states that he has had no complaints this year, he provides a service to surrounding towns and he is in compliance with all local rules and regulations. He continued they are open from 8 am to dusk and the public is more than welcome to bring their leaves down.

Peter Schmidt addressed the new city hall polling station for the Ward 2 election that was conducted yesterday. he would like more information on how to use city hall and the entrances. He had encountered one lady that parked quite far away, we need to communicate the parking procedures for the election better. He feels perception is an important part of voting.

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

6. PUBLIC HEARINGS

- A. Resolution RE: Fiscal Year 2003 Budget Amendment #1. Sponsored by Mayor Alexander G. Nossiff by Request. **(See Item 10C-1)**

None

B. Resolution RE: Increase of the Income Levels and Asset Limitations for Elderly, and Disabled.
Sponsored by Mayor Alex Nossiff and Councilor Roland P. Hofemann **(PUBLIC HEARING ONLY)**

Norm Champagne of 13 Church Street stated there comes a point when people get older and have been retired a long time and their money starts to dwindle because of medicine and caring for property that they might own. One thing we should all remember is we are all going to get old and we will be sitting on a fixed income and property taxes will be burden to us. There's a number of things that could be, he does not know what the life expectancy is here in this area; but if people have to pay 20 or 30 bucks more in their tax bill, then we owe it to the elderly. They should consider how much two people will need to live on and give them a break and not make it difficult for the elderly to stay home and maintain their own home.

Matt Mayberry of Dover Point Road was one of the original sponsors of the elderly exemption resolution. He continued about the resolution in light of rising medical costs, he would like it raised to \$35,000 and \$50,000 for married couples, he would like the council to consider raising these amounts.

Joanne Dodge, of 17 Harmony Lane, is here in support of the proposal, it does not go far enough, she is elderly and has several friends here in the city and she knows senior's wages do not go up. The days of retiring from the shipyard and the GE's of the world are over and they do not have the money that people once had. Assets could be gone in 10 years with the much smaller un-guaranteed pensions that people now have.

Seeing no one else, the Mayor closed the public hearing.

C. Ordinance #29-08/14/2002, Chapter 97, Dumping and Rubbish Collection.
Adding Section 97-19, Composting Operations. Sponsored by Councilor Tom Dunnington.
(See Item 10A-1)

Mr. Koza of 5 Berkshire Lane read the purpose of the ordinance. The purpose is to enhance the public health. He finds this ordinance deficient in two or three areas. The water table is not protected and it does not say who should bear the costs of these operations.

Attorney Schulte, stated he has some materials relative to his comments, he then passed out some RSA's, (see exhibit in Council folder of 9/11/2002). He explained the handout. He and his clients are in support of this ordinance. It is not drafted for the Hebbard farm, it is for any person with a composting farm. He feels an amendment should be done on section four, he wants the times taken out of item 4a. He feels there will be a problem if it is a composting operation or a farming operation. The concern for this type of operation is the overlap and will create endless violations of excessiveness. You do not need specific hours to enforce this issue. The Hebbards have been accused of every thing coming down the road. If you have any questions, please come to the farm and see who is telling the truth. He would like the ordinance amended, other than that he supports it.

Bill Caldwell of 29 Tanglewood Drive stated back when the city started this Mike Moore said that Richard Hebbard wanted to recoup his soil. He continued about correspondence that he received saying the land is not suited for this operation. Also Hebbard did not have the proper equipment to do this. The wind changes in the afternoon in their neighborhood and comes from the sea and the stench is horrible. He is also concerned about the noise as Rick is often out there at 4 or 5 am in the morning. He also puts his beeper on to irritate the neighbors, and he wakes school kids. He is operating holidays, Saturdays, and Sundays. We should be checking out the spores on this and study this more.

Jean Strand stated with regards to the time, she wishes they would take the time into consideration. She does not believe it is proper to wake people at 4 or 5 in the morning as there are people that need their rest.

Norm Champagne, stated if you are going to take noise into consideration, then address Waste Management. If this is going to be a consideration, he needs to sleep an hour later also.

