



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, January 10, 2007**
Meeting Time: **7:00 pm**

- 1. MOMENT OF SILENCE**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**

Present: Councilor David Scott, Councilor Dean Trefethen, Councilor Harvey Turner, Councilor Catherine Cheney, Councilor Dennis Ciotti, Councilor Doug DeDe, Deputy Mayor Jason Hindle, councilor Robert Keays and Mayor Scott Myers.

Also Present: City Manager Mike Joyal and City Attorney Allan Krans.

- 4. PROCLAMATIONS – AWARDS**
- 5. SUMMARY OF AGENDA**

Mayor Myers reviewed the agenda.

- 6. CITIZEN'S FORUM**

Citizens are invited to speak to items that pertain to the business and/or interests of Dover, NH. Statements shall be limited to five minutes.

Mayor Myers opened the Citizen's Forum:

Ron Huml, 199 Mast Road- stated he had 2 issues this evening; first, the minutes of 12/13/06, regarding the teachers contract he had several corrections he felt should be made. Secondly, regarding the Arena and the actual expenses for FY 06 and FY 07, he came up with an additional reduction of \$150,000 - \$200,000 just to break even and he feels that the Arena Commission should be given the assets and liabilities portion of the financial statements in addition to the revenue/expenses information so that they have all of the facts in front of them when they hold their meetings.

Roger Smith, 83 Old Rochester Road – spoke regarding the north end water pressure issue stating that it needs to be resolved. He explained that he has done all of the water pressure testing at his residence at the various points that have been mentioned and the problem is not at his house. He stated that the \$6,000,000 figure mentioned at the last meeting to fix this problem was meant to scare people about the tax rate, but he has done web research and has found lots of other places that have had to deal with these issues and some places rent out their tower space to offset costs. He further explained his history as a construction inspector and his knowledge of the water pressure issue. He concluded by stating that people on the north end were told that there would be no new construction up there until the water pressure issue was resolved and then read in last night's Foster's that there is another hotel going in at Weeks Crossing.



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Jerry Lynch, Lincoln Street – asked Joyal about the meeting held in his office with Dickinson and if any notes had been taken.

The Mayor reminded him that there is no back and forth dialogue during this portion of the meeting.

Lynch continued asking why we are building on an old toxic waste site and why are we continuing to bring in toxic waste from other towns to contaminate the cell and asked has it been repaired since the car was driven into it. He continued to ask are they taking the people's interest in mind or will we have another Love Canal and he feels that things are being carried out in secrecy and he doesn't like it.

Kevin Schultz, 9 Shawnee Lane, spoke in favor of the north end fire station especially due to recent expansion. He stated that the current response time is 8 minutes and it should only be 4 and therefore it is a safety issue. He stated that the north end has been ignored for the last few years and that this has been on the docket for the last few years but keeps getting pushed back. He concluded by stating that he hopes that this gets done before something bad happens.

Ed Bleiler, 28 Isaac Lucas Circle – stated he would like the Council to fully understand the impact on the tax bill of the Dover homeowners before approving the large expenditures and stated that their spending is driving the elderly out of the city and feels that this action could also end up driving down the price of homes. He continued that no matter who develops the waterfront we need to know the costs and spend only what is absolutely necessary.

Vicki Blanchette, 86 Third Street – spoke regarding the River Street Pump Station, stating that she went on the tour last week and feels that everyone should see it and she does understand why it needs to be upgraded. Secondly, she discussed the resolution regarding the wood and brush recycling, stating that she thought this was something that we have always done anyway. Next, regarding a parking garage, she feels that the city does need one. Finally, she stated she supports Councilor Keays resolution regarding the audit as she feels it is important to know where the money is going.

Don Medbery, 3 Covered Bridge Lane – (written notes submitted for the record) stated that he feels that senior citizens and young couples are being discriminated against by the Assessor by the way the use comparables which are off the chart and feels that everyone should check their assessments. He also discussed the Ice Arena issue as well as the number of consultants the city hires and the number of studies and feels that our own city engineers should be doing this work. Finally he stated that he feels that the City Manager and some of the Councilors have worked out something to bail out PRP's regarding the Tolend Road Landfill.

Rick Hebbard, 97 Spruce Lane, began by stating the doors to the Council Chambers should be opened to the public at least one hour prior to the meeting and that full agenda packets should also be made available prior to the meeting. He also discussed the parking of city vehicles around the city hall building stating they should not be taking up the 2 hour parking spaces for the customers. Next, he asked the Council to take immediate action to increase the price of the



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gravel to fair market value. Finally, regarding the Glenwood Avenue reconstruction as well as the upcoming Henry Law Avenue project, he wants the property owners to be aware of their property rights and is publicly letting everyone know that their property was stolen with no compensation and it was not the proper way to be done. He stated that if the city wants to take any property, even in the right of way, they have to offer compensation in accordance with RSA 231:75-78. He stated that Doug Steele has told him that steps are being taken to address this but he feels that the city uses the statute of limitations when trying to get money out of people and so it should work both ways.

