

MINUTES
REGULAR COUNCIL MEETING
JUNE 23, 1999
DOVER CITY COUNCIL
COUNCIL CHAMBERS
7:00 PM

6:30 PM

NON-PUBLIC SESSION RE: Labor Contracts

7:00 PM

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

Councilor Schmidt led the Pledge.

3. ROLL CALL

Members Present: Councilor, Schmidt, Councilor Johnson, Councilor Landry, Councilor Rawding, Councilor Reese, Councilor Berry, and Mayor Wil Boc.

Absent: Councilor Wilson and Councilor Perry.

4. PUBLIC HEARING

The Mayor opened the Public Hearing.

- A. Resolution RE: Fiscal Year 1999 Budget Amendment #3. Sponsored by Mayor Wil Boc, by Request. **(SEE ITEM 11.B.1.)**

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

- B. Ordinance # 6-5/12/1999, Chapter 166, Vehicles and Traffic, Section 166-53, Schedule F, Commercial Vehicle Travel Restricted. To add the following streets: Trakey Street, Spring Street, Summer Street, Renaud Avenue, and Birchwood Place. Sponsored by Councilor David Landry. **(SEE ITEM 10.A.2.)**

The Mayor opened the Public Hearing on this resolution.

Dick Proulx – President of Proulx Concrete, Dover Sand and Gravel, and Proulx Aggregate on Mast Road. Mr. Proulx stated he is a taxpayer and a resident of Dover. He stated he can appreciate what is going on. He stated the travel on Dover Point

MINUTES - REGULAR COUNCIL MEETING

JUNE 23, 1999

Page 2

Road is very limited. Mr. Proulx stated he does have concerns, though. He went on to explain his concerns and he offered ideas. There may be a solution to vastly reduce the commercial truck traffic.

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

C. Ordinance #07-06/01/1999, Chapter 166, Vehicles and Traffic, Section 166-50, Schedule C: Stop Intersections (various). Sponsored by Councilor David Landry, Chairman, Parking and Traffic Committee. **(SEE ITEM 10.A.3.)**

The Mayor opened the Public Hearing on this resolution.

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

D. Ordinance #08-06/01/1999, Chapter 3, Administrative Code, Article IV, Section 3-52D, Establishment. Sponsored by Mayor Wil Boc, by Request. **(SEE ITEM 10.A.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 opened the Citizen's Forum.

Ed McCabe – 54 Central Avenue. Mr. McCabe represents himself and everyone else in the city that pays an electric bill in Dover. He stated this issue started in 1994. Mr. McCabe had served on the committee. He stated the citizens of Dover, New Hampshire pay one of the highest electric rates in the country.

Mr. McCabe stated he feels when the study was done; it was shown rates could be cut by 40% or maybe even higher. He stated we've built a beautiful school that will hopefully last for decades. We have waterfront that's going to compete with any city in the area. We hope these things will be a lasting memory. Mr. McCabe stated one thing the council can surely do that will help us build better schools in the future, build better business parks, a better river walk and better roads is municipalization. He stated this will save taxpayers on their electric bills. More businesses will want to locate here, more people will want to live in Dover. Mr. McCabe stated this is a win - win situation.

Mr. McCabe stated Councilor Landry assured him municipalization would be brought up under Matters of Interest and discussed tonight.

Mr. McCabe stated municipalization will help the citizens of Dover far more than a lot of other projects that are going on.

MINUTES - REGULAR COUNCIL MEETING

JUNE 23, 1999

Page 3

Norm Champagne – 13 Church Street. Mr. Champagne stated he read about the city being a power provider. He stated if people tried to run a power company like the city is run, then they would be bankrupt in no time. Mr. Champagne stated a power company is a lot of liability. He stated he would like to see the figures from cities that have been and have not been successful in this endeavor.

Mr. Champagne stated a study should be done before they commit the taxpayers of the City of Dover.

Dave Bickford – Public Service New Hampshire, General Manager. Mr. Bickford stated PSNH and the State of New Hampshire have reached an agreement and will provide a rate reduction of 18 – 22% to all PSNH customers. He stated the other major facet is it brings competition to the budget.

