

**MINUTES
REGULAR COUNCIL MEETING
JUNE 13, 2001
DOVER CITY COUNCIL
COUNCIL CHAMBERS
7:00 P.M.**

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

Councilor Dunnington led the pledge.

3. ROLL CALL

Councilors Dunnington, Hindle, Mayberry, Nossiff, Schmidt, and Mayor Pro Tem Berry present. Mayor Boc, Councilor Andrews Parker and Reese were absent.

4. MAYOR'S REPORT

Schmidt moved, seconded by Mayberry, to suspend the rules to introduce item 11-C-3; motion passed on a roll call vote of 6-0.

In the Mayor's absence, Mayor Pro Tem Berry attended the ceremonies at the Wall that Heals this past weekend. He stated that the people who brought it here did a fantastic job of presenting it. Over 12,000 people attended while it was here. It cost over \$20,000 to bring The Wall to Pease. He stated the Council had been thanked for their contribution. People that made the wonderful event happen were Jim Alty, Trudy McAtavey, Donna and Phil Rinaldi. He attended a site walk on 6/6 for the WPS bus loop. Schmidt attended the ribbon cutting for the Farmers Market today at Henry Law Park. DHS graduation will take place tomorrow at 7 p.m. Mayberry attended the ground breaking for My Friend's Place new addition; he also attended the ribbon cutting at the new Staples Office Supply. Berry reminded everyone that this year the fire works will be held at DHS and that they will alternate each year between the High School and Garrison Hill. He continued, Reese has decided not to run in the next election and Berry thanked him for his hard work on behalf of the city. He wants everyone to know that with the acceptance of this report, we will move the July meeting to 7/18, the third Wednesday of the month. Schmidt asked if Dunnington could attend on this date. Dunnington said it wouldn't be a problem. Mayberry wanted them to take a moment to welcome Daniel Parker into the world; this is Councilor Andrews Parker's new baby that was born this past Sunday. Schmidt moved, seconded by Mayberry, to accept. All were in favor.

5. PUBLIC HEARING

- A. Ordinance # 12-05/09/2001, Chapter 79, Disposal of Surplus Property, Section F, City of Dover Library Material. Sponsored by Councilor Jason Hindle. **(See Item 10A-1)**

Bernard Stillwagon has lived in Dover over 72 years and one sixth of his income is spent on taxes. If the people on Silver Street are deadly opposed to a car wash and Dunkin Donuts, they may take the City to court. He has noticed the piece of property that is proposed for ballparks; he wants the council to stop spending. The elderly just can't afford it. He does not get lawyer's fees for income, unlike some of the City Council. He mentioned the vandalism at his church this past weekend. Also, we are paying for things we cannot use. The proposed dredging of the river will not benefit him, and he is opposed to this. Money is going down the drain; city employees should be required to live or at least department heads required to live in town and pay taxes here. There should also be a freeze on hiring.

Seeing no one, the Mayor Pro Tem closed the public hearing.

- B. Ordinance #14-05/09/2001, Chapter 74, Cemeteries, Section 74-9, Violations and Penalties. Sponsored by Councilor Jason Hindle. **(See Item 10A-2)**

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Belinda Labourdette, secretary for the Cemetery Board, is here to endorse this ordinance. Walking dogs is a violation of cemetery rules; she also thanked Hindle for working on it.

Nick Guadagnoli lives at South Watson Lane; he is confused and feels the ordinance is going to the extreme. He asked about the outside lane of the cemetery and if that is an acceptable place to walk. He has talked to the dog officer and she said it was OK to walk the dog there. He then addressed Hindle. He feels this is going too far. People speed down Watson Lane he is not clear where we are going with this. If he can't walk there, then the council needs to put in a sidewalk; he continued about his dog. He does not want to be treated like a criminal.

Seeing no one else, the Mayor Pro Tem closed the public hearing.

- C. Ordinance #13-05//09/2001, Chapter 3, Section 3-60, Dover Arena Commission, Membership term of office. Sponsored by Councilor Jerry Reese and Councilor Matt Mayberry. **(See Item 10A-3)**

Seeing no one, the Mayor Pro Tem closed the public hearing.

- D. Ordinance #15-05/09/2001, Chapter 3, Article IV, Board and Commissions, Section 3-52 (C), term of appointments. Sponsored by Councilor Jerry Reese and Councilor Matt Mayberry. **(See Item 10A-4)**

Seeing no one, the Mayor Pro Tem closed the public hearing.

- E. Ordinance #16-05/24/2001, Chapter 166, Vehicles and Traffic, Section 166-50, Schedule C, Stop Intersections, Maglaras Park Access Road. Sponsored by Councilor Matt Mayberry. **(See Item 10A-5)**

Seeing no one, the Mayor Pro Tem closed the public hearing.

6. CITIZEN'S FORUM

The Mayor Pro Tem opened citizen's forum.

Dana Lynch of 24 Lexington Street spoke about the proposed bus loop at WPS. He would like it approved this evening. He would like the basic elements considered; it is proposed as a safety feature for the kids and the school. He feels this loop is the best solution to the problem. The issue before the council tonight is the curb cut. They are being asked to move it to a relatively safe location. This is something we need to deal with, as the road is very outdated. He wants the bus loop issue separated from the curb cut issue.

Bob Decolfmacker, President of McIntosh College stated he attended last night's Planning Board, where they approved the rezoning of the Rutland Street Bingo Center. They are anxious to continue in their goal of supporting education at that location.

Dawn Duffy of 163 Silver Street is here to address the bus loop. They are concerned about the safety of Silver Street and the traffic of the future. She feels that this is a major development issue; she is disappointed that there are only five councilors present this evening.

Armand LaSelva, Superintendent of Schools, stated that here before them tonight is the request to approve the improvements to Silver Street. The objective is to have a safer means for 400 plus kids to arrive at the school. This is the most cost effective way to do this and the improvements will improve traffic control. He urged passage by the Council.

Parks Christenbury, of 98 Cocheco Street spoke on behalf of Brenda Whitmore and the Maglaras Park stop sign and how badly it is needed. He then addressed the cemetery issue stating this is a place people come to pay their respects to the deceased. People that go there should have a reason to be there. Also he spoke about McIntosh College and how cognizant of the neighborhood the college is. Any expansion that retains people in Dover should be approved.

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Joe Reeves, of Polly Ann Trailer Park and owner of Who's on First, still needs a dance permit at his place of business. This issue has been going on for two years now. The Police Chief wants him to have an officer at the door of his place; plus another stipulation required was a bond. They want him to sign his death wish. He has had to go back to work building houses to support his family. Right now he cannot afford car insurance or health insurance on himself. He has a hard time supporting his family as well. Trying to keep up with all the bills, there is not another restaurant in town that has had to go through what he has. He continues about his pool tables, and he would like to have entertainment. No one else in the business has any restrictions at all.

It's been almost two years now; he would just like to make a living here. He also has handicapped access and access for the elderly as well. He wants the same things as others in this town.

Ross Brown and his fiancée, Shelly Lebannon, are here to talk about Joe's place; he wants a place to go to have a good time. The bathrooms are handicapped accessible. Shelly tried to talk on behalf of Who's on First. He's seen people who want to fight at other places in town. Shelly says she feels comfortable being there. He continued: to deny this man an entertainment license, this is bad for the City of Dover. He doesn't think it's right.

Joe Reeves again explained about the above couple and their engagement party that was held at his place. He also explained how they are getting married at his place and will hold their reception there as well. He just wants to make a living here in town.

Bob Callahan of 6 Barry Street explained how he went to the Ethics Board and they had told him to bring his complaint back to the Council. He is here and he feels Schmidt ought to resign.

Mike Dalton is here about the Silver Street issue; he would like them to table the issue this evening. Let the school go ahead and wait on the Silver Street curb cut. Silver Street is a very important access road; we need to sit down with the planners and the State to discuss the access road issue.

Mrs. Callahan wants a copy of council rules

Stephanie Keegan spoke about the WPS bus loop, saying this is an issue for her. She has three children and works on and off at the school and she is also a student at UNH. This is an urgent matter and something must be done as soon as possible, as there are a lot of hazards currently. This is in the best interest of the children and the best interest of the city; plans are set and should be done and will really be appreciated. She wants them to vote in favor of this. She urged them to please think of the children.

Mr. Dennis Bentley, WPS principal, thanked the Council for the time they are putting in on this issue. He hopes they can make a decision tonight.

Mr. Dalton for the second time, once again you are not here to vote on the entire WPS project. The School Board does not need the Council's approval to the changes on Clifford, Arch and Towle. These are going to be done anyhow. They are voting on the curb cut on Silver Street only. He wants them to concentrate on Silver Street, not the bus loop on the top of the hill. He feels more City Councilors should be present to vote on this item.

Mr. Bentley again respectfully disagrees with what the above said. He agrees that the improvements can go ahead and but that does not address the safety issue. The curb cut must be moved up Berry asked Nossiff and Dunnington to stop talking. By not doing the curb cut this issue is still there.

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

7. MINUTES

A. Special Meeting/Budget Workshop – April 26, 2001

- B. Budget Workshop – May 15, 2001
- C. Special Meeting/Workshop – May 24, 2001
- D. Special Meeting – May 30, 2001
- E. Regular Meeting – May 9, 2001

Schmidt moved, seconded by Hindle. Schmidt stated he has submitted his corrections. All were in favor of acceptance.

8. REPORTS OF STANDING AND SPECIAL COMMITTEES

- A. Planning Board – Councilor Jerry Reese

No Report.

- B. Public Works Building Committee – Councilor Peter Schmidt

Schmidt stated the building is coming along nicely; the walls are complete and the masonry is coming along well. The budget is holding well. Hindle asked if we are on the same time frame schedule. Schmidt says yes.

- C. Arena Building Committee – Councilor Matt Mayberry

No Report.

- D. COAST Bus – Councilor Peter Schmidt

Schmidt stated the Executive Committee had met last week and they are looking at bus purchases. They now have 35' buses that they recently purchased. He explained about the smog in the area and MTBE that is put in our gasoline.

- E. Solid Waste Advisory Commission – Councilor Thomas Dunnington

Dunnington said they had met at their regular meeting on May 17th. On May 12th about 200 people took advantage of the Hazardous Waste Day. They discussed a permanent hazardous waste facility; he explained it is only in the talking stages now. They discussed the increase in bag prices and the income from the sale of bags.

The committee agreed to increase the cost by 10 cents for the small bags and 25 cents for the larger bags, effective in July. The commission feels this price will hold for the next 3 years. He feels this increase will encourage people to recycle more and think twice before putting it in the bags. Mayberry had a question from a constituent: could we sell advertising space on the bags to keep the costs down. Dunnington will bring this idea up at the next meeting. Berry asked about the Saturday hours on behalf of the Mayor. Dunnington stated he is not allowed to discuss it any more.

Hindle is concerned about absentee landlords and people that leave trash out for weeks on end and he asked Dunnington to ask the committee about the enforcement issue on this note: maybe the trash ordinance could be put in the next community notes. Dunnington says they have even talked about putting a flyer in with the tax bills. Schmidt spoke of this issue about people putting out garbage early with regard to animals getting into it. It makes that street look like a dump for quite a while. It is the problem with absentee landlords; we need to address these people.

- F. Elementary Facilities Committee – Councilor Jason Hindle

Hindle reserved his comments on the facilities committee until the WPS bus loop resolution that is later on the agenda.

G. Alternative School Joint Building Committee – Councilor Jason Hindle

Hindle reported the Alt School Committee met last Monday and their current issues are fencing and screen needs. They agreed to take 3,000 feet from Bellamy Road, past the proposed site for fencing and screening issues with regard to the proposed ball fields in that area. They went before the Planning Board this past Monday and got tentative approval from them. Groundbreaking will be later this month.

H. Ball Fields Committee – Mayor Wil Boc

Berry says they had held a public forum at the Dover Middle School, where they took public comment. Pete Lavoie reported 20-25 residents were there, mainly from the condos on Shaw's Lane and how the residents were concerned about parking and lighting and noise and where the people attending the ball games will be parking and if they will have enough places to park.

Schmidt moved, seconded by Dunnington to accept. All in favor.

9. CITY MANAGER'S REPORT

Through the end of May or 11 months into the fiscal year, the City has collected \$7.1 million or 92 % of property tax revenue. We have expended \$1.5 million or 91%; we are roughly on target. We have issued 75 building permits for a value of \$3.4 million and collected fees in the amount of \$18,774. He mentioned the Farmers Market resolution that will be on next month's agenda; also the City is applying for a \$30,000 grant to fix some sewer issues. Finally, last fall a local citizen volunteered to take the City leaves; they have been evaluating this decision again. The spring thaw brought a bad smell with the decomposing of the leaves, so we stopped delivering leaves to this place. Now we have to fund dumping the leaves somewhere else, but this does present a problem to the neighborhood. As to that end he is looking for direction from the Council. Berry, Ward 4 councilor, gave the history saying Mr. Hebbard gave us the opportunity to dump leaves on his farm last fall; the smell came in the hot days we had back in May. His concern is that it does impact other neighbors and if we do not allow it, Mr. Hebbard will take leaves from other places. We do not have the right to stop it. Senator Wheeler has also called him because some of her constituents had called her to complain. The decision is a tough one; do we have the right to tell someone what they can or cannot do on their property when it does not pose a health hazard or trash hazard. Berry says when we approve the manager's report; we would be approving the continuation of dumping of leaves. The City Manager says no one has the authority to tell Mr. Hebbard what he can or cannot do as long as he complies with local zoning ordinances. Do we want to exacerbate the situation with the neighbors. He can go to Portsmouth and get leaves. Do you want the City to deliver its leaves to Mr. Hebbard or not. Mayberry asked if Mr. Hebbard still wants the leaves; the City Manager answered, yes. Mayberry says who are we to say he can or can't do this. Schmidt says Senator Wheeler is acting in response to a constituent. She is only looking into the matter. Schmidt feels this activity is completely legal. Schmidt went on that Mr. Hebbard is experimenting to find a way to turn this leaf pile into fertilizer. If we stop bringing in Dover leaves that will only make the city spend more money. Dunnington commented that this has been a farm for a lot of years and you are dealing with odors; he does not mind the odors. There is an odor out there whether we put leaves there or not. We should think long and hard before we turn this down. The City Manager says maybe Dunnington's committee can take a look at this. Berry feels we should have public comment on both sides of this issue. Nossiff concurs, as there are citizens that have adverse issues with this. We should take the time and we also have three absent councilors this evening. He is speaking on behalf of constituents that have a problem with the smell. Berry says Beecher should direct this to the Solid Waste Advisory Commission. Beecher asked when are they meeting next. Dunnington says the committee is meeting tomorrow night. Mayberry asked about the paving on Spur Road and what the schedule is for the constituents in that area. Pete Lavoie says the main issue is the drainage issues and they are trying to rebuild the road. Nossiff wondered about the leaf issue. Alex wants to defer the vote of the ordinances on this agenda. Berry explained that they couldn't. Nossiff stated the point is: are the citizens of Dover being properly represented. Mayberry moved,

seconded by Dunnington, to accept. All were in favor.

10. UNFINISHED BUSINESS:

A. ORDINANCES IN 2ND READING

1. Ordinance # 12-05/09/2001, Chapter 79, Disposal of Surplus Property, Section F, City of Dover Library Material. Sponsored by Councilor Jason Hindle.

Hindle moved, seconded by Mayberry, to adopt. Hindle had asked City Attorney George Wattendorf to come here tonight to discuss this issue. Hindle feels there is a loophole here. George explained how the Library generates a lot of extra material, and the concerns that came up, and how they have been donating these supplies to the Friends of the Library for resale. This ordinance will give notice to the citizens of Dover. Hindle says this is not anything against the Friends of the Library because they donate thousands and thousands of dollars to the Library with their sales on E-bay. Mayberry asked how this would be advertised. Hindle says either at the Library or on the City's website. Mayberry asked Cathy Beaudoin, Library Director, if they want this ordinance. Cathy says they started their E-bay sales about a year ago and have sold 53 items on e-bay for a total of \$2,000. The items she feels will do well, she puts on E-bay. The ordinance will put a notice on the city website telling people of the items and they will be posted at the Library. Schmidt asked if she would continue to separate out items that have been purchased by Dover taxpayers. Cathy stated these items would not be put on E-bay. E-bay has worked out really well for them, and they do not put Dover owned items on E-bay because after 10 years of use they are not worth anything. Berry asked why are we singling out the Library with this ordinance. George explained we usually go through the auction process, but the Library generates hundreds of volumes. This will allow her to go ahead and sell some of these Library items. Schmidt says maybe they could amend the ordinance to include other types of items that become available as surplus. Hindle agrees. The City Manager wants them to vote on the ordinance as is. Motion to adopt passed on a roll call vote of 6-1.

2. Ordinance #14-05/09/2001, Chapter 74, Cemeteries, Section 74-9, Violations and Penalties. Sponsored by Councilor Jason Hindle.

Schmidt moved, seconded by Mayberry, to substitute as a whole. Motion passed with all in favor. Hindle states he is sorry the individual is not still here that spoke earlier about this ordinance. Berry moved to table, Schmidt stated a point of information: can we take it off the table easily? Hindle made a point of explaining the boundary of the cemetery. He stated it is posted right there. Berry is looking for a second to table. Mayberry commented he will second. Motion to table fails, Berry and Mayberry in favor of tabling, all others were opposed. Nossiff is out of the room. Hindle moved to adopt, seconded by Mayberry. Schmidt does not want to shortchange the citizens; this ordinance is of concern to people whose loved ones are buried in the cemetery. Dunnington reminded them they are only dealing with the fines tonight, not the boundaries of the cemetery. Hindle says this is not only a dog issue but also a vandalism issue. Hindle continued, Pine Hill Cemetery is a sacred place. He considers it Dover's own Arlington Cemetery. He noted it houses the graves of two N.H. governors, several State Senators and soldiers from many wars. Dover also has a pooper-scooper law and people are responsible for the mess from their dog.

Mayberry stated that on the other side, the opposite of death is life. We are pushing people into the cemetery to walk and ride their bikes; he feels it is educating people about death, etc. He will vote against this. He would rather have kids safe in the cemetery than walking in the road on Watson Lane. Schmidt reminded everyone this ordinance is for vandalism and walking dogs there. He will support it. Hindle mentioned the dog officer and her cooperation with this ordinance. Dunnington reminded them the offense is discretionary if they arrest or not. Motion passed on a roll call vote of 5-1, Mayberry opposed.

Nossiff wants a two-minute break to talk to the City Attorney. Nossiff moves, seconded by Hindle, for a break. Motion passed, Schmidt, and Berry opposed.

3. Ordinance #13-05//09/2001, Chapter 3, Section 3-60, Dover Arena Commission, Membership term of office. Sponsored by Councilor Jerry Reese and Councilor Matt Mayberry.

Berry called the meeting back to order. Mayberry moved, seconded by Hindle, to adopt. Mayberry explained the ordinance. Motion passed on a roll call vote of 6-0.

4. Ordinance #15-05/09/2001, Chapter 3, Article IV, Board and Commissions, Section 3-52 (C), term of appointments. Sponsored by Councilor Jerry Reese and Councilor Matt Mayberry.

Mayberry moved, seconded by Hindle, to adopt. Dunnington is concerned about this issue with regard to staggered terms. Mayberry explained there are no automatic renewals and people would serve their own terms, and not fill out the person's term before them when they have resigned. Also we have a hard time finding volunteers now. The only situation is the Planning Board but we move up alternates on this one. Berry pointed out that in the background information it states, other boards would be asked to follow this ordinance to be consistent in the Code. Motion passed on a roll call vote of 6-0.

5. Ordinance #16-05/24/2001, Chapter 166, Vehicles and Traffic, Section 166-50, Schedule C, Stop Intersections, Maglaras Park Access Road. Sponsored by Councilor Matt Mayberry.

Mayberry moved, seconded by Hindle, to adopt. Mayberry asked if this sign was already up. It was confirmed that it is. Motion passed on a roll call vote of 6-0.

B. ORDINANCES IN 3RD READING

C. RESOLUTIONS

1. Resolution RE: Amendment to City Charter Section C3-3 Entitled "Selection of Mayor and Mayor Pro Tem". Sponsored by Councilor Jason Hindle.

Hindle moved, seconded by Mayberry, to adopt. Hindle says this is an updated version of his amendment to the Charter. Berry stated this really has changed a lot and he wonders if we shouldn't have another public hearing, Hindle agrees but because of time constraints we should vote on it. Nossiff feels we are only voting to send it to the voters; he does not see the need for any further debate. We are making way too much out of this. Mayberry asked when this would be effective. Schmidt will oppose this because it is an unwise thing to do. The Mayor Pro Tem is a function that should be elected by the council. He doesn't feel it offers any real advantage. Nossiff made a motion to move the question, seconded by Mayberry. Everyone in favor of moving the question. Main motion fails on a roll call vote of 3-3, Mayberry, Schmidt and Berry opposed.

11. NEW BUSINESS:

A. CONSENT CALENDAR

1. Parade Permit – Miss Patty's Child Care Center
2. Tag Permit – Dover Little Green Football
3. Tag Permit – Dover Youth Football
4. Raffle Permit – Dover Chamber of Commerce – Cochecho Arts Festival
5. Raffle Permit – American Legion Post 8
6. Fireworks – City of Dover Community Services Recreation Division
7. Assembly Permit @ Henry Law Park – National Congress for Father's and Children
8. Block Party Permit – Lexington Street Block Party

Schmidt moved, seconded by Mayberry, to grant. All in favor.

B. RESOLUTIONS:

1. Resolution RE: Transfer of Appropriation – General Fund. Sponsored by Mayor Wil Boc by Request.

Schmidt moved, seconded by Nossiff, to adopt. The City Manager explained that he would roll over what money he does not use. Motion passed on a roll call vote of 6-0.

2. Resolution RE: Fiscal Year 2001 Budget Amendment #3. Sponsored by Mayor Wil Boc, by Request.

Schmidt moved, seconded by Mayberry, to refer to a public hearing on 7/18. All in favor.

3. Resolution RE: Authorization for Issuance of Tax Anticipation Notes for Fiscal Year 2002 – Two Million Five Hundred Thousand Dollars (\$2,500,000) Sponsored by Mayor Wil Boc, by Request.

Schmidt moved, seconded by Mayberry, to adopt. The City Manager explained that the city will run short on cash. He continued, we used to borrow 4 or 5 or \$6 million a few years ago. This year we are only borrowing \$2.5 million. Motion passed on a roll call vote of 6-0.

4. Resolution RE: Depositories for Fiscal Year 2002 City Funds. Sponsored by Mayor Wil Boc, by Request.

Schmidt moved, seconded by Hindle, to adopt. Motion passed on a roll call vote of 6-0.

5. Resolution RE: Authorization to Enter into a contract with the State of New Hampshire for Advanced Drug Prevention Programming. Sponsored by Mayor Wil Boc, by Request.

Schmidt moved, seconded by Mayberry, to adopt. Dunnington would like clarification on how long this grant will continue. The City Manager says this one is for two years. Dunnington wants to know what will happen at the end of 2 years and if they will be asked to come up with \$80,000 to support these two positions. The City Manager says that is possible or we will have to let them go when the grant runs out. Mayberry asked if this is more about enforcement or about the education end of this issue. Motion passed on roll call vote of 6-0.

6. Resolution RE: Authorizing Construction Work on Silver Street to Accommodate Bus Loop at Woodman Park School. Sponsored by Mayor Wil Boc, by request.