Mary Hebbard, 97 Spruce Lane – spoke regarding resolution 12B-2 regarding forming a Class VI Roadway committee. She stated that the discussions of such a committee are only as good as the information received and feels that the resolution itself is inaccurate. She continued by pointing out the discrepancies and passed out information from a previous committee from 2003. She stated that the work of that committee was never reported to the Council because it was stopped dead in its tracks with no explanation and was either out of disregard, disrespect or incompetence. She continued by stating that this resolution calls for a 12 member committee, with 10 of them being staff and only 2 token citizens and not specifically abutters whose property rights are at stake. She asked the Council not to pass this resolution.

Seeing no one else wishing to speak, the Mayor closed the Citizen's Forum.

7. PUBLIC HEARINGS

A. **Resolution RE: Appropriation for FY08 Capital Improvements Program and Authorization for Bonding.** Sponsored by Mayor Scott Myers by Request. (**PUBLIC HEARING ONLY**)

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

Karen Weston, 42 French Cross Road – speaking as a downtown merchant (Janetos) regarding the proposed traffic changes in front of their store stating that she has had this change explained to her by Mr. Joyal in that it is a part of the Rizzo Study recommendations. She stated she has since taken it upon herself to get a petition signed by every merchant in the downtown area to remove items 8 and 9 from the CIP as many feel that the removal of the lane causing a backup of traffic on Main Street. She stated that she would like the public hearing on the CIP tabled until after tomorrow nights' Transportation Advisory Commission public hearing that will be addressing these traffic changes. She continued to review various issues that the downtown merchants are concerned with including parking which has been an issue for over 30 years.

Mayor Myers explained that the Council will not be voting on the CIP tonight, it is just a public hearing.

Janet Perry, 37 Arch Street, owner Nicole's Halmark, 386 Central Avenue – stated she is in favor of the funding for the parking garage study and for the parking solution depending on the



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study outcome to benefit the growth downtown. Regarding the traffic pattern situation, she asked that further funding for any more traffic changes (items 8 and 9) be held off until the parking solutions are put into place.

Linda Hagen, Jewelry Creations 388 Central Avenue – stated that Dover needs to put the parking garage at the top of the list as she is very concerned with the lack of parking downtown. She stated that she has customers tell her that they can't get to her business and don't come. She stated she wants to keep her business in Dover but can't if there isn't going to be parking and would like them to provide a worry-free environment for people to come to Dover.

Michael Provost, Executive Director of Dover Main Street – stated that the downtown businesses need a solution to the parking and that many aren't sure whether they can stay in Dover or expand without a parking garage.

Evelyn Colby, owner of Nuance in downtown, agrees with previous comments that people tell her that they weren't able to come to her store because there was no parking in the area.

George Maglaras, Cocheco Street, member of DBIDA, first addressed the north end water pressure issue stating this has been a problem for 30 years and they need to take a no nonsense approach and solve the problem. Secondly, regarding parking improvements, DBIDA supports the Council putting aside funds to deal with parking and the decision to hire the Lansing Melbourne Group to do the analysis. He stated that when he was Mayor 16 years ago, he created a Parking Commission which was funded, but disbanded when he left the Council. He stated that he would like to see other solutions considered besides the building of one parking garage such as more than one parking garage at key areas of the city, because if it is built in one spot, the other areas will still need to be dealt with.

Paul Haas, 401 Old Garrison Road, stated he is a city employee but is here speaking as a resident in favor of the north end fire station which benefits the entire city. He stated the services provided by the fire and rescue are only helpful if the ambulance is in the building and feels there will never be a time when we say "we have the money" to do this.

Robin Estee, 8 Cherokee Street – wants the north end water pressure funding voted in favor of next week. She continued to read from a report from Earth Tech which listed 3 solutions to the problem and the various issues with each. She concluded by stating if this was done 10 years ago it would have cost a lot less and will just keep going up if not done now.

Diane Gauthier, 82 Old Rochester Road and a downtown merchant – stated she has spoken to the police department many times and has paid over \$4,000 in parking fines in the past 8 years and wants a parking garage that will be centrally located and not at Third Street. She stated this should be a well-lit facility so when people go there at night it won't be risky.

