

**MINUTES
DOVER CITY COUNCIL
REGULAR COUNCIL MEETING
OCTOBER 9, 2002
CITY COUNCIL CHAMBERS
7:00 P.M.**

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Taylor led the Pledge of Allegiance.

3. ROLL CALL

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

4. PROCLAMATIONS/AWARDS

NONE

5. CITIZEN'S FORUM

Ron Huml, 99 Mast Rd. – began by thanking the School Board for changing their budget process as he feels that the current system is the worst he has ever seen. He then made several other recommendations to improve the process. Next, he discussed the \$100,000 budget amendment on the agenda stating that they have still been able to fund the Resource Officer and feels that if they haven't been able to buy supplies with that size budget, which is a 10% increase over last year, then there is either a lot of waste going on or it is a scare tactic. He then addressed Councilor Tweedie asking if indeed it was his intent to place restrictions on the surplus money as was stated in the minutes of June 12, 2002.

Councilor Tweedie responded by stating that he did not place any restrictions on the use of the surplus as that is the job of the City manager. He concluded that if it is so stated in the minutes, then they are incorrect.

Frank Biehl, 183 Spur Rd. – applauds the Council for looking for tax relief procedures but feels that the burden shouldn't be shifted from one group to another.

Patricia Finn Almy – 17 Mast Road Ext. – urged the Council to give the School Department back the \$100,000 surplus as promised. She stated that the public has seen enough unethical behavior in the corporate world and feels that it should not happen in the public sector. She then read the definition of ethics and urged the Council to stop short changing the children and use the tax dollars for the children.

Dorothea Hooper, 84 Katie Lane – School Board member, taxpayer and aunt of 3 children in the Dover School system – asked the Council not to play political games with the children and to work with the School Board as a team. She stated that spending money on the children is not taking away from seniors and that the \$100,000 was a surplus that was promised to the School Board. She explained that during the budget process there was no fat left to cut, but they told the School Administration to make cuts anyway and the saving grace was going to be

getting the \$100,000 surplus money. She concluded by imploring those who voted against it to change their minds and do the right thing.

Susie El Kouarti, 12 Bellamy Woods – 5th grader at Dover Middle school – asked the Council to please give back the money.

Phil Morrissette, 3 Columbus Ave. – spoke regarding the 2 proposed resolutions for elderly exemptions and presented a petition from members of the senior center supporting this exemption. He then discussed a petition that was presented to the Council several years ago with 276 names, which called for the senior center to remain in its present location as it has been there for 30 years. He stated the current location is handicap accessible and has recently had some improvements made. He commended Councilor Hofemann for his work as the Senior representative and feels that other Councilors should make a point of visiting the Center. He explained that the building is used by other groups as well and that there is plenty of parking close to the building. He stated that the McConnell Center does not have easily accessible parking and would be difficult for many seniors to walk that far. He continued that they heard about the possible relocation in the press and had asked the City Manager to meet with them and are still waiting for that to happen. Finally he discussed the budget process stating that the Council and School Board should both approach it with a 0% increase in mind. He is concerned that the coalition of 5 people is obstructing the city business and that the Council is not in tune with the taxpayers who are having problems meeting their obligations. The new tax assessments will be adding on to values and that combined with the tax increase will be a double whammy on the taxpayers.

Matt Mayberry, Dover Pt. Rd. - spoke in favor of the Whitmore/Tweedie elderly tax exemption resolution as it is more far reaching than the original proposal. Mayor Nossiff interjected that he has consulted with the City Attorney regarding the two overlapping resolutions and because neither of them would have an effect on the next tax year, he feels they can be held off until January or February. Mayberry feels that the sooner the senior citizens can get an answer the better they can plan for the future.

Warren Lupien, 1 Berkshire Lane – began by discussing the composting issue stating that he feels the city has wasted enough time and money on this issue and the fact of the matter is that this property is a farm and therefore it will smell and be noisy. Next he discussed the senior tax exemption stating that though they may give a break with one hand, they end up taking it back with the other with projects such as the new public works facility and the ice arena. He urged the Council to change the charter to allow the Mayor to vote again. He concluded by discussing some major issues facing senior citizens such as prescription costs, rising fuel costs etc and urged them to call Governor Shaheen's office for information on getting help.

