

MINUTES
REGULAR COUNCIL MEETING
JUNE 24, 1998
DOVER CITY COUNCIL
COUNCIL CHAMBERS
7:00 P.M.

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Perry led the Pledge of Allegiance.

3. ROLL CALL

Members Present: Mayor Pro Tem Perry, Councilor Rawding, Councilor Reese, Councilor Wilson, Councilor Berry, Councilor Jalbert, Councilor Johnson, Councilor Landry, Mayor Wil Boc.

4. PUBLIC HEARING

The Mayor opened the Public Hearing. Seeing no speakers the Public Hearing was closed.

5. CITIZEN'S FORUM

The Mayor opened the Citizen's Forum.

Sam Allen – Chairman of the 375th Committee. Mr. Allen spoke to the council regarding the 375th events and also addressed the council regarding the subsidiary. He stated the total cost is \$35K for the 3 days of celebration. Mr. Allen stated much has been done through fundraising but we are falling short of about \$15K. He stated all this has been done by volunteers.

Mr. Allen stated in addition, we are still in the process of selling cookbooks and pins. He stated we expect to raise about \$6K - \$7K more.

The Mayor thanked the Committee.

Reese asked whom do individual contributors go to?

Mr. Allen stated Carol Bailey at Federal Savings for the 375th Anniversary or the Chamber of Commerce.

Jack Story asked the council for support of the \$15K for the 375th. Jack also discussed Russ Thibeault recommendation for image improving. He stated maybe the 375th could be that kick-off Dover NH the other port city.

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Art Gerald – Ward 4. Mr. Gerald stated this is the first time he has really got involved and he did so because of his 8 year old child. He discussed the Factory Girls Dance. Mr. Gerald also urged the council to support this.

Dana Lynch – 24 Lexington Street. Mr. Lynch discussed the 375th Parade. He asked the council to be the Equestrian Clean-Up Crew. This will give the council an opportunity to participate in the activities.

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

6. MINUTES

A. Minutes of June 3,1998 – Public Hearing

Perry moved to accept the minutes, seconded by Reese. Motion to accept passed on an 8-0 vote.

7. MAYOR'S REPORT

The Mayor introduced Cindy Theodoras, Principal of the Woodman Park School. Ms. Theodoras stated that 3 years ago the Student Council came up with the idea of a way to raise money to help assist in the replacement of some of the broken playground equipment. She stated that the children have raised \$1,700 through candy sales.

She then introduced Charlie Watkins, Matt Malloy, and Jordan Bennett who are Student Council officers.

Jordan Bennett stated on behalf of the Woodman Park School, we would like to give the City of Dover \$1,700 to purchase a new slide.

On Monday, June 22, the Mayor stated he attended the School Board meeting regarding the budget cuts of \$325K. He stated they will hold a workshop.

On Tuesday, June 23 the Mayor stated he attended a Ribbon cutting for Attorney Mark Moeller.

Perry moved to accept the Mayor's report, seconded by Berry. Motion passed on a 9-0 vote.

8. REPORTS OF STANDING AND SPECIAL COMMITTEES

A. Solid Waste Advisory – Councilor David Landry

Landry stated the committee met on June 18. He stated the Fund balance is in good shape. Landry stated the final report of the School recycling was accepted. He stated the color of the bags is being looked into. Landry also stated the brush pile hours are being addressed. He stated Sunday hours will be useful. A resolution will be discussed later this evening regarding this subject.

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B. Planning Board – Councilor Jerry Reese

Reese stated the board has held 2 meetings. The first on June 9 (see council minutes of 6/10/98) and the second on June 23.

During which they Considered/Accepted (C/A) a Minor subdivision for Robert Torr – Mast Road.

C/A Beane Engineering – a new business on Venture Drive (5 to 10 new jobs).

New Business 1 C/A application conditional use Fuller, Jeffery Radio – Wetlands Permit.

Reese stated there will be a Public Hearing on Economic Land use. He stated there will be a workshop in two weeks.

C. Joint Building Committee – Councilor W. Scott Rawding

Rawding stated the committee met on June 15. He stated the construction manager have new projected costs. He stated the sitework package is getting ready to go out. Rawding stated most of the night was used to discuss some value-added savings. He stated the groundbreaking will be in conjunction with the 375th. He stated the next meeting is June 29.

Rawding stated July 15 – is the start of the timeline and construction is to be completed on December 1, 1999.

Landry asked that by trying to keep in cost are we still getting a quality product?

Rawding stated we are concerned with building a quality school. He stated no, we are not compromising quality for cost.

D. Ad Hoc Electrical Partnership Committee – Mayor Pro Tem Otis Perry

Perry stated the committee met on June 22. He stated the committee is evaluating 2 vendors and is considering ways to get the information to the public.