He stated this 18% reduction can be realized with no risk to the city and it may happen as soon as early in 2000.

Mr. Bickford stated municipalization is a very busy option with up front costs and it will take many years to implement this and there is no guarantee. He stated he would like his points considered before the council moves forward!

Claire Sheridan – Back Road. Ms. Sheridan is a resident of Dover and is concerned about the proposed site of the power plant. She wants the area to remain rural. Ms. Sheridan has great concerns stating it is far too busy as it is currently. She stated she would like the city to find another place to put the power plant.

Wes Tator – part of the Ad Hoc committee. Mr. Tator stated he would like the City Manager to be authorized to enter into negotiations with EnerDev. Mr. Tator stated he would like the design process to be allowed to move forward so there can be a responsible, thorough, and complete hearing of all the issues.

Gary Gilmore – 39 Middle Road. Mr. Gilmore talks about the “unsure” rate reductions of PSNH. He stated the 18% is a one-time savings. He stated this is only a memorandum of understanding and not a done deal. Mr. Gilmore stated it would receive heavy scrutiny from the legislature and from the PUC. He stated he is all for local control. He strongly urges the council to move forward on this issue and not go backwards. Mr. Gilmore stated we should look at all our options.

Seeing no other speakers, the Mayor closed the Citizen’s Forum.

6. MINUTES

- A. April 28, 1999 – Council Workshop
- B. May 4, 1999 – Council Workshop
- C. May 12, 1999 – Regular Council Meeting

MINUTES - REGULAR COUNCIL MEETING

JUNE 23, 1999

Page 4

- D. May 18, 1999 – Council Workshop
- E. June 2, 1999 – Budget Public Hearing/Workshop
- F. June 9, 1999 – Regular Council Meeting

Berry moved to accept, seconded by Schmidt. Motion passed on a vote of 7-0.

7. MAYOR'S REPORT

The Mayor stated on 5/14 he attended the Rotary Dinner celebrating 75 years in the City of Dover. On display is a proclamation the council presented to the Rotary.

On 5/22 he was honored to host Vice President Al Gore at the Dover High School and they had a discussion on balancing schools.

On 5/23 the Mayor attended Gerald Daley's retirement dinner.

The Mayor read a proclamation. Dr. Daley will retire in about 2 weeks.

The Mayor read a proclamation for National Parks and Recreation month – July 1999.

On 5/27, the Mayor attended a ribbon cutting at Shaheen's law office.

On 5/30, he attended the Memorial Day ceremonies put on by the Dover Veteran's Council.

On 6/15, the Mayor attended the Dover High School graduation.

On 6/17, the Mayor attended the Dover Adult Learning Graduation ceremony.

The Mayor stated he passed out the City Manager's evaluation sheets for the past year to the councilors and stated he needs it completed and back by 7/16.

Berry moved to accept the Mayor's Report, seconded by Schmidt. All in favor.

8. REPORTS OF STANDING AND SPECIAL COMMITTEES

A. Solid Waste Advisory – Councilor David Landry

Landry stated the advisory last met on 5/20. Landry gave an update from the school recycling committee. He stated Denise Jorgensen would be the liaison between the school and the committee.

Landry stated they approved the Updated Master Plan. An item came up regarding trashcans in the parks such as Woodman Park and in all the parks. Judy Mettee has bought a can out of her own pocket.

Landry stated the next meeting is 6/24 in the City Manager's office at 6:00 p.m.

B. Planning Board – Councilor Jerry Reese

Reese stated the board met on 6/8.

MINUTES - REGULAR COUNCIL MEETING

JUNE 23, 1999

Page 5

They Considered and Accepted a request for a stone wall on Old Garrison Road.

C/A a minor subdivision for Brian Stern and Mike Clark on Tolend Road.

C/A a conceptual plan for Katz Development on Middle and Hawthorne Road

On 6/21 there was a site walk in Exeter on development that Katz is developing.

On 6/22 there was a regular meeting.

C/A an application for a conditional lease permit for Cellular One replacing some of the current equipment.

C/A an application for a site review for Chad Kageleiry on Knox Marsh Road. Katz Development on Middle Road had an issue. This issue has been tabled until the next meeting.