Bob Mrak, 72 Bay View Rd – stated he is in favor of the north end fire station and supports Chief Plummer's recommendations. He explained that his house was destroyed by fire on July



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19, 2006 and when the fire was called in, the South End station apparatus was out at another call and therefore, Central Station had to respond to his emergency which was on the south end making for a longer response time. He stated it was explained to him that a fire doubles in size every minute and after the 5th minute it is 32 times larger. He stated that the conditions were right for his house to burn that day, but response time was critical and anything that can be done to lower response time is critical. He stated this also applies to health issues. He continued that the north end is growing which drives up the demand for services and justifies the need to move forward with this project.

Pam Simpson, 11 Toftree Lane, owner Harvey's Bakery – stated that Dover needs a parking garage, but that the change of traffic pattern is a different issue. She stated 30 years ago her father was on a parking committee discussing the same issues and the need has only grown over the years.

Don Medbery, Covered Bridge Lane – (See written notes) began by stating he supports the north end fire station. He stated that people are here tonight speaking about the things they are passionate about and feels they need to be heard.

Scott Mason, property owner and downtown merchant – stated he is in favor of the parking garage especially with the museum coming to the area and more space being leased at the mill buildings. He stated that if someone thinks that this isn't needed, then they are out of touch or are not concerned.

Roger Smith, 83 Old Rochester Rd. – reviewed his history of being raised in Scotland, joining the Navy and deciding to retire in Dover after having checked everywhere within a 100 mile radius and based that decision on the fact that he could see where Dover spent their tax dollars, with good schools, well maintained streets, vital downtown, etc. He feels now however, that more and more young people and people in the 40's are moving out of Dover because they can't afford to live here and it is becoming more of a retirement community. He stated for the first time in 17 years he is seeing overgrown curbs and feels that it is not as clean of an environment as in the past and the roads are starting to look like Massachusetts roads. He would like the Council to revitalize Dover and keep people here.

Martha Mason, 37 Park Street, owner of Cocheco Falls Gallery, stated she supports a parking garage stating that most of the surrounding lots are permitted or private and is also against changing the traffic pattern to 2 way.

Ray Bardwell, Spur Road – stated he has studied the CIP and that it is currently at \$27,887,500 which he has cut down to \$12,000,000 and feels that the Council needs to prioritize. He stated that people want a parking garage and are passionate about that, but he is passionate about the Ice Arena and wonders why we can't just subsidize that too. He continued by stating he is in favor of a north end fire station, but only if the central station is closed, although the south end station is always grid locked during school drop-off and pickup. He stated they have a lot on their plates including the north end water pressure issue, but feels if they prioritize year to year



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there won't be any big jumps. He concluded by stating that in 1957 he introduced to the Mayor at that time the idea for a parking garage on First Street.

Mike Cartelli, owner of Cartelli's Bar and Grill stated there needs to be a parking garage stating that all of the chain restaurants have plenty of parking in their lots and can also do a lot of take out business, which he would like to do as well, but can't because of the downtown parking problem. He stated that his upstairs apartments pay most of his mortgage or he would be having problems.

John Hourihan, Manager of Terra Cotta Pasta Company, stated they have been in the mill for 14 years manufacturing and 7 years doing retail and stated that customers are always complaining about the parking and they need to find a solution.

Brian Kelly, 421 Central Avenue, owner of Kelly's Row – stated that in his 10 years of business parking has always been an issue but it was also an issue while he was growing up as well and they need more parking. He stated that studies have already been done, but if they need to do more, then do them, but it needs to be done now. He stated he understands the issue with taxpayers, but businesses pay taxes too. Finally, he stated that he is unsure of the 2 way traffic change as he doesn't know how he will be able to get his deliveries if that changes.

Rick Hebbard, 97 Spruce Lane, discussed #19, replacement of water main on Longhill Road stating that the DUC has looked at this as well and the fire flow study shows it is significant to that area but feels it would be a waste to run a line next to the existing one and feels this money should go directly towards a water tank instead. Next regarding parking, he agrees that this is needed but suggested that the Orchard Street lot be dug out to the elevation with Washington Street which would create 2 levels of parking there and also put a lot at Main/Washington Street and Third Street. Finally, he discussed the 2 way traffic change stating they should think about going down Main Street and turning onto Washington Street on an icy day.

Diane Gauthier, 82 Old Rochester Road – stated she wanted to reiterate other peoples comments about customers complaining about having to drive around and around and sometimes never being able to find a spot. She stated that she owns a consignment shop and if people can't get to her store they end up donating their items to Goodwill and she loses business. She then addressed the 2-way traffic change stating that she has almost gotten hit with the one-way traffic and feels it will be worse with 2 way.

Vicky Blanquette, stated that she feels people are addressing their needs and is glad that it is not wants. She stated that the Planning Board did a good job defining the needs versus the wants.

Seeing no one else wishing to speak, the Mayor closed the Public Hearing.



