



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: Wednesday, February 28, 2007
Meeting Time: **7:00 pm**

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

Those present: Councilors Cheney, Ciotti, DeDe, Keays, Mayor Myers, Deputy Mayor Hindle, Councilors Scott, Trefethen, and Turner. Also present: City Manager Joyal and City Attorney Allan Krans.

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

The Mayor stated it is a light agenda; we have one resolution dealing with the creation of a north end fire station building committee. And one on Walgreens and they will be sending the supplemental bonding school renovation to a public hearing on March 14th

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.

The Mayor stated he has been asked to enforce public decorum in the Chambers for those that speak to please remove their hats.

Jerry Lynch of Lincoln Street read a prepared statement on Horne and Garrison Schools that were built with flat roofs; they were designed for second floor expansion so why have they expanded out. The McConnell Center is supposedly paying for itself why are we renting it to ourselves. Also why does the Dover Industrial development director have a city automobile designed for full time when the position is part time and how will the waterfront make Dover a destination.

Janet Perry of 37 Arch Street of Nicole's Hallmark is in favor of the waterfront development. She has watched many years and watched the changes to the plan as it has now been changed many times; she thinks it is a good plan and goes back to the original thought process and a wonderful blend of commercial and retail as well as residential. Having the work done by a developer will help the downtown community and the city. We need more spaces for retail and she hopes they will give it a second vote to Dickinson to go ahead and begin this process. It gives the community some good walking on the waterfront.

Karen Weston of 42 French Cross Road agrees with Janet wholeheartedly and was not aware of Ciotti's resolution on two appraisals; she also always wondered where



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the 5.2 number came from. She encourages them to get a second appraisal. She mentioned an article in a paper from MA, where Dickinson was the low bidder and they lost out on buying the land. She explained the credits that we may be giving him for the clean up and she thinks we should try to get the highest price possible for the city.

Norm Champagne of 13 Church Street wrote a letter to the newspaper 8 or 10 years ago on the waterfront. His thoughts have not changed much from that. He thinks the land should be given to a developer. The land will be worth a lot more to the city after it is developed. It is more a question of what the developer is going to do with the land as he will be increasing the tax base. He does not think there should be a second appraisal. He only wants this land to benefit the city and raise us some property taxes. We should stop all the bickering about it. Also he has not heard one person on the council talk about how the school department has taken care of the property we have given them; it is a terrible shame. Not just this council but other councils have allowed them to do this over the years. We must maintain these buildings. The school department is a pretty good size business and not one of them has taken them to task for this. If we are going to build a new school at Woodman Park just to start to see that go into disrepair; he is disappointed.

Sean Fitzgerald of 33 Baldwin Way stated he works in town for Centrex Bank on Central Avenue. He is in favor of the waterfront; he listed his rebuttals to arguments that have been made on the negative side including the sale price is too low, he listed the terms. In other cities where they have had mill buildings they donated these to developers so they could develop it into taxable property. He also heard the developer is making too much money. He sees the increased tax revenue, and they will be cleaning up an area that is an eye sore. The site should be converted into a park ; he listed the costs if this was done. This does not make sense to him. Finally the residential condominiums should be more affordable. What he sees is the high price condos bring in less strain on the schools as the owners will have fewer kids. In closing the Children's Museum will be here in 2008, there will be the Fosters rehabilitation of their building; he listed all the things coming into the downtown. He urged them to vote yes to keep the momentum going in downtown Dover.

Gary Greene 18 Footbridge Lane is glad to hear there are people coming to support the waterfront. He does support the waterfront committee's achievements and looks forward to the development. It is time for the community to start moving forward. He agrees with Mr. Dickinson in that there is an opportunity for the high end consumer. He could not afford the properties in Portsmouth when he moved here so moved to Dover.

