

**MINUTES
SPECIAL MEETING
DOVER CITY COUNCIL
COUNCIL CHAMBERS
JULY 28, 1999
7:00 PM**

1. ROLL CALL

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

Absent: Councilor Berry.

2. RESOLUTIONS:

The Mayor opened explaining he wants to divide the question on the CIP.

A. Resolution RE: Appointments Committee Recommendations to Various City Boards and Commissions. Sponsored by Councilor Robert Berry, Appointments Committee Chair, Councilor Jerry Reese, and Councilor Bill Wilson.

Reese moved to adopt, seconded by Landry.

Rawding stated he has questions regarding the availability of residents interested in these boards.

The Planning Board has an alternate position vacant.
Motion passed on a vote of 8-0.

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

Perry moved to adopt, seconded by Schmidt. Perry moved to divide the questions into three (3) parts, seconded by Schmidt.

#1., 2., & 3. – Section 1.
#4. - Section 2.
#5.,6., 7., & 8 – Section 3.

Motion passes on a vote of 7-1. Landry opposed.
Section 1. (#s 1., 2., & 3.) Perry moved to adopt, seconded by Schmidt. Motion fails on a roll call vote of 3-5. Landry, Perry, Rawding, Wilson, and Schmidt opposed.

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Landry stated he does not feel we are prepared to vote on these items tonight as there are an awful lot of questions.

Wilson would like to make a point of order. He stated he wants a motion to table.

Perry motioned to table. This won't work as it would need to be brought off the table at another regular meeting.

Rawding feels the same about all the unanswered questions in these first three (3) items.

Johnson stated he is increasingly comfortable with the package as it is, but he realizes it needs a 2/3 vote and its not here tonight. He stated he supports referring it to a workshop.

Wilson stated he has a suggestion. He wants to form a steering committee at Earle Goodwin's request. He also wants a couple of people from the public to be on it. This would let them do the detail work done by whoever wants to be on the steering committee.

Also, DEDA is trying to actively market this area, but developers feel it will take a long time to move this department off River Street. Wilson wants to bond this.

Johnson clarified that he wants a new building completed within a year. He stated he would be in favor of bonding tonight, but doesn't feel the others are ready to do this.

Perry stated he would like to make two (2) points.

- 1) there is an inflation issue
- 2) how deep in the design aspect can the council get? Should we set a financial cap?

Also, the current public works facility is sitting on \$750,000 to \$1 million worth of real estate. This should be factored into the new construction.

Perry stated River Street will be worth a lot more when it is developed; somewhere around \$30 million of tax revenue. In the last year, costs have gone up 10% - 15% and there are less than safe working conditions.

Schmidt stated this council has shown itself willing to attack a "thorny" problem – the Dover Middle School. He feels there are too many unresolved issues.

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The City Manager stated he feels they should just go ahead and defeat this tonight. The FY 2001 CIP will be before them by October 1999. He stated this would still allow bidding this winter and building in the spring of 2000.

The City Manager stated the steering committee idea of Mr. Goodwin's is a great idea and very appropriate for this.

Schmidt stated the most important thing is, we do the right thing. He stated he has toured the Somersworth and Rochester facilities.

Rawding stated he would like to volunteer for the steering committee. His concern is too much money. \$2 million - \$3 million is enough. He stated he feels the October 1999 CIP time frame is a good one.

Wilson moved to amend Section 1. By forming a steering committee consisting of Scott Rawding, Earle Goodwin, and Erv Sparkman and as many other people as the City Manager feels is necessary to bring the results back to the City Council no later than September 15, 1999, seconded by Schmidt.

Landry has a question for clarification. He stated he wants 45 days for the steering committee.

The Mayor asks people to contact him to be on the steering committee and by no later than by September 15, 1999.

All in favor. Motion passed on a vote of 8-0.

Section 2. Train Station. Perry motions to adopt, seconded by Schmidt.

Wilson clarifies they are voting on having a nice building.

Johnson stated he is in favor of moving ahead.

Rawding stated he feels caught in the middle. He wonders if he would invest \$170,000 in a building that may or may not make a return for the city.

Rawding stated there is no guarantee we will get our money back. He is in favor of bringing the train to Dover. He stated it's wonderful that funding for the platform is in place.

Rawding stated its irresponsible at this time. He stated we need to build a platform and a parking lot, then take time to wait and see our return investment.

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Rawding stated we need counts of the number of people on the train in order to calculate if we can make a go of a business there.

Perry stated there are no guarantees for the success of the Dover stop, but it will have a lot to do with the kind of station we present. He stated we should put our best foot forward. Perry stated it will be used a lot if it is convenient and comfortable.

