

**MINUTES  
DOVER CITY COUNCIL  
REGULAR COUNCIL MEETING  
NOVEMBER 13, 2002  
CITY COUNCIL CHAMBERS  
7:00 P.M.**

**1. MOMENT OF SILENCE**

The mayor pointed out we had had a moving ceremony commemorating November 11th, Veteran's day here at city hall that included a performance by the DHS band.

**2. PLEDGE OF ALLEGIANCE**

Tweedie led the Pledge of Allegiance.

**3. ROLL CALL**

Councilors Tweedie, Whitmore, Christenbury, Dunnington, Hindle, Hofemann, Mayor Nossiff, Councilor Quigley were all-present. Mayor Pro Tem Taylor is absent. Councilor Dunnington served as Mayor Pro Tem.

**4. PROCLAMATIONS/AWARDS**

The Mayor started off by paying all the citizens a tribute for coming out to vote two days in a row. He also congratulated Councilor-elect Bob Keays, Ward 1, Brenda Whitmore, Ward 2 and Councilor-elect Matt Mayberry, Ward 3, the 3 new councilors that won their races for City Council. He also congratulated Hofemann and Taylor for winning their individual State Representative races.

The Mayor read certificates proclaiming service to the Open Lands Committee for Judy Mettee, David Landry, Anna Boudreau and Douglass Dede.

**5. CITIZEN'S FORUM**

Matt Mayberry, of Dover Point Road reminded citizens to drop their 'Toys for Tots' off at the fire barn.

Chris Kosloski of Crescent City Bistro is here to show his support for the ordinance on tonight's agenda.

Richard Hughes, of 51 New Rochester Road, complemented the city clerk and staff for a job well done on both elections last week. However he does take issue with the fact that Community Service's had 4<sup>th</sup> Street under construction and all torn up on Election Day as we have known Election Day was coming for at least a year. He then spoke on the train station and how it is not open with a vendor as yet. The station has been ready since 12/14/01 and still no one is occupying it. The city's involvement with it seemed to terminate when Woody went to war. He continued about the vendors that had put in bids to occupy the train station. He is not a member of the train station committee but he has real concerns with it. He continued about the problems with having C&J operate it and how the RFP was messed up. He is disturbed by the lack of communication that has occurred with the contract that has been signed by C&J and the City Manager. He feels all this has discouraged would be riders on the train. He compared the sales of Exeter's train tickets to that of Dover's minimal amount of sales. He continued on how much the Dover train station has cost since the completion of the building as the city has been responsible for thousands of dollars in gas, electrical, etc. expenses. He stated that had the Hampton Shuttle been awarded the contract 6 months ago, they would have been responsible for these expenses as that is a part of the contract. He is also concerned that there may have been no communication with the Facilities and Grounds Division who will continue to be responsible for the

outside of the building. Also the Northern New England Passenger Rail Association who operates the Downeaster have not been approached for their suggestions or concerns. He feels that had the new Public Works facility sat unused for several months, the Council would have been very concerned. He concluded by stating the train station process has been governed by the train station vendor and NOT by the city, he still feels we have the tail wagging the dog and not the other way around on this issue.

Luke Paradise of 180 Tolend Road owns and operates Paradise Farm. He stated this is a working farm and has been since 1700, it has always been a farm and he does not want this area zoned industrial. They own 200 feet of frontage on Tolend Road, he plants on it and farms it everyday, he wants the decision on what he can do on it to be his decision and not the city's. Christenbury interrupted with some dates for the zoning changes, stating there will be a public hearing on 12/11/02 and there may be a vote that night also. He urged citizens to stay in contact with their City Councilor on this issue.

Brian Stern, Chairman of the Open Lands Committee is here for the preservation of open space and also the \$0 budgeting and financial issues as well as the CIP that will be forthcoming before them. The CIP has 2.5 million dollars ear marked for open space. The City Manager has told them they will only have \$2007 instead. He feels they may as well close up shop if that is the case. They need money for open space as he feels that it will stabilize the tax base throughout the city. That is the reason to preserve open space. They need significant dollars; they currently have \$600,000 in their fund. The Open Lands Committee took a vote on the Zoning Ordinance back in June. He continued this is part of the Master Plan; they want and need several million to continue.

