

**MINUTES
REGULAR COUNCIL MEETING
DECEMBER 13, 2000
DOVER CITY COUNCIL
COUNCIL CHAMBERS
7:00 P.M.**

6:00 P.M.

NON-PUBLIC SESSION – Personnel Matters

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

Berry led the Pledge of Allegiance.

3. ROLL CALL

Members Present: Mayor Pro Tem Berry, Mayor Boc, Councilor Dunnington, Councilor Hindle, Councilor Mayberry, Councilor Nossiff, Councilor Reese, Councilor Schmidt, Councilor Andrews Parker.

4. MAYOR'S REPORT

The Mayor stated on 11/11 he attended the Veteran's Day Ceremony at City Hall and he has a special award tonight for someone who has been instrumental in this celebration for a long time. He thanked the Greater Dover Chamber of Commerce for a fantastic Christmas Parade held on 11/26/2000. He thanked all the volunteers, and recognized Jenny Thompson and thanked his wife, Carol, for having 165 of their friends over. Governor Shaheen was also present. He thanked Dover High School for their activities. The Mayor stated, Tom Forbes did a fantastic job getting the High School ready. On 12/1 he attended the Christmas tree lighting; he thanked Gary Bannon. On 12/2 he attended the Hockey Jamboree dedicating two sheets of ice to the Charles Holt family and the Bob Foster family. On 12/5 he attended a DEDC meeting, he mentioned the industrial park, and stated he met with two business representatives and had lunch with them. The Mayor stated the President of one company is thinking of moving to Dover because we are a community with a friendly business environment. They may be bringing 150 employees with the new business. Today, he attended a ribbon cutting at Relyco in the Mill building and welcomed them to the city.

The Mayor recognized Claire Blaisdell as a past member of the Conservation Commission and Jon Towle as a past DUC member. He then recognized Mr. and Mrs. Rick Hebbard, Jr. for volunteering their time in painting over 300 hydrants and donating arrow signs for the elections. Rick corrected him, saying it was actually, 365 hydrants. The City Manager mentioned the big leaf collection the Hebbards are allowing on their property. Also, he thanked Rick for his instrumental work in building the Garrison Hill Tower, as he did the majority of work on it himself. He also presented the Mayor's Award to Roland "Bunny" Belhumeur (see folder of 12/13). He then presented the key to the city to Bunny.

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

5. PUBLIC HEARING

- A. Resolution RE: Acceptance of Digby Lane as a City Street. Sponsored by Mayor Wil Boc, by Request. (**SEE ITEM 10C-2**)

Seeing no one, the Mayor closed the Public Hearing.

- B. Ordinance #16-11/08/2000, Chapter 166, Vehicles and Traffic, Section 166-50, Schedule C, add Stop Sign, Tuttle Lane. Sponsored by Councilor Elizabeth Andrews Parker. (**SEE ITEM 10A-1**)

Seeing no one, the Mayor closed the Public Hearing.

6. CITIZEN'S FORUM

Tom Fargo, Chair of Conservation Commission, is here to discuss the recent e-mail that was distributed to Council on Barrington (see 12/13/2000 meeting folder – Possible Dover Participation in Barrington Land Protection.) He explained the interest to Dover is that this land holds the headwaters of the Bellamy River, as well as, the Oyster River. The total cost to the City of Dover is \$6,000. He stated he had invited Cynthia Copeland, Executive Director of the Strafford Region Planning, and she is here on behalf of the town of Barrington. She is here to coordinate with the neighboring towns; Madbury, Lee, and Barrington have each committed \$6,000. It is moving forward quite rapidly and she realizes the short time frame. The applications are due Jan 1, 2001. They are currently working on the Oyster River Watershed and this property. Ms. Copeland thanked the Council for their time.

Peter Forsythe is here representing Dover Rotary Clubs and regarding the CIP. He recognized Cindy Imbro, Chair of the Community Service Committee in the Rotary. Mr. Forsythe talked about the Butterfield Gym and the prorated funds the rotary has committed to the project. He urged the council to put the project for the front of the gym in the CIP so the handicap-parking project can proceed. The pavilion has been under consideration for approximately five years, and handicapped parking has been in the works since 1986. Mr. Forsythe urged them to put the pieces back together.

