

MINUTES
REGULAR COUNCIL MEETING
MARCH 8, 2000
DOVER CITY COUNCIL
COUNCIL CHAMBERS

6:00 P.M.

CITY MANAGER'S OFFICE

NON PUBLIC SESSION RE: Property Acquisition

7:00 P.M.

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC HEARING

A. Resolution RE: Creation of Special Assessment for the Spur Road Sewer Line Extension. Sponsored by Mayor Wil Boc, by Request.

The Mayor opened the Public Hearing.

Barbara Holt – 135 Spur Road - Ms. Holt stated she is not against extending the sewer down Spur Road. She is against the city forcing 12 existing residents' houses to connect to the sewer. They should have had sewer 20 years ago, but the money ran out and now the city is taking advantage of Dover citizens

Ms.Holt stated, for 20 years the city has had no interest in extending the sewer; now it is a top priority. She commented on the priorities of the new arena and many new ball fields. This is a neighborhood of 12 neighbors. She asks all the City Council to think carefully before they vote. She also brought up the additional residents not covered by this proposal.

John Gesek – 127 Spur Road. He stated in rebuttal to the first speaker, the majority of residents are grateful for the portion they have to pay.

William Behrman – 145 Spur Road. Mr. Behrman stated, he always thought the federal government paid for these things. He does not see why the residents have to pay for this. He is disturbed by the spur going off this to feed several additional houses. The cost of this large spur is being paid for by all, when everyone could just hook on by going out to the street.

He asked, if 14 houses are polluting, what about the rest of the houses on the street? How can the city propose a resolution when you haven't any idea of the cost. Prices are going up.

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Mr. Behrman asked if the city is just going to the edge of the road or onto the city property that is not now easements.

He asked, are the residents going to have to go over city property to tie into this. He stated none of the lots go to the street. The lot lines are all messed up. The residents (he) tried to straighten these lot lines out a couple of years ago. He stated he wants the council to think about it.

Sareen Sarna – 127 Spur Road. Ms. Sarna states this all started when about eight of them wanted a new septic system. On the former City Councilor, Bill Wilson's, recommendation there may be a possibility of city sewer. Several felt the proposal was fair. Ms. Sarna hopes the council votes in favor of this.

Seeing no other speakers, the Mayor closed the Public Hearing on this resolution.

B. Resolution RE: Loan Authorization of Special Assessment for the Spur Road Sewer Line Extension. Sponsored by Mayor Wil Boc, by Request.

The Mayor opened the Public Hearing on this resolution.

Seeing no speakers, the Mayor closed the Public Hearing on this resolution.

C. Resolution RE: Establishing Rate for Police Services. Sponsored by Mayor William E. Boc, by Request. **(SEE ITEM 10C-1)**

The Mayor opened the Public Hearing on this resolution.

Seeing no speakers, the Mayor closed the Public Hearing on this resolution.

5. CITIZEN'S FORUM

The Mayor mentioned there will be a Public Hearing on the proposed Department of Public Works facility and recycling center on March 14th at 7:00 p.m. at the Dover Middle School and again on March 20 at 7:00 p.m.

Stephanie DeMatteo – 6 Tennyson Drive and President of the PTA. She stated the Public Works facility does not belong close to a school. Especially since PCA has moved there. Ms. DeMatteo stated she wants them to study this subject.

Katherine Wentworth Chalue – 12 Mast Road. Mrs. Chalue spoke on the Public Works facility. She is disappointed and thought it would be "nipped in the bud". She stated she has talked to all the council and she suggested that the city council go watch traffic at River Street for a couple of hours. Parents make a lot of traffic as it is on Back River Road. There is not a place to put a light at the Mast Road intersection,

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as it is on a hill. Mrs. Chalue wants the council to think – Children and heavy equipment don't mix.

Robert Hinz – 11 Garrison Road. Mr. Hinz lives across from the old Shaw Cemetery. He would be the closest neighbor. He stated big trucks will probably unsettle that crater. The schools prohibit him from getting out of his driveway now. Mr. Hinz stated he can't imagine how it will be with big trucks. He would like the city to look at another location.

Marc Hiller – chair of the Board of Health and he lives at 10 Gradys Lane. This is in the Garrison School area. He is the Professor of Public Health in the State of New Hampshire. He stated he is here tonight to comment on two issues.