Glen Jerry of 33 Wallace Drive stated this is a first time for him to speak here, and he is here to be supportive of the neighborhood where he lives, he has been to the Planning Board meetings and he wonders how this is going to make it affordable for everyone to afford a home in Dover. He feels the price of houses will only go up, if that happens then more people will be forced to live in apartments. He came here in 1987 and for industry to move their employees here they have to have housing for their workers. He questions if they will ever be able to attract businesses with the new zoning ordinance that has been proposed. Since the beginning of the year, his company has been taking measures to economize just to stay in business. He feels labor negotiations are the place to start. He knows fire and police are very important to us, he feels we need to work on our bidding process to tighten up the specifications. He wants to review the contracts for goods and services. He mentions staff reductions, also that times are difficult right now. He continued with several suggestions on how the City can save money. He mentioned grant opportunities that are not being utilized. He feels people get a strong hold on who they are doing business with. He also feels disheartened over the train station and the issues Mr. Hughes discussed. He urged them to invite the public to their workshops. It bothers him to see the two generators outside of city hall not being used. He is strong in this area (generators). He is very proud of Dover but does not feel we are living up to our new logo. "Dover first", his tax rate went up 10% this year and he has a new home. He has heard of the discourse on this council and he feels this is absurd. He wants them to take a fresher look at controlling expenses.

Phil Morrissette of 3 Columbus Ave is a senior and taxpayer as well as treasurer of the Senior Center. He is here to speak about the Senior Center on Third Street. The seniors have voted and they want to stay where they are. This is not saying this is permanent as any council can amend this. He would like the last line of the resolution dropped that says 1<sup>st</sup> and 2<sup>nd</sup> floor, as they only need the 1<sup>st</sup> floor. He feels if the Senior Center were moved to the McConnell Center, there would be major parking problems. He does not like what he hears on the council. He would like a vote for this resolution. Over two months ago, he asked the City Manager when this resolution was going to be on the agenda. In the paper tonight, there was an item that says this resolution makes no sense but it does make sense to the seniors. They do not want this item to be an issue for the next council. He hopes that this council and the new council will get together and makes peace with the school board also. He

commented on 11B5, 6, and 7 stating he is in support of these resolutions. He is kind of a spokesman for the Senior Center.

Ed Koza of 5 Berkshire Lane is here on the composting ordinance. He has a conflict with the ordinance. If passed, the first line should be applied to all composting operations. He recognized Mayor Nossiff, Taylor, Hoffmann and Quigley for their undying efforts in curbing the expenses.

Vincent Kasabian of 76 Columbus Ave stated the zoning issue in this area is an issue, he commented about other places that have been rezoned. He feels it is unfair that people have built here and now this is going to be an industrial area. We cannot compete with Pease, this is not the same thing, and he fears we will put buildings up and then we will go into an idol economy and the taxpayers will be paying for it. Companies are not going to come to Dover.

Peter Schmidt is here to associate himself with Mr. Stern and the Open Space Committee with regard to the intended rezoning. With rezoning there will be a tax implication. The tax rate is never going to go down, that is a plain fact of life. The intent of rezoning in any case is not to limit the spaces to residential. The purpose of rezoning is to limit the possibility that more residential places will be built, he then commented on Mr. Morrissette's Senior Center resolution. There is no intent of the council to move the senior center. There is no intent to move the seniors from its current location. Lastly he considered the remarks of Mr. Jerry, saying his remarks show a great deal of ignorance on how city government works. He then tried to explain the process.

Rod Gadway of 94 Spruce Lane spoke on the guy that spoke before him, saying government workers have a cushy job. Government is a monopoly; you have to look for places to cut just like businesses do. Secondly, regarding the composting operation on Spruce Lane, he stated he hopes the Council remembers the citizens who have to live there when voting on the ordinance.

Robert K. Latore of Birch Drive commented on the reduction of city business by a few speakers ago. It is no secret that the composting ordinance would not be needed if the city people had done their job and had a public hearing on a major change of use on that farm. This is a direct result of the Hebbard's farm. Latore asked if the City Manager could answer his question. Is the Hebbard farm covered by this composting ordinance? The Mayor tried to explain the intent of the ordinance. Latore would like this council to consider a policy to limit each person to five minutes.

