

**MINUTES
REGULAR COUNCIL MEETING
MARCH 14, 2001
DOVER CITY COUNCIL
COUNCIL CHAMBERS
7:00 P.M.**

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

Councilor Mayberry led the Pledge of Allegiance.

3. ROLL CALL

Councilors Mayberry, Nossiff, Reese, Schmidt, Andrews Parker, Mayor Pro Tem Berry, Mayor Boc, Councilors Dunnington, and Hindle.

4. MAYOR'S REPORT

On behalf of the entire council, he acknowledged Pete Lavoie and the work his staff has done over the past weeks and the fantastic job being done in cleaning up all the snow after the storms. He asked Pete to thank all his crews. On 3/15 he had the privilege of attending the volunteer awards ceremony for Terry Gower, who teaches children sportsmanship, baseball and winning, in that order. On 2/20 he did a ribbon cutting at Labor Ready, a new company in the City. On 2/22 he and Andrews Parker attended the NH Regional Association dinner on the education funding problems, Schmidt was there as well. On 2/26 Berry attended a ribbon cutting at Human Kneads, a massage and relaxation clinic in Dover. On 2/28 the Council attended a workshop at the new ice arena. On 3/10 along with Berry, he attended the Chamber's Citizen of the Year dinner recognizing Tom Wells as Citizen of the Year. Today, he accepted the resignation of Marc Hiller from the Ethics Board. He thanked Mr. Hiller for all his hard work on the board, saying he will be missed. Also, this will be news reporter Alison McGee's last meeting, as she is leaving Dover Times. He received a letter from NH Soap Box Derby for the running of the derby to be held on June 24th. They will make a more formal request through the City Clerk, by resolution but he welcomes them back to the City. Lastly, he has a proclamation for Alan Freddie Babel, a retiring firefighter. He read and presented the proclamation.

Berry moved, seconded by Mayberry and Hindle to accept Mayor's report. All were in favor.

5. PUBLIC HEARING

- A. Resolution RE: Resident Parking Passes. Sponsored by Councilor Betsey Andrews Parker, Chair, Parking and Traffic Committee. **(See Item 10C-1)**

Nick Skaltisis of 6 Erik Drive, wants the Council to consider sending this item sent back to Parking & Traffic for further study, as he does not want to get into the history of this issue here. He continued to address some of his concerns. He has a problem with the premise of raising the rate from \$5 to \$40, per month. Also, the City is a monopoly and a utility and owns most of the parking in the downtown area. If people were told that they have to pay \$100 per space, then we must pay it. This impacts all, there are no options, there is no alternative as they control resident parking and beyond that they have a direct impact on financial status of these properties as we are increasing the rate of this lot by 9 times.

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He feels this is not fair because different lots are set at different prices. Day parking is confined to business owners and customer parkers. For every 10 residential permits the city hands out, when you take and equate a residential rate and the night rate, there is a likelihood of only 2-3 of those 10 cars will be there during the day. By elevating residential parking to the cost of commercial parking, this is a pretty significant rate. He wants the fairness issue considered. He does not feel we have a great number of spaces utilized during the day. He would like the rates blended on this issue. He would like to work with the Parking and Traffic Committee on this issue. Thirteen years ago, the genesis was to please occupy the buildings; this thinking is now over.

Ann Lyons, 3 Waldron Court, owns 2 condominium units, and wants to address the Orchard Street lot as her thoughts differ from Nick's; she remembers it different than how the resolution is presented. Ms. Lyons feels there is still some obligation to the people living in the downtown area who do not park in the downtown during the day but who reside there and must park there at night. She figured out after three years of purchasing a permit that she really did not need to have one, as she doesn't need to park there during the day. By increasing this parking space to \$40. per month, when it is needed only for the night, she feels this is a terribly unfair increase. She wondered what fund the fees go to. As she understands it, they only need permits at night. She would like to see the studies that were done that show Orchard Street is in such great demand. She would be happy to pay the \$40 per month if the spot will be dedicated to her only. The parking lot does get busy at night so she sees a conflict here. From what she sees, the City is subsidizing only bad behavior in the parking lot in the evening hours due to the restaurants and bars in town where people park for nothing at this time. She would like them to vote to table this ordinance tonight for further discussion.