There were two (2) things for the next week.

The Auditorium is scheduled on 6/29 at 7:00 p.m. for a meeting on bridges over Little Bay. This will be put on by the State DOT.

On 6/30 the ITF Commission will meet regarding the train station in the Chamber at 7 p.m.

The Mayor asked how many from the public had attended from Ward 3.

Reese stated 10 residents, 2 went on the bus tour. There were a total of 12 at the 6/22 meeting. Reese stated the concerns are open space, wetlands, rural nature, and traffic.

C. Joint Building Committee – Councilor W. Scott Rawding.

Rawding defers to Johnson.

Johnson stated on 6/8 they received a report of the clerk of the works. Seventy (70%) of the work is done. Sixty-eight (68%) of the funds are expended. He stated they discussed savings by contractors.

Johnson stated they discussed the savings of \$379,000. He stated it was decided to defer until October, since 32% of the project remains to be done.

Johnson stated they initiated a contract for a softball field behind the Dover High School.

He stated they approved a minor increase in the cost of seating to \$79,000.

Johnson stated they discussed the loss of the playing fields behind the Dover High School. He stated they approved a contract for implementing the design on the basketball court and there was a discussion on moving the Dover Middle School sign and the placing of the sign.

MINUTES - REGULAR COUNCIL MEETING

JUNE 23, 1999

Page 6

The project is going very well and is ahead of schedule and under budget.

Rawding adds, a huge pile of dirt has been removed and the road between the Dover High School and the Middle School is being built. He also stated a time capsule has been buried behind the wall at the new Middle School.

Donations for new seating will continue.

D. Environmental Concerns Committee – Councilor Paul Johnson

Johnson stated they met on 5/26 and continued to discuss the remediation project. The remediation project has the potential for saving the city \$10 million.

Johnson stated they were briefed by Tom Fargo and the Conservation Commission program regarding instituting the land preservation program.

Schmidt stated as one who toured the facility; he would like to recommend this be brought to the Vice President's attention. He stated we need support and federal savings to the city are worth it.

E. Parking and Traffic Committee – Councilor David Landry

Landry stated they met on 6/15. Community Services, Planning Department, and Police were there. They addressed five (5) items.

- 1) Discussed establishing citywide truck routes (preliminary).
- 2) A request from Cochecho Park - Dorothy Goddard's request to include handicapped spots.
- 3) Mr. Ahern of Silver Street Extension has concerns on crossing and also a tunnel under the Spaulding Turnpike.
The Turnpike Committee is responsible for maintaining the tunnel. He stated they wanted to address a crosswalk, but where would a crosswalk go? In the future, there will be a crosswalk on both sides.
- 4) A request for Paula Newicky and crosswalk on Glenwood Avenue.
They will look into this. There are safety concerns.
- 5) Vehicles being used as advertisement in the City of Dover. We currently have sufficient ordinances on the books to address this according to the police.

Landry stated the next meeting will be 7/20 at 5:30 in the Council Chambers.

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

9. CITY MANAGER'S REPORT

The City Manager stated through the month of May the city collected 106% of the

MINUTES - REGULAR COUNCIL MEETING

JUNE 23, 1999

Page 7

revenue and 84% expenditures on the general fund side.

On the Economic Development side, there were 4 single-family homes, but they had torn one down.

Berry moved to accept, seconded by Reese.

10. UNFINISHED BUSINESS:

A. ORDINANCES IN 2ND READING

1. Ordinance #08-06/01/1999, Chapter 3, Administrative Code, Article IV, Section 3-52D, Establishment. Sponsored by Mayor Wil Boc, by Request.

Berry moved to require all Boards & Commissions to be residents of the City of Dover, seconded by Reese.

Ed McCabe spoke up and said Jesse McCone lives in Durham.

Rawding moved to amend by grandfathering current members on any existing board, seconded by Johnson.

Johnson wants to bring a special exceptions to the council.

Johnson wants to allow exceptions for Barrington parents to serve.

Amendment passes on a vote of 5-1. Berry opposed. Ordinance passes.