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B. Resolution RE: Appropriation for FY08 Capital Improvements Program – Non-Debt Financed Projects. Sponsored by Mayor Scott Myers by Request. (**PUBLIC HEARING ONLY**)

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

Paul McQuade, 12 Oak Street, stated he supports the non-debt projects and has spoken to both Mike Joyal and Doug Steele about the issues with his property on Oak Street and Floral Avenue in which flooding caused erosion of his land resulting from poor drainage on the City property and is glad to see this project in the CIP.

Ray Bardwell, Spur Road – stated it had been a long time since he had seen the River Street Pump Station and feels that this needs to be addressed as the way the workers have to handle the sand and aggregate is deplorable, but feels that they do need to determine which part is up to the taxpayer and which part is up to the developer.

Seeing no one else wishing to speak, the Mayor closed the Public Hearing.

C. Ordinance #15-12/13/2006- Chapter 131, Offenses, Section 131-20 entitled Registered Sex Offender Restrictions, Compliance with State RSA. Sponsored by Mayor Scott Myers by Request. (**See Item 11A-1**)

Mayor Myers opened the Public Hearing asking if anyone wished to speak:
Seeing no one wishing to speak, the Mayor closed the Public Hearing.

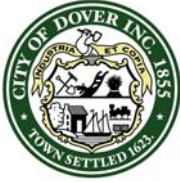
D. Ordinance #16-12/13/2006- Chapter 166, Vehicles and Traffic, Section 166-50, Schedule F, Commercial Vehicle Travel Restricted, Mast Road. Sponsored by Ward 4 Councilor Dean Trefethen and Deputy Mayor Jason Hindle, Chair TAC. (**See Item 11A-2**)

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

Rick Hebbard, 97 Spruce Lane – stated he was at the TAC meeting when the residents of Mast Road expressed their concerns but it was clearly stated by the Dover Police officer in attendance that there is nothing that can be done to restrict those trucks from Mast Road, even if this ordinance passes because it is a public right-of-way and there would be nothing that the Dover Police Department could do to enforce this. He stated that he then went to the owners of the companies out there and asked them to respect the residents with lower speeds etc and he has since spoken to some of the residents who all have said it is better.

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

8. CITY MANAGER'S REPORT



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Manager Joyal referred to his written report in the packet. He then informed the Council that there will be a Solid Waste Advisory Commission meeting to discuss the Tolend Road Landfill on 01/18/07 at 7:00 p.m. at the Mast Road PW Facility. Next he stated he has appointed Dr. John Pike to fill the vacancy on the Dover Housing Authority.

Councilor Scott asked if there was an error in the number of employees in the Manager's Report.

Joyal stated this is not an error and may have been a spike due to the election workers in November.

Hindle stated he received a call from a constituent who met with Joyal as well regarding employees photographing houses.

Joyal explained that this a part of the assessing data base process and they take pictures from the curb which helps. He stated this is done in a 5 year cycle.

Hindle moved to accept the Manager's Report, seconded by Ciotti.

Motion passed on a 9-0 vote.

9. MINUTES

- A. WORKSHOP – NOVEMBER 29, 2006
- B. WORKSHOP – DECEMBER 6, 2006
- C. REGULAR COUNCIL MEETING – DECEMBER 13, 2006

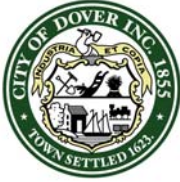
Hindle moved to accept the minutes, seconded by Ciotti.

Motion passed on a 9-0 vote.

(Clerk's Note: Councilor Cheney asked the Clerk to review Mr. Huml's comments regarding the 12/13/06 minutes and make corrections accordingly. The City Clerk has reviewed the audio tape)

10. MAYOR'S REPORT

Mayor Myers began by reporting that he and Councilor Trefethen (Councilor Scott was not in attendance) who are members of the Joint Fiscal Committee along with Councilor DeDe met with members of the School Board and School Department recently and had a good exchange of information. Also, the Labor Policy Committee who was charged with reviewing the previous labor policy held their final meeting on January 4th and the final report will be in the Councilors box early next week for their review and a resolution to accept the report will be on the 01/24/07 agenda. He stated the committee has worked very hard on this and hopes they all will take the time to read through it. Next, he stated he was on a conference call with Governor Lynch's Office and many others on Monday regarding the Collins-Aikman issue which affects the plants here in Dover and Farmington and a Rapid Response Team has been called in to help the affected employees with the transition. He continued that at last week's workshop to discuss the Arena financial situation it was requested that a public hearing be held which was done last evening at 5:00 p.m. with 30-35 people in attendance. He stated there was a healthy discussion and a lot of good information and positive feedback. He stated that the problems won't be



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solved overnight but they are going forward. Next, he stated that the Sierra Club will be hosting a meeting in the auditorium on Tuesday, January 16th and in conjunction with the recently adopted Cool City resolution, he has been asked if the City would like to form an Energy Advisory Committee which would be in relation to energy efficiency. He stated he is throwing the idea out there tonight and asked for feedback from the Council at some point. Finally, he will be hosting "Coffee with the Mayor" on Saturday January 20th at Café on the Corner at 9:00 a.m.