Suzanne Medbery of 3 Covered Bridge Lane stated tomorrow is March 1st and a special day. It is the last day you can apply for an abatement if you feel your taxes



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are over priced. We should be on the alert for tomorrow's headlines in Fosters. She continued about the landfill obnoxious odors. She held up a map she received from Rochester's Mayor on the landfill which shows the way the wind blows into downtown Dover. She continued about assorted news articles that she was reading. She stated there is a false sense of peace out there; they did not go to the state of the city at the country club, but she has noted the city manager's goal is to thoroughly review the reuse of Tolend Landfill. She has a serious concern with the use of this word and what he means by this.

Edward J. Bleiler of 28 Isaac Lucas Circle stated we finally hit the big time; Dover has become the prime example of pension abuse. He described the fleecing of the community by Fenniman as described in the Union Leader. He also wonders how Harrington can be kept as a consultant as he was the architect of this excess spending. Our unfunded liability is much more than he had predicted months ago. It is over 32 million and growing daily. It is his suggestion that the city council must reconsider their vote on the completion of the WPS improvements. He concluded let their conscience be their guide to their neighbors and the elderly. (See prepared statement in 2/28/2007 folder).

Pam Sawyer Fifth Street is concerned about the waterfront and the open check for the clean up and we don't know how much it is going to be to clean it up and we will pick up the tab. She is also concerned about all the townhouses that are being built as she thinks there are so many extras.

Don Medbery of 3 Covered Bridge Lane wants to say he will support everything his wife said. In the Fosters article there should be two bids and 3 cheers to Ciotti for bringing the resolution forward to require this. On the waterfront he wishes he had the banker's feelings but they are all smoke and mirrors. Mr. Mettee thinks we do not need a second appraisal, he disagrees. He mentioned long time resident and attorney who was on the waterfront committee then resigned and ends up as the attorney for the buyer, also the many secret meetings of the waterfront. Then there is Dana Lynch's sudden departure from the committee. The tax payers must stay alert and informed as to what is being done with their tax dollars; the watch dogs are alive and well and watching. Another item is the two gravel pits; he wants to know why has there not been an audit, the accounting method is like the fox in the henhouse system. He wants to know where the money went from this. Why has this not been negotiated in the last 8 years; this just keeps coming up and it seems the city does not care about these dollars. They care.

Rick Hebbard of 97 Spruce Lane is here to talk about the folks on Long Hill Road where the City will put in a water line. He wants to give them all more of the facts about each of those houses out there that will be assessed and there will be a tax lien put on their property or it will be on the property until they sell it. It is \$75. per



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linear foot in front of your property. He listed what all the houses are going to have to pay in the area according to his calculations. He thinks they would have made a different decision if they had known they were going to have this burden put on these taxpayers. He hopes they and their constituents are very ticked off.

Ralph Trupodie a business owner here in Dover sat here on the night after the snowstorm and wants to make a couple of comments. The one on the idea of developing our waterfront land as he commented wealthy families are successful families, they pay taxes, they donate their time and they spend money in the local businesses. He also heard the sale amount was too low and we might end up giving away the property. He does not understand, when he sells something it is a one time return. He does not see this as selling; he sees it as an investment and an ongoing yearly return in a million and a half dollars and on going.

Mary Hebbard of 97 Spruce Lane stated something has come up recently that she needs to speak about. She has spoken passionately about Class VI roads in the past and she has also spoken against the need for a Class VI road committee for the roads that were left and she believes it was deliberate. She read an article from the paper on the Cook Road. She thinks it is funny they did not have to assign this road to a committee. She now wants to be part of the Class VI road process but the Mayor has not contacted them or called even though they have applied. Has he determined who is on the committee, well she knows the decision to not having her or her husband Rick on the committee is a political one. She thinks the administration has a clear idea of what they want the Class VI roads to be. She wants them to come out and say what they plan to do with the Class VI roads. Why is this committee being formed; it has ulterior motive written all over it.