Main motion passed on a roll call vote of 5-1. Berry opposed.

2. Ordinance # 06-5/12/1999, Chapter 166, Vehicles and Traffic, Section 166-53, Schedule F, Commercial Vehicle Travel Restricted. To add the following streets: Trakey Street, Spring Street, Summer Street, Renaud Avenue, and Birchwood Place. Sponsored by Councilor David Landry.

Landry moved to adopt, seconded by Reese.

Discussion of the ordinance.

This is extremely challenging. He stated 60 to 70 dump trucks per day travel on Trakey Street. This was supposed to be a temporary situation and the truck traffic would decrease after a month or so.

Landry stated Jenness Hill is an issue and is not safe.

He stated the safest alternate route is the Spaulding Turnpike. This road was build to handle truck traffic. These are residential roads are not appropriate for truck traffic.

MINUTES - REGULAR COUNCIL MEETING

JUNE 23, 1999

Page 8

Residential roads are being destroyed by the trucks. They have had discussions with trucking companies to no avail.

Rawding comments he will not support this ordinance. This type of piece meal of truck laws has gotten Dover in a bind in recent years. Rawding stated he wants more streets opened up to truck traffic.

Berry agrees with Rawding on this. We are just funneling traffic around. He stated we need to look at the big, global picture.

Johnson does support this ordinance. He stated this is not the appropriate route for trucks to be taking. Johnson agrees, we should look at the whole global picture.

Schmidt stated as one who has used Trakey Street in the past, he feels the Trakey & Central Avenue right turn is difficult in a car, so a truck would be hazardous; also, he feels the Spaulding Turnpike is built for truck traffic. Schmidt stated he is in favor of this ordinance. He disagrees with Berry's funneling idea.

The Mayor would support this – trucks do not belong in neighborhoods. They have alternative routes.

Motion passed on a roll call vote of 4-2. Berry and Rawding opposed.

3. Ordinance #07-06/01/1999, Chapter 166, Vehicles and Traffic, Section 166-50, Schedule C: Stop Intersections (various). Sponsored by Councilor David Landry, Chairman, Parking and Traffic Committee.

Landry moved to adopt, seconded by Reese.

This is a housekeeping matter. This cleans up Chapter 166, Section 50, Schedule C.

Motion passed on a roll call vote of 6-0.

B. ORDINANCES IN 3RD READING

None.

C. RESOLUTIONS

1. Resolution RE: Funding of City Transportation Improvements, Amended Version. Sponsored by Council David Landry, Chairman of Parking and Traffic Committee.

Landry moved to adopt, seconded by Schmidt.

Landry states an amendment was made to delete trailers, however, trailers are included under the enabling legislation.

MINUTES - REGULAR COUNCIL MEETING

JUNE 23, 1999

Page 9

He stated on Page 2 to amend this should be \$4.00 instead of the \$4.50.

Landry moved to amend, seconded by Berry.

Motion to amend passed on a vote of 5-1. Reese opposed.

Rawding comments regarding the money taken out of taxpayers' pockets. He will vote against this.

Landry comments regarding the nuisance tax. He disagrees in the sense that we in the "live free or die" state and there are all kinds of nuisance taxes that disappear into a general fund. At least we know what this tax is for.

The Mayor adds we are bonding the taxpayers' money.

Rawding rebuts. He stated he doesn't like anyone in his pocket taking his money.

Johnson originally voted against this tonight. He will vote for it. He feels its proper to vote for it.

Reese is still against this resolution.

Main motion passed on a roll call vote of 4-2. Rawding and Reese opposed.

2. Resolution RE: Amendment to City Charter Sections C2-1a, C2-2, C3-1, and C4-2 Entitled "Conduct of Elections", "Ward Officers", "Membership", and "School Board" to Accomplish Three Year Staggered Terms. Sponsored by Mayor Wil Boc.

Berry moved to refer to the 7/14 agenda.

The Mayor urges the City Council to adopt this resolution.

Johnson agrees and would like this changed to two (2) year staggered terms. Johnson wants to amend.

Berry withdraws the motion.

Berry moves to adopt, seconded by Johnson.