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

## **6. PUBLIC HEARINGS**

- A.** Resolution RE: Increase of the Property Tax Exemptions Levels and Criteria for Elderly, Blind and Disabled. Sponsored by Councilor Brenda Whitmore, Councilor Raymond Tweedie, Councilor Jason Hindle, Councilor Parks Christenbury, Councilor Thomas Dunnington, Councilor Roland Hofemann and Mayor Pro Tem Kathleen Taylor. **(PUBLIC HEARING ONLY)**

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

- B.** Resolution RE: Acceptance of Harlan's Way as a City Street. Sponsored by Mayor Alexander Nossiff, by Request. **(SEE ITEM 10C-1)**

7. The Mayor opened the public hearing. Seeing no one wishing to speak the Mayor closed the public hearing.

## MINUTES

- A. Special Council Meeting – October 16, 2002
- B. Regular Council Meeting – October 9, 2002

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

## 8. REPORTS OF SPECIAL AND STANDING COMMITTEES

- A. Transportation Advisory Commission – Councilor Jason Hindle

Hindle combined items A and B. The TAC will meet next week to discuss crosswalks in the city and they will be appointing someone to the loop committee.

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

Hindle stated they had met last evening to discuss the building project. He invited the council to a tour of the Horne Street School's new classrooms at 7 pm on Wednesday, 12/11/2002.

- C. Planning Board – Councilor Parks Christenbury

Christenbury stated they had met last night, he announced two very important projects, the planning board gave final approval for the Comfort Inn to be constructed in Hofemann's end of town. The second project is the Caldwell Banker/Criswell Walcott Agency, there were a few problems with abutters but that has been taken care of. Also the Planning Board has passed 42 zoning amendments with 12/11/2002 for a public hearing date and he asked if we could include a Work Shop on the zoning amendments on 12/4/2002. The other issue is the CIP, next Tuesday, is a Work Shop, if they get thru that then on the 26<sup>th</sup> there will be a public hearing at the Planning Board level. He has no dates to bring the CIP to the council as yet. He closed by saying there is a lot of difficulty when dealing with rezoning. The City takes no property in rezoning, it is simply if a property such as a farm is sold.

- D. Solid Waste Advisory Commission – Councilor Thomas Dunnington

Dunnington said there was no report.

- E. Seniors Advisory Committee – Councilor Roland Hofemann

Hofemann is elated that the concerns of the seniors are being addressed. He attended the fall forum at **Frisbee** Memorial Hospital put on by the AARP, Service Link and the Strafford County Committee on Aging stating they had several very good speakers. He also attended a senior center meeting with Quigley and Taylor where they had discussed the concerns of the seniors possibly moving out. He attended 3 ribbon cuttings; he also had concerns on parking and street cuttings. He did a ground breaking at the Portsmouth Christian Academy.

- F. Arena Commission – Brenda Whitmore

Whitmore stated they are diligently pursuing the financial information on the arena; it is no secret that the arena is in debt. They have drawn up an RFP to review the expenses and the associated issues of the arena to make this a successful operation for the city and they welcome citizen input. This is a beautiful building. She thanked the City Manager for working with them.

Dunnington moved seconded by Hofemann to accept. All in favor.

## 9. CITY MANAGER'S REPORT

The City Manager stated we are one third the thru fiscal year and in the general fund we have received 2.6 or 37% in non-tax revenue and have spent 12 million or 36% in revenue and he feels we are in good shape. In Economic Development the city issued 53 building permits for the month of October for \$17,185 in fees with a 3.1 million dollar construction value. Next, he stated the RFP will be finished next week on the arena and an award of bid expected in January. He will be scheduling the auditors to present a financial overview of the Arena at the 12/04/02 Workshop.

Also regarding the train station he stated that Mr. Hughes gave a very detailed almost factual account with regards to the City Manager activities. He clarified that we did sign a contract with C&J Travel with service to begin around 12/15/02 but although Dover does attract less passengers than Exeter, due to their proximity to Boston Dover has generated \$27,700 in revenue which is more than Exeter. Finally he stated that next week the old recycle center will be closed with the new place open next Thursday. Christenbury brought up two issues. The first issue is regarding the ad in the newspaper for the Arena to bring a friend to skate for free. He stated he doesn't want to beat up on the Arena but the perception of the public is that we are giving something away for free and the Council should have been made aware of this promotion first. He understands that the arena is trying to attract additional customers but he would like to have a heads up before parents start calling because the rental rates have gone up considerably and then we are advertising free skating. Secondly, he congratulated the Fire Department on their recent reorganization.