Hindle moved to accept the Mayor's Report, seconded by Cheney.
Motion passed on a 9-0 vote.

11. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2ND READING

1. **Ordinance #15-12/13/2006- Chapter 131, Offenses, Section 131-20 entitled Registered Sex Offender Restrictions, Compliance with State RSA.** Sponsored by Mayor Scott Myers by Request.

Hindle moved to adopt, seconded by Ciotti.

Mayor Myers explained that this brings our ordinance in line with the State RSA which was recently changed from age 16 to 18.

Hindle asked Captain Colarusso to explain how the ordinance is working in Dover.

Colarusso stated that there have been 6 offenders cited under the ordinance with 5 of those having moved out of Dover. He stated that one person has challenged it in court and was successful, but he has been told that the State of NH parole board has been telling their parolees not to move to Dover.

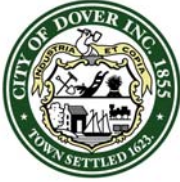
Mayor Myers stated he has received e-mail requests for our ordinance and will be passing it along.

Motion to adopt passed on an 8-0 roll call vote (Keays out of room).

2. **Ordinance #16-12/13/2006- Chapter 166, Vehicles and Traffic, Section 166-50, Schedule F, Commercial Vehicle Travel Restricted, Mast Road.** Sponsored by Ward 4 Councilor Dean Trefethen and Deputy Mayor Jason Hindle, Chair TAC.

Hindle moved to adopt, seconded by Trefethen.

Trefethen explained the background of this ordinance and agrees that it may not be achieving what the Mast Road residents want it to do but stated it will complete the circle of no-through truck routes in that area. He stated the trucks that are there already will continue to be there but there are some trucks that do use it as a pass-through and if it is posted as a no through truck route, then it should be enforced as such.



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Hindle stated the TAC has met on this issue and asked the Planning Department to pull out the 1996 truck route study. He stated there have been other concerns in that area as well.

Scott stated he supports this ordinance but would like it extended to Dover Point Road as well because trucks are using that road to avoid the tolls and to get to Maine, etc.

Mayor Myers explained that this is a State road and the City cannot pass an ordinance for that road.

DeDe stated he was troubled to hear that the police said that this would not be enforceable.

Capt. Colarusso stated that it may be difficult to enforce but it would not be unenforceable.

Motion to adopt passed on a 9-0 roll call vote.

B. ORDINANCES IN THE 3RD READING – NONE

C. RESOLUTIONS

1. RESOLUTION RE: AWARD OF BID #B07007 FOR CONSULTING SERVICES – PUMP STATION AT RIVER STREET. SPONSORED BY MAYOR SCOTT MYERS BY REQUEST. (TO BE REMOVED FROM THE TABLE)

Hindle moved to remove item from the table, seconded by Trefethen.

Motion passed on a 9-0 vote.

Hindle moved to adopt, seconded by Trefethen.

Mayor Myers reminded everyone that there was a public tour of the pump station and a workshop was held as well.

Trefethen stated that this is only to hire consultants.

DeDe stated that several speakers tonight recognized the importance of this infrastructure.

Cheney stated she is not in favor of this and stated that this originally included “odor control” in the title. She stated that this is at the time when the waterfront is being developed and she doesn’t know what the solution will be but wants to see what the contractor is willing to do.

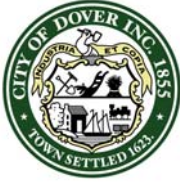
Scott agrees with Cheney.

Myers stated he has toured this site 5 times and he sees the need for this to be done and we need a consultant to advise us on how to upgrade with the new technology etc. He stated getting this part of it done would then give us an amount of how much the remedy will cost and then maybe it would become part of the waterfront development.

Keays stated it is the timing that bothers him about this. He stated he never heard about this until it came out in the papers and feels it is the developer that is dictating what we need to do. He stated this is a vital issue but so is the north end water pressure.

Turner stated last week he asked what the \$47,000 would get us and he was also concerned with the timing. He stated he has taken the tour and does see the need for this but still feels that \$47,00 for consulting is a lot and is also concerned that we received only one response.

Joyal explained that in order to be reimbursable by the State of NH DES we have to follow their rules and their bidding process and this is based on qualifications and not the lowest bidder. He stated that when the NHDES signs off on this it is 20% reimbursed.



