



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Workshop Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, October 18, 2006**
Meeting Time: **7:00 pm SPECIAL MEETING**
WORKSHOP TO FOLLOW

SPECIAL MEETING

1. PLEDGE OF ALLEGIANCE

Cheney led the Pledge

2. ROLL CALL

Those present: Councilor DeDe, Deputy Mayor Hindle, Councilor Keays, Mayor Myers, Councilors Scott, Trefethen, Turner, Cheney and Ciotti, City Manager Joyal and City Attorney Allan Krans. Also present were Dean Peschel and Chief Plummer along with assistant Chief Driscoll and Deputy Hagman.

ALL PRESENT

3. RESOLUTIONS:

The Mayor explained they wanted an expert here on the Class VI road issue but they could not be here due to a scheduling conflict and they will reschedule at a future time.

A. Award of Bid for McConnell Center Voice/Data Wiring, Bid #B07009 and B07015. – Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by DeDe to adopt. Joyal explained this is for the McConnell Center; we are right at budget and he needs additional funding for this project. He has identified the Shaw's Lane project that is more or less complete and he would like the council to re-allocate the funds.

Cheney moved to have a citizen's forum before we continue as we are spending money. Scott seconded the motion. Motion failed on a 4-5 roll call vote with Cheney, Scott, Hindle and Turner in favor.

Trefethen has a concern with the overall cost of the McConnell Center. They floated a bond to do this but before they floated a bond there were hundreds of thousands of dollars allocated. When we are done he would like a list of the true cost of each item that was spent. Keays stated when we started the McConnell Center there was a committee and the committee told us it would not cost us a cent. Now it has cost us over 7 million dollars, he listed the assorted funds they have been using for this; they got \$300,000 from the sale of the senior center, the 5th Street Ward house, there is no other place they



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can hit now but the sand and gravel fund. That fund has well over \$700,000 in it and they want to start milking that. He wants the people of Dover to know this is their money that is being used. They have put the most modern things in that center, they have cut back on nothing. They want us to take money that was given or from the contract that was made on the sand and gravel and that was supposed to go into a fund for parks and for the public works. He does not know how they can move this money. They have over 7 million and the building is not complete and they will be back for more. They can milk the sand and gravel fund until that is gone; this is the tax payer's money. We will end up paying more in the long run. He wants them to vote this down. This is completely wrong; he has been asking for different quotes on this and he will get them. There is a lot of money that has been spent that we don't know about.

DeDe explained about what did not come out in the prior explanation. He says with the bonding and sidewalks there are a lot of things the city would have done eventually but they did plan on the wiring to be done internally by those that were occupying it. This approach would have left us in some kind of serious problems in terms of connections and in transmission capabilities. The city realized they needed to do the wiring to have a central system. That could have been a nightmare; this puts the city in control of the wiring. 7 million is not a significant amount; for this amount we are preserving this particular building. We will realize the efficiency in this whole system.

Turner has supported the McConnell Center all along but he feels the ship is going down the rails and to try and slow it down would be a mistake; he is surprised this was not in the original budget if we are putting in all the non profits. He is shocked and surprised and this is why he cannot support this resolution. He has seen this at his place of employment. But also he is happy to hear it sounds like it will be done properly.

Cheney says she has supported the McConnell Center. This is a horrible oversight we should have run the voice and data at the same time. She thinks this is a bit high for the number of drops. Also she has not seen a committee report in their agenda for a long time. She would like more information. Why was this not dropped before the walls went in; Joyal continued to explain the additional items that must be completed. Cheney asked how much more. Joyal says no more than \$20,000 for the gas boilers. He attempted to answer the other question; this was anticipated and not left out. He listed some of the value choices the committee went through to keep this on budget. We did not need to completely rewire the entire building. There is conduit in place however in the course of the renovations and in discussions with the tenants, they found a more efficient way to handle the



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voice and data system. It was decided we would have a backbone system. It was felt this was a better way to do it. Other trade offs had to be made in the building. As adjustments and corrections were made the data closet had to move. Some of these old data lines were put in by parent volunteers; they looked at the entire system and now want to put in a single backbone for the entire project.