Jackie Landry of 386 Central Avenue has been using the Orchard Street lot for the last 10 years. The most use the lot has had was when Liberty Mutual was in the Mill Building. She thanked the council members that had responded to her; she strongly objects to the increase in cost. As a general rule, a resident would not be parking in the lot during the day. She asked the council to put themselves in the shoes of the tenants who park in the Orchard Street lot as these people want to park near their homes like other people. She has also complained about the lighting in that area for the last 2 years. Parking should be free to everyone at all municipal lots between 6 p.m. and 8 a.m. She would like the council to reconsider this issue.

Darlene Coldwell Ellis stated she owns a condominium at 388 Central Avenue. She agrees with the prior speakers and added that she is a real estate agent in the area. Since this resolution, information has come out, it has created an additional problem, as well as a burden; and it is devaluating the property in that area. She asks that this resolution be sent back to Parking and Traffic. Why is only Orchard Street being targeted as the only lot for the increase?

- B. Resolution RE: Amendment to Arena Improvements Bonding. Sponsored by Councilor Matt Mayberry. **(See Item 10C-2)**

Brian Murphy of 21 Reyner's Drive, took the tour of the facility last week, and stated funding is a little short to finish the project. He would like the support of the council on the resolution. If the Recreation Department can show that the funding is there; he would appreciate the Council's support. He asks that they complete the project for the youth organizations of the city.

Darlene Coldwell Ellis commented again on the Arena saying it is an incredible facility. She added, she also has 2 boys that play hockey and she would like the Council's support on the resolution.

- C. Ordinance #01-02/14/2001, Chapter 166, Vehicles and Traffic, Section 166-49, Schedule B, Prohibited Turns at Intersections, Boston Harbor Road. Sponsored by Councilor Betsey Andrews Parker, Chairman, Parking and Traffic Committee. **(See Item 10A-1)**

The Mayor opened the public hearing. Seeing no one, he closed the public hearing.

- D. Resolution RE: Increase of the Property Tax Exemptions for Elderly, Blind and Disabled. Sponsored by Councilor Matt Mayberry and Mayor Pro Tem Robert Berry. **(See Item 10C-3)**

The Mayor opened the public hearing. Seeing no one, he closed the public hearing.

- E. Resolution RE: Optional Date for Filing for Elderly Exemption Per NH RSA 72-32b. Sponsored by Councilor Matt Mayberry and Mayor Pro Tem Robert Berry. **(See Item 10C-4)**

The Mayor opened the public hearing. Seeing no one, he closed the public hearing.

6. CITIZEN'S FORUM

Gil Allen of 7 Wallingford Street commented on the current ethics situation. First he thanked the Ethics Board past and present for their service to the city. He thanked Rosemary Zurawel and Marc Hiller. He feels it is unfortunate that this issue has turned out as it has. The Ethics Board has been paying the price since last summer. He feels they have been consistently ignored. He commented on the process itself; perhaps an appeal is in order. If that is the decision, then please do not put it back into the political arena; take it out of the limelight so there will not be great influence.

Patty Frew-Waters of 6 Paul Street, Dover thanked the Ethics Board. She too is saddened that they were beat up over this issue by doing the right thing. She mentioned the M word and how she has talked to George Maglaras. There was an error and unfortunately it was Chuck Maglaras who made it by his vote on the Planning Board. She mentioned Mayberry's resolution on tonight's agenda; she suggests that where the squeaky wheel is, that is where he is. She feels we all need to do what is right. She would like to apologize to Rosemary and Marc over the minutes situation. She concluded by saying, just because we shake the tree, everyone jumps up and pays attention.

Robert Ross of 1 Pine Street is a member of the Ethics Board and is here to give notice of the package being presented tonight; he does not know how they are going to replace the 2 members of the Board; Marc Hiller and Rosemary Zurawel who resigned this week.