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

7. PUBLIC HEARINGS - NONE

8. CITY MANAGER'S REPORT

Joyal wants to let them know of the MTBE issue on the Smith and Cummings well. They have been working with the State to determine what the issue was. It appears to be going away. The high levels of the MTBE have not been coming into the well recently. They think the isolated spike last summer was just that. The Griffin Well has had extensive monitoring by the State and they recently notified them that the wells have high levels of MTBE. They met with members of DES and have asked to look at funding for an additional study. He has a high level of concern for this well; at this point it has not reached any of the city's public water supply.

DeDe wants it clarified why the State is stepping in to take care of these issues. Joyal says different states are going after the manufacturers of MTBE; there is an ongoing law suit,



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for them to take care of the MTBE issues that manufacturers knowingly used this with contamination issues. The City filed its own lawsuit and the State challenged our ability to sue and indicated they would take care of the City and they have honored their commitment.

Keays is wondering about the new motel and if they have been told about using salt as there are a lot of cars that will be going in and spilling oil there (as have they been told). He wonders if it is good for them to keep running those wells up there. He does not think a hotel should have been put there. He thinks there will be problems there. He also has a question for the city manager as he sees we have 5 different attorneys working for the City of Dover. The city manager says there are 5 names listed in his report as contract labor. Why do we need 5 different lawyers handle these cases. Couldn't our city attorney handle some of these things. The city manager says these folks are specialists. Discussion ensued about the unions that have gone to fact finding and more attorneys. Keays would like to see what these lawyers are receiving per month on these matters as he still can't see why we need 5 lawyers. The city manager explained we have one full time attorney on staff and they do go outside when there is a need. Keays wants the City Manager to show what has been paid. The City Manager says he saw that John Peltonen has received over \$200,000 this year.

The City Manager continued about the downtown parking study March 25th and 26th at the McConnell Center that will be held on Monday and on Tuesday. This is a meeting for the stakeholders. The City Manager pointed out he wants to make sure the public is notified.

Joyal wants to make the council aware since right before the holidays staff and he have been working on a new contract that is legal and binding with Severino. He has been doing that and he will be coming forward with some changes that will be favorable to the city. He hopes this will come forward in the next month or so.

DeDe asked about Severino and what year was the contract approved and did it have an ending date. The City Manager will be providing the background info to them but it did not have an end date. DeDe asked have the redistribution of some of the funds been done with the cooperation of previous councils. The City Manager says they would have been authorized by the city council.

The City Manager stated on the Cook Road issue that last summer when it was washed out by the floods and had to be used as a bypass he sent a note out to them telling them there was resident that had complained that the road was a Class IV road and the resident had been maintaining it. Community Services was then dispatched out there as it was very bumpy and we were using it as an emergency lane after the floods, within hours he had to ask them to stop as it is a private road and it would be inappropriate for the city to work on. But it was workable for the situation, sometime after that we have uncovered evidence showing this was always deemed a Class IV roadway and since then the Class 6 committee was formed and that is one of the purposes of the Class IV committee so that the staff and he can understand where they all are. Class IV roads are to be kept in their natural state. An individual plowed up their snow into the middle of



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one of the Class VI roads and that is against the law. Cheney is looking for documentation that shows Cook Road is a Class VI road as she has been told conflicting information. The City Manager recognizes there will be some competing issues on this road.

Ciotti wants to address the reason why when they started the last committee on Class VI roads the committee had only 6 or 7 roads. By the time they were done there were 11 or 12 Class VI roads through recollection and studying old maps. Cook Road was never brought up. He thinks there are going to be many more that will show up. Cook Road was considered a private road because it has never had a need for the city to use it.

On Route 108 the manager had advised them that the council originally authorized the mixed use but the developer placed a condition on the sale to help them with conservation area and wetlands area. They have notified they no longer need this land for wetland mitigation. So at this point they won't be purchasing it. He wants to know if it should be put back out to bid. He also wants to know if they want another appraisal on the waterfront.

DeDe wants to put it back up for sale but wait until after the development is done as it's value will be enhanced by the development. Ciotti confirmed it is a buildable lot. He agrees with DeDe. Hindle stated for the record he would like a formal motion and formal vote on whether to sell. It was decided they will bring it up under matters of interest.