E. Kindergarten Joint Building Committee - Councilor Bill Wilson

Wilson stated the construction is on schedule and should be ready for fall. He stated that right now we are \$163K over budget. Wilson stated most of the money should be handled by the State and the State Building Aid should pick up another \$13K. He stated the Dover side of the problem equals about \$31K.

Reese asked if we have sold the modules? Wilson stated we did sell a module for \$5K.

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Reese asked are we going to sell the other module? Dr. Daley stated not until the 5th graders move out.

Berry asked where is the overrun going to come from?

Wilson stated the school committee will have to decide how to handle this.

Perry moved to accept the reports, seconded by Berry. Motion passed on an 8-0 vote.

9. CITY MANAGER'S REPORT

The City Manager stated Dover is celebrating its 375th anniversary and if we are going to continue our great heritage and community spirit we need to look to these efforts of the Woodman Park Students to preserve our future.

Reese moved to accept the City Manager's report, seconded by Landry.

Motion passed on an 8-0 vote.

10. UNFINISHED BUSINESS:

A. ORDINANCES IN 2ND READING

B. ORDINANCES IN 3RD READING

C. RESOLUTIONS

11. NEW BUSINESS:

A. CONSENT CALENDAR

1. Resolution RE: Award of Bid #B98070 for Chemicals. Sponsored by Mayor Wil Boc, by Request.
2. Resolution RE: Award of Bid #B98073 for Sewer Force Main "Pigging" Services. Sponsored by Mayor Wil Boc, by Request.
3. Resolution RE: Award of Purchase Order for Continued Office Supplies Purchases. Sponsored by Mayor Wil Boc, by Request.
4. Resolution RE Award of Bid #B98056 for Cardiac Life Support System(s). Sponsored by Mayor Wil Boc, by Request.

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5. Resolution RE: Award of Purchase Order for Architectural Design and Construction Inspection Services. Sponsored by Mayor Wil Boc, by Request.
6. Resolution RE: Award of Bid #B98058 for Drilling and Blasting Services. Sponsored by Mayor Wil Boc, by Request.
7. Resolution RE: Closing a Portion of Central Avenue for the 375th Anniversary Parade. Sponsored by Mayor Wil Boc, by Request.
8. Resolution RE: Award of Purchase Order for Annual Maintenance and Support for Digital Radio Communications Software and Hardware. Sponsored by Mayor Wil Boc, by Request.
9. Parade – Greater Dover Chamber of Commerce.
10. Raffle – Greater Dover Chamber of Commerce.
11. Raffle – Seacoast Irish Cultural Association (SICA).
12. Raffle – Marathon, Inc.
13. Raffle – Friends of St. Charles.
14. Tag – Dover Little Green Cheerleaders.
15. Tag – Seacoast Stars Softball.
16. Wetlands Permit - Gregoire, Christine.
17. Wetlands Permit - Wentworth, Clayton.
18. Wetlands Permit – State of New Hampshire, Department of Transportation.
19. Wetlands Permit – Fuller Jeffrey Radio of New England, Inc.

Perry moved to adopt 11.A.1. thru 11.A.8., grant 11.A.9. thru 11.A.15., and approve and place on file 11.A.16. thru 11.A.19., seconded by Reese.

Wilson requested 11.A.5. be changed to 11.B.8.A.

Rawding requested 11.A.3. be changed to 11.B.16.

Rawding will abstain on 11.A.6/8 changed to 11.B.17/18.

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

B. RESOLUTIONS

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1. Resolution RE: Discontinuance of Hanson Way. Sponsored by Mayor Wil Boc, by Request.

Perry motioned to move to a Public Hearing on July 8, 1998, seconded by Reese. Motion passed on an 8-0 vote.

2. Resolution RE: Collective Bargaining Agreement Between the Dover School Board and the Dover Educational Office Personnel. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Reese. Berry abstained. Motion passed on a roll call vote of 6-1. Rawding opposed.

3. Resolution RE: Collective Bargaining Agreement Between the Dover School Board and the Dover Educational Office Personnel. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Berry.

Landry and Perry moved to strike the \$31K appropriation.

Motion to amend passed on a 7-1 vote. Rawding opposed.

Main motion, as amended, passed on a roll call vote of 7-1. Rawding opposed.

4. Resolution RE: Fiscal Year 1998 Budget Amendment #2. Sponsored by Mayor Wil Boc, by Request

Perry moved to adopt, seconded by Reese.

The City Manager recommends its passage. Rawding asked what point does this affect the tax rate. The City Manager stated it doesn't.

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

5. Resolution RE: Depositories for Fiscal Year 1999 City Funds. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Reese.