No one

- D. Ordinance #30-08/14/2002, Chapter 166, Vehicles and Traffic, Section 166-56, Schedule I, No Parking at Any Time – Portland Avenue. Sponsored by Councilor Jason Hindle, Transportation Advisory Commission. **(See Item 10A-2)**

No one

- E. Ordinance #31-08/14/2002, Chapter 166, Vehicles and Traffic, Section 166-57, Schedule J, Limited Time Parking, 2 hour, Water Street. Sponsored by Councilor Jason Hindle, Transportation Advisory Commission. **(See Item 10A-3)**

No one

7. MINUTES

- A. Regular Council Meeting – August 14, 2002

Taylor moved seconded by Taylor to accept. All in favor.

8. 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

Hindle reported he will combine his reports. The TAC met last month with a meeting explaining the public hearing re-naming process on Cataract Avenue and Rutland Street turning it into Sunset Drive. The public hearing process will be next month and that is when it will be voted on and will be discussed further at that time.

He reported the addition on Horne Street School is complete with the exception of a couple of areas. The previous council voted to spend 3 million dollars for this project. He was appalled that children had to eat lunch on stage due to a shortage of space. The project is complete and they are on budget, they now have 4 new classrooms. Eric, a child that had spoke earlier regarding this issue now has a classroom. This is a great step in improving one of our own elementary schools. He reported on the DHS mezzanine project saying they had debated the pros and cons of adding a classroom area for 11 months. They asked the school department to look outside the box, he showed a plan that has gone out to bid to add 4 classrooms. DHS has no handicap parking spaces currently and we have \$660,000 in the CIP, enough to build these classrooms. They are meeting at the end of the month to choose the contractor for this proposal. Putting next year's CIP aside, they are moving ahead in this project. Where is the additional \$500,000 going to go, a portion will go to administration and secondly they will air condition the auditorium. The amount of money generated in rental fees, can go into this fund. Taylor asked about the classrooms at the middle school, Hindle mentioned growth in this city again. Christenbury stated he understands the concept, however for the record we do have tuition students that go to that school as we enter in negotiation with Barrington and Nottingham, these costs need to

be factored into the addition of these rooms. Hindle says the district has put together a report card of the district and the school board had wanted him to mention it this evening..
Quigley had the same question as Christenbury, we need this and he is all for it. Hopefully we can get it done before the next school year.

C. COAST Bus – Councilor Ray Tweedie

The COAST committee held an executive meeting on 09/10/02 where the 2003 budget was unveiled in draft form. He stated he has a lot of numbers to review and will give a more detailed report at the next meeting.

Hindle mentioned that COAST bus and the school department have begun a new program which brings high school students to school. He stated he has heard that the new program was very successful, one bus had 61 students on it and had to come back because of a lack of space.

D. Planning Board – Councilor Parks Christenbury

Christenbury stated the city wide mailing went out last week on rezoning and there will be a public hearing next week on the rezoning changes. It looks like the changes will come in two packages. The Cochecho portion seems to generate quite bit of controversy. The chamber will be doing a presentation soon on the waterfront. A hotel is going into the north section of town very soon. His hat is off to Mr. Beecher and to the developer that is building the hotel. Also the PCA is building a new academy on their property. Concerns have been the congested traffic in that area. City staff has been working closely to minimize the traffic concerns out there. They have a very strict policy there and they do not have any problems with speeding etc., it is one strike and you are out.

Tweedie asked when the hotel would be open, Christenbury says the 2nd or 3rd quarter of next year. The mayor verified that the mailing had gone out on the rezoning.

He does not want tinkering right now with it. Christenbury says only the amendments went out in the mailing now, if you make a substantial change, you have to have another public hearing. Then it takes the council a 2/3 vote of the council to shoot down the ordinance, other than that it will pass.

Christenbury assured him they have gone to the public early this time.