The City Manager also wanted to clarify his remarks at the state of the city. He read part of his statement where the newspaper article did not correctly reflect his comments.

The Mayor asked him about a part time Dover Business Industrial person having a car, he has no idea on this issue and wants Mr. Lynch to visit the city manager anytime and he will help him understand.

Turner asked about the tax liens for Long Hill Road and the comments made. There was a meeting of the utilities regulations apparently there is section in their rules where the owner does not have to hitch into the water system but the lien is still placed in the event they sell; the water main going in out there is going into address an existing issue. So is it appropriate to have these liens on these properties. The City Manager says these would be liens that should be recorded according to the rules on the books. The residents were not the ones that wanted the water main, it was the city. He will be having some research done and will get back to them. Turner would appreciate a telephone call from the constituent if he decides to reiterate like this again in public.

DeDe commented on the Dickinson credit for the waterfront. The City Manager says nothing has been decided yet. The developer has proposed 4.6 - 5.1 million that is what the developer is proposing to develop this parcel for. They did not sell it.

The city is asking him to build a water front park, the cost is estimated to be about 2.1 million,

We are asking the developer to do this for us and done up front, use his money to build a park for the community. Another thing is there is some environmental contamination, GZA was here a couple of weeks ago and someone asked how confident is he that it will cost \$500,000 up or down, this was reputable firm. The developer is telling us that he wants to buy a piece of land that is developable. There are other issues we have



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talked about such as odor control, we have to fix this station. The developer will pay this money. He continued listing the improvements they have requested be made when this is developed. The pedestrian bridge will have to be moved and will part of a grant while the new vehicular bridge is being constructed. There is no additional money to put it somewhere else. This is not coming out of the tax payers pockets. Also the clerk of the works which is to have a professional on staff to see that the work is going on as planned; all this gets deducted as credits because it is all being done at the city's request. The roads, water and sewer lines are on the developer himself with performance bonds just as with other developments also as brought up by a speaker tonight.

Keays says so they are going to move the walking bridge; who is paying for that. The City Manager explained again within the estimate it is included with the construction of the new bridge and it will come out of the purchase price. Keays wants to know how many acres he is buying and which ones and how much of it has to be cleaned up. Keays wanted confirmation he is only going to clean up the waterfront in that area and where the old bus garage used to sit. The City Manager says there will be test borings to find the contamination. Trefethen thinks some of the confusion over the term utilities is from when Mr. Dickinson talks about paying for utilities, but he is talking about the park area. He will be paying for the streets and any utilities put into the development.

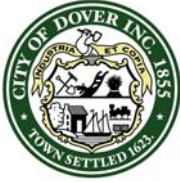
DeDe commented on a public forum on a request of the city council and the particular person who the City Manager designated to take over the police chief's job.

Scott wants in the next City Manager report the city manager's estimate for the pension fund for 2007. The City Manager interrupted the \$560,000 is what the city had paid and what was paid in the city portion. Scott stated he had asked the auditor a month ago, when you look at the accounting there is an accounting inconsistency, then the following year the city sent it to the pension fund. He wants a report explaining the difference.

The City Manager says on two separate occasions Scott had asked the auditor for the difference in certain numbers. The auditor investigated and some of these items were for audited purposes only and some of it was for informational purposes. The City Manager stated Scott had asked again about the auditor and the money is not missing, it was informational purposes in the audit report.

Scott does not think the City Manager should be the interface between the councilor and the auditor. The Mayor interrupted Scott reminding him that only the City Manager has the authority to engage any city vendor and make demands as an individual. The council can do it collectively but not as an individual. Scott thinks the Mayor misinterprets the auditor.