Parks Christenbury of 98 Cocheco Street is here tonight about the Ethics committee and how honorable they all are. He attended their meeting this past Monday night and he went on to comment on the two main complaints that have caused all the controversy. He has talked to

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all parties concerned in this issue. What is sad is no one is satisfied on the issue of the outcome of both complaints. He is nervous with all the attorneys here. He wondered what training the Ethics Board had beforehand. He commented that RSA 91A covers you as councilors but they (the Council) have no more right to privacy than anyone else. In the Planning Board case, unfortunately, under state law you don't have to prove that you did it or not. He also believes that the minutes were mailed as stated. We only have to look to the north to see how Ethics are handled by other cities. Under the City Charter he commented on the violation part of the Ethics Code. He does not come down to just complain without making suggestions. The Ethics Board needs a staff member or council liaison for the Board. Maybe the Assistant City Manager would serve. Also he would like to see this addressed in the council rules as well. The board could assist citizens that want to make a complaint. He continued about the board and their rights and the council's rights. He also feels it is time that all members of the council and any board members receive complete training on the City Charter and City Code and the Right to Know Law. He feels the legal staff is competent to do that. We have a lot of legislation in this country and he does not believe a band-aid approach is the way to go in this area. He doesn't feel the Charter should be a work in progress. He wants to build this from the ground up.

Tom Fargo of the Conservation Commission is here to address a resolution about contention on # 11.B.5. on groundwater classification, he gave a little background on the resolution. He then stated he had to leave to see "Survivor".

7. MINUTES

A. Regular Council Meeting – February 14, 2001

Berry moved to accept the minutes, seconded by Mayberry. Schmidt has submitted his corrections. All were in favor.

8. REPORTS OF STANDING AND SPECIAL COMMITTEES

A. Planning Board – Councilor Jerry Reese

Berry stated he had attended the meeting last night, where they approved a lot line adjustment on Belknap and Folsom Street with conditions, and one on Upper Factory Road. Also, another lot line adjustment on Washington Street was approved. Chairman Cole will be appointing a committee for addressing the issue of the loading zone at St. Mary's Academy, and that was it.

B. Public Works Building Committee – Councilor Peter Schmidt

Schmidt reported that the construction goes on at the DPW; the second shipment of steel components for the big building has arrived. In spite of the weather setbacks, good progress is being made on the pole barn, as well as the main structure.

C. Arena Building Committee – Councilor Matt Mayberry

Mayberry reported that next Monday they would be making ice at the new rink. During the home show in May they will be conducting Open House tours of the facility.

D. COAST Bus – Councilor Peter Schmidt

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Schmidt reported that the Executive Committee had met this week and they are preparing to have a quarterly meeting of the whole board and they are proceeding with and looking forward to the buses that are coming soon. They are also considering different service enhancements to different routes.

E. Solid Waste Advisory Commission – Councilor Thomas Dunnington

Dunnington stated the Commission had met on 3/15 and that they went over the FY00 budget and one of the items revealed was they are losing money on the demolition program. What do people do? They can go to Turnkey to dispose of the debris where there is a minimum charge of ½ ton, they can also put things in garbage bags, as well as break them down to 4 foot lengths and put them out for pick up. The committee spent more time on the computer monitors issue. It was learned that in Massachusetts they do not even take TVs. The last time they disposed of 200 monitors it cost over \$1,000. This issue is becoming a bigger and bigger problem as we move into the computer age. Berry passed on a compliment to the Waste Management Company and how they had come around twice after a recent storm day that had delayed pick up by a day. Schmidt commented on the people elsewhere who are trash picking, he wondered if we could look at that idea here. Dunnington commented on the picking of items from the end of people's driveway and stated they kind of encourage this. The Mayor wants Dunnington to take a request to the committee regarding the brush pile closing at 2 p.m. on Saturdays, as this is not late enough because people are still working in their yards until later on in the day or at least 5 p.m. He does not want the whole center kept open, just the brush pile. The Mayor is volunteering, along with people that are looking to do community service and he is sure we can find additional volunteers for his idea. Dunnington states the real issue is money, but if we can find enough volunteers, that would be a great idea.