Mr. Hiller acknowledged the Board of Health is here to protect the health for common good of the citizens of the City of Dover. He urged the city council to consider consulting the Board of Health regarding the proposed public works facility. He is concerned about the environmental health hazards and the impact on ground and surface water and the potential of contamination of drinking water. Mr. Hiller stated if road salt is going to be stored there, there are questions in terms of the direct public health impact on the children.

Mr. Hiller stated, second, with respect to the proposed dredging of the Cocheco River. Getting the dredged material out of the river is good for the public health. The questions are still unresolved is what is to be done with the content of the river basin. He asked the council, please don't let it be the base for the athletic fields that are being proposed. He stated, even a sealed container poses risks to an area. Even spiked shoes could puncture a sealed container.

Mr. Hiller stated we need to think futuristically to protect the hundreds and thousands of youth who will use the fields. We need to find alternate methods to dispose of the sludge.

Mary Cobb – 10 Pondview Drive. Mrs. Cobb stated she is the parent of a child at Garrison School and takes comfort in knowing parents of kids are most of the traffic in the area. She wonders how heavy equipment can be in an area with the proposed enlarged playground at Garrison School. Mrs. Cobb is against this project.

John Lowell – 134 Tideview Drive. Mr. Lowell is concerned about the public works project. He is concerned about property values. He stated such a project will destroy the atmosphere of the neighborhood. The public works facilities tend to grow and this is just not appropriate for his area.

Troy Crossman – 50 Back River Road. Mr. Crossman is here for the old Dover Middle School and how it is being doled out and how the stage and lighting and curtains are being taken down. He wants it to stay up and within the Parks and Recreation facility. It could serve as a platform for the City's children.

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Earle Goodwin – 34 Arch Street. Mr. Goodwin noticed press reports on the Dover Middle School. He has determined the net capacity of the new school and stated there is plenty of room until the year 2007 according to the task force.

6. MINUTES

- A. February 9, 2000 – Regular Meeting
- B. February 23, 2000 – Council Workshop

Berry moved to accept the minutes, seconded by Hindle. All in favor.

7. MAYOR'S REPORT

The Mayor presented the Mayor's Award to Joyce Bowden and her husband Sam. He read the proclamation on cleaning, feeding, and training of the Police Department's horses.

The Mayor made his appointments and thanked the city council.

On 2/17, the Mayor attended a reception at Woodsy's, on 2/18 he attended a ribbon cutting at Duponts, and on 2/24 he had the pleasure of speaking at Chief Justice Joseph Nadeau's appointment to the State Supreme Court.

On 3/1, the Mayor recognized a new business, Mr. Oz Golf Center. On 3/3 he attended a new radio station WXB, on 3/5 he had the privilege of watching and presenting a trophy to the 6th grade basketball tournament at the Butterfield Gym.

On 3/6, the Mayor attended a School Board Budget meeting.

Berry moved to accept the report, seconded by Schmidt. All in favor.

8. REPORTS OF STANDING AND SPECIAL COMMITTEES

- A. Planning Board – Councilor Jerry Reese

Reese stated the Planning Board met on 2/29 and they held a Workshop on CDBG grants.

The Planning Board held a site walk on Saturday, March 4th and toured the project on Corbin Drive.

- B. Public Works Building Committee – Councilor Peter Schmidt

Schmidt stated the committee met Tuesday at 11:00 a.m. They have been considering the assorted sites and they ruled out one of the sites, but two are still under negotiation.

- C. Middle School Joint Building Committee – Councilor Robert Berry

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Berry stated they just had the 40th meeting of the building committee. Regardless of what people read in the papers, they addressed the publicized safety issues. He stated they approved the final change order and final payment to Eckman Construction.

Berry stated they had a discussion regarding enlarging the school. It has classroom space for 1,050 students and next year there will be an enrollment of 1,007 students. He stated he is raising the awareness issues with current housing starts in the city, as there will be more students in the schools.

D. Arena Building Committee – Councilor Matt Mayberry

Schmidt spoke in absence of Mayberry. The committee has sent out RFPs and is awaiting proposals; no further meeting will be held until they receive responses.

E. Parking and Traffic Committee – Councilor Betsey Andrews Parker

Andrews Parker stated the first Parking and Traffic meeting was held on 3/1. She stated it was an exciting meeting. They had 25 people in attendance. Issues were Bellamy Road and Lisa Beth Drive. Resolutions are a consensus of the committee. Central Avenue parking will be addressed as we develop the downtown.

F. Appointments Committee – Councilor Jerry Reese

Reese stated they met 2 times since the last council meeting, on 2/24 and on 3/6. He asked for the council's approval of resolution #11B-2 on tonight's agenda filling assorted vacancies on the various Boards and Commissions.

G. Coast Bus – Councilor Peter Schmidt

Schmidt stated they met on Friday for a retreat meeting. They are proceeding in acquiring land for the proposed facility and negotiations are proceeding, but have not concluded as yet.

Berry moved to accept, seconded by Hindle. All in favor.

9. CITY MANAGER'S REPORT

The City Manager stated the city has collected 75% through this fiscal year. We have collected \$5.1 million in revenues from the general fund, or 75%. On the city side we spent \$10.2 million, or 68%. In February, 31 building permits were issued with a total construction value of \$1.3 million, which generated \$8,395 in fees for the city.

He stated we loaned Portsmouth one of our fire trucks.

Reese had a question regarding a new fire truck.

The City Manager commented on Spur Road saying, Mayberry plans to put a cap on the amount citizens will have to spend.

Relative to the gentleman who spoke tonight, the current proposed plans at the old Junior High school do include turning the stage into a bathroom.

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

10. UNFINISHED BUSINESS:

A. ORDINANCES IN 2ND READING

B. ORDINANCES IN 3RD READING

C. RESOLUTIONS

1. Resolution RE: Establishing Rate for Police Services. Sponsored by Mayor William E. Boc, by Request.

Berry moved to adopt, seconded by Reese.

Chief Fenniman explained the ordinance.

Motion passed on a roll call vote of 8-0.

11. NEW BUSINESS:

A. CONSENT CALENDAR

1. Tag Permit – Dover Southside Little League
2. Road Race Permit – Dover Track Boosters

Motion to suspend the rules to introduce a raffle permit. Motion passed on a roll call vote of 8-0.

3. Raffle – American Legion, Unit 8

Berry moved to grant, seconded by Hindle. All in favor.

B. RESOLUTIONS

1. Resolution RE: Award of Bid #B00029 for a Front End Loader with Snow Plow Equipment. Sponsored by Mayor Wil Boc, by Request

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Berry moved to adopt, seconded by Schmidt. Motion passed on a roll call vote of 8-0.

2. Resolution RE: Appointments Committee Recommendations to Various City Boards and Commissions. Sponsored by Mayor Wil Boc, by Request.

Motion to suspend the rules to substitute the new appointments resolution in its entirety.
Motion passed on a roll call vote of 8-0.

Reese moved to adopt, seconded by Schmidt.

Reese read the resolution.

All in favor.

3. Resolution RE: Directing That Proceeds from the Sale of Lots at Enterprise Park Be used to Construct a New Road at Enterprise Park. Sponsored by Mayor Wil Boc by Request.

Berry moved to adopt, seconded by Reese.

The City Manager explained the resolution.

The Mayor asked how much the road will cost .

Beth Thompson stated about \$200,000.

Berry asked if there was active interest in the land. Beth stated, yes.

Motion passed on a roll call vote of 8-0.

4. Resolution RE: Authorizing The Dover Economic Development Corporation to Subdivide a Parcel of Land at Maglaras Park and River Street. Sponsored by Mayor William E. Boc, by Request.

Berry moved to adopt, seconded by Hindle.

Berry asked to be refreshed.

Nick Skaltsis explained the resolution.

The Mayor supports the resolution as this land should be residential property.

Motion passed on a roll call vote of 8-0.

5. Resolution RE: Authorizing The Dover Economic Development Corporation the Authority to Establish a Residential Subdivision Behind Paul Street and Market the Property to Offset Expenses Relating to Riverfront Development. Sponsored by Mayor William E. Boc, by Request.

Berry moved to adopt, seconded by Hindle. The City Manager explained the resolution.
Motion passed on a roll call vote of 8-0.