E. School Board Liaison – Kevin Quigley

No report

F. Solid Waste Advisory Commission – Councilor Thomas Dunnington

No report

G. Seniors Advisory Committee – Councilor Roland Hofemann

Hoffman announced that the DOTSI and cell phones have been put on the back burner unfortunately right now. They are having difficulty obtaining cell phones, he is constantly probing to see what can help the seniors. He went to a meeting last week at WDH on a medication and a bridge program with 98 companies involved, this is for people that cannot afford drugs, only 30% of the seniors are involved, To apply, just call WDH and fill out the application, you must have a prescription and a financial age form. He continued there is something about Medicare that pays for pulled teeth only. Also there is a fall forum put on by AARP at Frisbie Hospital, they will discuss housing and in home support, they are probing all the time on these programs. He also spoke at the widowed support program last Sunday. Nossiff congratulated him on his work.

H. Arena Commission – Brenda Whitmore

Whitmore stated there is no report, but the next meeting is Tuesday, 9/17/02 and she will try to reschedule this meeting because of the public hearing on re-zoning. The mayor wants answers on the arena costs, his concerns are the second sheet of ice. He wants info transferred from Whitmore. He wants an update on the pledges and if they have come in yet. What is the status of billboards and banners that can be leased. Also, what were gross receipts last year and this year and what went on this summer to generate revenue. In-door sports had been dropped, that is the last thing that should have been dropped. We must face up to the costs. Whitmore has two requests into the City Manager for a complete audit report. The financial statements are hard to decipher, the 2nd sheet of ice is not insulated and cannot be used for ice in the summer, so it is just for indoor programs. She wants manager Beecher to look into this. The Mayor appreciates this information. There has been a drift that is not Whitmore's fault, he wants to know how many promises have been breached.

Hindle suggests an outside party be involved to take a look at the ice arena and their finances. He still opposes this facility. And wants an outside study done, the city manager jumps in on this, it is his intent with the \$100,000 that he would like allocated to find ways to reduce our costs in the operation. He will have a full report on the pledges and the audit won't be available until next month, this is an enterprise fund, this is run like a business and it is hard to figure out. Tweedie agrees we need to work on the revenue side. He feels there are other ways to look at the whole picture. He would like to make some sense of this. Taylor has a question, is it a fiscal audit or what kind of audit? The City Manager says a fiscal audit.

Taylor moved seconded by Whitmore and Hoffman to accept. All in favor.

9. CITY MANAGER'S REPORT

Mr. Beecher began by stating that through the month of August the city has received 1.5 million in revenue with 83% of the year still remaining and has spent 3.4 million or 20%. There were 48 building permits issue in the month of August with a value of 2.8 million and have collected \$15,640.00 in fees. He stated that Beth Thompson is currently visiting a company in Tennessee who is interested in property in Enterprise Park. He continued about a company that wants to come to Dover but needs additional parking so he is requesting the council waive the traditional way of disposing of property and negotiate with these folks to waive the application procedures as set forth in the ordinance on city owned property to allow the city to work out a lease. Christenbury moved seconded by Tweedie and Dunnington, the Mayor abstained in the discussion. He prefers not to sell it but he would like permission to work out a lease on it, they have not gotten far in the discussions as yet. Taylor says it looks like we might be cutting into Central Avenue. The city manager says no, that is existing curbing. Christenbury is familiar with this lot, he asked how many more spaces are we negotiating. The City Manager stated they need space for 80 employees. Christenbury asked about Stancel's recommendations. The City Manager stated they are in agreement and the only issue is with Pete Lavoie and some utilities. He stated he feels this is in the best interest of the city. He would like to move on this and he would like to short circuit the process. Christenbury would approve with the caveat that this is not a \$1.00 deal, it must be fair market value, we need to negotiate a fair market value. Dunnington is familiar with this parking lot and it is very dangerous, his concern is of safety, will this be for customers or just employees that will be there all day. The city manager assured them that this still would go before the Planning Board and that for the most part the employees park in the morning and stay throughout the day and would not create much more additional traffic. Motion passes on a roll call vote of 8-0.