F. Elementary Facilities Task Force Committee – Councilor Jason Hindle

Hindle reported they had met on 2/22 at Woodman Park School. John Scott from Rist, Frost, Shumway Engineering came to discuss the proposed bus loop behind Woodman Park. They were assured that the minor wetland issue will not be affected and there will be enough room for around 90-95 vehicles. With this expanded parking, the current issue of staff parking on Towle Avenue should be eliminated. The current bus stop will become the proposed drop off area for parents who drive their children to school. Some green space will be taken away from the rear of the building, but to offset that, the engineer had the idea of taking half of the hot top area that is in front of the building and making that green space. Another meeting was held yesterday, Nossiff was in attendance, as well as the Duffy family, who live on Silver Street. They had a lengthy discussion about the widening and added lane of traffic on Silver Street. The plan will go before the Planning Board on 3/27, where there will be a public hearing involved. He encouraged anyone living in that area to attend and voice their concerns or comments about the project.

G. Alternative School Joint Building Committee – Councilor Jason Hindle

Hindle reported they had met twice since the last council meeting. They had received four bids. They were from Polk Construction, Witcher Builders, Destephano, and Milestone. Milestone did not come in with a fixed price and was eliminated from the process. They were pleased with the bids that came in all with a respective bid price, but they dealt primarily with issues that needed to be addressed before the building and choosing of a firm could take place. They also discussed the CDBG request that will give the project \$100,000 that will go towards engineering and design work. They also decided to hire Dan Bisson as their technical assistant with regard

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to the Engineering and Design/Build issues in the project. At their 2/17 meeting they had decided to expend \$5,000 to have test borings done on the site. These were completed yesterday at 9-foot depths; the only ledge that was found was what is presently there now. They will be meeting tomorrow with Dan Bisson to prepare for Saturday's marathon meeting.

Mayberry asked for a start date for the project. Early this summer, Hindle stated. Andrews Parker wondered if it was still on budget, Hindle says yes.

H. Parking and Traffic Committee – Councilor Betsey Andrews Parker

Andrews Parker reported they had addressed several issues; they will investigate plans for changing the intersection of Spruce and Back River Road. The signage will be forthcoming; they are currently working to begin the City's Transportation Master Plan and, a resolution will be coming forth. She thanked everyone for coming out on the Orchard Street lot and she assumes it will be going back to the 3/28 P&T meeting.

I. Ball Fields Committee – Mayor Wil Boc

Their first meeting was snowed out but they will be charged with organizing subcommittees to determine where they can put ball fields here in the City. Their first meeting will be tomorrow night (Actually on March 21st).

Andrews Parker asked for a clarification of where people could find out if a meeting was cancelled due to bad weather such as happened this past week. It was suggested the local radio stations or notification could be put on Channel 22.

Berry moved to accept, seconded by Mayberry. All in favor.

9. CITY MANAGER'S REPORT

The City Manager reported we are 2/3 through FY00 through February and we have collected \$5.3 million in non-property tax revenue on the general fund, or 69%; and we have expended \$11.2 million on the city side of the general fund budget, or 68%. In Economic Development, the City issued 19 building permits in February with a construction value of \$1,172,300 and collected \$6,445 in permit fees. He commented that he cannot mention a lot of other items because of the confidentiality of the transactions and the parties involved until after they have been negotiated.

The snow removal budget has been exceeded for the year. We spent \$34,000 on the storm of 3/5, and an additional \$25,000 on last week's storm; we are roughly \$75,000 over the budgeted amount. We will make adjustments for this in June or July with a budget amendment. Also they had to contract out for larger equipment with the large amount of snow. They used Mick Construction to clear the snow in the downtown, so this will be approved with the acceptance of this report.

He has sent the Council a report relative to a request to sell two parcels of city property and they will be put out to bid and assessed at fair market value. Then he will make the determination if we are going to sell them.

He was also sent a schedule for setting up and reviewing city budget. He asked Skaltsis if the school will be ready on 3/29, Nick says they could be, as they are adopting their budget

on 3/22. The City Manager stated if all goes according to plan, we would review the school budget on the 3/29 with adoption of the budget on May 30. The Mayor stated on that issue, all meetings would be televised. Berry wants the dates clarified. The City Manager stated it must be passed by 6/15, also you must have 24 hours elapsed between the public hearing and passage. He asked if Dunnington has a conflict with the 5/24 date. Dunnington said, yes. Andrews Parker wants the date set as she will not be here on the 5/30 and she wondered about the number of votes needed to pass the budget. The City Manager stated he needs a majority vote. Nossiff only wants one meeting set at a time, as this is a long agenda tonight. The Mayor wants a tentative schedule set up. The City Manager stated the School public hearing would be on 5/23 with the City public hearing on 5/24 and a tentative adoption on 5/30.