Norm Champagne, 13 Church St. - said he has nothing to say regarding the school surplus resolution as he feels it is already a done deal. He discussed the proposal to serve alcohol on the sidewalks and feels that this is not New Orleans and enforcement will be a problem. He stated that the people in the audience who are concerned about their children should be concerned with the issue as well.

Joanne Dodge, 17 Harmony Lane – stated that she is glad that there are proposals for an elderly exemption but feels that like planting a shade tree, it takes years to actually see the benefits and would like to see something be done more quickly and to pass the new proposal and table the older version. Secondly regarding the senior center, although she is not endorsing moving the facility, she does feel that the program would benefit greatly from having additional space and gave examples of other communities' programs.

Jessica Tweedie, 65 Tideview Dr. – stated she is speaking as a taxpayer and not as Councilor Tweedie's wife as she does not get involved in the political scene. She spoke in favor of giving the School back the \$100,000 surplus because it was promised to them during the budget process and as someone who may someday have children in the Dover schools she would like to have confidence in the system. She then discussed the upcoming election stating that people will be voting for those who upheld their campaign promises to represent the will of their constituents and not break promises.

John Scruton – 99 Sixth St – discussed the proposed rezoning and the need to obtain more open space. He stated that the rezoning will cause more traffic etc and does not help lower taxes. He then read and distributed an article regarding open space.

Mike Palczynski – 371 Middle Road – stated that the need for the \$100,000 can be directly traced to the schools where his son's teacher has bare shelves because she is new and hasn't built up her own supply surplus, but doesn't have the funding to do so at this point.

Karene Wallis, 28 Governor Sawyer Lane - asked that the Council keep their promise to give back the \$100,000 because if they don't keep their promise then how can we teach our children to keep their promises.

Nick Skaltsis, 6 Erik Drive – School Board Chair – stated he is here to collect on a promise made by the Council during the budget process. He agrees with Mr. Morrissette that it is unfortunate that the two bodies can't work together. He stated that during the budget process the School Board was told to cut \$300,000 which they did with the caveat that 1/3 would be returned at the close of the FY02' budget. The budget was passed on a 6-2 vote and he thanked those who voted in favor. He finds it difficult to understand why he is here for the 6th time to discuss a budget that is already 1/3 of the way through. The bargain was not made with he and the School Board, but with the children and taxpayers. He reminded the Council that they do not have line item authority only bottom line. Secondly regarding the Student Resource Officer, he explained that an agreement was made to split the cost of this position with the Police Department and it is not a part of this issue. He concluded by asking that those who are going to be voting in favor and not support any amendment to reduce the amount.

Karen Gray, 574 Sixth Street – stated she spoke at the budget public hearing requesting that the additional 3rd grade teacher position be funded and thanked the Council for doing so and urged them to follow through with their promise.

Stephanie Keegan – 58 Cherrywood Drive – thanked those Councilors who are in favor of giving back the promised \$100,000. She stated she works at the Alternative School and the students know what is going on. She understands those who feel they need to stand up for what they think is right, but feels that they have a responsibility to follow through with what was promised.

Kelly Zuchowski – 47 Fieldstone Drive – spoke in favor of the \$100,000 as Dover will continue to grow and needs the money to fund the school system.

Valerie McKenney, 12 Nile Street – began by expressing her disappointment at the lack of attention some Councilors give to the people speaking at the podium as well as the political games she believes are being played. She feels that name-calling and finger pointing are inappropriate and unprofessional and that they can disagree politely and respectfully. She feels that a promise was made and if it is broken, then this will become a political issue.

Tyler Foss, 24 Rochester Neck Rd – agrees that people are having a hard time but funding the 100,000 that was already promised is not going to hurt anybody.