Hindle comments on the old junior high building across the street by placing the senior advisory committee there, he would like a satellite portion of it, there has been a lot of talk about groups going in there. He feels the caveat of having the seniors involved would be very beneficial to the costs. He would like the City Manager to move ahead by looking into federal money to help senior issues, 3rdly

transportation issues, seniors should be allowed to park in the library lot and the Coast bus and downtown trolley will be here next summer. He wants us to look at expanding these facilities. He has concerns on the sidewalk of Elm Street, there is a portion that has not been maintained, fixed or improved. He gets a lot of phone calls on this issue, he also has a question on Atkinson Street where we have spent money and he is not sure what improvements we are doing there. Lastly, he has had discussions with City Manager and City Clerk on how to open up government to the public and one area that has is done this in Oregon. They publish their resolutions on their website. He has asked if this is doable and hopefully within a month this can be done, some councilors have had some concerns and the info will be available on the website. Christenbury asked the City manager to start the ball rolling on obtaining the armory for a ward two polling place, along that line, the current courthouse may be a polling place. The City Manager responds relative to the sidewalks, he thanked them for all the money they had approved. Also to Hoffman, the city will finish up the sidewalk in front of the courthouse, Hoffman likes the senior satellite thing, he feels that is a good idea. The City Manager says the senior center has not been extremely receptive to this idea when the City Manager looked at the potential of the current courthouse location. Taylor moved seconded by Whitmore to accept. All in favor.

10. UNFINISHED BUSINESS

A. ORDINANCES IN 2ND READING

1. Ordinance #29-08/14/2002, Chapter 97, Dumping and Rubbish Collection. Adding Section 97-19, Composting Operations. Sponsored by Councilor Tom Dunnington.

Dunnington moved seconded by Tweedie to adopt. Dunnington says everybody knows the background on this. They have received an opinion and this is a legal operation. He feels they have come up with a reasonable approach to this area. Putting personalities aside, this operation is nothing like it started out like a year ago. This can be on the books and changed if it does not work. He asks the council to adopt it without change, there has been a request to change it or omit the hours, he is not in favor of this. He knows he cannot restrict farming, they feel a 14-hour time span is adequate. Whitmore appreciates the amount of work that has gone into this ordinance to meet the needs and to let the landowner use his property to its full potential. She is not sure about this time frame, she feels we should not restrict it and also about the term offensive odor, how well can we enforce such a term. Tweedie echoes her concerns and agrees with Attorney Schulte's recommendation on taking the hours out. Dunnington says without this type of language, you cannot enforce it. An offensive odor may be inherent from time to time. There must be flexibility in this area, they recognize this operation will have a little bit of noise to the operation itself, but feels that when kids are going to bed, there is no reason for the noise to be emanating. This is not unreasonable; he finds it hard to believe that the composting cannot be accomplished. Tweedie says a farmer's day does not start at 7 am, the ordinance has nothing to do with the operation of the farm, it only has to do with the composting facility. Hindle says we already have an hourly ordinance for offenses on the books. Quigley would like to see testing of water and quality of air and quality of odor in that area, he would like to see the hours kept in this ordinance. We have a neighborhood going to the ZBA, if we pass this tonight, what repercussions are there for them going before the ZBA. Are we stepping on anyone's toes. The City Manager says no they would not be, this ordinance would apply city-wide, the question is specific to this operation. You can put this off until next month to pass it, he would like to table to it next month. The City Manager says we can move it to a third reading, Hoffman wants to know who are the enforcement people. The City Manager stated, depending on the complaint, it would be code enforcement. Whitmore is now all set with the hours of operation, she asked will a vendor that brings in stuff at 6 am to this facility be in compliance? Christenbury wants to defer this. Taylor asks was there any thought given to having the composting facility enclosed in any way. Dunnington says they did not discuss this issue. Also there is an ordinance on truck traffic in the city. Christenbury wants a third reading, subject to interpretation,

where does farming start and composting end. We are now discussing a particular case, it would be appropriate to refer this to the ZBA, Taylor seconds this motion.

The mayor says a lot of thought went into this ordinance and any ordinance could be subject to this type of attack. He stated that in law school there is a saying that you can't define pornography but you know it when you see it and the same goes for odor, you know it when you smell it.

Motion to refer to a third reading on 10/09/02 passed unanimously.

