

D-R-A-F-T

DURHAM TOWN COUNCIL MEETING MONDAY, NOVEMBER 15, 2004 DURHAM TOWN HALL – COUNCIL CHAMBERS 7:00 PM

MEMBERS PRESENT: Chair Malcolm Sandberg; Arthur Grant; Neil Niman; Gerald Needell; John Kraus; Karl Van Asselt; Peter Smith; Mark Morong

MEMBERS ABSENT: Annmarie Harris

OTHERS PRESENT: Todd Selig, Town Administrator; Michael Blake, Assistant Fire Chief; Victoria Parmele, Minute Taker

I. Call to Order

II. Approval of Agenda

Councilor Kraus MOVED to approve the Agenda, as submitted. The motion was SECONDED by Councilor Grant.

At the request of Councilor Needell, Council members agreed that the two public hearings on the Agenda would be heard in reverse order.

Councilor Needell MOVED to approve the Agenda, as amended. The motion was SECONDED by Councilor Smith, and PASSED unanimously 8-0.

III. Approval of Minutes

October 25, 2004 Workshop Meeting

Councilor Needell MOVED to approve the minutes, as submitted. The motion was SECONDED by Councilor Kraus.

Page 2, two thirds of the way down the page, strike the words "...and said there was no one there who was prepared to vote on it."

Page 4, last paragraph, the motion should read "...general idea, that the Town participate, including the..."

Page 9, motion should read "...and Councilor Van Asselt voting in favor of it."

Page 11, last paragraph, should read "...was sufficient meeting space at present..."

Page 13, 6th paragraph, should read "...a number of functions now held in churches that he believed would..."

Councilor Grant MOVED to adopt the amendments to the minutes. The motion was SECONDED by Councilor Kraus, and PASSED 7-0-1, with Councilor Morong abstaining because of his absence from the October 25, 2004 meeting. The minutes as amended PASSED 7-0-1, with Councilor Morong abstaining because of his absence from the October 25, 2004 meeting.

IV. Report of Administrator

- Administrator Selig noted there would be a Rental Housing Commission meeting on Tuesday, November 16, 2004 at 4:00 PM in the Council chambers.
- Administrator Selig said the winter parking ban would be going into effect, so there would be no parking between 1-6 am on any public way in Durham.
- Administrator Selig noted that the 2004 cleanup was underway, beginning with brush pickup.
- Administrator Selig informed Council members that there would be a meeting of the Durham Business Association the following day at Libby's Bar and Grill.
- Administrator Selig said that Lee and Durham were in the process of evaluating gravel pit related to preserving the Lee well. He said information on the parcel was not available in time for the Budget process, but said he would bring this before the Council in nonpublic session at the December 6, 2004 Council meeting.
- Administrator Selig spoke about the three Resolutions before the Council that evening, and provided details on each of them. He noted that there would be formal presentations on them at the December 6th meeting.
- Administrator Selig read a letter from Bill Schoonmaker, Chair of the Durham MainStreet Program, which among other things, explained the transitioning of the work of this program into the *Durham – its Where U Live Program*. He also noted that Item VII C on the evening's Agenda was an event that had been sponsored annually by the Main Street Program

V. Reports and Comments of Councilors

Councilor Smith updated Councilors on the work of the Legislative Committee he served on concerning the Right to Know Law. He explained that although the entire project was not yet complete, the Committee had completed a substantial amount of work, and had submitted a report that had recommended several modifications. He noted this report would be available soon on the Internet. He said a bill had been put forward to renew the Committee, but in the mean time, Commissioners were continuing to meet informally. He noted that no formal action could be taken at these meetings until the Committee was officially reconstituted. He also noted that the meetings were open to the public.

Councilor Kraus read a letter from former Councilor Mike Pazdon regarding the Packers Falls Bridge issue. He noted that Mr. Pazdon's views did not necessarily reflect his own.

Councilor Niman told Councilors he had received an invitation to an upcoming School Board meeting, concerning a question as to whether they would be moving forward with a new apportionment formula. He said he would go to the meeting, and would try to get clarification on this matter.