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DeDe referred to a letter from Earle Goodwin stating it has a lot of background information. He stated that the SWAC was astounded that this resolution was tabled the last time because we need this consultant to tell us what we need to do down there. He stated that realistically speaking this is not about odor control, it is updating 15 year old technology which may also address the odor issue. He stated that the waterfront is not the only area affected by the odor down there as are Cocheco Street, Henry Law Avenue, etc. He stated we need to put political issues aside because this is a dark and stinky hole.

Keays stated he has been on the Council for 5 years and he never heard about the need for this until now because Dickinson wants the smell out of there and he feels this is being done through the back door. He feels it will cost

Discussion ensued.

Hindle stated that right now we are in heavy negotiations with the waterfront development and he wants to see on paper an assurance from the development and once this in place we can move ahead with the study and will see how much will be the taxpayers money and how much will be the developer's money.

Myers asked for clarification that the physical layout of the building will not be changed.

Joyal stated there will be no difference except for the loading area will be enclosed.

Myers asked if we don't do this now will we still need to do it ten years from now even if the waterfront isn't developed.

Joyal stated in his opinion, yes.

Ciotti stated that if Mr. Dickinson were to have told us he was all done here then this would have been passed already but to tie it to the waterfront development is unfair to the people of Dover. He stated this resolution is guilty by association and if the plant fails in the meantime, God help us.

Turner asked what the time frame is for the analysis results.

Joyal stated 3-4 months.

Motion to adopt passed on a 5-4 roll call vote, Hindle, Keays, Scott and Cheney opposed.

12. NEW BUSINESS

A. CONSENT CALENDAR

Hindle moved to grant items 1-5 and to adopt items 6-9, seconded by Ciotti.

Trefethen asked that #6 be removed from consent calendar.

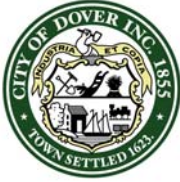
Turner asked that #7 be removed from the consent calendar.

Keays asked that #9 be removed from the consent calendar.

Hindle stated that item #12A-5 does not have a signature and that this item be granted upon the applicant signing the document.

Motion to adopt remaining items passed on a 9-0 roll call vote.

1. RAFFLE PERMIT – ST. MARY ACADEMY
2. RAFFLE PERMIT – DOVER MAIN STREET PROGRAM
3. RAFFLE PERMIT – ST. THOMAS AQUINAS HIGH SCHOOL
4. TAG PERMIT – DOVER GIRL SCOUTS



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5. TAG PERMIT – DOVER GIRL SCOUTS TROOP 505

6 RESOLUTION RE: AWARD OF BLANKET PURCHASE ORDER FOR WOOD AND BRUSH RECYCLING SERVICES. SPONSORED BY SCOTT MYERS BY REQUEST.

Hindle moved to adopt, seconded by Trefethen.

Trefethen stated he supports this resolution but the question came up during citizens forum about this service and he wanted it clarified that we do currently recycle and this is to continue the services. Joyal stated yes.

Myers asked why the city doesn't do this itself.

Joyal explained that it would cost more for us to do it with equipment, labor, processing, etc.

Motion to adopt passed on a 9-0 roll call vote.

7. RESOLUTION RE: SPACE NEEDS ANALYSIS FOR CITY HALL & OTHER CITY FACILITIES SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.

Hindle moved to adopt, seconded by Turner.

Turner stated he removed this because we are spending \$30,000 for an analysis and feels we should have in-house personnel that can do this study.

Joyal explained that this will include architectural services as well as interviews with the departments and will show what is structurally possible within the building and give different layout options. He stated that there are different issues that need to be addressed including customer flow and privacy. He stated that with the SAU moving from the upstairs we can look at the possibility of keeping the police department here instead of building a new facility, etc. Turner asked about the 4 bay garage for the police department in the CIP. Joyal stated yes this study will include complete needs including storage.

DeDe stated that currently the server for the whole cities computer system is in the Police Department which is literally located under the mens bathroom and this needs to be addressed. Myers stated he is in favor of doing this study and in not spending \$7,000,000 to relocate the police department. He stated this will address many issues including electrical wiring, ADA requirements, etc.

Discussion ensued regarding previous space studies.

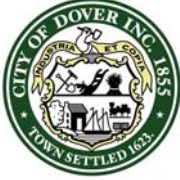
Hindle asked when this would be complete.

Joyal stated it will take at least 4-5 months.

Hindle stated it should be done for the current council to implement.

Motion to adopt passed on n 8-1 roll call vote, Scott opposed.