Berry asked about revenue projections and his request of last month regarding school projections. The City Manager assured them they would have it before the next council meeting. Nossiff appreciated the projection as promised. He has a problem and asks if we are running a little bit ahead of last year, is the City Manager projecting the same revenues again this year? The City Manager stated, yes. Mayberry has a constituent that asked him to thank Community Services for the good plowing job. The City Manager commented on an editorial in tonight's paper about the potholes; they are full of water and filling them would not last until tomorrow if they filled them right now.

Berry moved to adopt, seconded by Mayberry. All in favor of accepting report.

10. UNFINISHED BUSINESS:

A. ORDINANCES IN 2ND READING

1. Ordinance #01-02/14/2001, Chapter 166, Vehicles and Traffic, Section 166-49, Schedule B, Prohibited Turns at Intersections, Boston Harbor Road. Sponsored by Councilor Betsey Andrews Parker, Chairman, Parking and Traffic Committee.

Andrews Parker moved to adopt, seconded by Hindle. Motion passed on a roll call vote of 9-0.

B. ORDINANCES IN 3RD READING

C. RESOLUTIONS

1. Resolution RE: Resident Parking Passes. Sponsored by Councilor Betsey Andrews Parker, Chair, Parking and Traffic Committee.

Andrews Parker refers this back to Parking and Traffic, seconded by all. The City Manager speaks on this issue, he has been delegated the authority for the past 10 years to negotiate on parking lots. He is in the process of negotiating a large commercial lease at this time. His recommendation would be to not send it back to Parking and Traffic, but to him for re-negotiation. The Mayor asked if it would come back to the council, the City Manager says no. Schmidt says the City Manager is referring to a negotiation and whatever Parking and Traffic goes along with, we will be imposing a fee. Mayberry asked if we send it back to Parking and Traffic, could we then send it to the City Manager? The Mayor feels he wants a hand in this, but he also wants direction from the Council. Reese feels if the City Manager has been doing it for years, then let him continue. Berry agrees with Reese. Andrews Parker stated if the City

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Manager has a strong feeling about something, then they have asked for him to let them know and he seems to feel strongly about this. She was not aware of his negotiations, but she respects the City Manager's statement. Mr. Beecher apologized for not knowing until this past week, that the City Manager also negotiates residential leases. Andrews Parker asked if he would be agreeable to coming to a Parking and Traffic meeting and explaining. The City Manager confirmed that he would. Andrews Parker withdrew her motion. Reese made a motion to table the whole matter and have it be referred to the City Manager for negotiation, seconded by Berry. Motion passed on a vote of 7-2. Hindle and the Mayor opposed.

2. Resolution RE: Amendment to Arena Improvements Bonding. Sponsored by Councilor Matt Mayberry and Mayor Pro Tem Robert Berry.

Berry moved to refer to a special meeting on 3/29, seconded by Mayberry. All in favor.

3. Resolution RE: Increase of the Property Tax Exemptions for Elderly, Blind and Disabled. Sponsored by Councilor Matt Mayberry and Mayor Pro Tem Robert Berry.

Berry moved to refer to a special meeting on 3/29, seconded by Mayberry. All in favor.

4. Resolution RE: Optional Date for Filing for Elderly Exemption Per NH RSA 72-32b. Sponsored by Councilor Matt Mayberry and Mayor Pro Tem Robert Berry.

Berry moved to refer to a special meeting on 3/29, seconded by Mayberry. All in favor.

5. Resolution RE: Authorizing Willand Pond Deeds to be Amended. Sponsored by Mayor Wil Boc, by Request. **(Tabled 02/14/2001)**

Berry moved to remove from table, seconded by Reese. All in favor of moving off the table. Berry moved to adopt, seconded by Andrews Parker. Mr. Beecher explained. All in favor of the resolution.