Johnson moves to amend to change to two (2) year staggered terms, seconded by Berry.

Wards 1, 2, and 3 and 1 at large in year 1.

Wards 4, 5, and 6 and 1 at large in year 2.

MINUTES - REGULAR COUNCIL MEETING

JUNE 23, 1999

Page 10

The Mayor's term would be a 2-year term in year 1.

School Board 1, 2, and 3 for two (2) years in year 1.

4, 5, and 6 for two (2) years in year 2.

Add 2-year terms to resolution.

The City Manager objects and appreciates Johnson's work but he explains what is going to be in the best interest. The staff tried to put together a resolution to reduce the number of elections and the number of wards. He stated this should be in the best interest of those who serve after this council and the best interest of the city. The City Manager stated he doesn't want to spend any more money on elections than necessary.

Johnson rebuts and wants to involve more polling places. He feels this is a plus to have all polling places open.

Rawding stated we have three (3) "C"s here:

- 1) Cost, this is going to cost more money
- 2) Confusion, do the citizen's know what is going on, this is confusing even to him.
- 3) Crazy

Rawding is not in favor of it. We are crazy taking the power away from the people.

Landry stated he is seeking clarity and asks Johnson about the three (3) years staggered terms. The maximum number that can be thrown out is 4 or 5 depending on the year.

The amendment passed on a roll call vote of 4-2. Rawding and Reese opposed.

Berry moved to refer to a Public Hearing on 7/14, seconded by Schmidt. Motion passed by all.

11. NEW BUSINESS:

A. CONSENT CALENDAR

1. Resolution RE: Adoption of Ethics Policy. Sponsored by Mayor Wil Boc by Request.

Motion passed on a roll call vote of 6-0.

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

MINUTES - REGULAR COUNCIL MEETING

JUNE 23, 1999

Page 11

Now 11.B.11.

3. Resolution RE: Authorization of Issuance of Building Permit on a Class VI Highway. Sponsored by Mayor Wil Boc, by Request.
4. Resolution RE: Participation in a Multi-Year Fixed Cost Program with The New Hampshire Municipal Association – Property Liability Trust. Sponsored by Mayor Wil Boc, by Request.

Now 11.B.12.

5. Wetlands Application – Richard and Nora Close
6. Wetlands Application – Alexis M. Makris
7. Wetlands Application – Leigh E. Jerry
8. Wetlands Application – State of New Hampshire, Dept. of Transportation
9. Fireworks Permit – Community Services Department, Recreation Division
10. Raffle Permit - Community Services Department, Recreation Division
11. Road Toll Permit – Dover Lions Club
12. Parade (Road Race) Permit – Dover Police Department
13. Parade (Block Party) Permit – Florence Street, John Calabrese

Berry moved to suspend the rules to introduce the application for a Block Party and Estuary Resolution, seconded by Reese.

11.A.14 Parade (Block Party) – Waldron Court – National Center for the Improvement of Educational Assessment and
11.A.15. 1999 New Hampshire Estuaries Project.

Motion to suspend passed on a roll call vote. All in favor.

Berry moved to adopt the consent calendar, seconded by Reese.

Rawding requested 11.A.2. and 11.A.4. be moved to 11.B.11. and 11.B.12. respectively.

Motion to remove items passed on a roll call vote. All in favor.

B. RESOLUTIONS

1. Resolution RE: Fiscal Year 1999 Budget Amendment #3. Sponsored by Mayor Wil Boc, by Request.

Berry moved to adopt, seconded by Reese. Landry clarifies the amount. He asked if this was an accounting matter.

The City Manager stated these are unanticipated expenses.

Motion passed on a roll call vote of 5-1. Rawding opposed.

2. Resolution RE: Appropriation for Additional FY00 Capital Improvements and Authorization for Bonding. Sponsored by Mayor Wil Boc, by Request.

Berry moved to substitute the resolution, seconded by Reese. All in favor.

Berry moved to refer the substituted resolution to a Public Hearing on 7/14, seconded by Rawding.

Rawding stated he has questions regarding the dollar figure on the public works facility.

The council will look at this next week in the workshop.

All in favor.