Hindle stated he is going to beat up on the arena, as he too was disheartened to see the ad in last night's paper. He feels this is a project and a building that the taxpayers cannot afford. Secondly the issue of Mr. Hughes and the train station, one of the City Manager's drawbacks is communication and now we have signed a contract that none of the other councilors have seen either. He hopes to resolve this issue. Tweedie has a positive thing to say on the arena and thanked the City Manager for answering all their questions helping them to analyze this data. He saw a 'good neighbor' item where citizens can donate money to the Fire Department to go into a special fund to help someone out. Tweedie called and donated \$100 today for this issue.

The City Manager asked Chief Plummer to explain the reorganization.

Chief Plummer stated the reorganization within the fire department was because they had open positions. He stated that Clymer is now Chief of Operations and they made a deputy chief position which is a downgraded position as they removed some administrative duties. They also changed the EMS to a Lieutenant instead of a Captain. They removed paper work that was done by an assistant Chief and they will be hiring a part time billing clerk to follow up on these activities. He stated that this was a minor reorganization and it is just a little easier from a command standpoint. He stated that the net savings is approximately \$21,000 according to the City Manager.

The Mayor welcomed the new chief to the firing line and clarified that the net savings was \$36k not including retirements, savings, etc and related costs.

Quigley is a bit saddened we had signed a contract with the train station and it had not come before us. He complimented the arena staff and although he has not been a big proponent of the arena, he feels they are trying to get people into the facility. He then quoted numbers on the deficit of the arena and how this money is coming out of the general fund. He feels that we have qualified citizens and staff to market this arena and stop the hemorrhaging without hiring outside consultants.

Tweedie moved seconded by Quigley, all in favor of accepting the City Manager's report.

## **10. UNFINISHED BUSINESS**

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

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

1. 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.

Christenbury moved seconded by Hindle to remove item from the table, motion passed, all in favor. Christenbury moved seconded by Tweedie to adopt. Christenbury says this allows those establishments that can convince the Police Chief that it is necessary that these establishments should serve liquor on the sidewalk. Our Police Department is recognized nationally. This ordinance opens up a small window of opportunity to expand. The Crescent City Bistro is a class act in this city. The Police Chief has the authority to pull this license. He feels a lot of work has gone into this. He has complete faith in the police department to enforce this. Tweedie asked the City Manager to speak on the enforcement of this, the City Manager asked the Chief to speak on it. The Chief stated the alcohol will have to be served in conjunction with the meal, this is not like Key West where you can drink on the sidewalks. They have spoken to Portsmouth to find out the way they handle this issue. They have to come before the licensing board as well as the liquor commission; this is a two step process. The City of Dover is the bottom line authority, he has talked to Chris Koslowski and we have a year to try it. It will be on a trial basis for a year. Tweedie asked how the appeal process works, the Chief says, as with any board in the city there is an appellate process. Hofemann is going to vote for it. Dunnington sees everyone has talked to the Chief, but he still has concerns, sidewalks are for walking, not for eating and drinking on. He also has a lot of faith in the Police Department. He feels pedestrians will be protected. He hopes we keep a careful eye on it and he will vote for it. Whitmore is all for it, the question she has is in the last sentence on obstructing and should would make an additional "minimum of 5 feet" to this ordinance. Tweedie seconds Whitmore's motion to amend and adds "does not obstruct the sidewalk in accordance with city standards"; Tweedie then withdraws his friendly amendment. The City Manager wants to move this to the December agenda so that he and the Planning Department can work on guidelines with the Chief also. The Chief wants to add this line to the licensing board rules in case it is 4 ½ feet on another portion of sidewalk, if the council will give them the authority to add this to the licensing board rules, he will see that it is enforced. Hindle supports this issue but has concerns, as does Dunnington, he requests the City Manager to come back with the successes and give us a report on this issue in one year. Whitmore withdraws her amendment if the Chief will take of it. Motion to adopt passed on roll call vote of 7-0.

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

Dunnington moved seconded by Tweedie to adopt. Tweedie asked if we are outside the window for appeals. Whitmore has a concern with section 4 and needed clarification. Motion passed on a roll call vote of 7-0.

### **C. RESOLUTIONS**

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

Tweedie moved seconded by Whitmore to adopt. Motion passed on roll call vote of 7- 0.