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

7. MINUTES

- A. October 26, 2000 Workshop (**See 11/08/00 agenda**)
B. October 11, 2000 Regular Council Meeting
C. November 8, 2000 Regular Council Meeting
D. November 29, 2000 Workshop

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

8. REPORTS OF STANDING AND SPECIAL COMMITTEES

- A. Planning Board – Councilor Jerry Reese

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Reese stated the Planning Board met last night at which time they considered and accepted (C/A) an application for a site plan of land and Conditional Use Permit for TK Properties, Inc. at 13 Weeks Lane.

They tabled an application for a site plan of land for Millstone Properties located at 8 and 10 Back River Road. There will be a site walk at that location on Saturday, 12/16 at 9:00 a.m. C/A an application for a major subdivision of land for Spaulding Turnpike Development on the corner of Columbus Avenue and Tolend Road.

B. Public Works Building Committee – Councilor Peter Schmidt

Schmidt reported the construction of the Public Works facility has begun. Footings are being worked on as we speak; the salt shed is in progress. One of the end walls is up and the architect tells him weather has been good, so they are progressing quite well.

C. Arena Building Committee – Councilor Matt Mayberry

Mayberry asked Gary Bannon for the latest information on the arena. Gary says the building is moving along quickly; the parking lot is completely paved, they are working inside, almost all of the infrastructure is in place. He stated the locker rooms are in and this is almost a closed in building. The timetable is still on track for February or March to open. Things are going well.

The Mayor commented, we are on time and on budget. Mayberry thanked everyone for the Jamboree and the Foster family, as well as, the Holt family.

D. COAST Bus – Councilor Peter Schmidt

Schmidt started off with the surprise in the Christmas Parade that was the Jenny bus, and how it was unveiled. He publicly congratulated Jennifer Wells, wife of director Steve Wells, whose idea this was. The Director is returning from California today where he has been negotiating the purchase of new buses. Because COAST is partially federally funded, we are able to leverage funds for the transportation project.

E. Solid Waste Advisory Commission – Councilor Thomas Dunnington

Dunnington explained the Commission met on November 16 in the City Manager's office. Dunnington stated Durham is considering starting a bag and tag program and they have come to the Solid Waste Advisory Commission, for help, as our program has been very successful. They talked about the new Public Works facility. Everything is sort of in place, except for the money. They spent time talking about purchasing recycled items for the City. He feels there will be a time that will be more helpful to consider. They talked about the leaf season. The current recycling center is totally inadequate. They have developed a questionnaire to be handed out at the recycling center, so they can have some good responses from citizens before moving into new facility. They talked about curbside trash and putting it out the night before. They talked about animals getting into the trash the night before, they suggest putting items in a container without the top. Plastic is preferred over metal.

The City Manager apologized to Dunnington, but stated he had occasion to speak with Waste Management and as the recycling center has not been funded as yet, he has posed the question of the possibility of having Waste Management build a recycling center in the Dover area. It

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would probably be tied with a long-term contract, in turn for their building it. He asked the committee to think about it.

Dunnington says this is an interesting idea.

The Mayor commented on the Saturday hours and only being open until 2 p.m.; he would like the center open until 5 p.m. The Mayor wants Dunnington to ask the committee about this.

Reese commented, we are a victim of our own success. He mentioned the town he now works in and how much waste that they do not recycle. Anything that could be worked out with Waste Management would be great.

F. Parking and Traffic Committee – Councilor Betsey Andrews Parker

Andrews Parker stated they met last Wednesday and discussed a mid-block crosswalk at the Greek Church on Locust Street that has been requested; this was discussed and not recommended in this place. Hindle, along with Captain DeColfmacker, went to the church committee to explain the situation. They are working on alternative solutions.

The City Manager sent a letter to the Department of Safety on behalf of the Parking and Traffic Committee asking to have the speed limit lowered in the area around Madbury Metals and the new storage place on 155 W. They are requesting that it be lowered from 55 m.p.h. to 45 m.p.h. as this is a huge speeding area. There will be an ordinance on the January agenda. They tabled a request by a citizen regarding parking permits; this item will come back at their next meeting on January 17, 2001. There is a concern with the LED stop lights. They are discussing information regarding these lights and the effects on specific groups of people. They will discuss recommendations of the Transportation Part of the Master Plan and any additional items for the agenda should be e-mailed to Andrews Parker or placed in her mailbox at City Hall.