2. Ordinance #30-08/14/2002, Chapter 166, Vehicles and Traffic, Section 166-56, Schedule I, No Parking at Any Time – Portland Avenue. Sponsored by Councilor Jason Hindle, Transportation Advisory Commission.

Hindle moved seconded by Tweedie to adopt.

Hindle refers to Christenbury's amendment, which is simply correcting the directional indications.

Christenbury moved to amend, seconded by Quigley. All in favor of amendment. Motion to adopt as amended passed on roll call vote of 8-0.

3. Ordinance #31-08/14/2002, Chapter 166, Vehicles and Traffic, Section 166-57, Schedule J, Limited Time Parking, 2 hour, Water Street. Sponsored by Councilor Jason Hindle, Transportation Advisory Commission.

Hindle moved seconded by Tweedie to adopt. Passed on roll vote of 7-0, Christenbury out of the room.

B. ORDINANCES IN 3RD READING

C. RESOLUTIONS

A 5-minute recess was taken at 9:30 pm.

1. Resolution RE: Fiscal Year 2003 Budget Amendment #1. Sponsored by Mayor Alexander G. Nossiff by Request.

Taylor moved seconded by Tweedie to adopt. Hindle asked for background information, the city manager deferred to Tweedie. Hoffman is opposed to this on fiscal responsibility grounds, he feels these programs such as ROTC are not really necessary. Taxes are going up again and he is sick of it. Hindle will support the resolution. He feels this needs clarification; the \$650,000 has already been bonded by the last council. Christenbury will also support this resolution. He stated, we gave both the city and the school board the incentive to save, the other side would have been to not support this and the city would have spent all of this money. Whitmore commented, a portion of this will be invested to study the arena revenues. Dunnington will support this resolution also. He feels we owe it to the school department. The Mayor does not travel in the same circles as the 5 people that have spoken travel in. He says the citizens want to put an end to the runaway spending. He continued Christenbury's comments are absurd. Christenbury states point of order, he wants to review the council rules. The Mayor is allowing Christenbury to digress, Christenbury read the rules that state they will not engage in personalities. He read several portions of the council rules. Christenbury feels there are several violations of the rules this evening. The Mayor is speaking in his turn of comment, he is looking for a rule on points of order.

The mayor continued by stating that when the budget was deliberated in June, it is untrue that we gave the School Department an incentive because the surplus was virtually 100% in the bank. Secondly, we run surpluses year over year. During the budget session Mayor Pro Tem Taylor brought up that we had recently discovered that the projected health care costs that were built into the budget were grossly inflated and at no time do we ever make appropriate adjustments for that during the budget process.

Thirdly, when “we” deliberated and passed the budget, he points out that 5 Councilors passed the budget, 3 were opposed and he was unable to vote, but would have voted against it. He feels it is not appropriate to say “We” passed the budget. He stated he will hand it to Chairman Skaltsis and Mr. LaSelva because they did make significant cuts before presenting the budget to the Council, but feels the same can’t be said for the city side. He stated the budget was passed with lightening speed and almost no discussions and that any cuts were insignificant and disproportional. This council was elected to control spending. Quigley comments, what incentive is this, he will vote no on this issue. Tweedie states if you have a surplus of money, you would normally return it to the fund balance, this will allow a one-time purchase of supplies. Everyone is upset about the taxes going up but these are things we need to run the city. He stated this does not affect the tax rate. Taylor stated she heard it last year about this one time purchase and it did get built into the budget so she will not support this. Whitmore heard Quigley say this is three quarter of a million dollars but it is actually a total of \$250,000. The Mayor clarified that only 5 of the 9 councilors voted for this issue. The mayor is going on about drawing the line in the sand, and that he is paying attention to the people at home. There are only 4 people sitting here that care about them. He discussed the police cruiser resolution stating that Christenbury had an issue with city vehicles during the budget process but now has dropped it. Christenbury wants to know why we are still running in circles, we passed the budget in June, this is now 9/11, this is absurd, there are more pressing issues in this community. We cannot get past this budget. Hindle mentioned the fact the mayor presented that spending is out of control, and you said you were opposed to the ice arena. Hindle pointed out that the Mayor also voted for the public works garage. We also had a tax increase of well over \$3.00, he went on saying he is helping the elderly, the budget figure was grossly excessive says the Mayor. Whitmore says she has worked hard for the citizens, we have not brought forward any additional spending on this council, she would have appreciated talking about this at budget time, not now. She will support this, why do we not move forward and give direction to city staff.