Schmidt moved, seconded by Hindle and Dunnington. Nossiff will abstain because of a conflict with the issue and also on the advice of the City Attorney. Hindle says this is in his ward and he is between a rock and a hard place over this, as he is also on the committee. He has also received complaints with regard to teachers parking on Towle Ave. The concern for safety has remained although it has become a larger issue with development and people moving into the community. There used to be more buses when he attended WPS than now. Back when he went to that school there were problems in the area then also. He understands the neighbors' viewpoint. He does not want Motiva either; that is the new development proposed in area. If this is voted down this evening, he advises that the neighbors become involved because it is a crucial issue. He remembers the principal that was there, Marilyn Weeks; she has since passed away but she had a great concern for the students and he feels she would have supported it. He will support the resolution. We should not be pitting the school officials and the administration apart from each other. Mayberry appreciates Hindle's position but he is being held responsible for the entire problem in that area. He has heard both sides and it is a very compelling argument. It is not only a vote on curb cuts; it will effect the development in the whole area. He agrees that safety issues need to be addressed but this is an old problem and he feels we can be more creative than this.

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We have to look from Spaulding Turnpike all the way to Arch Street. He is hearing conflicting stories, not any one single voice. He will vote against it but if it fails, he will step up to the plate and get involved with this issue. We need to look and see how we want the traffic pattern to flow here.

Schmidt says the fact that nothing has been done before doesn't mean we shouldn't do something now. He participated in the site walk and he is very familiar with the traffic situation over there. Hopefully we will never have a child killed there but we are asking people to come thru a very narrow place. Another year will pass if we defeat this tonight. This is the best possible solution at this time. He too is also opposed to Motiva's development. Dunnington commends the people on both sides of this issue. He also thanked Mr. Dalton for the time he spent going over this with him. He has read all the information available and it boils down to the issue of safety. He too went to WPS and safety was not as big an issue back then as most kids walked to school. We should not do this piecemeal; this is an all or nothing deal. He has not seen any other comprehensive plan with regard to this. We do not want to wait until someone gets hurt. Berry states he wants a more comprehensive plan. He wants to fix the whole corridor over there. He would vote for this if he thought he could get a commitment in the CIP for \$80,000 or \$90,000 to get it all done at once. The culinary arts class has changed their time of arrival and departure to accommodate the time of the buses' arrival; he is taking a global approach to this issue. Steve has also been looking for money to fix the whole corridor. We still have not solved the problem at the new middle school. This has not been an easy decision for him. Hindle does not have a problem looking at it from a global standpoint. He continued about Andrews Parker and the Transportation Advisory Commission, stating lastly this is a tough issue. He represents the whole ward and the parents of the 450 children who go to school there. Berry feels Reese would have voted no tonight. Schmidt goes on record for supporting curing the problem west of the area we are talking about. Schmidt stated this is the first opportunity to impact the safety issue of this problem area. Dunnington feels this debate has focused our attention on that corridor. This is a major issue that needs to be dealt with. We need to deal with this issue tonight; then next summer or this fall bring back with the global issue idea. Berry feels this council has acted responsibly and that we respect each other's decisions. Mayberry reiterated this is not a vote on the safety of the children; he is not massacring children if he does not vote for this. Berry clarified with Quigley, School Board member; the roadway will be one way going in. Motion passes on a roll call vote of 3-2, Mayberry and Berry opposed, Nossiff abstained.

7. Resolution RE: Award of Bid #B01028 for Miscellaneous Water Department Supplies. Sponsored by Mayor Wil Boc, by request.

Schmidt moved, seconded by Mayberry, to adopt. Motion passed on a roll call vote of 6-0.

8. Resolution RE: Award of Blanket Purchase Order for a Chemical Aqueous Corrosion Inhibitor. Sponsored by Mayor Wil Boc, by request.

Schmidt moved, seconded by Hindle, to adopt. Motion passed on a roll call vote of 6-0.

9. Resolution RE: Award of Bid #B01052 For Chemicals. Sponsored by Mayor Wil Boc, by Request.

Schmidt moved, seconded by Mayberry, to adopt. Motion passed on a roll call vote of 6-0.

10. Resolution RE: In Support of Memorial for Joseph McConnell. Sponsored by Councilor Alex Nossiff and Councilor Jason Hindle.

Hindle asked if it has to go to a public hearing. Hindle tried to explain; this is something that Nossiff and he have discussed. The City never really properly honored McConnell, America's first Flying Ace. Someone saw a picture of him in a pile of rubbish at City Hall that was thrown out inadvertently and had given it back to the family, who had recently presented it to the Woodman

Institute for display. He is looking for private funding for a small plaque or statue or some type of memorial. Nossiff says something should be done because of all this man has done for his country. He feels a public hearing is in order because some older veterans would want to speak on the issue. Mayberry seconds the motion to refer this to public hearing on 7/18; all were in favor.