Peter Schmidt, 53 Fourth St – asked that the 100,000 be funded. He then discussed the recent attack of a Dover Middle School student by other students and stated that this was a dismaying and deplorable act. He asked the Council to take a stance on this issue.

Dennis Bentley, WPS Principal – clarified that supplies and text books were already significantly reduced during past budgets and the school board was trying to bolster these dwindled supplies. He invited the Council to come by the school and show him where else he can cut back.

Jack Story, Chamber President - announced the Council candidate debate that will be held on November 10th at 7:00 p.m. and will be televised. He then stated that he is also in support of the proposed ordinance to allow alcohol served on the sidewalk as he feels it is a natural extension to a responsible business owner who would still have to be permitted and follow the guidelines as set by the State.

Eric Sweetser – 2 Wallingford Street – not here as a representative of SAVE Dover but as the father of a 2nd grader at Garrison School. We need to teach children to keep their word and supplies need to be bought.

Phil Morrissette – 2nd time – stated that it is important that the Senior Center hear from the Council what their intention is for the center as there are repairs that need to be made.

Hindle moved to suspend the rules to bring 6B up for public hearing, seconded by Tweedie. Motion passed on an 8-0 roll call vote.

- B.** Resolution RE: Fiscal Year 2003 Budget Amendment #2. Sponsored by Councilor Parks Christenbury III, Councilor Raymond Tweedie, Councilor Jason Hindle, Councilor Brenda Whitmore and Councilor Thomas Dunnington Jr. (***SEE ITEM 10C-3***)

The Mayor opened the Public Hearing asking if anyone wished to speak:

Matt Mayberry encouraged the Council to hold out for the full \$100,000 and not to vote for a compromise. He stated it will become a political issue if the promise is not kept.

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

Hindle moved to suspend the rules to bring item 10C-3 to consideration, seconded by Tweedie. Motion passed on an 8-0 vote.

The Mayor called a 2 minute recess at 8:15.

Meeting was reconvened at 8:25.

Resolution RE: Fiscal Year 2003 Budget Amendment #2. Sponsored by Councilor Parks Christenbury III, Councilor Raymond Tweedie, Councilor Jason Hindle, Councilor Brenda Whitmore and Councilor Thomas Dunnington Jr.

Christenbury moved to adopt, seconded by Tweedie.

Christenbury reviewed the background and budget process up to this point. He explained that when the budget was passed on a 6-2 vote that it was a super majority and it was implied that this promise would be kept. He feels it is outrageous to be still discussing a budget that was passed in June and is 1/3 over which is taking away from other issues the Council should be dealing with.

Dunnington is also dismayed to still be dealing with this budget issue. The council made a commitment which he feels was morally binding if not legally, and there is a misconception that this will impact the budget and increase taxes because it won't. The School Board was told that if they did "A" then the Council would do "B" and we now need to do it. He is concerned that for the last 3 years we have been fostering a relationship with the School Board and he had felt that they had worked as a team during the process and if the vote is negative, it will destroy this relationship.

Taylor stated she has never broken her word and she did not vote in favor of the budget and did not promise anything. She stated in checking back over the last 15 years the school has never had to come back for supplemental amendments to their budget and have been building in the increases year after year. We can't afford to continue this practice. She stated that she won't vote for something to be re-elected by special interest groups and her vote isn't for sale.

Hindle stated this is his 3rd year on the Council and he has always kept his promise to the taxpayers regarding education. He felt that the schools needed to be renovated and children need textbooks. As Ward 5 Councilor, prior to redistricting, most of the schools were in his Ward and during the last Council he took the Councilors on a tour of the school buildings and showed them how badly they needed to be repaired and/or renovated. He stated that he has voted against all ice arena funding, but feels that the money does need to be spent on education.

Whitmore stated she will keep her promise but it is not an election issue to her. She stated there is a "special interest" involved and that is the children of Dover. She stated that Valerie McKenney's comments make her sad because several Councilors have attended School Board meetings, but those who voted against the amendment did not. She does not have children in the school system, but takes the negative comments personally because she has worked hard for the children.