The Mayor asked to have a solution for the traffic situation in dropping kids off at the kindergarten at St. Mary's School.

Schmidt was recently contacted by a citizen to alert people to a potentially hazardous situation, that is coming off Preble Street to Central Avenue then to Sixth Street; parking on the street obstructs traffic. He stated, if the public feels this is an issue, it should be brought to the attention of Andrews Parker so it can be reviewed by the committee.

G. Elementary Committee – Councilor Jason Hindle

Hindle thanked city councilors who attended the walk through of the elementary schools last month. The next meeting is on Monday, December 18 and they will have a PowerPoint presentation.

Berry mentioned a Middle School Joint Building Committee. They will meet to discuss traffic studies.

Berry moved to accept the reports, seconded by Mayberry. All in favor.

9. CITY MANAGER'S REPORT

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The City Manager stated the city has collected 42% of FY general fund revenues in the amount of \$4.8 million. On expenditure side; in November, we issued 74 building permits with a value of \$6.2 million and collected fees of \$32,895. We have spent \$ 7.1 million.

Scott McIntyre explained the auditor's report that was presented tonight, see folder of 12/13.

The City Manager went on to say there will be a new resolution 11.B.3. on the agenda tonight. He is pleased to report on the consolidated Court project. He asked Stancel about the architect of the Court Facility. They will be using the same firm as in other projects. Nossiff asked for a comparison. Scott McIntyre, the city auditor, is back to explain the auditor's report.

Discussion ensued regarding the fund balance. Mayberry asked about debt ratio and how our bond rating is now. Jeff Harrington says AA1, currently. They feel the money ought to be deposited the day it is received to increase cash flow. Schmidt and Berry both asked about some minor items that could be corrected within the next year. The lost interest item of \$2,000 is one issue and inventory could be worked on. Andrews Parker asked the City Manager to clarify about the arena fund; is that for the hockey arena? The City Manager stated that is correct. Has the cash deficit increased over the past year and how did that happen? The City Manager stated this was in part due to Capital Improvements.

The City Manager stated, Mr. Fargo has requested support in the Barrington project. He does not have any resolution prepared, but if council would indicate tonight if they are in favor of this or not. The Mayor wondered if the watershed protection area really needs protection. Pete Lavoie says any of the watershed area that delivers water to the Bellamy River is important to us. We do pump it out of the river into our gravel pits.

Schmidt asked what is the amount of water we pump every day. Pete replied, they are recharged constantly. Pete Lavoie clarified it is not only the City's water, but also Pruven Concrete uses the water to wash gravel. The city and Pruven can not pump at the same time. We have to take turns. We pump in the off season, like now, and the rest of the year Pruven is pumping. We pump around one million gallons a day when we do pump. The amount of water coming down the Bellamy is actually controlled by Portsmouth. The whole watershed contributes to this. Pete Lavoie supports this action.

Berry wants to speed this along and moves to ask the City Manager to bring the resolution forward in January, seconded by Schmidt. Dunnington is troubled by Dover's expenditure for land in Barrington. If, in fact, it will protect the Dover water supply then it is worth it. Andrews Parker wants to know what will happen if we do not support this; will our water supply go defunct? Pete Lavoie explains that we need to band together in this endeavor. Cynthia Copeland is in discussion with Portsmouth now for their backing. She needs seven communities to be involved in this. Now Mr. Fargo wants to take a crack, Cynthia tries to explain what would happen if we do not participate. Tom Fargo says being a geological professional, there would be an impact on the quality and quantity of water and when you are talking about the stewardship of the watershed area in protecting water, it is the tragedy of the commons. Dover has a responsibility to join with the other communities in this project. It was generally agreed, with the acceptance of this report, that the expenditures would be funded.

Motion passed on a roll call vote of 8-1. Andrews Parker opposed.