6. Resolution RE: Council Support of Proposed Legislation to Increase Veteran Tax Credit. Sponsored by Councilor Matt Mayberry. **(Tabled 02/14/2001)**

Berry moved, seconded by Mayberry, to remove this item from the table. All were in favor of removing from the table. Berry moved to adopt, seconded by Mayberry. The City Manager clarified that anyone who served is qualified under the RSA and can receive this credit. Nossiff wants to know how much this will cost the city. He commented some people may be able to double dip, with the elderly exemption, as well as the veteran's exemption.

Mayberry clarified that this was from a constituent's request. Bunny Belhumeur has requested this on behalf of all the veterans of the City. All we are doing is asking the State Legislature to support this legislation that is being proposed in Concord. This is a way to say thank you to these people who served. This does not change the exemption at all; it will only introduce legislation, for the City of Dover, by Representative Gary Gilmore but other municipalities may sign onto it. The Mayor is not spending a penny tonight. Dunnington says this is only a thank you to our Veterans and the amount is not enough to make a difference. All were in favor.

11. NEW BUSINESS:

A. CONSENT CALENDAR

1. Tag Permit – Great Bay Figure Skating Club
2. Tag Permit – Somersworth High School Baseball Boosters
3. Raffle Permit – Bell Center for Music and Arts
4. Parade Permit – Dover Cooperative Ministries
5. Parade Permit – Arthritis Foundation
6. Parade Permit – Dover Girl Scouts

Berry moved to grant, seconded by Mayberry. All in favor.

B. RESOLUTIONS:

1. Resolution RE: Award of Change Purchase Order for Completion of the Design/Build of a New Public Works Facility. Sponsored by Mayor Wil Boc by Request.

Berry moved to adopt, seconded by Mayberry. Motion passed on a roll call vote of 7-2. Reese and Hindle opposed.

2. Resolution RE: Award of Purchase Order for Pavement Markings: Parking Lots, Curb Lines, Crosswalks, Pedestrian Logos, Etc. Sponsored by Mayor Wil Boc, by Request.

Berry moved to adopt, seconded by Hindle. Motion passed on a roll call vote of 9-0.

3. Resolution RE: Award of Purchase Order for Reflectorized Center Line Pavement Striping Services. Sponsored by Wil Boc, by Request.

Berry moved to adopt, seconded by Mayberry. Motion passed on a roll call vote of 9-0.

4. Resolution RE: Award of Purchase Order for Engineering Design Services: Pump Station Chemical Feed System Repairs. Sponsored by Mayor Wil Boc, by Request.

Berry moved to adopt, seconded by Mayberry. Motion passed on a roll call vote of 9-0.

5. Resolution RE: Acceptance of NHDES Grant Funds for Groundwater Reclassification. Sponsored by Mayor Wil Boc, by Request.

Berry moved to adopt, seconded by Hindle. Motion passed on a roll call vote of 9-0.

6. Resolution RE: Permission to Apply for a Land and Water Conservation Fund Grant in Conjunction with City of Somersworth. Sponsored by Mayor Wil Boc, by Request.

Berry moved to adopt, seconded by Mayberry. Hindle will abstain from this vote. Gary Bannon is the official spokesperson on this item. Bannon explained the grant to the council. Andrews Parker is very excited about this for her end of town. Also, the State will be restocking the pond again for the fishermen.

Motion passed on a roll call vote of 8-0. Hindle abstained.

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7. Resolution RE: Amendment to City Charter Section C3-3 Entitled "Selection of Mayor and Mayor Pro Tem". Sponsored by Councilor Jason Hindle.

Berry moved to refer to a Public Hearing on 4/11. Motion passed on a vote of 8-1. Berry opposed.

8. Resolution RE: Acceptance of the Action Plan Expenditures for The Fiscal Year 2001 Entitlement Funds and Modifications of the FY2000 Action Plan Expenditures of the Community Development Block Grant Program. Sponsored by Mayor Wil Boc, by Request.

Berry moved to refer to Public Hearing on 4/11, seconded by Mayberry. All in favor.

9. Resolution RE: Support of the Creation of the Dover Arts Commission. Sponsored by Councilor Matt Mayberry, Councilor Betsey Andrews Parker and Councilor Tom Dunnington.