Hofemann read an e-mail from a constituent and his answer back. He stated he understands and respects that persons opinion but feels that the white-hot spot light is only on the 100,000 while the school is spending millions on non-essential programs ie., ROTC. He stated the school has already spent the money but he didn't make the promise. He is impressed with the comments from the public to teach children to keep their promises and feels he is keeping his promise to keep expenses down.

Tweedie began by apologizing for the "2-minute" recess that was considerably longer. He is disgusted to be still discussing this issue and stated that the Council needs a sixth person to step up and support the democracy of the city Council which passed the budget with a super majority and therefore did promise this \$100,000 back. The Council does not have line-item authority on the school budget and a

promise was made. He urged the public to show their unhappiness at the polls at the upcoming municipal election if this does not pass. He stated his grandfather taught him that a man is only as good as his word and he intends to keep his.

Quigley stated he didn't vote for the budget and he won't vote for this amendment either. He stated he was willing to make a compromise offer, but after hearing several speakers say not to support any compromise he will not offer it. He stated he cannot get the story straight as to where this money is coming from or where it will be spent and doesn't understand the resource officer situation. He wants the school board to stop budget building and wants to know what positions are considered essential and which are non-essential.

Christenbury moved to suspend the rules to allow Nick Skaltsis to speak to Quigley's comments, seconded by Whitmore. Motion passed on an 8-0 roll call vote.

Skaltsis stated he feels like he needs to have an attorney present to answer Quigley's indictments of the School Board. He stated he could stand hear and re-hash comments overheard at a public event but doesn't want to go through anymore he said/she said. He asked that the Council simply vote their conscience as they were asked to cut \$300,000 from the budget which they did, and in return were promised the 100,000 surplus would be returned. He then explained the resource officer at the high school is not a part of the equation and hasn't been because the police department is paying half and the school board found money to pay the other half in the budget so that position could be kept.

Nossiff stated he can't vote but he is opinionated. He stated that the lines are continuously blurred and going back to the budget there were 5 not 6 people who voted on it and passed it and it takes 6 people to amend it. He stated it has been obvious that it would be difficult to get a 6th vote to pass this amendment. He discussed Taylor's history on the Council and her mention of the building up of surplus in the budget year after year. He feels the statements comparing their ethics to Enron and broken promises are not appropriate and 4 people on this Council won't disenfranchise themselves over rhetoric. He stated that if there is a student in the system that is lacking text books, then he would like to know about it. He feels that they shouldn't be waiting for this 100,000 to buy supplies and books out of a 32 million dollar budget, and if so, then they should reexamine their priorities. The Council has made significant investments to the schools in the last few years, but feels that the budget building has morphed. He discussed the resource officer amount of \$25,000 already being funded and feels that this was supposed to be funded with the surplus and therefore, the amount can be amended to \$75,000, but they won't compromise. He continued by discussing the impact on the citizens of continuous tax increases and stated that things must be handled differently including contracts. He stated that no one doesn't want to educate children, and this is not about broken promises. He gives the 5 people who support this credit for doing what they promised, but the other 3 councilors are representing other constituents who don't live in \$400,000 homes and can't afford to retire.

Quigley moved to call the question, seconded by Taylor. Motion failed on a 3-5 vote.

Tweedie feels that the numbers being thrown about are not accurate and feels that any of the Councilors who want to worry about what the school is spending and where should run for the School Board. He urged the public to vote on November 6th.

Dunnington stated that in a democratic society the majority vote is the word of the Council. He urged those opposed to rethink their position.

Motion to adopt FAILED on a 5-3 roll call vote (2/3 majority was required for passage), Quigley, Taylor and Hofemann.