11. Resolution RE: Award of Purchase Order for Knight Reel Augie Assembly. Sponsored by Mayor Wil Boc, by Request.

Schmidt moved, seconded by Mayberry, to adopt. Motion passed on a roll call vote of 6-0.

C. ORDINANCES IN THEIR 1ST READING:

1. Ordinance # 17-06/13/2001, Chapter 166, Vehicles and Traffic, Section 166-56, Schedule I, No Parking at Any time, Fifth Street. Sponsored by Councilor Jason Hindle, Parking and Traffic Committee.

Hindle moved and then he explained this is a Police Department housekeeping issue to put a sign near Holmwood's Furniture with regard to delivery of items and that this is the only part of Fifth Street involved. Schmidt seconds to refer this item to a public hearing on 7/18 and to Parking and Traffic on 7/11. All in favor.

2. Ordinance #18-17-06/13/2001, Chapter 166, Vehicles and Traffic, Section 166-50, Schedule C, Stop Intersections, County Farm Crossroad. Sponsored by Councilor Jason Hindle, Parking and Traffic Committee.

Hindle moved, seconded by Mayberry, to refer to a public hearing on 7/18 and Parking and Traffic on 7/11. All were in favor.

3. Ordinance #19-06/13/2001, Chapter 170, Zoning, Section 170-8, Zoning Map of the City of Dover. Sponsored by Councilor Jerry Reese, Planning Board Representative.

Schmidt moved, seconded by Mayberry, to suspend the rules to introduce item 11.C.3., motion passed on a roll call vote of 6-0.

Mayberry moved, seconded by Hindle, to refer to a public hearing on 7/18, all in favor.

D. COUNCIL CORRESPONDENCE:

1. Wetlands Application – New Hampshire Port Authority, Cochecho River Dredge

Schmidt moved, seconded by Mayberry, to place on file, all in favor.

12. COUNCIL MATTERS OF INTEREST

Hindle thanked the community at St. Thomas Aquinas for when he was asked to fill in for the Mayor at Sister Georganne's on her 40th anniversary with St. Thomas Aquinas High School and how she appreciated the proclamation. Mayberry took a moment to clarify the publicized misperception in regard to ball fields at Maglaras Park stating he supports the dredging of the Cochecho River. His concern is we have an area of that park that needs to be capped over from the past dredged soils. He still favors the site but he wants to make sure that while we have children playing on that field, they are safe. He supports the dredging but he is erring on the side of caution in this waterfront development.

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Berry thanked the Fire Department for the older truck that they had on display at the Wall that Heals that held the American Flag. He also reminded everyone that the next City Council meeting would be on July 18.

Nossiff was asked by a few individuals to look into the application on elderly exemptions and why they are looking at more than their income. It is because they take all assets into account. He is looking at a proposal on freezing the tax rate for the elderly. He continued, we will hear more about this later. Secondly, he is looking at why on city assessments of multi families they investigate income and expenses associated with the income of properties. He has been told by the assessor's office that it is of the concern of an invasion of one's privacy. Also he was deeply troubled and disturbed tonight by the complaint from Mayor Pro Tem Berry on his work ethic and habits. Mayor Pro Tem Berry has missed multiple meetings. He continued that Berry indicated there is a policy about asking permission to leave the room. He continued, this policy has never been enforced. He is asking for an apology from Berry.

Schmidt feels called upon to answer the personal attack earlier this evening by Mr. Callahan. Mr. Callahan has engaged in this campaign of defamation for nearly two years now. Schmidt stated he is deeply devoted to this City. He rejects Mr. Callahan's charges. He will not resign because of this issue. Berry would like Mr. Callahan and Schmidt to bury the hatchet.

13. ADJOURNMENT

Hindle moved, seconded by Mayberry, to adjourn. All in favor.

JUDY GAOUETTE - CITY CLERK