The City Manager recommended approval of this resolution. Motion passed on a roll call vote of 8-0.

Landry asked the City Manager to explain the minimum ratio of equity capital to total assets to 5%.

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Jeff stated that it is essentially the bank-retained earnings and the bank must meet the 5% and should not go lower than 5%.

Rawding asked how does this affect the Fund Balance or is it tied to the Fund Balance?

Jeff stated that it is not tied to the Fund Balance and it is not a budget issue. He explained this is the place that holds the city money.

The City Manager asked Jeff to explain our investment.

6. Resolution RE: Establishment of School Maintenance Reserve Trust Fund. Sponsored by Mayor Wil Boc, by Request.

Berry moved to adopt, seconded by Perry.

Berry explained the background. He stated this only establishes the mechanism. It does not fund or place any funding in the org./account.

Landry asked if this is a mechanism we are setting in place?

Berry stated, yes, with a simple vote.

Wilson asked if a $\frac{3}{4}$ vote was required? He asked if someone would define the $\frac{3}{4}$ vote.

The City Manager stated it is 6 votes or $\frac{2}{3}$ of the vote to place money into the reserve fund.

Rawding stated he doesn't feel we need this, we already have a mechanism to fund the city and the school needs.

Berry stated this is like a savings account versus bonding the money.

Johnson stated this could go to funding the large budget item(s).

Rawding stated he wants to take a look at each maintenance item in the CIP.

Perry asked is this the only way we can pay for a project over two budget years. He stated in the long run this might be cheaper for the taxpayers. Perry stated he will vote in favor.

Jalbert moved the amendment, seconded by Perry. The motion passed on an 8-0 vote.

The main motion passed on a 6-2 vote. Landry and Rawding opposed.

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7. Resolution RE: Extending Brush Pile Hours. Sponsored by Mayor Wil Boc.

Mayor Wil Boc moved to adopt, seconded by Perry.

Landry moved to amend the 3rd whereas and the now therefore, seconded by Johnson.

Landry stated the amendment would remove the specific times on Saturday and Sunday "9:00 a.m. to 5:00 p.m." and "noon to 5:00 p.m." respectively, and in the now therefore paragraph would take out the words "and time".

Landry stated this would allow the City Manager flexibility to set the hours. He stated the City Manager would have the opportunity to review the data that shows the most heavily used hours and to reflect the fact that this is a seasonal need from April through October.

The Mayor stated that for 3 years he has tried to get the brush pile open.

Landry stated the idea is to be open on Sunday.

Perry stated maybe we would close in mid-day, then reopen from 4 p.m. to 5 p.m. He stated he feels the City Manager should set the hours and explain on what basis they were set.

Motion to adopt the amendment passed on a 5-3 vote. Berry, Perry, and Jalbert opposed.

Wilson asked could we afford to do this?

Landry stated we did account for an additional seasonal worker in the budget.

The City Manager stated we will have the recycling center open on Sunday if the City Council votes to do this.

Resolution as amended passed on a roll call vote of 8-0.

8. Resolution RE: Award of Purchase Order for Project Construction Management Services—South End Fire Station Bay Addition. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Jalbert. Rawding abstained.

The City Manager stated he would like to discuss 11.B.8.A. with this resolution.

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Wilson stated he is concerned with waiving the bid process. He stated this is the same group building the kindergarten.

The City Manager stated the problems with the kindergarten are with parking and other issues. He stated the Bay is already in the specs and this is to the advantage of the city.

Jalbert stated a lot of kindergarten problems are due to site work. He stated he feels the current contractor is very good.

Berry stated both firms are very reputable. He stated we should only tear up that area once.

Wilson questioned the background regarding saving time and money.

Chief Bibber stated the architect alone is costing us less since he is already on the first project at the school.

Reese asked does he understand correctly, if we don't make any changes, this may cost the city less?

The City Manager stated, yes.

Motion passed on a roll call vote of 6-1. Wilson opposed. Rawding abstained.

9. Resolution RE: Award of Purchase Order for Architectural Design and Construction Inspection Services. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Berry.

Motion passed on a roll call vote of 7-1. Wilson opposed.

10. Resolution RE: Award of Bid #B98072 for Summer Recreation Program Bus Transportation. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Jalbert.

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

11. Resolution RE: Amend Rule 2-3 – Claims for Damages or Abatements and Liability – of Dover Utilities Commission Rules and Regulations. Sponsored by Mayor Pro Tem Otis E. Perry.

Perry moved to adopt, seconded by Jalbert.

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Perry stated that the work of the commission is being overturned by the council, which sort of politicizes the process.