RECESS/RECONVENED

6. PUBLIC HEARINGS

- A. Resolution RE: Renaming Portions of Renumber Section of Cataract Avenue. Sponsored by Councilor Jason Hindle. **(SEE ITEM 10C-2)**

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

- B. Ordinance #32-09/11/2002, Chapter 131, Offenses, Section 131-6, Consumption and Possession of Alcoholic Beverages. Sponsored by Mayor Alexander G. Nossiff by Request. **(SEE ITEM 10A-1)**

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

Chris Kozlowski, owner of the Crescent City Bistro thanked business officials for the great treatment he has received since being in business here. He stated he approached Chief Fenniman about the possibility of serving beverages on the sidewalk to extend full service and atmosphere to the outside and help rejuvenate the downtown area. He feels that this will allow people to enhance their meal experience and it won't be a bunch of beer drinkers on the sidewalk.

He will be working with the police department to follow all of the rules and regulations involved and state liquor commission and have to go through all of the right channels. He will be building some walls to enclose the area and will hire extra staff to clear tables and it will be monitored closely. He has 25 employees now and could do the sidewalk anyway, but feels that alcohol will enhance the area.

Tweedie feels that it is up to the chief and the liquor commission to decide.

Nossiff wants questions asked.

Hindle what is the time period it will be opened.

Kozlowski stated it will be weather permitting. He will have 2 opening/closing glass walls May through September/October. He explained that they will need to provide 5' of walking space and there is 11' now with 6' allowed for the tables, so 6-8 will be out there.

Hofemann where exactly is this going to be.

Kozlowski stated it will be on the Washington Street side to the right of the entrance.

Dunnington stated he has reservations about this. He stated that this particular establishment is nice, but there may be other establishments that want to do the same thing and what control will we have.

He would like to have the Police Chief and Building Inspector available to answer questions.

Kozlowski continued to explain his intentions.

Whitmore feels that the establishment is very good, but also wants more information as it could affect other businesses.

Mayberry said that Portsmouth just went through this with another restaurant and suggested that they contact them.

Deb Dineen, Dover Main Street explained that ordinance allows ability to apply for a special permit but it won't automatically happen. She feels it is important to help the downtown area and economics.

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

- C. 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. **(SEE ITEM 10A-2)**

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

7. MINUTES

- A. Regular Council Meeting – September 11, 2002
- B. Special Meeting/Workshop – September 18, 2002

Taylor moved to accept seconded by Dunnington. Motion passed on an 8-0 vote.

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 stated the TAC will meet on October 16th. The JBC has recommended awarding the contract to Whitcher Builders.

- C. Planning Board – Councilor Parks Christenbury

Christenbury stated that the Planning Board was in session until midnight on 10/08/02 to pass the proposed zoning ordinance that will be presented to the Council in the near future. He explained that we cannot stop housing and the planning board has tried to rezone twice in the last decade. The Planning staff has put in a lot of time and work in getting 35 proposals to the Council and he explained that there needs to be a 2/3 vote to remove an item from the passed Planning Board proposal. He stated that this proposal will not prevent the building of residential buildings but it will help to redirect it. He asked the Council to remember that this proposal was passed unanimously by the Planning Board after many hours of deliberation and asked that the Council support it when it comes up for vote.

- D. Solid Waste Advisory Commission – Councilor Thomas Dunnington

Dunnington stated that he will be submitting a resolution at the next meeting to name the new Recycling Center for Earle Goodwin which will be opened in November. He stated that the new facility will be open an additional 10 hours a week. He announced that there will be a Spring Clean-up the week of May 12-16, 2002. The next meeting is scheduled for October 17, 2002.

- E. Seniors Advisory Committee – Councilor Roland Hofemann

Hofemann attended an AARP meeting regarding drug programs for seniors and also attended 8 ribbon cuttings. He toured the new apartment building on Washington Street, which will house residents 55 and older. He welcomed the Russian delegation to the City, which was sponsored by the State Department. Next, he stated the members of the Senior Center do not want to be moved from its existing facility. He also attended a conference with Senator McCarley at the Pease International Tradeport. He concluded by inviting people to attend the Forum sponsored by the AARP at Frisbie Hospital in Rochester on 10/22/02.