## **11. NEW BUSINESS**

### **A. CONSENT CALENDAR**

1. Tag Permit – Teen Challenge New England
2. Raffle Permit – Cochecho Valley Humane Society
3. Raffle Permit – Great Bay Figure Skating Club

Quigley moved seconded by Tweedie to grant. All in favor.

### **B. RESOLUTIONS**

1. Resolution RE: Award of Purchase Order for a Police Computer Software Application Upgrade and Conversion. Sponsored by Mayor Alexander G. Nossiff, by Request.

Tweedie moved seconded by Whitmore to adopt. Motion passed on roll call vote of 7- 0.

2. Resolution RE: Continued Professional Legal Consulting Services: Labor and Employment Related Issues. Sponsored by Mayor Alexander G. Nossiff by Request.

Tweedie moved seconded by Whitmore to adopt. Motion passed on roll call vote of 7- 0.

3. Resolution RE: Award of Purchase Order for Contaminated Soil Excavation and Removal from the Location of the Former Public Works Garage on River Street. Sponsored by Mayor Alexander G. Nossiff by Request.

Tweedie moved seconded by Whitmore to adopt. Whitmore asked when the work was completed. Pete Lavoie said at least 3 months ago. Motion passed on roll call vote of 7- 0.

4. Resolution RE: Waiver of Tax Deeding for Unpaid Property Taxes. Sponsored by Mayor Alexander G. Nossiff, by Request.

Whitmore moved seconded by Tweedie to adopt. The City Manager explained the resolution on the dilapidated trailers as they are not worth the money Dunnington asked does the lien go away or not. The City Manager said it is addressed only when the property is sold. Motion passed on roll call vote of 7- 0.

5. Resolution RE: Zero-Based Salary Line Budget Presentation. Sponsored by Councilor Parks Christenbury, Councilor Brenda Whitmore and Councilor Raymond Tweedie.

Christenbury interrupts to suspend the rules to combine resolutions number 11-B 5, 6, 7 and Tweedie seconds this motion. All were in favor of combining the four resolutions.

Christenbury explains these resolutions saying this is going to be a budget from the ground up as he feels we miss a lot of items. He will not be assuming anything in this budget process; one department will come in, in January. He wants to know what he is talking about when he comes to adopt the budget. He says personal is our highest cost, they need to set policy, he is asking his fellow councilors to join him in January, they had originally put the Police Department first, however he would like to have all the smaller departments first, then move on to the larger departments. Christenbury moved seconded by Tweedie to adopt all 4 resolutions, 11B 5, 6,7 and 8.

6. Resolution RE: Zero-Based Capital Budget Program (CIP) Presentation. Sponsored by Councilor Parks Christenbury, Councilor Brenda Whitmore and Councilor Raymond Tweedie.

Christenbury moved seconded by Tweedie to adopt all 4 resolutions. Tweedie is looking at controlling costs here on bonding payments in the City. Tweedie wants to amend to show "CIP at or below the level of debt payments" seconded by Whitmore, all in favor of amendment on 11B6. All in favor of all 4 resolutions, 11-B 5, 6,7 and 8.

7. Resolution RE: Zero-Based Budget Presentation. Sponsored by Councilor Parks Christenbury, Councilor Brenda Whitmore and Councilor Raymond Tweedie.

Christenbury moved seconded by Tweedie to adopt all 4 resolutions. All in favor of all 4 resolutions, 11-B 5, 6,7 and 8.

8. Resolution RE: Grant-Funded Employment. Sponsored by Councilor Parks Christenbury, Councilor Brenda Whitmore and Councilor Raymond Tweedie.

9.

Christenbury moved seconded by Tweedie to adopt all 4 resolutions. Whitmore explained the costs associated with grants. Dunnington feels these resolutions are in a step in the right direction, he does have a concern though in all the meetings that will be involved with this type of process and all the months to do it. He wonders about breaking off into groups of councilors to review the different assorted budgets. Christenbury offered an amendment to split the council into thirds on the 3 big departments. The Mayor wants them to be able to use their own discretion. Christenbury withdraws his amendment. Quigley asked the City Manager about B5 and B7, and the line items based on zero. Basically already when we start out, we do start with zero. Quigley would like to see these discussions in public, on camera, he does not want to sit down as a group of small councilors, he wants a presentation here in the Council Chambers. The City Manager suggests that all presentations take place in the Council Chambers but when we go down to look at the departments we can break down into groups. Lastly Quigley says when we start out with a zero base, there is no type of cap on these resolutions and he would like a cap on some of these resolutions such as a 2% maximum. Hindle commended the 3 councilors on these resolutions. He feels this shows the public we are committed here and at home as we put our fiscal house in order. He agrees as much TV coverage as possible is needed. He would like the public invited to the tour of these facilities. Dunnington cautioned about arbitrarily putting percentages on these resolutions. All in favor of all 4 resolutions, 11- 5, 6,7 and 8.