Scott says usually the owner would hire a competent architect to see what had to be done; he finds it difficult to believe this was not considered. DeDe says the only other thing is the new liner in the chimney. The issue of the wiring; he hopes the council does not see this as an attempt to nickel and dime the taxpayers. We are darn close but the job is not over yet. This is not something the architect overlooked what we have here is an attempt to bring the job in the most economic way possible.

Keays does not know what else to call it but nickel and diming. Back in the early 70's the building was completely overhauled in the million dollar price range. He is sure the wiring was checked back then. We only have the word of the committee and they said this won't cost the taxpayers a cent. And now 7 million dollars later and this is not through. Nothing has been done to the roof as yet. He took this job as a city councilor to protect the people's money.

Trefethen has a question on the fund of the athletic field and is that in our current Fiscal Year budget, the city manager says it is a continuing capital budget.

The council made an appropriation of 1.4 million and that money came from the sale of sand and gravel. DeDe confirmed the roof was all set.

Hindle asked when the tenants will start paying their share of the rent. DeDe says January. The city manager says it will be sooner. Turner wants them to do a fund raiser for this. DeDe responded that Keays was right a committee member did say it would not cost a cent but he does not think the council took the person seriously. He does not feel this is a viable option. Cheney asked the city manager about the sand and gravel account and will we have to borrow this from another account. The city manager says they were going to build a concession stand at Shaw's Lane and this is leftover money and has not been allocated.

Passed roll call vote 6-3 with Keays, Scott and Ciotti opposed.



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B. Award of Change Order(s) for both Dredge Cell Construction/Closure and Engineering Oversight. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Ciotti to adopt.

The city manager explained this will help continue the dredge cell closure.

Dredging is ready to begin and the operator is the H E Sargent Co along with the overseer of the project, GeoInsight. Hindle asked how much we have received from tipping fees and are we staying at the \$35. tipping price. Dean Peschel says we have received about \$40,000 yards but he does not have the exact price. Dean explained the equation and how it will maybe higher by \$3.00 per yard and they will ask PSNH and the Corp to contribute to the increase. Hindle recalled how 3 years ago it was an 80-20% split. The city has been able to secure dredge spoils from Exeter and at the end of the day there may be a number of other places we can receive tipping from. Hindle asked the city manager about an amendment to a debt financed project and according to our Charter do we need a public hearing. The city manager says this is not a debt financed project we were originally were authorized to issue debt for the construction of the dredge cell, we were able to generate short term notes until revenue started to be generated with deposits in the cell; since that time we have eliminated the need for these. Hindle says in the background information there is a line item of an account of how much has been spent and he wonders about the \$90,000 in legal fees. Dean says back when this was conceived the Army Corp said they did not need a dredging permit and the state said if this was to go forward they would need this. Also the city located this on a former waste site with very little cover. This was a great opportunity to close this landfill that had very little cover over it. These items were key.

Hindle wants the council provided signed agreements from the parties involved. Dean assured him they were on file. Trefethen noted when we are done and cap the cell and recoup the fees we will have no outstanding debt. The city manager says that is his understanding. Ciotti asked Dean how big is the cell; Dean says we have received 40,000 yards so far. Do we have room for more from other towns. Dean says it will hold between 60,000 and 110,000 yards. It will require 90,000 yards to close it with a 5% slope on it. Right now they have 80,000 yards there and the Corp is estimating they have about 30,000 to come out; after the first year dredging they ran into some ledge. They asked if 6 feet was sufficient; you never know how much you will get until they get it all out. We need to bring in some material that is stable and bring it in here.