Dan Ayer – Chairman of DUC stated the DUC spends a great deal of time reviewing each abatement. He stated the commission wishes the council would trust them. Mr. Ayer stated basically no one disagrees but they would like the final say along with the city attorney.

The Mayor stated he feels the council should vote this down because there should be a process of appeal.

Rawding thanked the DUC and is not in favor of taking the appeal away.

Jalbert stated as the Appointments Committee Chairman, you entrusted me with a job as a board member. He stated we have entrusted them to make a good, hard decision. Jalbert stated he used the planning board as the example.

Landry stated they are a very professional group of people and the DUC is in the second stage. He stated he is going to support the DUC.

Johnson stated he is concerned, but he will support the DUC.

Motion passed on a 7-1 vote. Rawding opposed.

12. Resolution RE: Establishing Rate for Police Services. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Berry.

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

13. Resolution RE: 1998 New Hampshire Estuaries Project – Action/Demonstration/Planning Grants Program. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Reese.

Dean Peschel explained this came from a situation where the Department of Environmental Services found 11 cross connections (sewer pipes that tie into storm water drainage instead of the sewer system). He stated we have an obligation to fix these problems.

Jalbert stated the estuary programs would give us \$26K.

Rawding asked isn't it illegal to dump sewerage into the storm drain?

Dean explained the history of the sewer connection with the treatment plant.

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Landry asked what account is this? Sewer Problem Service Account.

Jeff stated the account number is 6202-4430.

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

14. Resolution RE: Award of Blanket Purchase Order for Professional Consulting Legal Assistance. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Reese.

The City Manager stated this is the last Madbury Metals bill from Phinney, Shaheen, Bass & Greene.

Landry asked if we are sure this is the last bill?

The City Manager stated, yes, this is it.

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

15. Resolution RE: Award of RFP #B98068 for Financial Management System. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Jalbert.

Jeff stated the main reason we need this is the year 2000, but there are many other reasons. He stated we feel very confident with the vendor we are choosing.

Jeff stated we could incorporate the school at a later date to join the city system. It will take a year to convert.

Berry stated you mentioned the school could come on. He asked how much would it cost?

Jeff stated there would be user fees and hard drive upgrades needed.

Rawding asked should we choose to spend this amount of \$146K. He asked are there warranties and support?

Jeff stated this is included in the annual mutual contract.

Landry asked how long have they been in business.

Jeff stated 16 years.

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Landry asked about problems with fiscal year versus calendar year with Y2K.

Jeff stated, yes fiscal year would be affected by this.

Wilson asked how much is hardware?

Jeff stated \$62K.

Wilson stated so the rest is software. He asked how are we going to control the value?

Jeff stated to control it we have to draw up a checklist and review processes.

Wilson stated the vendor must meet the checklist.

Perry moved to adopt, seconded by Jalbert.

Amendment passed on an 8-0 vote.

The main motion as amended passed on a roll call vote of 8-0.

16. Resolution RE: Award of Purchase Order for Subsidy/Grant to Dover's 375th, Inc. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Berry, Jalbert, and Rawding.

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

17. Resolution RE: Award of Purchase Order for Continued Office Supplies Purchases. Sponsored by Mayor Wil Boc by Request.

Perry moved to adopt, seconded by Reese.

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

18. Resolution RE: Award of Bid #B98058 for Drilling and Blasting Services. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Reese.

Motion passed on a roll call vote of 7-0. Rawding abstained.

19. Resolution RE: Award of Purchase Order for Annual Maintenance and Support for Digital Radio Communications Software and Hardware. Sponsored by Mayor Wil Boc, by Request.

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Perry moved to adopt, seconded by Berry.

Motion passed on a roll call vote of 7-0. Rawding abstained.

C. ORDINANCES IN THEIR 1ST READING

1. Ordinance #06-06/24/98, Chapter 152.16.1. Streets and Sidewalks. Sponsored by Councilor Bill Wilson.

Wilson moved to refer to a Public Hearing on July 8, seconded by Reese.

Motion passed on an 8-0 vote.

2. Ordinance #07-06/24/98, Chapter 166. Schedule C: Stop Intersections, Vehicles and Traffic. Sponsored by Councilor James Jalbert.

Jalbert motioned to move to a Public Hearing on July 8, seconded by Reese.

Motion passed on an 8-0 vote.

D. COUNCIL CORRESPONDENCE

12. COUNCIL MATTERS OF INTEREST

Reese stated there is a Master Plan Planning workshop scheduled July 7, 1998.

Perry asked about rail service? Do we have the money?

The City Manager stated the money is there, but will have to come back for more money. Our match is there.

13. ADJOURNMENT

Reese moved to adjourn, seconded by Jalbert.

KAREN L. LARSON
CITY CLERK

NOTE: Tabled Items: