

CITY OF DOVER

CITY COUNCIL MINUTES

Meeting Type: **SPECIAL MEETING**
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, August 15, 2007**
Meeting Time: **7:00 p.m.**

1. PLEDGE ALLEGIANCE

Councilor Trefethen led the Pledge of Allegiance.

2. ROLL CALL

Present: Councilor Dean Trefethen, Councilor Harvey Turner, Councilor Catherine Cheney, Councilor Dennis Ciotti, Councilor Robert Keays and Mayor Scott Myers.

Absent: Councilor Doug DeDe, Deputy Mayor Jason Hindle and Councilor David Scott.

Councilor Trefethen will serve as Deputy Mayor.

3. CITIZENS FORUM

The Citizen's Forum is limited to the Resolutions on this Agenda in Accordance with City Council Rules, Item 12H.

Mayor Myers opened the Citizens Forum stating that this is limited to the items on the Special Meeting agenda:

Mary Hebbard, 97 Spruce Lane – stated she is discussing Item 4-G, Longhill Road/Old Rochester Road water main project. She stated that in March of 2007 the FY08-13 CIP was approved on a 6-2 vote. She stated the one of the items was the Long Hill Road Water Main which was listed as \$1,900,000 but last week the award of bid for that project was \$200,006,090, which is an overage of more than \$106,000 and she was surprised because no one batted an eye. She stated she can understand when there are emergencies, but this was not the case. She stated she also doesn't understand why there are 3 different accounts being used, with 2 of them being Dover Point Water Main accounts that were finished several years ago. She doesn't understand why there is still money left if those accounts and again that no one questioned this. She continued that tonight this is a change order to Earth Tech for oversight services which was awarded the project back in 2000 for engineering services. She stated she thought that they came back for more money, but it was actually the city who requested the change. She stated this project is already a ¼ of a million over the original estimate and feels this isn't the first time it has happened and that there is no accountability to the public. She asked that they vote no on 4-G..

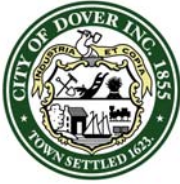
Rick Hebbard, 97 Spruce Lane – agrees with Mary on the above subject. Next he discussed item 4-F, Shaw's lane Field House, stating that the various groups that use the fields should fund this themselves. He stated it isn't used by the city as a whole and is not a part of the infra-structure, but is an amenity and not a necessity. He asked the Council to vote no on 4-F.

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

4. CONSENT CALENDAR:

Trefethen moved to grant 4-A and adopt 4B-K, seconded by Ciotti.

Cheney asked to remove item 4-G.



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Trefethen asked to remove C, D and E.

Motion to adopt remaining consent calendar items passed on a 6-0 roll call vote.

- A. Road Toll Permit – Dover Professional Firefighters Assoc.
- B. Resolution RE: Household Hazardous Waste Collections Services. Sponsored by Mayor Scott Myers by Request.
- C. Resolution RE: #2 Heating Fuel. Sponsored by Mayor Scott Myers by Request.

Trefethen moved to adopt, seconded by Ciotti.

Trefethen moved to amend by striking the “Further Be it Resolved”, seconded by Ciotti.

Mayor Myers explained that items 4C, D, and E will all have the same amendment to remove the automatic 2nd year renewal of the contracts.

Motion to amend passed on a 6-0 vote.

Main motion as amended passed on a 6-0 roll call vote.

- D. Resolution RE: Diesel Fuel. Sponsored by Mayor Scott Myers by Request.

Trefethen moved to adopt, seconded by Ciotti.

Trefethen moved to amend by striking the “Further Be it Resolved”, seconded by Ciotti.

Motion to amend passed on a 6-0 vote.

Main motion as amended passed on a 6-0 roll call vote.

- E. Resolution RE: Liquid Propane Gas. Sponsored by Mayor Scott Myers by Request.

Trefethen moved to adopt, seconded by Ciotti.

Trefethen moved to amend by striking the “Further Be it Resolved”, seconded by Ciotti.

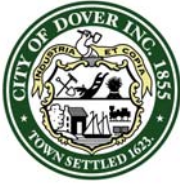
Motion to amend passed on a 6-0 vote.

Main motion as amended passed on a 6-0 roll call vote.

- F. Resolution RE: Construction of Shaw’s Lane Field House. Sponsored by Mayor Scott Myers by Request.
- G. Resolution RE: Old Rochester Road and Longhill Road Water Main Project.

Trefethen moved to adopt, seconded by Ciotti.

Cheney explained that she pulled this resolution because she did not vote in favor of it in the CIP and has been against it ever since. She stated she has concerns with the resolution in general. She stated that the initial issue was to address the complaint of low water pressure in the north end but this will not result in an increase in the pressure. She stated the pressure in the area



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already meets the Fire Department standard of 20 P.S.I. as it is at 35 P.S.I. She stated that a survey done in the north end came back as "good most of the time" but that they can't run 2 things at once. She stated another concern when this first came up was the liens on people's properties and that has since been removed, but she wonders who is now going to pay for it. She stated that the Council is the policy setter and feels that all of the information hasn't been reviewed yet. She stated she is concerned that this will encourage more development in the north end. She feels there are other things needed to be done in this city, but this is not needed.

Mayor Myers asked the City Manager to address several questions that have been brought up.

Joyal explained the background of this issue stating that there were 2 issues being looked at by the consultants with the study; the water pressure and an appropriate design for a loop in the north end. He stated that the results came back that the water pressure was marginal to low and that there were sharp deviations at various times of the day, but on average it remained at 30 P.S.I. He stated the need for the loop is not to increase water pressure but it will help with some of the short term drops in pressure. Aside from the pressure, the loop is a good idea for the maintenance of the water system as it helps with water main breaks and fire hydrant flow and ultimately with the water tower in the north end. He stated this does not have anything to do with any future development. Next he addressed the process to combine the water issues at the north end with the water pressure study and listed the various costs that were initially associated during the CIP process. He explained that we went out to competitive bid and it came back at a little over \$2 million and our original estimate was \$1.9 million and we have no control of how the bids are going to come back. So to move the project forward they requested money from the 2002 and 2003 Dover Point water main project which was left over and must be used on similar projects which this is. He explained that this project is also being dovetailed with the turnpike system project in anticipation of sewer lines under the turnpike so they are putting the sleeves in now and is part of the extra cost, but is going to be worth it in the long run.

Myers asked if a portion of this will then be charged to the Sewer fund.

Joyal stated yes and there is a substitute resolution to do this.

Turner stated that if you look at the water system in Dover you can see that almost all areas are looped except Longhill road and extreme Dover Point Road and feels this needs to be done. He stated this will also support future structural possibilities including the water tower.

Keays asked the total cost of the project.

Joyal stated \$2,195,000.00

Keays stated that he feels this will only benefit the contractors building out there and doesn't help the water pressure issue. He also feels a study should be done on the effects of Liberty Mutual on the water pressure.

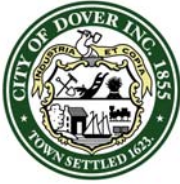
Discussion ensued.

Ciotti is concerned with hiring another project manager and feels that we should be hiring a person to oversee all of the various projects that represents the City and that this would be a more cost effective way to do this.

Trefethen moved to substitute resolution as a whole, seconded by Turner.

Motion passed on a 4-2 vote, Cheney and Keays opposed.

Mayor Myers stated that Councilor Ciotti's concern should be a part of the later workshop discussion on City Manager goals and expectations. He further stated that he feels the City



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Manager has fully explained all of the questions and that this is not the solution to the water pressure issue, but is step 1 towards that.
Discussion ensued.

Motion to adopt as amended passed on a 4-2 roll call vote, Cheney and Keays opposed.

- H. Resolution RE: Isaacson Memorial Scholarship. Sponsored by Mayor Scott Myers by Request.
- I. Resolution RE: Pete McDonough Scholarship. Sponsored by Mayor Scott Myers by Request.
- J. Resolution RE: Mary Ellen Driscoll Scholarship. Sponsored by Mayor Scott Myers by Request.
- K. Resolution RE: Ryder Book Scholarship. Sponsored by Mayor Scott Myers by Request.

5. RESOLUTIONS:

- A. Resolution RE: Authorize Sale of City Property Located off Snow Avenue and Maple Street Extension. Sponsored by Mayor Scott Myers by Request.

Trefethen moved to adopt, seconded by Ciotti.

Joyal reviewed the background of the resolution stating that the city received a request to purchase City-owned property located off Snow Avenue and Maple Street Extension, identified as 29-68F on the Dover tax maps and that in accordance with Dover Code 79-11 the required deposit to initiate the procedure for the sale of property has been received and that this starts the process for that sale of city property. He stated that this property is land-locked and is being requested to extend a driveway to access another property.

Keays wants to know how much we will get for the property.

Joyal explained that this starts the process to see if the Council wants to sell and then we come back with an appraisal and go out to bid or the Council can waive the bidding process and negotiate with the requestor themselves.

Discussion ensued regarding appraisals and the limited use of the property.

Trefethen moved to amend the Now, Therefore, section adding "...authorized to advertise for sale **to any and all direct abutters only and to waive the appraisal requirement...**", seconded by Ciotti.

Ciotti asked if they will get notified by certified mail.

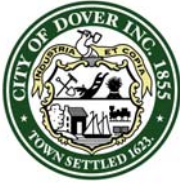
Joyal stated yes.

Cheney asked how much the appraisals would be.

Krans stated approximately \$1,000 each.

Motion to amend passed on a 6-0 vote.

Discussion ensued regarding the potential uses of the property.



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Main motion as adopted passed on a 5-1 roll call vote, Turner opposed.

B. Resolution RE: Reclamation of Asphalt and Pavement. Sponsored by Mayor Scott Myers by Request.

Trefethen moved to adopt, seconded by Ciotti.

Trefethen moved to substitute as a whole, seconded by Ciotti.

Motion passed on a 6-0 vote.

Joyal explained that the substitution was because the bids did not come back until Monday and there was a placeholder resolution put on the agenda.

Myers asked why there was only one bidder.

Joyal stated it's probably because Pike is already doing our pavement projects and also it is late in the season to put out for bids and other companies already have full schedules. He stated this was sent to 25 companies.

Motion to adopt passed on a 6-0 roll call vote.

6. **Adjourn into Workshop**

Trefethen moved to adjourn into a workshop session at 8:25 p.m. seconded by Ciotti.

Motion passed on a 6-0 vote.

Keays stated he has a problem and a question regarding the McConnell Center roof which he had asked the City Attorney for an opinion as to whether the use of the Sand and Gravel money was legal. He stated he spoke to the City Attorney today who told him he didn't have the information, the City Manager did. Keays stated he wants to know why the City Manager has the confidential information that he asked the City Attorney to provide. He stated he has tried to research the current Severino contract himself and has not been able to find where it says what percentage is allowed to be spent by the city of other things besides ball fields. He stated he feels like we are going back to the days when the previous City Manager ran city hall like a dictator. He stated if he has no answer, he will be contacting a lawyer on Monday.

Mayor Myers clarified that this item is not on the agenda for discussion.

City Manager Joyal asked to respond. He stated that first and foremost he has not tied the hands of the City Attorney or any other city employee. He stated the documents in question were put into Councilor Keays mailbox this afternoon and he resents the statements comparing him to the previous City Manager.

Adjourned into workshop.