Councilor Needell said the Main Street Reconstruction project had scheduled a series of two public hearings, one on November 30, 2004, from 3:30-5:00 pm, and the other, the same evening

at 7:00 pm. He said these hearings would be held in the Council Chambers, and said the public was encouraged to provide input at the hearings.

VI. Public Comments

Former Councilor Scott Hovey, Canney Road, said he concurred with Mike Pazdon, noting he was on the Council at the time the so-called improvements to the Packers Falls Bridge were being considered. He said that many people came to speak about the project at that time, and raised issues that had not been addressed by Town administration or Council members either as a body or individually. He said it was democracy at work, in its purest sense.

Mr. Hovey said he had supported what seemed to be a reasonable action based upon the safety factors of the structure of the bridge. He said he remembered Councilor Sandberg didn't want to change the bridge that much, but said others saw no problem with the proposed improvements recommended by the Public Works Department and Hoyle Tanner. He noted that the public, however, had expressed significant concerns, many of which he felt were generally legitimate.

Mr. Hovey provided additional description of the process by which the changes to the bridge were agreed upon. He said the Town Administration and Public Works Department said at the time that they had heard the concerns of the Council and the public. He gave as an example the issue of the height of the rails, which he said staff had said would be far lower than the final outcome. He also said there had been assurances that the appearance of the approaches would be handled with great care.

Mr. Hovey said the credibility of the Town Administration and the Public Works Department was at stake at present on this matter, and said the bridge should be built as it was portrayed, but minus the obvious safety hazards that presently existed. He said the public and the Council had spoken, but the outcome was the opposite of what he had thought he was voting on. He said if he had known the outcome, he would have agreed with Councilor Sandberg on this matter. He said this important scenic area should be protected as promised, and said it was up to Town staff to figure out how to do so as soon as possible. He said the Council should hold the staff's feet to the fire for disregarding the wishes of the public and the Council at that time, and said the bridge should be fixed now.

Chair Sandberg said he had asked Councilor Smith and Administrator Selig to draft an action communication for the Council to take up at its December 6th meeting. He said it was designed so that the Council could choose which option it wanted, and could also craft language that would allow the Town Administrator to expend funds currently in the 2004 budget, in order to make changes to the Bridge deemed necessary by the Council. He said the public would be welcome to speak to this issue, at that meeting. He said he suspected many of the members of the public who were present that evening had come to speak on this issue.

Representative Judith Spang, Wiswall Road, said she understood that the Council wanted to take up the Packers Falls Bridge discussion at the next meeting, but said she hoped that the people who came to speak that evening could speak as well. She said she would like to inform the Council about some funding opportunities related to the Bridge, so they would know about this in advance. She said that at its last meeting, the Lamprey River Advisory Committee had

voted to grant \$15,000 for the Bridge. She noted that this represented a large percentage of the Committee's annual operating funds, noting especially that members of the Committee didn't necessarily live in the Packers Falls area. She said the Committee had decided that the Bridge was so important to maintaining the quality of the Lamprey River, as a Wild and Scenic river, that they were willing to commit this money.

Dwight Baldwin, 6 Fairchild Drive, Chair of Conservation Commission, noted a memo to the Council from the Conservation Commission, and read from this memo. The memo described the recent Conservation Commission meeting, where among other things there was discussion regarding the merits of removing the concrete railings currently on the bridge, and replacing them with metal railings that would allow a view of the river when crossing the bridge.

Mr. Baldwin noted the Conservation Commission learned during this discussion that the Council had previously voted to allocate funds left over in the Town's contingency fund to the Conservation Commission to be used to preserve land and associated visual landscapes in Durham. He said the Conservation Commission then voted to allow the use of unexpended contingency funds for 2004 to be allocated toward restoration of the Packers Falls Bridge. He said that all Conservation Commission members had voted in favor of this action, except for one abstention.

He described the rationale for such a strong endorsement, noting that one of the missions of the Commission was to preserve open space and the visual landscape. He said the Packers Falls Bridge was located on a Scenic Road, as well as on a Federal Wild and Scenic River, and was therefore a crossing that was a unique scenic resource which should not be blocked by the concrete railings.