- F. Arena Commission – Brenda Whitmore

Whitmore stated the Commission met last month and were able to review the data from the first full summer of using both sheets of ice for off-season activities. She thanked Councilor Tweedie for volunteering to help review the data to help understand the operations of the arena. They have requested various background information from the staff which will help them decide how the facility will be used in the future. She recognized the staff of the Arena who are working hard to develop programs to make it a successful operation.

Nossiff stated he appreciates the work being done on this sore toe. He stated he had been unaware that the city had hired Ray Terrell to manage the facility and feels he is very qualified for this task.

Taylor moved to accept the reports, seconded by Dunnington.
Motion passed on an 8-0 vote.

9. CITY MANAGER'S REPORT

See written report.

Mr. Beecher stated that the new recycling center may not be open November 1st due to leaf collection. Taylor asked about expenditures and if the budget cycle is July 1st to June 30th but these figures are year to date

Beecher explained that we have spent 30% so are basically right on target and this is fiscal year to date not calendar.

Parks asked when will we have a report on the rail station.

Beecher deferred to Chris Parker who stated that negotiations are in the final process this week.

Christenbury stated if we do that, when will they start operations.

Chris doesn't know but the target is beginning of November.

Taylor moved to accept the report, seconded by Hindle.
Motion passed 8-0.

10. UNFINISHED BUSINESS

A. ORDINANCES IN 2ND READING

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

Taylor moved to adopt, seconded by Tweedie.

Christenbury stated there are 2 separate ordinances, and the second one deals with Tom's concerns. He explained that this is enabling legislation, which makes this offense a city offense. He asked that this be adopted as this gives police additional authority to enforce rules and was something that needs to be fixed anyway.

Nossiff feels they are connected and can both be put off.

Whitmore reiterated Christenbury.
Tweedie agrees.

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

Dunnington moved to table to November 13th meeting, seconded Tweedie.

Motion passed on an 8-0 vote.

B. ORDINANCES IN 3RD READING

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

Dunninton moved to adopt, seconded by Hindle.

Tweedie feels that this could be a conflict with the court case.

Mr. Beecher stated there are no more cases pending, but it is still within the 30-day appeals period from the Zoning Board decision.

Tweedie moved to table to November, seconded by Hindle. Motion passed on an 8-0 vote.

2. Ordinance #28-07/10/2002, Chapter 97, Dumping and Rubbish Collection, Section 97-7.1, Storage of containers and dumpsters. Sponsored by Councilor Tom Dunnington.

Dunnington moved to adopt, seconded by Hindle.

Hindle stated that the SWAC was never given a proper charge on this issue and feels that there are some other issues that need to be considered along with this. He stated that there is a serious issue with laws currently on the books, specifically 2 chapters, Chapter 97, Dumping and Rubbish Collection and Chapter 199 Housing Standards. He stated the Housing Standards gives property owner or manager authority to give his or her tenants proper rubbish containers and once done, it is up to the tenant to deal with their trash. But in Chapter 97 it states that the city, through our contract with waste management, (conflicts with code and contract) it was said that recycling containers would be provided 75 gallon but are now 18 gallon. He feels that we need to look at how we manage and educate the public and look at the Talking Trash brochure and beef it up and look at both chapters, as the housing standards board deals with health issues, safety, etc. He asked to table with caveat that SWAC look at better education and look at both chapters 97 and Housing Standards and to update Chapter 97 to reflect the current contract.

Hindle moved to table to December meeting seconded by Whitmore. Motion passed 8-0.

Dunnington stated the SWAC focuses on Chapter 97 and perhaps should make it more global.

Hindle said there are property owners that are willing to work on resolving this issue.

Tweedie moved to suspend to rules to go past 10:30 p.m., seconded by Hindle.

Motion passed on a 7-1 roll call vote, Christenbury opposed.

C. RESOLUTIONS

1. Resolution RE: Increase of the Income Levels and Asset Limitations for Elderly and Disabled. Sponsored by Mayor Alex Nossiff and Councilor Roland P Hofemann.

Hofemann moved to adopt, seconded by Dunnington.

Hofemann is going to move to table until 11/13/02 because it has become political.

Hofemann moved to table, seconded by Christenbury.

Nossiff articulated and reiterated that this be heard in conjunction with 11-7 (Whitmore and Tweedie Exemption Proposal).

Christenbury invoked Roberts Rules to move the question, seconded by Tweedie.

Motion to table passed 7-1, Taylor opposed.

2. Resolution RE: Renaming Portions of Renummer Section of Cataract Avenue. Sponsored by Councilor Jason Hindle.

Hindle moved to adopt, seconded by Tweedie.

Hindle moved to amend by removing #43 Cataract avenue, seconded by Tweedie.

Motion to amend passed on a 7-0 vote.

Motion to adopt as amended passed on 7-0 roll call vote, (Christenbury out of the room.)

7. NEW BUSINESS

A. CONSENT CALENDAR

NONE

B. RESOLUTIONS

1. Resolution RE: Acceptance Award of Bid #B03016 for Durham Road Bicycle Shoulders. 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 Purchase Order for Underground Storage Tank Remediation at the Former Site of the Public Works Garage Facility on River Street. Sponsored by Mayor Alexander G. Nossiff by Request.

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

3. Resolution RE: Award of Purchase Order for Ice Arena Chiller System Maintenance. Sponsored by Mayor Alexander G. Nossiff by Request.

Taylor moved to adopt, seconded by Tweedie.

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

4. Resolution RE: Award of Bid #B03008 for Office Supplies. Sponsored by Mayor Alexander G. Nossiff by Request.

Taylor moved to adopt, seconded by Tweedie.

Motion passed on an 8-0 roll call vote.

5. Resolution RE: Award of Bid #B03015 for Various Vehicle Parts and Supplies. Sponsored by Mayor Alexander G. Nossiff, by Request.

Taylor moved to adopt, seconded by Tweedie.

Motion passed on an 8-0 roll call vote.

6. Resolution RE: Acceptance of Harlan's Way as a City Street. Sponsored by Mayor Alexander Nossiff by Request.

Taylor moved to refer to a public hearing on 11/13/2002, seconded by Tweedie.

Motion to refer to a public hearing passed on an 8-0 vote.

7. Resolution RE: Increase of the Property Tax Exemptions Levels and Criteria for Elderly, Blind and Disabled. Sponsored by Councilor Brenda Whitmore and Councilor Raymond Tweedie.

Whitmore moved to a public hearing on 10/30/02, seconded by Tweedie.

Nossiff asked why does there need to be a special meeting as he does not feel it is an emergency.

Brenda clarified that this won't be in effect until 2004, and is not an election issue.

Nossiff again asked why a Special meeting is necessary as he was not aware of this and asked the other Councilors if they were aware.

Whitmore stated it is necessary to meet the requirement of the public hearing being held prior to being voted on on 11/13/02.

Motion to refer to a public hearing on 10/30/02, fails on a 4-4 vote, Whitmore, Tweedie, Christenbury and Hindle in favor.

Whitmore moved to table to November 13, 2002, seconded by Tweedie.
Motion passed on an 8-0 vote.

Taylor moved to suspend the rules to introduce Item 11B-8, seconded by Hindle.
Motion passed on an 8-0 roll call vote.

8. Resolution RE: Appointments Committee recommendations to various City Boards and Commissions. Sponsored by Councilor Hindle, Councilor Christenbury and Councilor Quigley.

Hindle moved to adopt, seconded Quigley.
Motion passed on an 8-0 roll call vote.

C. ORDINANCES IN 1ST READING

D. COUNCIL CORRESPONDENCE

**8. MAYOR'S REPORT
NONE**

9. COUNCIL MATTERS OF INTEREST

Hofemann stated that as the senior liaison he is heartened that another resolution is being brought forward to address the elderly tax exemption.

Whitmore asked everyone to remember that October is Breast Cancer Awareness Month.

10. ADJOURNMENT

Taylor moved to adjourn, seconded and passed unanimously.

Valerie A. French
Deputy City Clerk