The Mayor read a letter from Scott engaging the services of the auditor. If he still has questions, the council needs to make directives. Discussion ensued with the relation to Enron and the City by Scott. Scott thinks they are making a mountain out of a molehill. The Mayor concluded Scott is in violation of the charter. Trefethen stated Councilor Scott is clearly in violation of the charter and he risks censure by this council and this will not serve the citizens of Ward 3; this is basic math. Cheney comments the same



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question was asked when Scott McIntire was here. The Mayor stated again any group of 5 councilors can get together and authorize him as the Mayor or the City Manager to make a specific request.

Hindle moved seconded by DeDe with all in favor.

9. MINUTES - NONE

10. MAYOR'S REPORT

The Mayor has some appointments and one issue was brought up earlier regarding the Class VI road committee. He is dismayed of all the discussion that has gone on and he has gone through the process and discussed this in detail with Trefethen and Cheney the appointments that will be made indicating Trefethen was his choice as a council representative. There is nothing political on this he is looking for a group of people to come in and make recommendations and tackle the issues, he listed the names including the city representatives. Mike Raiche from the Police Department , Doug Steele and Paul Vlasich, Community Services reps along with Bruce Woodruff from Planning, Eric Hagman from the Fire Department and citizens Cheryl Niles from OLC, Tom Fargo, Conservation Commission, Don Andolina, Planning Board and citizens John McGlaughphlin and Robert Sneider both of Old Garrison Road(See committee report in council folder of 2-28-2007).

On the Energy Advisory Committee applicants, this is an Ad Hoc committee of 5-7 names. He currently has 4 applicants, James Overby, Jim Sconyers, Eric Stelzer, Joyce EIKouratki and Joyce will serve as chair of the committee and he is looking for a couple more names to bring the committee to 5 or 7 members. Finally as a reminder this coming Monday night we have a Joint Legislative Task Force on the components of an adequate education on March 5th from 6:30 to 8:00 PM. Finally on the retirement system, we as a body passed a resolution directing our local delegation to support making changes to the pension system through legislation, just to give a little feedback, from assorted towns across the state instructing him this is also a concern of theirs. He has heard from 12 – 15 communities, the response has been positive, he has copies if they want them.

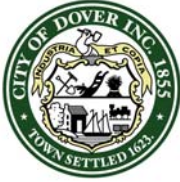
Scott asked on the Class 6 road committee is there a reason why the Mayor did not include Rick Hebbard on the committee. The Mayor says he went through the applicants and the process chose who he thought would meet the requirements with the willingness to serve on the committee.

Hindle moved seconded by Ciotti to accept Mayor's and Committee reports with all in favor.

11. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2ND READING - NONE

B. ORDINANCES IN THE 3RD READING – NONE



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C. RESOLUTIONS - NONE

12. NEW BUSINESS

A. CONSENT CALENDAR

1. TAG PERMIT – STRAFFORD COUNTY STARS AAU GIRLS BASKETBALL
2. TAG PERMIT – DOVER LITTLE GREEN CHEERLEADING
3. TAG PERMIT - LIBERTY HOUSE INC.
4. RAFFLE PERMIT – SUSAN G KOEMAN BREAST CANCER FOUNDATION
5. RAFFLE PERMIT – MAINE COAST RUNNERS FLYBALL TEAM
6. PARADE PERMIT – AMERICAN CANCER SOCIETY WALK

Hindle moved with Ciotti seconding the motion and all were in favor of granting.

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: CREATION OF NORTH END FIRE STATION BUILDING COMMITTEE**
 SPONSORED BY DEPUTY MAYOR JASON HINDLE AND MAYOR SCOTT MYERS.

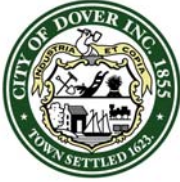
Hindle moved seconded by Cheney to adopt. He read who will comprise the committee. The Mayor asked that the two Fire Fighters unions contact him for who will be on the committee, Trefethen will volunteer also. Motion passed 7-2 with DeDe and Keays opposed.

2. **RESOLUTION RE: DOVER ARENA LIGHTING PROJECT.** SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.