10. Resolution RE: Naming of Dover Recycling Center. Sponsored by Councilor Thomas Dunnington.

Dunnington moved to a public hearing on 12/11/2002 seconded by Tweedie, all in favor.

11. Resolution RE: Award of Change Purchase Order for Additional Paving/Paving Related Work. Sponsored by Mayor Alexander G. Nossiff, by Request.

Tweedie moved Whitmore, seconds the motion. The Mayor does not like change orders and wonders why we are doing it. Lavoie explains the process and why. He stated because it was not listed as part of the original bid. Whitmore asked the policy of doing the work then asking for permission to pay for it. Pete explains they are trying to beat the weather. Whitmore asked, what would Pete Lavoie do if we said No - Pete Lavoie says we would be in big trouble. Motion passed on a roll call vote of 6-1, Christenbury, opposed.

12. Resolution RE: Award of Bid #B03017 for Snow Plowing and Hauling Services. Sponsored by Mayor Alexander G. Nossiff, by Request.

Tweedie moved seconded by Whitmore to adopt. Motion passed on roll call vote of 7- 0.

13. Resolution RE: Award of Bid #B03022 for a Backhoe/Loader. Sponsored by Mayor Alexander G. Nossiff, by Request.

Tweedie moved seconded by Whitmore and Dunnington to adopt.

Pete Lavoie is asked to explain the reasoning behind this, the 3 year plan and 4 year plan. Pete said the old backhoe has 14000 hours on it and they want to trade it in, instead of a lease purchase, it will be an out right purchase. Motion passed on roll call vote of 7- 0.

14. Resolution RE: Adoption of Programming Policy for DOVERNET TV Channel 22. Sponsored by Councilor Parks Christenbury.

Item withdrawn.

15. Resolution RE: Leasing of Parking to ECoast Sales Solutions. Sponsored by Mayor Alex Nossiff.

Tweedie moved seconded by Whitmore to adopt. Whitmore asked about construction costs associated with this item. Mr. Beecher stated \$36,000 - \$40,000 which is why we deferred the payment for two years. Dunnington asked if the property is valuable to the city for anything else and if not, why not just sell it. Mr. Beecher stated that we may need it in the future for possible road expansion but feels this is a win/win situation as it helps this business relocate to Dover and they will be cleaning up the property. Tweedie has a question about the lease on Section 4, Termination Clause, Subsection B where it states that the lessee agrees to put back the parcel to its original condition and asked why we would want that to be done. The City Manager says that gives us the option at that time and this lease is only for this tenant and this will be in our favor. Motion passed on roll call vote of 7- 0.

16. Resolution RE: Reprogramming Federal Fiscal Year 2002 CDBG Funds from the McConnell Center to Woodman Park School. Sponsored by Mayor Alexander Nossiff, by Request.

Tweedie moved seconded by Hindle to refer to a public hearing on 12/11/2002. Motion passed by all.

17. Resolution RE: Award of Purchase Order for Two (2) Replacement Centrifugal Pumps at Wentworth Terrace Sewer Pump Station. Sponsored by Mayor Alexander G. Nossiff, by Request.

Tweedie moved seconded by Whitmore to adopt. Motion passed on roll call vote of 7- 0.

18. Resolution RE: Dover Senior Center. Sponsored by Councilor Kevin Quigley, Mayor Pro Tem Kathleen Taylor and Councilor Roland Hofemann.