Mayberry moved to adopt, seconded by Andrews Parker and Dunnington. Dunnington explained the arts have always been a passion in his life; he grew up with a family very involved in the arts. He stated we tend to think of going somewhere else when we want to see the arts and the talented people of the City take their talents elsewhere, as well. This will encourage the arts in our schools and in our community. Schmidt chimed in about the theater right near city hall and how he supports this resolution.

Motion passed on a vote of 9-0.

10. Resolution RE: Award of Bid #B01027 for Outdoor Pool Maintenance Building Construction and Filtration System Replacement. Sponsored by Mayor Wil Boc, by Request.

Berry moved to suspend the rules to introduce this resolution, seconded by Hindle. Motion passed on a roll call vote of 8-1. Reese opposed.

Berry moved to adopt, seconded by Hindle. Reese has a question with regard to last minute things being presented so he will vote no unless it effects the health of the people or is a real emergency. This will be dirty water the City Manager stated. Motion passed on roll call vote of 8-1. Reese is opposed.

C. ORDINANCES IN THEIR 1ST READING:

1. Ordinance #02-03/14/2001, Chapter 143, Scenic Roads, Sections 143-1 through 141-4, updating RSA references. Sponsored by Councilor Jerry Reese, Planning Board Representative.

Berry moved to refer to a Public Hearing on 4/11, seconded by Reese. All in favor.

2. Ordinance #03-03/14/2001, Chapter 170, Zoning, Section 170-28.4, Scenic Road Overlay District. Sponsored by Councilor Jerry Reese, Planning Board Representative.

Berry moved to refer to a Public Hearing on 4/11, seconded by Reese. All in favor.

3. Ordinance #04-03/14/2001, Chapter 166, Vehicles and Traffic, Section 166-56, Schedule I, No Parking Anytime, Abbott Street. Sponsored by Councilor Betsey Andrews Parker.

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Berry made a motion to refer the revised version of the ordinance that is before them to a public hearing, seconded by Andrews Parker. All were in favor of referring to Public Hearing on 4/11/01.

4. Ordinance #05-03/14/2001, Chapter 22, Ethics, Board of, Section 22-21, Statement of Findings, and Section 22-24, Appeals. Sponsored by Councilor Matt Mayberry.

Berry moved to refer to a Public Hearing on 4/11, seconded by Hindle. Andrews Parker stated with all due respect to the Ethics Board, she feels we should look at the information the Ethics Board has prepared for us to see if it is what we asked the board to do. Andrews Parker motioned to table until 4/11. The City Manager feels this needs to be tabled, period, until the council has time to set up another workshop to review the Ethics Board's recommendations. Mayberry then wants to withdraw the next 4 ordinances, really three - 11C.4., 6., and 7. The drafter withdrew these 3 resolutions. Nossiff wants to take a very methodical approach in this issue and go all the way back to the beginning with proper legal council. Nossiff does not want a complaint filed with a board that is in question. Nossiff seconds motion. All in favor.

5. Ordinance #-06-03/14/2001, Chapter 3, Administrative Code, Adding Section 3-69, Dover Arts Commission. Sponsored by Councilor Matt Mayberry, Betsey Andrews Parker and Tom Dunnington.

Berry moved to substitute the new resolution and refer it to a Public Hearing on 4/11, seconded by Mayberry. All in favor.

6. Ordinance #07-03/14/2001, Chapter 3, Administrative Code, Adding Section 3-70, Standards and Conduct Board. Sponsored by Councilor Matt Mayberry.

See item # 11.B.4. for action.

7. Ordinance #08-03/14/2001, Chapter 22, Ethics Code of, Deleting Article IV, Board of Ethics; Complaint Procedure; Penalties. Sponsored by Councilor Matt Mayberry.

See item # 11.B.4. for action.

D. COUNCIL CORRESPONDENCE:

12. COUNCIL MATTERS OF INTEREST

Berry stated the Mayor had passed a letter on to him about the Veteran's Wall Memorial that will be on display this spring at Pease. He asked for the City's participation, as he will be speaking on the Mayor's behalf at the event.

13. ADJOURNMENT

Reese moved to adjourn at 9:30 p.m., seconded by Mayberry. All in favor.