Mr. Baldwin also noted that the land under the bridge was preserved under a conservation easement held by the Commission, and said the easement was accepted because of the site's unique scenic qualities. He also said the Conservation Commission and the Land Preservation Working Group were moving forward to preserve ecologically and scenically important open land in Durham, and said with funds from the Current Use change tax and the bond issue, the Commissioners felt that this one time expenditure of the 2004 contingency funds would not jeopardize the long term goal of preserving land in Durham, but instead would help the Commission meet one of its important charges, to preserve scenic vistas.

He said the Commission recognized there were many pressing needs for money in the town, but for the reasons already stated, asked the Council to allocate the unexpended funds in the contingency fund for the rehabilitation of the Packers Falls Bridge.

Beth Olshansky, Chair of Packers Falls Bridge Committee, thanked the Lamprey River Advisory Committee for their donation. Ms. Olshansky provided an overview on where the proposed funding for the repairs to the bridge could come from as follows:

- \$ 15,000 from Lamprey River Advisory Committee
- 50,000 from Durham Conservation Commission
- 15,000 from closed road
- 15,000 from Hoyle Tanner Associates

15,000 from bridge unexpended funds
22,000 reuse of guard rail
\$132,000

Roy Sheehan, External Affairs Coordinator of the UNH Student Senate said he wanted the Council to know that the Senate had passed a Resolution similar to the one the Town had passed regarding the way the election process had gone. He noted that student voter turnout had increased significantly, and commended the efforts of Durham election officials on Election Day. He said they had helped students tremendously, and said it was great to see such the interaction between the students and the Town.

Chair Sandberg said this had involved a lot of work on the part of the volunteers. He said he had spent the day at the polls, and saw that there was great cooperation by the students. He asked Mr. Sheehan to extend the Council's thanks to the Student Senate.

Douglas Wheeler, 27 Mill Road, said he was present to speak on behalf of the Durham Library Board of Trustees, which conveyed its strong support for the proposed 2005 budget's full funding for the existing library. He noted that the Trustees had to raise one third of its operating budget every year, and said the Statutes were clear that Towns were responsible for funding much of their libraries. He said with this full funding, the Trustees could move ahead and focus on the capital campaign. He said the Trustees had presented a no frills budget for 2005, and said the proportion of tax dollars spent on the library was low compared to what was spent by other towns. Mr. Wheeler described the various services and programs provided by the Durham Public Library, and described it as a community resource that kept giving, and was a real bargain.

Chair Sandberg noted the Council would be holding a public hearing on the 2005 Budget that evening, and suggested that comments on this should be held until then.

William Hall, noted that the parking lot was full of cars that evening and said that this would be a situation similar to the Packers Falls Bridge problem, if the library was put there.

He also said he had watched the meeting of the previous week, and was concerned about what had been expressed at that meeting. He said he had come to the Council two meetings back to ask that the pipes below Madbury Road be replaced before the sidewalks were replaced. He described what he had previously said about the location of the pipe, and noted that it was in fact a few feet off of the edge of the sidewalk.

He noted the expense of fixing the Packers Falls Bridge so far, and what it would take to fix it further, and said this represented a quarter of a million dollars. He said these kinds mistakes had happened before, and said the issue of who had made the mistakes was never dealt with. He provided details of previous problems, and said the reason he was saying these things was that there were issues that should have been addressed but were not.

VII. Unanimous Consent Agenda *(Requires unanimous approval. Individual items may be removed by any councilor for separate discussion and vote)*