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6. Resolution RE: Urging the State of New Hampshire to Establish and Fund a Permanent Public/Private Partnership for the Voluntary Conservation of Land Resources. Sponsored by Council Betsey Andrews Parker, by Request.

Andrews Parker moved to adopt, seconded by Hindle.

Andrews Parker explained the resolution stating the Governor, Speaker of the House and the President are all in favor.

Motion passed on a roll call vote of 8-0.

7. Resolution RE: Waste Management Contract. Sponsored by Mayor Wil Boc, by Request.

Berry moved to adopt, seconded by Reese. Motion passed on a roll call vote of 8-0.

8. Resolution RE: In Support of Home Rule. Sponsored by Councilor Betsey Andrews Parker.

Andrews Parker moved to adopt, seconded by Berry and Hindle.

Berry had questions on the home rule.

Citizens will have 60 days to question the legislature. He used the no smoking ordinance as an example.

The City Manager explained the local option, such as the tax billing year. We don't collect taxes until we have spent the money.

Nossiff commented he is in favor of government from the bottom up. This seems like a dramatic change. This is the first time we have heard this so he is not sure of this. He would like it tabled

Nossiff moved to table, seconded by Dunnington, and to refer it to a workshop.

All in favor.

Berry moved, seconded by Dunnington, to suspend the rules to introduce item 11B-9. Motion passed on a Roll Call vote of 8-0.

9. Resolution RE: Authorizing City Manager to Enter Into A Letter of Understanding with Citizens for Seacoast Aquarium. Sponsored by Mayor Wil Boc, by Request.

Berry moved, seconded by Dunnington, to adopt. Motion passed on a roll call vote of 8-0.

C. ORDINANCES IN THEIR 1ST READING

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1. Ordinance #03-03/08/2000, Chapter 166, Vehicles and Traffic, Section 166-30, First notice of violation, payment schedules; Section 166-31, Subsequent Notice of Violation; Section 166-33, Summons to Court/Towing or Immobilization of motor vehicle for Non-payment of parking fines. Sponsored by Councilor Betsey Andrews Parker, Chair, Parking and Traffic Committee.

Berry moved, seconded by Schmidt, to refer to a Public Hearing on April 12, 2000. All in favor.

2. Ordinance #04-03/08/2000, Chapter 3, Administrative Code, Section 3-60(A), Dover Arena Commission, Alternate members. Sponsored by Councilor Jerry Reese, Chair, Appointments Committee.

Berry moved, seconded by Reese, to refer to a Public Hearing on April 12, 2000. All in favor.

3. Ordinance #05-03/08/2000, Chapter 166, Vehicles and Traffic, Section 166-56, Schedule I: No Parking at Any Time, Bellamy Road, Lisa Beth Drive. Sponsored by Councilor Betsey Andrews Parker, Chair, Parking and Traffic Committee.

Berry moved, seconded by Andrews Parker, to refer to a Public Hearing on April 12, 2000. All in favor.

D. COUNCIL CORRESPONDENCE

1. Wetlands Permit Application – McIntosh Properties, LLC

Berry moved, seconded by Reese, to refer to place on file, all in favor.

12. COUNCIL MATTERS OF INTEREST

Berry stated #1, he is offering his congratulations to the Weathervane Restaurant as they are going to no smoking shortly. And #2, the neighborhood meetings are precipitated by what is going on with the proposed Back River Road site of the Public Works Facility. The Public Works Building Committee will put on a presentation with regard to safety in the area. On the second night, they will come back with factual answers to questions that have been asked. He stated this is not yet a done deal.

Andrews Parker thanked the community and students who came to the Parking and Traffic meeting to discuss the issues.

Nossiff commented on Foster's article that stated the school board budget had a 15% increase before raises. He stated contract negotiations are going on as we speak. He feels the City Council should send a clear message to department heads regarding what the people can live with in the amount of taxes. A lot of

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people on fixed incomes were alarmed by this article on the School Budget. The message was we must begin now by reaching out to the public and find out what they can afford.

Berry stated he has had calls from residents on Corbin Way regarding the site walk. He stated there are serious implications with regard to drainage in that area.

13. ADJOURNMENT

Schmidt moved, seconded by Reese to adjourn. All in favor.

JUDY GAQUETTE
CITY CLERK