Quigley moved seconded by Hofemann, Quigley explained the resolution requested by Mr. Morrisette. Quigley said the seniors had also requested the use of the second floor as well, Dunnington does not feel we need this resolution as it does not change anything, this will just give the seniors some assurance that nothing will change. Hindle supports the work the Senior Center does for the city. He thinks as we move forward, the McConnell Center is ready to be utilized and maybe we could expand the senior services into this building, as this building that we know of today will be entirely different in the next 5 or six years, he feels the people from Waldron Towers, etc may not be able to get to the facility on Third Street. We have the potential to expand the services that we provide the senior citizens. Lastly re: the gentleman that spoke on grant procedures we will be looking to get funded on services. Christenbury's mother wanted him to remind everyone, she is very independent; he is disturbed that this is before us, as it is not needed. No one on this council has any intent of taking this building away from them and someone has gotten to these people. What we say off the cuff can be

interpreted as council policy. He said Mr. Morrisette wants this amended to not use the second floor, Christenbury moved to take the second floor off, we would be interpreting a lease anyway. Christenbury withdrew the amendment and Tweedie offered one, seconded by Whitmore to amend the "now therefore" section, to say "The Dover Senior Center shall remain at the Grove and Third Street location and that the first floor of the building can be used for the Dover Senior Center". Hofemann pointed out they are uneasy about the possibility of being moved, they need assurance, and they need renovations, they can't move forward with this until we give them the assurance. All in favor of the amendment. Whitmore asked the city staff to do homework for her, as we really did not need this resolution. The fact that we must assure them they are safe in their facility, this is probably good to review the lease and amend it to add the second floor.

She wanted to assure the seniors that there was no intent to move them against their will as there was a lease signed in 1976 which they are fully protected by. She then wondered who would be responsible for funding of the expansion of the second floor. Mr. Beecher stated he hasn't been approached on this issue.

Quigley responded to Hindle's expansion question stating that the senior center is not against expansion of services at the McConnell Center, they just do not want to move the whole thing. Regarding the renovations, they have the funds to do the repairs, but from time to time they do come to the City for help. He concluded by stating that the seniors have had to deal with various rumors and feels that this resolution will put the issue to rest.

Tweedie moved to amend on the second whereas to remove "and recently the second floor has become available, and;" from the resolution, seconded by Whitmore. All in favor. Tweedie moved seconded by Whitmore, all in favor as amended on a roll call vote of 7-0.

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

1. Ordinance #34-11/13/2002, Chapter 166, Vehicles and Traffic, Section 166-50, Schedule C, Stop Intersections, New Bellamy Lane. Sponsored by Council Jason Hindle, Transportation Advisory Commission.

Hindle moved seconded by Tweedie to refer to a public hearing on 12/11/2002. All in favor.

2. Ordinance #35-11/13/2002, Chapter 170, Zoning, Various Sections. Sponsored by Councilor Parks Christenbury, Planning Board Representative.

Christenbury moved seconded by Tweedie to refer to a public hearing on 12/11/2002. Christenbury moved to waive the citywide mailing (as required by ordinance) and to post it on Channel 22 as well as in the newspaper. All in favor.

3. Ordinance #36-11/13/2002, Chapter 143, Scenic Roads, Section 143-4, Violations and Penalties. Sponsored by Councilor Parks Christenbury, Planning Board Representative.

Christenbury moved seconded by Tweedie to refer to a public hearing on 12/11/2002. All in favor.

### **D. COUNCIL CORRESPONDENCE**

## **12. MAYOR'S REPORT**

The mayor attended the ribbon cutting ceremony at MAACO; he thanked the Building Inspector, and Beth Thompson as well as the Planning Department for showing an interest in them. He had received an anonymous email from a citizen and they will move forward in the spirit of cooperation. He asked Christenbury to speak...Christenbury states it is no secret this council has been divided in a lot of issues but they have voted FOR a lot of issues. We need to move on from the past to new issues, we

have no one to blame for the upcoming budget but ourselves. He continued, there are 9 members representing a democracy, we need to communicate regardless of our political issues. People think of us as a body, he asked the Mayor to be the champion that he is and to recognize the majority, as he is the voice that speaks for the entire council. There is so much that the new council agrees on and they will work as a team. He pleaded to have the Mayor employ his gavel wisely to maintain decorum. Tweedie moved seconded by all, all in favor.

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

Tweedie stated the election was cantankerous, he thanked those that ran. He extended a hearty welcome to Matt Mayberry and Bob Keays. Dunnington says this past election, locally, statewide and nationally was nasty, he marvels at the system, it works, and no one got shot no one went to jail, the system does really work. He hopes and prays that the council can come back with a blank page and start over in January.

### **14. ADJOURNMENT**

Dunnington moved seconded by all, all in favor at 10:05 pm.

**Judy Gaouette,  
City Clerk**