8. RESOLUTION RE: LAND PURCHASE FOR THE PRESERVATION OF THE BOUCHARD WELL SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, January 10, 2007**
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9. RESOLUTION RE: DOWNTOWN PARKING GARAGE ANALYSIS. SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.

Hindle moved to adopt, seconded by Keays.

Keays stated he has listened to the people tonight who want this garage, but back when Liberty Mutual was at the mill, the city put in extra parking spaces for them and a lot of them are empty now. He stated if we were a city with a lot of money, he would support this, but we have more important items to address than a parking garage. He stated he is disappointed with the City Manager and Mayor as he never knew that there was a committee to study a parking garage formed. He stated that he also agrees with Councilor Scott that we spend too much money on studies and we already have planners and engineers that we pay good money to that should be doing this work. He stated that the private sector wouldn't put up with their employees not being able to handle the workflow.

Scott stated he has heard from a lot of people saying that they need parking and he agrees that we do as well, but why can't we have our own people do this study. He also feels that there could be a private company that could come in and run a parking garage similar to Boston, etc. Myers stated that when George Maglaras spoke earlier he had a lot of experience with this issue and agrees that there are other options to solving this issue and that is why this study is needed. He stated it will include looking at a parking garage as well as several smaller structures throughout the city and will also look at private/public partnering, etc. He stated we need someone with expertise to look at this and to interview the businesses.

Turner stated that Portsmouth had this same issue and solved it with a parking garage and feels they are 20 years ahead of us. He stated he looks forward to this analysis being done.

Motion to adopt passed on a 7-2 roll call vote, Scott and Keays opposed.

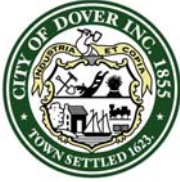
COMMITTEE REPORTS

- | | |
|---|---------------------------------------|
| 1. Appointments Committee | 6. McConnell Center |
| 2. Arena Committee | 7. Planning Board |
| 3. Cable Franchise Negotiations Committee | 8. Recreation Advisory Board |
| 4. COAST Bus | 9. School Board Liaison - submitted |
| 5. Joint Building Committee | 10. Transportation Advisory Committee |

B. RESOLUTIONS

1. RESOLUTION RE: APPROPRIATIONS IN ADDITION TO ANNUAL BUDGET SPONSORED BY COUNCILOR DOUG DEDE.

DeDe moved to adopt, seconded by Hindle.



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DeDe explained that this resolution is to bring the process in line with our City Charter Section C6-6 which requires a public hearing when spending any appropriations not included in the annual budget which has not usually been done.

Motion to adopt passed on a 9-0 vote.

2. RESOLUTION RE: CREATION OF CLASS VI ROADWAYS AD HOC COMMITTEE. SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.

Hindle moved to adopt, seconded by Trefethen.

Trefethen stated he supports the creation of this committee and previously had been willing to chair it, but may not be able to at this time. He stated that this does need to be done. He stated there have been questions as to why it has taken so long and what about the findings of the original committee and feels that it came down to priorities which at that time this issue was not.

Hindle would like this amended to include that the committee must report to the Council and to define how long it will exist.

Myers stated he would also like it amended to state that members will be appointed by the Mayor through the Mayor's Report.

Hindle moved to amend by adding that the committee will have 6 months to report back to the Council and will be appointed by the Mayor, seconded by Ciotti.

Turner clarified that this will disband after 6 months.

Hindle stated they could extend it if necessary.

Myers stated he will get in touch with the Chairmen of the Committees listed on the resolution for their appointees.

Ciotti stated that it states 2 citizens, but feels there should be at least 4.

The Mayor clarified that it says a minimum of 2 which just allows him the discretion of being able to appoint only 2 if that is all that applies without having to wait for 4 people to apply.

Ciotti stated that there are many underlying issues and he doesn't want it to be biased. He then reviewed some issues with the past committee.

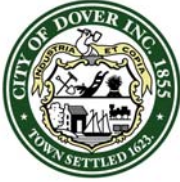
Scott stated he feels this is a solution in search of a problem and is petty legislation.

Cheney stated that Old Garrison Road has always been a Class VI road and is concerned with people and their rights. She stated that the people who buy land there know that there will be no city services provided. She also is concerned that people serving on city committees should be valued and not dismissed.

Trefethen stated he will be glad to forward all the e-mails he has on this issue to Councilor Scott. He clarified that they are not looking to reclassify but are looking at the options for some of these roads that are still on the books and will never be used again.

Motion to amend passed on a 9-0 vote.

Motion to adopt as amended passed on a 7-2 vote, Cheney and Scott opposed.



CITY OF DOVER

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3. RESOLUTION RE: AUDIT RESOLUTION. SPONSORED BY COUNCILOR ROBERT KEAYS.