- A. Shall the Town Council move George Thomas from his current position as an alternate member on the Conservation Commission and appoint him to fill the regular member vacancy created by William Skinner as recommended by the members of the Conservation Commission?
- B. Shall the Town Council appoint Wendy Snow Fogg, 185 Wednesday Hill Road, to fill the alternate member vacancy created by George Thomas as recommended by the members of the Conservation Commission?
- C. Shall the Town Council approve the Special Events Permit application to close a portion of Main Street for the annual “Light Up Durham” celebration on December 3, 2005 from 5:00-8:00 PM as requested by the Durham Business Association?
- D. **Resolution #2004-18:** Recognizing the outstanding efforts of the Town’s departments of safety, UNH administrators and student leaders, and other outside law enforcement agencies who assisted during the 2004 American League Championship Series and the World Series
- E. **Resolution #2004-19:** Recognizing Town election officials and citizen volunteers for their outstanding efforts during the 2004 General Election
- F. **Resolution #2004-20:** Recognizing the employees of Timberland for their efforts in assisting Department of Public Works in assembling the new playground equipment at the Woodridge Fields

Councilor Kraus MOVED to approve Unanimous Consent Agenda Items VII A-F. The motion was SECONDED by Councilor Needell, and PASSED unanimously 7-0, with Councilor Smith not voting since he had left the room temporarily.

Councilor Needell noted for members of the public that the Resolutions in the Unanimous Consent Agenda Items D, E and F were now enabled, with this vote, and said there would be formal presentations on them at a future Council meeting.

VIII. Public Hearing and Action on Ordinance #2004-10 amending Sections 175-133(B) (2) and 175-133(G) of the Durham Zoning Ordinance relating to snipe signs and political speech (formerly Agenda Item IX A.)

Chair Sandberg noted that the Council had passed this ordinance on first reading at a previous meeting, and the public hearing on it was scheduled for the present meeting.

Administrator Selig provided background on these proposed amendments to the Zoning Ordinance.

Councilor Smith MOVED to open the public hearing on Ordinance #2004-10 amending Sections 175-133(B) (2) and 175-133(G) of the Durham Zoning Ordinance relating to snipe signs and political speech. The motion was SECONDED by Councilor Kraus, and PASSED unanimously 8-0.

Ed Valena, Bagdad Rd, said he thought this was a crazy ordinance when it was first enacted. He explained that when he had previously lived in another district, he had been allowed two signs, and also said that he had previously been allowed only one sign in the district he now lived in. But he said that this year, he had been allowed to have five signs. He said he was very much in favor of the new provisions.

Administrator Selig explained that the reason Mr. Valena was allowed to have more signs this year was that he (Mr. Selig) had administratively suspended enforcement of the existing ordinance.

Councilor Smith MOVED to close the public hearing on Ordinance #2004-10 amending Sections 175-133(B) (2) and 175-133(G) of the Durham Zoning Ordinance relating to snipe signs and political speech. The motion was SECONDED by Councilor Kraus, and it PASSED unanimously 8-0.

Councilor Smith MOVED to adopt (as presented) Ordinance #2004-10 amending Sections 175-133(B) (2) and 175-133(G) of the Durham Zoning Ordinance relating to snipe signs and political speech. Councilor Kraus SECONDED the motion.

Councilor Smith noted that he had indicated previously that major constitutional difficulties had been raised by this provision. He commended Administrator Selig for having taken the unusual action of suspending enforcement of this provision, in light of the problems with the provision, pending action by the Town's Boards. He said the entire sign ordinance still needed to be reviewed, but said he was strongly in favor of enacting these amendments.

The motion PASSED unanimously 8-0.

IX. Unfinished Business

A. Public Hearing on proposed FY 2005 Operating Budgets and 2005-2014 Capital Improvements Program (formerly Agenda Item VIII)

Chair Sandberg explained that the Council had taken a first look at the budget at the previous Council meeting. He said the hearing that evening was an important opportunity for the public to provide input on the proposed 2005 Budget and CIP.

Councilor Kraus MOVED to open the Public Hearing on the FY 2005 Operating Budget and 2005-2014 Capital Improvements Program. The motion was SECONDED By Councilor Smith, and PASSED unanimously 8-0.

Ed Valena, Bagdad Road, said he supported the proposed library line item for fully funding operation of the existing library. He also said it was great to see the new Library listed in the CIP, and looked forward to a great conversation about how the Town was going to fund it.

Ted McNitt, Durham Point Road, noted he had previously spoken at the public hearing on the proposed new library. He said the existing Town library was an essential public service,

and said he heartily endorsed covering the library's operating expenses. He said this was long overdue.

State Representative Judith Spang, Wiswall Road, seconded Mr. McNitt's endorsement of covering the library's operating funds. She also said the Town should seriously consider using impact fees to cover things like the library, and said that Durham would benefit from having a study group look into this funding mechanism.

Administrator Selig explained that the Town had in fact spent time evaluating the possible benefits of introducing impact fees. He said a draft document had been developed and evaluated, and said he was hopeful that in the near future, a recommendation would be brought forward on this.

Dwight Baldwin, Chair of the Conservation Commission, said he did not see a line item in the 2005 Budget for the Conservation Commission, and Administrator Selig explained where this information could be found.

Councilor Kraus MOVED to close the Public Hearing on the FY 2005 Operating Budget and 2005-2014 Capital Improvements Program. The motion was SECONDED By Councilor Grant, and PASSED unanimously 8-0.

Chairman Sandberg called for a five-minute recess at 8:10 PM.

The meeting reconvened at 8:15 PM.

B. Discussion and deliberation on proposed FY 2005 Operating Budgets and 2005-2014 Capital Improvements Program (formerly Agenda Item VIII)

Chair Sandberg noted that at the previous meeting, there had been a motion and second to put a motion concerning the 2005 Budget and the CIP on the table, and another motion which tabled it.

There was discussion among Councilors as to what the proper way was to proceed on this matter.

Councilor Needell said his understanding at the previous meeting was that by tabling the motion, all conversation by the Council on the Budget and CIP was informal until the motion was brought back onto the table.

Chair Sandberg said that technically speaking, what should have happened was that the Council moved to postpone action. There was additional discussion on the proper way to proceed.

Chair Sandberg said the Council could proceed any way it chose on this.

Councilor Van Asselt said he preferred to talk about the operating budget first.

Administrator Selig said he was hoping that the Council would go over the updated fiscal forecast, noting some questions had arisen that this tried to address. He recommended going through the CIP first, because the Council typically never spent enough time on this. He said there were some major items in it for the future that the Council should look at.

Councilor Van Asselt said he would defer on this, but said that a key issue to address was new revenues, and the fact the Town presently had new revenues of less than 1%. He said it bothered him to talk about capital improvements when the Town didn't have revenues.

Administrator Selig described the revised fiscal forecast, and the tax rate implications. He noted that a Councilor had asked what the impact of the \$2.5 million conservation bond would be on these projections, and said this had been determined. He said the Land Protection Working Group was looking at land or easements worth approximately \$1.6 million that potentially could come forward on 2005. He described the tax rate implications of this, noting it would increase by \$0.20.

Councilor Niman asked if there would be a higher cost of borrowing money in future years, given that interest rates were going up. Administrator Selig said he would need to check with Business Manager Paul Beaudoin on this.

Councilor Smith asked Administrator Selig if Mr. Hyde's \$1.6 million total was attributable only to the land conservation bond and not to the Current Use land use change penalty, and was told that was correct. He said his point was that this figure was probably substantially on the high side, because there was the opportunity for \$500,000 of already existing funds. He also said the odds of getting to \$1.6 million by the end of 2005 was not that great, but agreed it was a conservative thing to do to consider that this money might be spent.

Chair Sandberg asked if this assumed a thirty-year bond would be used. Administrator Selig said it would either be twenty or thirty years.

Councilor Grant asked how much of the fund balance was used in 2004. Administrator Selig said \$277,000 was spent, although it had been projected that \$365,000 would be spent. He said that less was used than had been anticipated because revenues were greater than anticipated.

Councilor Smith asked Administrator Selig what the possibility was of getting additional revenues as a result of negotiations with UNH that could be put into the 2005 Budget. Administrator Selig said there would be additional revenue from students of the Oyster River School district who lived in University housing, \$40,000 for a half a year. He said that with respect to the fire agreement, the Town currently supported 54%, and anticipated moving to a 50/50 split, phased in over a three-year period. He said that the first year, the Town would pick up about \$15,000 as a result of this.