Motion to adopt failed on a roll call vote of 5-3 due to no 2/3 vote, Hoffman, Taylor and Quigley opposed.

2. Resolution RE: Authorization of Charter Commission. Sponsored by Councilor Kevin Quigley. **(TO BE REMOVED FROM TABLE)**

Quigley moved to remove resolution from the table, Hindle seconds the motion.

Motion to remove from table passed on an 8-0 vote.

Quigley explains that Wattendorf wants this passed.

Hindle makes an amendment that the charter commission will go in effect in January, Tweedie seconds this motion, all in favor. Quigley wants the charter commission members picked at the December meeting, seconded by Hindle, all in favor of amendment. Tweedie asks who will appoint them.

Quigley says they will take volunteers, he asked the City Clerk to help recruit people, per the resolution.

Quigley moved seconded by Whitmore to pass. Motion to adopt passed on an 8-0 vote.

11. NEW BUSINESS

A. CONSENT CALENDAR

1. Tag Permit – Knights of Columbus Council 807
2. Raffle Permit – Citizens for a Seacoast Aquarium
3. Parade Permit – Knights of Columbus Council 807
4. Parade Permit – HUB Family Resource Center
5. Block Party Permit – 4th Annual Alden Woods Halloween Party
6. Parade Permit – Dover Little Green Cheerleading and Football

Taylor moved to grant Items 11A 1-6, seconded by Tweedie. Motion passed on an 8-0 vote.

B. RESOLUTIONS

1. Resolution RE: Award of Purchase Order for a Conservation Easement Acquisition and Associated Charges. Sponsored by Councilor Parks Christenbury.

Christenbury moved second by Tweedie to adopt.

Christenbury thanked Anna Boudreau and the lady with her, members of the Open Lands Committee, this resolution needs their approval to spend up to \$25,000 to help put some of the most pristine area of the 200 acres into a conservation easement. We have the opportunity to leave a legacy for the future in adopting this. The mayor says this a no brainer for the citizens, this has a \$0 cost to the tax payers. Dunnington asked if this is the extent of the county parcel, where you see the black is this where they currently own. They will still own the land, in her opinion it is better to go to the land trust, the green on the chart is the total area that would be in conservation.

2. Resolution RE: Award of Purchase Order for Four (4) Police Cruisers. Sponsored by Mayor Alexander G. Nossiff by Request.

Taylor moved seconded by Tweedie to adopt.

Nossiff stated the Council needs significant background on this resolution. The City Manager deferred to Captain DeColfmacker. Captain DeColfmacker says it is determined by the fleet maintenance staff that determines what we retire, we have a secondary unit. He stated take the secondary units and move them to planning or recreation, the need is there. Christenbury asked how many horses would it take to replace 4 cars, Christenbury supports this resolution. Captain DeColfmacker says he must know that his house is for sale. The Mayor has the highest respect for Captain DeColfmacker. The mayor asks can we wait on these cars. He asked, when was the last time we made one of these purchases, can we purchase them in 6 months. Captain D says no not in 6 months, the vehicles are sitting on a lot and they may go to another community by then, there is an issue of supply. The mayor is not questioning Sam's ability as a mechanic. Again he asked when was the last time we purchased vehicles. Captain D says the last time we purchased 5 vehicles was a couple of years ago and the last one went on line a few months ago. If we purchase them now, it takes 12-18 months to get them on line. Taylor wants to know about the number of city vehicles, the city manager tries to answer her question.

It is 10:31 pm, Christenbury motioned to suspend the rules, seconded by Tweedie.

Motion passes on roll call vote of 7-1, Hoffman opposed.