3. Resolution RE: Award of Purchase Order for Sidewalk Improvements. Sponsored by Mayor Wil Boc, by Request.

Berry moved to adopt, seconded by Reese.

Landry has questions about the amount. He asked why is the revised bid different?

The City Manager stated the background information is wrong.

Cataract Avenue, Central to Rutland, and Cataract, Bellamy to the Spaulding Turnpike.

Rawding abstains.

The Mayor has questions regarding the low bid.

MINUTES - REGULAR COUNCIL MEETING

JUNE 23, 1999

Page 13

Motion passed on a roll call vote of 5-0. Rawding abstains.

4. Resolution RE: Award of Purchase Order for Continued Professional Engineering Assistance Relative to the Design of a New Public Works Facility, et al. Sponsored by Mayor Wil Boc, by Request.

Berry moved to refer to the 7/14 agenda because of missing councilors, seconded by Schmidt.

All in favor.

5. Resolution RE: Award of Purchase Order for Bituminous Cement (Asphalt). Sponsored by Mayor Wil Boc, by Request.

Berry moved to adopt, seconded by Reese.

Motion passed on a roll call vote of 5-0. Rawding abstains.

6. Resolution RE: Award of Bid #B99066 for Chemicals. Sponsored by Mayor Wil Boc, by Request.

Berry moves to adopt, seconded by Reese. Motion passed on a roll call vote of 6-0.

7. Resolution RE: Award of Purchase Order for Random Crack Sealing Services. Sponsored by Mayor Wil Boc, by Request.

Berry moved to adopt, seconded by Reese. Motion passed on a roll call vote of 5-0. Rawding abstains.

8. Resolution RE: Increase of the Elderly Exemption Levels and Criteria. Sponsored by Councilor Bill Wilson, Councilor David Landry and Councilor Peter Schmidt.

Berry requests to refer this to the 7/14 agenda, seconded by Schmidt. Rawding stated he doesn't understand the different dollar amounts.

All in favor.

9. Resolution RE: Collective Bargaining Agreement Between the City of Dover and the Dover Police Administrators Association. Sponsored by Mayor Wil Boc, by Request.

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

MINUTES - REGULAR COUNCIL MEETING

JUNE 23, 1999

Page 14

10. Resolution RE: 1999 New Hampshire Estuaries Project – Action / Demonstration / Planning Grants Program.

This resolution moved to 11.A.15.

11. Appropriation for Additional FY00 Capital Improvements and Authorization for Bonding. Sponsored by Mayor Wil Boc, by Request.

(formerly 11.A.2.)

Reese moved to adopt, seconded by Berry.

Rawding asks where did the money come from. He asked, if we don't authorize this, is the money all spent?

Motion passed on a roll call vote of 6-0.

12. Resolution RE: Participation in a Multi-Year Fixed Cost Program with The New Hampshire Municipal Association – Property Liability Trust. Sponsored by Mayor Wil Boc, by Request

(formerly 11.A.4.)

Berry moved to adopt, seconded by Reese.

Landry asks is this reduced amount of money already in the budget we passed?

The City Manager will get back with the answer.

Motion passed on a roll call vote of 6-0.

C. ORDINANCES IN THEIR 1ST READING

1. Ordinance #09-06/23/1999, Chapter 131, Offenses, Section 131-15, Sale of Rolling Papers to Minors. Sponsored by Councilor Peter Schmidt by Request.

Berry moved to refer to a Public Hearing on 7/14, seconded by Schmidt.

Landry clarifies, any person means both buyer and seller.

All in favor.

2. Ordinance #10-06/23/1999, Chapter 131, Offenses, Section 131-16, School Truancy. Sponsored by Mayor William E. Boc.

Berry moved to refer to a Public Hearing on 7/14, seconded by Reese.

All in favor.

D. COUNCIL CORRESPONDENCE

None.

12. COUNCIL MATTERS OF INTEREST

Landry stated he had two items.

He thanked Ed McCabe and Norm Champagne for commenting on the municipalization tonight.

Landry feels municipalization has great potential for the city. He stated we do need more information.