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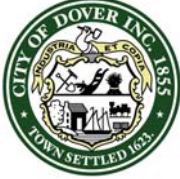
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Ciotti asked if there is any demand for other communities to use the cell. Dean says Phillips Exeter used it at first for their boat house. Dean says there may be other places with semi contaminated materials. Keays asked when they are through dredging the river to do they send a diver down. Dean explained they put in soundings and can tell whether all the material is out by the use of electronic equipment. We have not dredged for over 2 years, Dean confirmed this. Has any of this been filled in at this time. Dean says it will be checked out. Keays says every time we see you it is more money, he is not blaming Dean, and will we get it completely done this year. Dean says the only thing that will hurt us is if the river freezes in December and does not thaw until the end of February. Dean says we have to do this in the winter time and they did work hard with the fish and game and have set reasonable hours for them to start this year. He has a lot of confidence they will get it done. Discussion continued on the covering of the dredge cell. Cheney asked about the hazardous material and how we police that. Dean says they take samples from the various trucks.

Cheney asked about the 20% and we are adding to the cost. Joyal says we make that up with in kind contributions; there are opportunities for us to offset this.

Scott thinks people are wondering why their taxes are going up so fast; was this put on the agenda. How do we come up with these numbers; we should not be making snap decisions; this is inappropriate to make this decision tonight. He needs a complete accounting. Turner thought this was always part of the preparation for the start of the waterfront project. He did not realize we were taking other waste from other communities. Joyal said this project was first advocated by the city council and received support from the local federal delegation specifically Senator Gregg who was able to secure funding from the Army Corp. The federal government is dredging the Cocheco River. It was felt we should get this project started as soon as possible. There were agreements put in place, we will operate it and maintain it and ultimately cap it. Turner questioned where the 4 million is coming from; Joyal stated it has been set up with the Army Corp of engineers, PSNH and then Phillips Exeter. Turner wants to know why the Army Corp wants to do this for Dover. Joyal says because the City of Dover through its elected representatives was able to make a case that this is part of the growth of the downtown area and this has always been a federal channel. Turner will need more information unless he can be guaranteed we will be paid back. The Mayor clarified that these tipping contracts are aware there may be some costs built in they will have to pay for. DeDe mentioned one of the key elements was the timing issue and there was a hidden benefit; Dover took control of the situation and therefore



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we have had more control of the project. Hindle asked who is doing the final accounting on the project. Dean says it is the city's finance department. The Corp has specified the costs. Hindle thinks we have done a grave disservice by not having the public speak on this issue. There was no public hearing done in 2003 and it was not done here. We need to put our hands on this in the future. Keays says about the housing authority that is negotiating land down there; he did not see any piers for boats now. The Mayor says they will have the depth for a destination cruise and folks can come up river and utilize the downtown with boats that will draw more water at high tide and there will be public access. And there will also be places for the public come tie up. Scott thinks the city manager owes the tax payers a source of funds starting in say 2003 through 2008, he is very nervous about this; he then thinks we should have a public hearing as this is not right to push through a million dollars, this is just not right.

Trefethen says it is important to keep in mind the Cocheco River is a federal channel. The case was made by the city to secure the money from the federal government we are not dredging all we are doing is providing a place to put the dredge cells. The Mayor says the money did get secured funding to dredge through this past March.

Though unfortunate, it has taken another year for us to get started on it again. Motion to adopt passed on a roll call vote of 7-2 with Keays and Scott opposed.

Scott stated point of order as he wants to table this for a public hearing, Hindle asked until when. Scott replied for 30 days. Cheney says they need to start dredging November 1st motion failed for lack of a second.

4. ADJOURN INTO WORKSHOP

Hindle moved seconded by Ciotti to adjourn at 8:18 pm to a workshop.

WORKSHOP

1. DISCUSSION RE:

A. RESOLUTION RE: DESIGNATING CLASS VI ROADS AS EMERGENCY LANES PURSUANT TO RSA 231:59-A.



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Item was withdrawn.