Mr. Beecher continues his explanation to Taylor on vehicles. Dunnington does not want to mess around with cruisers, he continues if we don't do this on a 5/4 basis, we will be replacing the whole fleet, after much discussion, Hoffman wants to put this off for six more months. Quigley says you will be over the bid time limit, the mayor asked do you have this in writing. Captain D assures them he does.

Tweedie calls the question, Whitmore seconds the motion, all in favor.

Motion to adopt passed on roll call vote of 7-1, Hoffman opposed.

3. Resolution RE: Authorization to Issue Purchase Order to Different Vendor (Transcor) for Laptop Computers for Mobile Data System Expansion Project. Sponsored by Mayor Alexander G. Nossiff by Request.

Taylor moved seconded by Tweedie.

Motion passed on an 8-0 roll call vote.

4. Resolution RE: Award of Blanket Purchase Order for Both Children's and Adult Books. Sponsored by Mayor Alexander G. Nossiff by Request.

Taylor moved seconded by Whitmore.
Motion passed on an 8-0 roll call vote.

5. Resolution RE: Establishing a Public Boat Launch. Sponsored by Councilor Brenda Whitmore, Councilor Ray Tweedie, Councilor Parks Christenbury, Councilor Jason Hindle and Councilor Tom Dunnington.

Whitmore moved seconded by Tweedie to adopt.

She explained the resolution, Tweedie offered an amendment to change "within 6 months" to "by December Council Meeting," seconded by Hindle.

The mayor agrees that we need to do something, but there may be a whole lot of things that must be accomplished like the dredging, there is the possibility of getting Fish and Game to help pay for this, but he does not know how we get there right now. He does not know if we are sitting on the dredge, Christenbury fully supports the boat ramp, he wants to use it. All we are doing tonight is they are concerned that staff needs to start working on the project. And we have never formally instructed staff to address the project.

If Fish and Game does it, it will change the caveat, Christenbury feels 6 months is fair and we will all be here. There may be federal funding available, he wants to take the 6 months to complete it, he asks that the amendment be withdrawn. He commended Whitmore for bringing this to the forefront.

Tweedie withdraws the amendment.

Hoffman says if it is built too soon, everything else will be built around it.

Dunnington says the intent is to make the commitment, not to put it in right now.

Motion to adopt passed on an 8-0 vote.

6. Resolution RE: Renaming Portions of Renumber Section of Cataract Avenue. Sponsored by Councilor Jason Hindle.

Hindle moved to refer to a public hearing on 10/9/2002, seconded by Tweedie. Motion passed on an 8-0 vote.

C. ORDINANCES IN 1ST READING

1. Ordinance #32-09/11/2002, Chapter 131, Offenses, Section 131-6, Consumption and Possession of Alcoholic Beverages. Sponsored by Mayor Alexander Nossiff by Request.

Taylor moved to refer to a public hearing on October 9, 2002, seconded by Tweedie. Motion passed on an 8-0 vote.

2. Ordinance #33-09/11/2002, Chapter 99, Eating and Drinking Establishments, Add Section 99-12, Service of Alcoholic Liquor or Beverages. Sponsored by Mayor Alexander Nossiff by Request.

Taylor moved to refer to a public hearing on October 9, 2002, seconded by Tweedie. Motion passed on an 8-0 vote.

D. COUNCIL CORRESPONDENCE

12. MAYOR'S REPORT

The Mayor re-appointed Walt Colby to the Skyhaven Airport Commission. Christenbury seconds the motion, all in favor. Taylor moved seconded by Quigley to accept Mayors report. All in favor.

13. COUNCIL MATTERS OF INTEREST

Quigley wants a date to do the managers evaluation. The mayor wants to do it at 6:30 next Wednesday night. Tweedie wants an hour so they would need to start at 6pm. The consensus was a non-public session will be scheduled at 6:00 p.m. on 09/18/02 before the workshop.

Hindle talks about 9/11 and the solemn day for our nation, a year ago today we lost a lot of our own people and we should stop and commend our police and fire department.

14. ADJOURNMENT

Quigley moved seconded by all. All in favor at 10:55pm.

**Judy Gaouette,
City Clerk**