Administrator Selig said the other item was the water/sewer agreement, and explained that all potential changes had been backed out of. He said the Town and the University needed to work through some differences, and said the challenge was to come up with a system that was fair to both parties.

Councilor Smith asked if it would be too speculative at present to say anything about what might develop. Administrator Selig said it would be. He said both entities needed to reassess goals, and noted this should be a cooperative effort. He said the other savings was from the possible changes concerning dispatching, which was not a sure thing. He said there was still a lot to be worked out, but said he was optimistic the Town could do so.

Councilor Smith asked if there was any possibility in 2005 to combine fire and ambulance corps operations, in order to save money. Administrator Selig said there would not be savings in 2005, and said the Town was continuing to look at the long term viability of merging the two. He said the Fire Chief had given him a number of analyses on this, and he provided additional details on this.

Councilor Smith asked how this cooperation would cost less money, and Administrator Selig provided details on this. Councilor Grant said when there was an accident or other emergency, the Fire Department responded to every incident. He asked if Fire Department responders were med techs.

Assistant Fire Chief Michael Blake said the department was trying to come to some sort of level of commitment from the ambulance corps that when they were called, they would have sufficient staff to respond. He said the Fire Department responded to every call because the ambulance corps presently didn't have that level of commitment.

Councilor Grant asked if at present, there was one EMT on every fire shift, or if that was the goal. Mr. Blake said all fire fighters were EMT intermediates, and were capable of rendering emergency medical aid.

Councilor Grant asked if the Town had qualified EMTs on the fire truck, for which it paid for training, why the Town would increase the number of paid staff on the ambulance corps. Mr. Blake provided details on why this was the case.

Councilor Smith said he was getting the sense that in many, many cases, three entities were responding, with substantial overlap of skills. He said he didn't know if anything could be done about the budget on this at present, or if this simply needed investigation.

Councilor Grant said his questions to the Administrator Selig and Chief O'Keefe were based on an increase to the ambulance corps budget of 82%, and what precisely prompted this. Administrator Selig provided details on this, and Councilor Grant said he got the impression from the Budget that a lot of money for the increase was for outreach, and said he didn't understand what this was intended to achieve.

Councilor Van Asselt said in order to do anything over and above services the Town was providing at present, this would cost the taxpayers. He said there were only small increases in other tax revenues, so when he saw the possible expenditures in the budget, they indicated serious policy questions that needed to be answered.

Chair Sandberg said he agreed the Council needed to look at how to increase revenues. He said Administrator Selig was exploring options for increasing revenues, including in the Town's dealing with the University.

Councilor Van Asselt said the Town would not be seeing significant revenues soon from any foreseeable sources, and questioned whether given this, the Town could afford road resurfacing and other expenditures.

Councilor Kraus said he did not hear any citizens talking about taxes being too high that evening. He said there were two aggressive groups badgering for funds - for the library, and the Packers Falls Bridge repairs, but asked where the people were who were concerned about spending money.

Councilor Niman said he thought taxes were too high, and said a lot of people he knew also thought so. He said he would like to encourage everyone at home to comment on this. He also said there was another option, and noted he had developed a proposal for cutting the budget, which he hoped the Council could discuss the following week, that would provide comparable services at significantly lower cost. He said he agreed with Councilor Van Asselt about the need to expand the tax base, and increase revenues.

He said he agreed the Town needed to do more to increase revenues. He said he was glad to see the Beech Hill appropriation discussed by the Economic Development Committee, but noted that it was not yet known if anyone in this area was interested in selling their property. He said what was needed was a plan, and said a letter had been drafted to residents of this area, with the idea being to open up conversation. He said there was no point in expending money if everyone was happy the way things were. He said to him, the money in the CIP was simply a placeholder at present, to signal that the Town was interested in economic development

Councilor Morong said the Economic Development Committee was not interested in before the fact bringing in the kind of infrastructure that had been brought to the Business Park, and would want to know companies were interested before expending funds in the Beech Hill area.

Chair Sandberg said he assumed the Committee would be looking at something like a tax incentive finance district or something similarly innovative, so this wouldn't cost the tax payers money.