Hindle moved seconded by DeDe to refer to a public hearing on March 14th with all in favor.

3. **RESOLUTION RE: AGREEMENT WITH DOVER YOUTH HOCKEY.** SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.

Hindle moved seconded by Ciotti to adopt. The Mayor asked for the City Manager to explain and Joyal then asked Gary Bannon to come forward to explain. Gary stated the



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zamboni was purchased by Dover Youth Hockey and this resolution turns the zamboni over to the city.

Keays asked in the agreement on 2a and 2b, he disagrees with the idea of giving this customer favoritism. Gary explained we are selling ice; point of order stated DeDe the councilor is asking for something that is going to be voted on by the council. The Mayor yielded to Keays. Gary continued explaining, Keays says we don't do business this way in Dover. The other organizations up there don't get this advantage. Cheney also agrees with Keays they will be having advertising on this zamboni to their advantage. She questioned the idea of "at discretion". Scott agrees as well, this does not look like it is fair. The Mayor says we have more than one user group with different needs. We are trading off the advertising for 5 years and this is our largest user group.

DeDe stated the courtesy that this extends to Dover ice arena's biggest customer and much has been made of this which is unfair. All of the users could have contributed a zamboni and none of them did. The Mayor has pointed out this is an enterprise fund and needs to be run as a business. Ciotti stated he wanted to know if any other customers have seen the agreement. Ciotti asked about the agreements with the other users. Gary says every customer and the city negotiate a contract with each of the assorted user groups. In the end it all comes out in the wash.

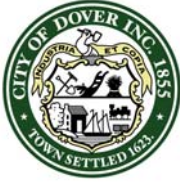
Trefethen stated businesses take care of their largest customers and they give them perks. He suggested we table this until March 14th and if everyone involved still wants to go forward, then fine. Trefethen moved seconded by Cheney to table, motion passed 8-1 with Ciotti opposed.

Gary needs to provide more information on the numbers.

4. RESOLUTION RE: SIGN EASEMENT FOR WALGREEN'S PHARMACY IN CITY RIGHT-OF-WAY. SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.

Hindle moved seconded by Ciotti to adopt. Attorney Bill Tanguay is here representing Walgreens, DeDe has a problem with this concept so will vote against it. Trefethen explained the issue of their proposed sign on Central Avenue; there is something unique here their land does not front on Central Avenue and it is city owned. It is the old ROW before the Miracle Mile was built. There was a deal worked out. Walgreens has agreed to maintain the City's piece of land and will maintain it and plant and landscape and water it forever. That is the quid pro quo when you look at the total picture. Scott wants to know the square footage of the right of way.

Attorney Tanguay came forward stating the city owns 2700 square feet. The sign will take up 20 square feet. The sign is 17 feet tall and 12 feet wide; this is a better sign for all kinds of reasons. They have a much smaller sign than usual. This is more aesthetically pleasing and will be seen sooner coming down the avenue. Scott says he understands the marketing advantages but he is concerned with the precedent. The city manager says we do not want to sell this parcel as the city may need it down the road to get back into this ROW. This was where his building used to be and has never been very well



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maintained. They negotiated a long time, they think it will cost \$25,000 to improve it plus \$12,000 for mulch, grass cutting and tree planting. This will be a smaller, safer and more effective sign.

They have also agreed to move the sign, and it won't be an electronic reader board there. Scott would like to table this so he can go look at it in person. Attorney Tanguay says the North East Federal Credit Union is also similar to this arrangement on city owned property. He has previously had to go the ZBA to get a variance.

Cheney asked if this was not an electronic sign; it will be a manual reader board. Cheney wants clarification that if for some reason we needed it moved; that Walgreens will pay to do this at their cost. Keays heard that the water main goes thru there. What if the water main breaks who is responsible for the sign. The city will repair the water main and Walgreens will repair the grass.

Turner says the only thing mentioned is for maintenance not the landscaping.