Hindle moved to amend by substituting as a whole, seconded by Keays.
Motion passed on an 8-1 vote, DeDe opposed.

Keays moved to adopt, seconded by Hindle.

Keays stated he has no problem with Jeff Harrington and the job he did as the Finance Director but feels that when there is a change in command there should be an audit. He stated he had asked the City Manager who keeps track of the department heads time and was told the department heads did. He also doesn't like the fact that Jeff Harrington signed his own checks and he can't find out who is in charge of the payroll down in the police department and some of the other different offices. He feels that the new person coming in should have a time clock installed at city hall like the rest of the city departments have to do. He stated that they want to have a non-New Hampshire auditor come in to get a true picture of the city.

DeDe began discussing the request for a forensic audit, which Keays clarified that the new version does not ask for. DeDe continued by stating that we know that there were previously some rather generous provisions given back when the department head union disbanded which were solely approved by the city manager at that time and not by the council as the Charter did not require it at that time. He stated that he will be willing to support wasting the \$10,000 if it will shut people up when nothing is found.

Cheney moved to suspend the rules to continue meeting past 10:30, seconded by Trefethen.
Motion passed on a 9-0 roll call vote.

Discussion ensued.

Hindle moved to amend by striking the first section of the first sentence in the first Whereas, change 2006 in section (b) of Now, Therefore, to "current" and that the \$10,000 will be charged to the Contingency Account, seconded by Cheney.

Motion to amend passed on an 8-1 vote, Turner opposed.

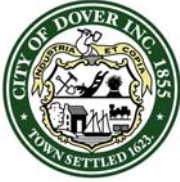
Motion to adopt as amended passed on a 9-0 roll call vote.

4. RESOLUTION RE: CHARTER AMENDMENT – SCHOOL BOARD. SPONSORED BY DEPUTY MAYOR JASON HINDLE AND COUNCILOR DOUG DEDE (*TO BE REFERRED TO A PUBLIC HEARING ON JANUARY 24, 2007 FEBRUARY 14, 2007.*)

Hindle moved to refer to a public hearing on 02/14/07, seconded by Ciotti.

Hindle asked that Councilor DeDe be added as a sponsor.

Motion to refer passed on a 9-0 vote.



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C. ORDINANCES IN THEIR FIRST READING

1. ORDINANCE #01-2007.01.10, CHAPTER 170 SECTION 170-32, SIGN REVIEW AND REGULATIONS, SECTION D(5), FLASHING SIGNS. SPONSORED BY MAYOR SCOTT MYERS BY REQUEST. (*TO BE REFERRED TO A PUBLIC HEARING ON ~~JANUARY 24, 2007~~ FEBRUARY 14, 2007.*

Hindle moved to refer to a public hearing on 02/14/07, seconded by Trefethen. Motion to refer passed on a 9-0 vote.

2. ORDINANCE #02-2007.01.10, CHAPTER 3, ADMINISTRATIVE CODE, ADD SECTION 3-73, MCCONNELL CENTER ADVISORY COMMITTEE. SPONSORED BY DEPUTY MAYOR JASON HINDLE AND COUNCILOR DOUG DEDE BY REQUEST. (*TO BE REFERRED TO A PUBLIC HEARING ON ~~JANUARY 24, 2007~~ FEBRUARY 14, 2007.*

Hindle moved to refer to a public hearing on 02/14/07, seconded by Cheney. Motion to refer passed on a 9-0 vote.

D. COUNCIL CORRESPONDENCE

Hindle moved to add the Mast Road Petition pertaining to item 11A-2 and the Planning board recommendations regarding the CIP, seconded by Trefethen. Motion passed on a 9-0 vote.

1. Petition to pass ordinance to restrict truck traffic on Mast Road dated January 3, 2007.
2. Planning Board recommendations to the Capital Improvements Program (CIP) dated January 10, 2007

Ciotti asked Trefethen to elaborate on the Planning Board recommendation for the future CIP regarding Mast Road/Spruce Lane Reconstruction and Sidewalks.

Trefethen stated that sidewalks cannot be added to that area without reconstructing the road and there is a need for sidewalks on the road as a completion of the current sidewalk system out there and for the safety of the residents in that area which has been an issue in the past. He stated that with the recent approval of the shopping center in that area there is a need to get this done to allow people to walk from those neighborhoods.

Ciotti then mentioned item #2 of the future years recommendation stating that they will also be looking to the State to contribute funds to reestablish the vehicular bridge at County Farm Road. Motion to accept the correspondence passed on a 9-0 vote.

13. COUNCIL MATTERS OF INTEREST - NONE

14. ADJOURN

Hindle moved to adjourn at 10:57 p.m., seconded by Keays. Motion passed unanimously.