The Mayor asked, did we just spend some money?

The City Manager wishes everyone a Merry Christmas and Happy New Year.

Berry recognized the Dover firefighters' professionalism.

Mayberry moved to accept the City Manager's Report, seconded by Schmidt. All in favor.

10. UNFINISHED BUSINESS:

A. ORDINANCES IN 2ND READING

1. Ordinance #16-11/08/2000, Chapter 166, Vehicles and Traffic, Section 166-50, Schedule C, add Stop Sign, Tuttle Lane. Sponsored by Councilor Elizabeth Andrews Parker.

Andrews Parker moved to adopt, seconded by Hindle. Andrews Parker explained the ordinance.

Motion passed on a roll call vote of 9-0.

B. ORDINANCES IN 3RD READING

C. RESOLUTIONS

1. Resolution RE: Award of Purchase Order for Continued Professional Architectural Services – Old Middle School Reuse. Sponsored by Mayor Wil Boc, by Request.

Berry moved to adopt, seconded by Mayberry. The City Manager asked Mr. Lassel to come forward and answer questions. Nossiff asked about a number of his concerns, such as, when we built St. Mary's School and the old Dover Middle School. He feels the council would be wise to identify a priority list. In looking at the report, there is no mention of a police station. Nossiff continued with his concerns. The City Manager clarified that at the last meeting it was then determined the police station is going to be a part of the overall plan. It keeps changing on what is going into the old middle school. He stated, when we learned that the court was not going in, we were back to square one again. The trick is trying to figure out compatible uses within the building to make the best use of the building. Lassel is the facilitator in the project. The school voted last night to move the alternative school to the Dover High School. Nossiff is having a problem with the speed that we are acting on all these projects. Nossiff feels intense pressure. We have not decided about the alternative school.

Berry wants Nossiff to ask the questions he has about Lassel's ability in these projects. Nossiff's question is on Mr. Lassel's background on a building of that age. Lassel stated he has renovated a building that was built in 1480 in Europe. The issue is not so much the age

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of the building but the size. There have been many changes since May, 2000. Nossiff interrupted, asking if he has had experience in renovating buildings in this country? Lassel went on to justify his experience. Nossiff asked, how much have we paid you to date? Lassel states \$6,000 or \$7,000. Nossiff asks how much more will be needed.

Nossiff asked if he has insurance. Mayberry thanks Lassel for answering the tough questions. Dunnington states Nossiff's point is well taken, and wants the Council to be consulted by Lassel before he goes to other user groups.

Andrews Parker, asked about user groups; what do you want to go in there? She wants to know what we instructed him to investigate. Lassel stated, as of last spring, welfare, etc. His charge will be working with the Planning Department to find what the assorted space requirements are.

The City Manager explains all the plans and issues he has with the building. Mayberry stated Steve Stancel should be explaining the issues to us. Stancel stated, the City Manager had explained most of the groups. We need a community meeting space, Dover Senior Center space; HUB may also be a potential user. Lassel will be seeing who can fit and be compatible in the space over there. Nossiff asked Stancel if he suggests that Lassel increase his insurance? Nossiff had many more questions and he will not authorize any more money until we have a list of potential users.

Motion passed on a roll call vote of 8-1. Nossiff opposed.

2. Resolution RE: Acceptance of Digby Lane as a City Street. Sponsored by Mayor Wil Boc, by Request.

Berry moved to adopt, seconded by Mayberry. Motion passed on a roll call vote of 9-0.

3. Resolution RE: Appropriation for FY02 Capital Improvements Program and Authorization for Bonding. Sponsored by Mayor Wil Boc, by Request.

Berry moved to adopt, seconded by Hindle. See spreadsheet.

Item #1] Mayberry moved, seconded by Schmidt to reduce to 0. All in favor.

2] Berry moved, seconded by Mayberry to reduce item to 50,000. All in favor.

3] Boc moved, seconded by Mayberry to reduce to 0. All in favor.

4] Boc moved, seconded by Berry to reduce to 0. Passed 8-1, Mayberry opposed.

5] No change.

6] Berry moved, seconded by Nossiff to reduce to 50,000, motion failed on a 3-6 vote. Boc, Berry and Nossiff in favor. No change.