Councilor Needell said he understood the sensitivity about taxes being too high, but said he did not subscribe to the idea of the next possible expenditure being held hostage to the Town's tax rates. He said each Item needed to be looked at independently. He also said he would like to get the discussion going on the idea of having the large bond issue for a new library in 2006.

Chair Sandberg asked concerning Beech Hill Road, if the Town was contemplating doing this as a non-tax impact approach, wouldn't there be an offset on the revenue section of the spreadsheet. Administrator Selig noted that this Item was specifically held out at the very

bottom to show the possible impact of including it, noting it was not his intention to propose it unless this was agreed upon. There was additional discussion about this.

He also responded to previous questions from Councilor Grant and Smith regarding the discussion on the ambulance corps budget. He said he had attended the ambulance corps meeting with Lee and Madbury, and said public outreach showed the largest increase in the budget, although the increase was only a \$3,000 increase out of a \$32,000 budget. He provided additional details on this.

Regarding Councilor Smith's concerns about consolidating the ambulance corps into the Fire Department, he said he believed that eventually this would happen, but said that to date, he hadn't seen numbers that this would be worthwhile to do at present. There was additional discussion about this with Councilor Smith.

Councilor Needell said many questions were yet to be answered about the actual plans for the new library. But he said although there were many questions to be answered about the actual plan, whether the Council endorsed the concept of building a library anywhere was the question that needed to be answered at present. He said he would like to see this happen, and said he endorsed leaving the line item as is.

Councilor Van Asselt said one question was whether the Council was interested in building a facility for the library. He said the second question was whether the Council was interested in supporting \$2.9 million for the library. He said his answer to the first question was yes, but the answer to the second question was no. He said this was a ball park figure, but said he was not willing to say to the taxpayers - lets go for \$2.9 million.

Chair Sandberg said there was nothing firm about that number. He said Councilor Needell's question was whether the Council was willing to explore building the library at some price.

Councilor Smith said he did not view the capital budget as equivalent to somebody's wish list, and said that when he looked at a 10 year projection, the reliability of the numbers decreased. But he said there should be some logic behind these numbers. He said he did not look at these numbers as though they were saving a place, and said that a figure in the CIP one year out should be a highly reliable figure.

Councilor Smith said regarding the library, a question was whether the Town government wanted to have a library that physically went beyond the shopping center. He said his own answer was yes, the Town was bound to have a library. He said a second question was, if the new building was desired, how much were Councilors prepared to say should be paid for it. He said this brought in how the library would be used and what services it would provide. He said he had a feeling that Councilors knew only a small amount of what they needed to know in order to make a decision on this.

Councilor Smith said another important question was what the mechanism would be for raising the money for the library. He said this is where it got more difficult for him. He provided details on this, and said the question was where did the Council draw the line as to

how much would appear in the line items, and how much of this would have to be raised privately. He said there needed to be a heavy burden on private fundraising for the library.

Chair Sandberg said that setting off the expense with anticipated private contributions was a way to be realistic. He noted that the Trustees could come up with \$500,000, but said that perhaps they needed to come up with more.

Councilor Needell said that just because the \$2.9 million figure appeared in the CIP, this did not mean this was the bonded amount. But he also said this number was not arbitrary, it was developed by the Library Trustees, as a reasonable amount of money. He said the question was what to do with this number in the CIP, and what placeholder the Council was willing to put there. He said if the Council could not accept that number, and the Trustees would have to raise another million dollars, the Council would have to tell them that. But he said it was important to move forward.

Councilor Kraus said if he understood Councilor Smith correctly, he heard him say that there needed to be more private money to pay for the library. He said if he read the CIP correctly, the library was really a \$3 million proposition, with \$850,000 coming from \$350,000 set aside by the Trustees, and anticipated fundraising of \$500,000. He said the word anticipate was one he did not like to see in a budget, and said all of this made him uneasy.

Chair Sandberg said Administrator Selig put a series of questions to the Trustees to try to obtain some of the design and funding details Councilors were looking for. He said the \$75,000 allocated in the budget was needed to help find some of the answers to these questions.