Landry supports this new concept. He stated we need something to be proud of and also to present a positive image. Landry stated return on the investment is not only in dollars.

Schmidt feels there will be a lot of days due to the weather that we will need a building.

Rawding stated he would like to make a point of clarification from the design standpoint.

The City Manager stated there is a cover overhead with just the platform.

Rawding stated the \$170,000, we are talking about is the building. The area will be cleaned up. He stated he will vote against it.

Reese moves the question. Motion passes by all.

Wilson asked how is it that the Mayor is voting tonite?

The Mayor stated that effective 7/4/1999, the new RSA provides that the Mayor is allowed to vote.

After much discussion and many accusations the City Manager read the City Charter, stating as soon as the Charter was amended in 1995, they (the house) had passed an RSA negating the Mayor's vote – on 7/4/99 another bill was passed allowing the Mayor to vote again this year.

Landry stated he doesn't feel that the City Attorney's opinion will or will not change the City Charter. He stated he doesn't feel this is an issue.

Perry stated he feels comfortable with the Mayor voting.

Motion passed on a roll call vote of 6-2. Rawding and Wilson opposed.

Schmidt stated he would like to make a point of order.

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Wilson stated he has major problems.

Rawding stated he wants a legal opinion – by the State – but the vote will continue to stand until it's challenged.

Rawding clarifies the math. ☹

Section 3. (#5., 6., 7., & 8.) Reese moved to adopt, seconded by Rawding.

Rawding stated he has questions for Stephanie Pearce. Is \$400,000 for Dover High School exterior?

Ms. Pearce stated its ½ of the windows at DHS.

Rawding stated he had a final question. Did it involve any of the demolition of the greenhouse?

Ms. Pearce stated, no.

Rawding asked, would the track be ready for the start of school?

Ms. Pearce stated it will.

Rawding asked regarding the DHS track. Will Ms. Pearce go over the added things for the \$120,000.

Ms. Pearce stated – fencing, sod, grass, and seeding. She stated we only had an appropriation for ½ of the contract.

Voting on the 4 items in section #3.

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

Perry moved to adopt the entire resolution as discussed, seconded by Reese.

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

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

Perry moved to adopt, seconded by Reese. Perry moved to amend, seconded by Rawding. (See attachment in 7/28/99 folder)

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Landry stated he had serious problems with the three-year terms, but he feels the amendment restores interest to the resolution.

Rawding agrees with the amendments, but will vote against the resolution.

The Mayor stated he wants the amendment to come back in another resolution. He stated he would vote against the amendment, but not the resolution.

Schmidt points out we already have multiple days of voting with absentee voting.

Perry disagrees stating most people won't vote absentee. He stated it's a lot of work. Perry stated without the amendment, it makes the resolution less attractive.

Rawding stated he commends Perry for a refreshing new idea.

The City Manager read RSA 44:11 stating the Mayor can vote. The amendment fails on a vote of 3-5. Perry, Landry, and Rawding in favor.

Now for the resolution Rawding stated this cheapens our freedoms. He's opposed to the resolution.

Johnson stated two- (2) year staggered terms allows you to throw out ½ of the City Council every year. He stated as far as special interests, it does not benefit. He feels two-year terms do make a lot of sense.

Schmidt feels an important power to the people is the ability to be able to remove the entire council. He explained the whole State's democratic process and he feels the current system works.

Perry stated he has struggled with this for a long time. He stated he doesn't feel the two-year resolution will make any real difference in the process.

Schmidt has convinced him it really doesn't make sense.

Perry will vote against it.

Landry stated our current system brings out less than 15% of the voters. He feels with proper advertisement, it might bring out more voters. Landry stated the amendment was exciting. He is ambivalent on the resolution without the expanded voting days. He stated its okay for people to decide on staggered terms.

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The Mayor stated "expanding the voters' right to vote is a refreshing idea" per Rawding. He stated "I do what the voters tell me to do". The Mayor stated he wants to return the power to the people and let them decide.

Schmidt says the Mayor's speech is eloquent. The concept of this country is representative government! Schmidt goes back to one point and that is most people do not know what ward they live in.

Main motion failed on a tie roll call vote of 4-4. Perry, Rawding, Wilson, and Schmidt opposed.

3. OTHER BUSINESS:

4. ADJOURNMENT:

Perry moved to go into Executive Session to discuss the City Manager's evaluation, seconded by Johnson. All in favor.

**AFTER SPECIAL MEETING
COUNCIL WORKSHOP**

A. CITY MANAGER'S EVALUATION

Judy Gaouette
CITY CLERK