**B. ORDINANCE #14-10/11/2006, CHAPTER 109, LIFE SAFETY CODE, SECTION 109-30
"INSTALLATION OF SPRINKLER SYSTEM REQUIRED."**

The Mayor stated councilors we are in a workshop session.

Assistant Chief Driscoll had a handout with none for the clerk. The city manager says the Fire Chief and staff are here to explain this ordinance. They think if the sprinkler ordinance had been in effect this summer we would not have had the destruction we had this past year. Current single family homes will not be affected by this. The Chief explained the booklet that was handed out is a copy of all the slides to be presented; the booklet includes 3 ordinances, the one in effect today and two prior ones. Plus there are some professional brochures on sprinklers systems. Right after the large fire this summer the council directed us to put together a sprinkler ordinance. (See information in council workshop packet of 10-18-2006).

Chief Plummer explained the 1986 sprinkler ordinance. The city manager says the commercial construction projects are already required to have sprinklers. This ordinance looks at only new structures of one and two family homes. Plummer continued to explain the benefits of having residential sprinklers and how it saves lives and property. He explained the costs associated with installing sprinklers which are in the handout. The 2000 Life Safety Code approves these sprinklers in new construction. He explained the incentives and tradeoffs that are in effect in certain parts of the country. He stated he went to the DUC and some of them were favorable to this but not some of the tradeoffs. This will not make a difference until 20 years down the road. In 20 years you will not need as many firefighters and we must think long term.

Cheney asked about sprinklers in an existing house and who does the inspection.

Plummer says by his men who are knowledgeable in sprinklers. Keays asked how many cities and towns in NH have this. The Chief says there are sprinkler ordinance in 8-10 towns; Lebanon is the only town that has a complete system.

The Chief says very few single family homes currently install these systems.

Trefethen thanked the Chief for writing the proposed ordinance after the second of two fires in his ward and after several people asked what we can do to try to curb the fires. He explained hydrants are not the answer. He is sponsoring this ordinance but was hesitant to do it because he knew of the opposition. He has been completely assured that all the city departments involved are in support of



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this; he feels this is an important topic and important concept. He is not sure this is the right thing as yet. He would like to have some consideration and discussion on this before we vote on it.

Turner confirmed insurance companies are willing to give 10 – 20% off on the fire insurance part. Turner asked about resale value of the two condos that were compared. The Chief will check on this.

Scott thanked the Chief and complimented the Chief on the senior citizen program that educates seniors. He likes to have all the facts. and he would like the build date of the 5 most recent house fires. He wants to read what other towns have done. Lebanon is the only one with a full sprinkler ordinance in NH. He also wants to know about the credit you get with the fire and police alarm tied in in the construction process. He would like the companies that would provide that. He had several more questions for the Chief.

Hindle stated late last week he asked the city manager for a list of all the permit fees involved with building a home so we can have a global picture of that type of cost for building a home.

The city manager says there is only the impact fee for being near a school and the water district fee and the only other is the regular building permit fee. The Chief says Tom Clark had prepared this for him.

Cheney thanked the Chief for the videos and for the Fire Power video even though it is a year old now is very compelling. She read a portion of the handout commenting this is all about public education.

Perry's goal is to curb the increase for a larger fire department. Her problem is that this seems to be a knee jerk reaction because of the fire that happened. In NH we do not like to be regulated. She thinks we are losing a lot of our individual rights in the live free or die state. The Chief says this issue does cost every single citizen every time we have a fire.

Trefethen wants to follow up on the Deputy Mayor's fee request if they make a determination between a professional building job and or a private do it yourself person's fees. He would like a breakdown on the average person's fees and what other fees are. Turner asked what percentage of the systems have an auto dial system. Chief Plummer says that is a dispatch system.

Keays moved seconded by Scott to adjourn at 9:30 pm with all in favor.