7] Berry moved, seconded by Mayberry to reduce to 150,000. Motion passed on 8-1

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vote, Reese opposed.

8] Hindle moved, seconded by Berry to increase item by 300,000. All in favor.

9] Hindle moved, seconded by Berry to increase item by 300,000. All in favor.

10] Berry moved, seconded by Mayberry to reduce to 0. All in favor.

11] Nossiff moved, seconded by Andrews Parker to reduce to 0. Amendment fails on a 4-5 vote Andrews Parker, Nossiff, Reese and Hindle in favor. No change.

12] No change.

13] Mayberry moved, seconded by Berry to reduce to 0. All in favor.

14] Boc moved, seconded by Andrews Parker to reduce to 0. Motion passed 8-0, Nossiff out of room.

15] Berry moved, seconded by Mayberry to reduce to 100,000. Motion passed 8-0, Nossiff out of room.

16] No change.

17] Berry moved, seconded by Mayberry to reduce to 1,000,000. All in favor.

18] No change.

19] Mayberry moved, seconded by Hindle to reduce by 100,000. Motion failed on a vote of 4-5, Andrews Parker, Hindle, Mayberry and Reese in favor. No change.

20] No change.

21] No change. Reese leaves, 10 p.m.

22] Hindle moved, seconded by Mayberry to reduce to 0. All in favor.

23] No change.

24] No change.

25] No change.

26] No change.

27] No change.

28] No change.

29] Andrews Parker moved, seconded by Hindle to reduce to 0. Amendment failed on a 2-6 vote. Andrews Parker and Hindle in favor.

30] No change.

31] No change.

32] Nossiff moved, seconded by Hindle to reduce to 0. Motion passed on a 7-1 vote, Berry opposed.

33] No change.

34] No change.

35] No change.

36] No change.

37] No change.

38] No change.

Berry made a motion, seconded by Mayberry to increase item # 8 by \$375,000, this amount is to be earmarked for the straightening of Columbus Avenue. Motion passed on a 6-2 vote. Boc and Nossiff opposed.

Main motion to adopt CIP for a grand total of \$9,560,000 dollars passed on a roll call vote of 8-0. Reese has gone home.

11. NEW BUSINESS:

A. CONSENT CALENDAR

1. Tag Permit – Brownie Troop 2319

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

B. RESOLUTIONS:

1. Resolution RE: Award of Sub-Grant to HUB Family Support Center. Sponsored by Mayor Wil Boc, by Request.

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

2. Resolution RE: Award of Bid #B01013 for Snow Plowing and Hauling Services. Sponsored by Mayor Wil Boc, by Request.

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Berry moved to adopt, seconded by Mayberry. The Mayor recuses himself. Motion passed on a roll call vote of 7-0. Mayor Boc abstained.

Berry moved to suspend the rules to introduce 11.B.3. Odor Control WWTP, seconded by Mayberry. Motion passed on a roll call vote of 8-0.

3. Award of Purchase Order to Various Qualified Vendors, As Needed, for Odor Control System Project Completion at WWTP. Sponsored by Mayor Wil Boc, by Request.

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

C. ORDINANCES IN THEIR 1ST READING:

1. Ordinance #17-12/13/2000, Chapter 166, Vehicles and Traffic, Section 166-56, Schedule I, No Parking at Any Time, Arch Street. Sponsored by Councilor Elizabeth Andrews Parker.

Berry moved to refer to a Public Hearing on 1/10/2001, seconded by Mayberry. All in favor.

D. COUNCIL CORRESPONDENCE:

12. COUNCIL MATTERS OF INTEREST

Berry wants to put into resolution form a resolution regarding the budget and the impact of it this year. He stated, we need to keep this in mind. We should use prudence in doing budgets this year. Schmidt stated, the revaluation has caused citizens some raised eyebrows and generated irate correspondence from citizens.

Mayberry asks people to consider people that do not have as much as others and to contribute during the holiday season.

13. ADJOURNMENT

Hindle moved to adjourn, seconded by Berry. All in favor. Meeting adjourned at 10:30 p.m.

JUDY GAQUETTE
CITY CLERK