Councilor Kraus asked if the \$75,000 was for design considerations, and asked if it came out of the \$350,000 set aside for the building fund. Administrator Selig said that it would.

Councilor Niman said his fear was \$75,000 was a waste of money unless the Council gave the Trustees guidance. He said he was not sure about looking at the percentage contribution of the Town vs. private fundraising, but said it was important to try to reach consensus as to how much the Town was willing to contribute to the library. He provided additional details on this.

Councilor Needell said the proposed actual bonded amount would be \$2.2 million (\$2.9 minus 0.7 million), so the first round of that had occurred, and the Council could accept or reject this.

Councilor Smith said if the Town said something to the effect that it would limit its contribution to the library to \$1 million, he would want to know for what, before saying yes. There was additional discussion on this.

Administrator Selig outlined some of the variables that could change the cost figures. He said he had a lot of concerns about these hypotheses, and said he thought the Trustees would have need to do a lot of additional study to answer various questions. He said he hoped they all would be much further along a year from now.

Councilor Grant said whatever the number was for the total cost to taxpayers, it would be more than million dollars, and would be on the ballot. He said that same year, taxpayers would be asked to approve significant water and sewer infrastructure improvements.

Chair Sandberg said what the Council appeared to be saying was to let the Trustees let trustees do their homework with the \$75,000 in the 2005 Budget, and the \$2.9 million in the CIP for 2006 was simply a placeholder.

Councilor Van Asselt said he would like to see, as part of looking at the new library, a structure that puts more of the day to day operating under the control of Town staff.

Administrator Selig said the Trustees functioned as a separate entity in the operation of the library, although the Town Administration could have an influence on this. He said he didn't have ongoing discussions about management of the library. He said the library had been moved under the larger town umbrella in some areas, but said he didn't envision having any additional control over the existing library with this line item.

Councilor Van Asselt said with this larger proposed operating budget, he would like to see the Town Administrator more involved in overseeing the library.

Councilor Smith said he didn't want there to be any misunderstanding with the Trustees as to what it meant if the Council left the line item of \$75,000 in for 2005. He said his proposal was going to be to take it out, but would leave it in, as long as it was understood what the meaning was of leaving it in.

Councilor Kraus said the Council took the library out of the CIP in 2002, and said he endorsed what Councilor Smith had said in terms of removing it from the CIP this year. He said he could not vote for it at present, because it became an assumption, and said the Council could put it back in the next year.

Councilor Needell said although the Council could not commit the Town to bonding \$2.2 million, it could provide an endorsement of the concept of the project, and could commit to bringing this proposal to the taxpayers.

Chair Sandberg said whatever the number put in for the cost of the library, it was one that had no basis. He said he understood Councilor Smith's point that it was important to be as realistic as possible, and said he thought the Trustees needed to spend \$75,000 in order to get that number.

Administrator Selig said he agreed, but said the Council could provide detail on the revenue that would be needed. He said the Trustees would know this, and this would become their target.

Councilor Smith said that was acceptable to him, but noted that for all the other projects, the money would come from taxpayers, so the library project was different, and this needed to be very clear.

Chair Sandberg said therefore, the Trustees would have to come up with something other than \$775,000. He said the question was, how big a box was needed, and said this wouldn't be known for some time. He said money would have to be spent to find this out.

Councilor Grant noted for members of the public that over the 10-year period, the total of all funds for Capital Improvements was approximately \$24 million dollars.

X. Adjournment

Councilor Kraus MOVED to adjourn the meeting. The motion was SECONDED by Councilor Grant.

Chair Sandberg suggested they first have a motion to postpone action on the Budget and CIP, and continue discussions the following week.

Councilor Smith MOVED to postpone action on the Budget and CIP, and continue discussions the following week. The motion was SECONDED by Councilor Kraus, and PASSED 7-1, with Councilor Grant voting against it.

Councilor Grant said Chair Sandberg had not taken the Budget and CIP off the table.

The original motion to adjourn PASSED unanimously.

Meeting adjourned at 10:00 pm

Victoria Parmele, Minute Taker