The Mayor does not agree with DeDe on this. He pointed out all the benefits of allowing this sign to appear. Also they cannot open the business without it. The Mayor asked the Planning Director, Steve Stancel to come forward. Steve stated the Planning Board made a recommendation that the sign be moved. There has been a precedent set previously by NEFCU; this is a win-win for the city. Scott will withdraw his motion to table. Motion passed on a roll call vote of 8-1 with DeDe opposed.

5. RESOLUTION RE: SUPPLEMENTAL BONDING – WOODMAN PARK SCHOOL. SPONSORED BY MAYOR SCOTT MYERS BY REQUEST. (TO BE REFERRED TO A PUBLIC HEARING ON MARCH 14, 2007)

Hindle moved seconded by Cheney to refer to a public hearing on March 14th with all in favor.

6. RESOLUTION RE: CITY COUNCIL OF THE CITY OF DOVER, NEW HAMPSHIRE URGING OUR DELEGATION TO OPPOSE HB143. SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.

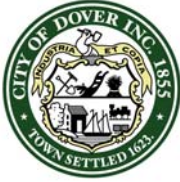
Hindle moved to suspend the rules to introduce this item seconded by DeDe. Motion passed on a roll call vote of 8-0 with Cheney out of the room.

Hindle moved seconded by DeDe to adopt.

Joyal read the background. Discussion ensued about the bad idea of the proposed new law and how the Portsmouth Herald supports this idea.

Scott has some concern about them acting as a body on legislation. The Mayor disagrees, this gives them one voice. They can still go to Concord and oppose the idea as individuals if they want. When we vote to give our delegation instruction to not vote on this bill, it is a vote to go easy on the taxpayers pockets of this city.

Turner wants to know the results of the police car collision in the north end. Joyal does not know if the case has been resolved yet with the driver.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: Wednesday, February 28, 2007
Meeting Time: **7:00 pm**

Motion passed 8-1 with Scott opposed.

C. ORDINANCES IN THEIR FIRST READING - NONE

D. COUNCIL CORRESPONDENCE - NONE

13. COUNCIL MATTERS OF INTEREST

Hindle moved seconded by DeDe to have the Mayors correspondence placed on file with all in favor.

Ciotti asked about adding information on the paint on the beams in the Arena for the resolution. The City Manager will have an answer at the next meeting. The lights won't have any bearing on the other resolution on lights.

DeDe on the Route 108, it is his position to not put the property for sale until the adjacent piece has been developed. DeDe moved seconded by Cheney to not put up for sale the property on Mast Road at the present time.

Ciotti asked on the idea of the second appraisal on the waterfront; he had discussed it with the City Manager last week. The City Manager on Chapter 79 says there was a discussion on an amendment to the ordinance. For the minimum bid to be at 80% of the assessed value, and get two appraisals, he continued to explain the ordinance. There is no requirement to have a second appraisal to sell the property so they may want to amend this. Ciotti stated in the appraisal RFP, the vendor holds a state of NY license to do appraisals.

Trefethen commented on a citizen's forum of almost 2 years ago when he was volunteered to serve on a Class VI road committee; due to a whole bunch of things the effort to reform the committee was delayed and now is back on track. At that time he asked the Hebbards' if they were interested in serving and (also the idea of some type of agenda associated with this committee) he is not aware of any agenda. He did have a brief discussion with the Mayor on the approach. Trefethen also wants to say just because you are interested does not make one the best candidate for any committee. It does not mean though that just because you are not on a committee that you may not comment.

Scott has comments on the appraisal, why do we go all the way to NY to get an appraisal. MA has a number of very qualified appraisers. Also the appraisal should be very specific not 20 or 30 acres as the appraisal mentions. He is concerned this request for bid is rather vague. Ciotti says it is all spelled out. Discussion ensued.

14. ADJOURN

Keays moved seconded by Hindle to adjourn about 10:15 PM. Motion passed on a 6-3 vote with Ciotti, DeDe and Trefethen opposed.