Landry moves to direct the City Manager to enter into negotiations with EnerDev concerning municipalization and electric power and report back to the City Council, seconded by Rawding.

Rawding comments there are very few opportunities that come about that try to reduce burdens on homeowners – including the municipality. There are a lot more steps and they will look at both sides of the issue.

Reese won't support and has not been in favor of municipalization since day one!

Furthermore, he hardly ever agrees with Norm Champagne. However, this makes no sense whatsoever.

Johnson requests the clerk read back and clarifies there is no contract as yet; just negotiations.

He needs facts and figures. He questions the loss of tax revenues from PSNH.

Berry would like a resolution on 7/14 for tracking purposes through the council. He agrees with Norm Champagne on this. We must look at all aspects and ramifications.

Berry stated he feels there should be two phases. The municipalization and understanding that piece of it and forming a partnership.

Schmidt feels its incumbent of the City Council to explore this concept and what it offers. He also agrees with Berry on the resolution.

MINUTES - REGULAR COUNCIL MEETING

JUNE 23, 1999

Page 16

Schmidt says we are a long, long way from any decision.

Rawding points out with respect to Berry and his concerns, we are only asking for the City Manager to enter into negotiations.

The Mayor stated out of courtesy to 2 city councilors that are not here; we should defer this until we have full council.

Landry stated it sounds like it may never go forward. He stated this is not a Ward 3 issue. This is a city issue. Secondly, as far as people not being here, people are often not here and life goes on. He stated his request involves no commitment whatsoever. It troubles him that the issues raised are not relevant.

Berry stated in response if we are directing the City Manager to look into negotiations.

Berry still wants a resolution. He stated this is outside the realm of the City Manager and the expertise in this city. We don't track directives from the city council. Berry stated he wants to have an official record in case there are legal issues surrounding this.

Rawding stated regarding Wilson's concerns on this issue. Rawding stated he has talked to Wilson and Wilson wants to know what and if anything is going on in Ward 3 and how it impacts the people.

Johnson asks what the City Manager thinks about how we act on this.

The City Manager stated he thinks the motion is sufficient by directive.

Landry commented regarding an RFP – the city sent it out. We were interested as a city in pursuing information.

Schmidt stated he appreciates the City Manager's comments.

The Mayor thanked the electric committee and EnerDev. He stated he can not support a power plant in Ward 3. He stands with Reese when he states municipalization will do this city no good.

The Mayor feels we need a lot more information, not a proposal. He stated out of respect for the missing councilors, this is an important issue we should wait for all councilors to be present.

The Mayor stated he does not support the directive to enter into negotiations with EnerDev.

MINUTES - REGULAR COUNCIL MEETING

JUNE 23, 1999

Page 17

Landry stated that entering into a contract is not what we are talking about tonight.

Motion passed on a roll call vote of 4-2. Berry and Reese opposed.

Landry stated he has a second issue.

Landry commented regarding Church Street – There are three (3) serious places where bricks are falling out of the new sidewalk.

Rawding stated he has one issue.

He stated there is a gentleman in the city that is the litter picker upper. He wants to thank him. Does anyone know his name?

The Mayor has asked his name and approached him to thank him. He is a very quiet gentleman and goes about his business without comment.

Johnson brought this to his attention. We need to improve the horse excrement pickup. He stated it was left at the Dover Middle School a long time.

The policy is people should call the Police Department if they see it.

Schmidt observed the horse patrol one day, after a dropping incident, the officer was on his radio and within five minutes the truck was picking up the mess after the police called!

Johnson is happy procedures are in place.

Berry thanked Captain DeColfmacker for the SoapBox Derby race support on Central Avenue. They also had good coverage from Channel 9.

Schmidt stated he does not want to jump to conclusions, but addressed the fire on Hampton Beach. He stated the reality is a lot of people flick their butts, but Hampton Beach has suffered a tremendous loss and we are suffering a very dry season. He reminded everyone we should all be a little bit mindful of the ramifications of their actions.

13. ADJOURNMENT

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

Adjourned at 9:55 p.m.

JUDY GAQUETTE

MINUTES - REGULAR COUNCIL MEETING
JUNE 23, 1999
Page 18

CITY CLERK