

MINUTES
REGULAR COUNCIL MEETING
OCTOBER 14, 1998
DOVER CITY COUNCIL
COUNCIL CHAMBERS
7:00 P.M.

1. MOMENT OF SILENCE

The Mayor asked everyone to stand and join him in a moment of silence.

2. PLEDGE OF ALLEGIANCE- Councilor Robert Berry led the Pledge.

3. ROLL CALL – All Present

4. PUBLIC HEARING

1. Resolution RE: Bond Authorization – Middle School Additional Appropriation. Sponsored by Mayor Wil Boc, by Request.

The Mayor opened the Public Hearing asking if any one wished to speak.

Bill McCann - School Board Member/Chair of the JBC, spoke regarding The reason why the additional funding is necessary. He stated the School Board ratified the request on Monday night. Councilor Berry pointed out that the major reason for the request was due to the fact that the footprint for the school had to be moved due to conditions of the soil. Councilor Rawding also stated that the current plan calls for a building that is 4,000-sq. ft., larger than the original design.

Landry asked regarding the playing fields what is the status. Mecca stated we are trying to provide 2 off site athletic fields and 2 fields for physical education on site.

Seeing no one else the Mayor closed the public hearing and stated this item will be voted on Oct 21,1998 in a special meeting

2. Ordinance #12 – 09/09/98, Zoning, Chapter 170. (Middleton Lumber Property). Sponsored by Councilor Jerry Reese, Planning Board Representative. **(See 10.A.-1.)**

The Mayor opened the Public Hearing asking if anyone wished to speak.

Jim Schulte – Legal representative for Middleton Lumber, stated that the council has already approved the sale of the land. We are here tonight to ask the council to allow the zoning change.

Mr. Allen- 33 Longhill Rd. stated he is the neighbor directly across from the project and he is very much in favor of the rezoning.

The Mayor closed the public hearing.

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3. Ordinance #13 – 09/09/98, Streets and Sidewalks, Chapter 152, (Brick Sidewalks). Sponsored by Councilor David Landry. **(See 10.A.-2.)**

The Mayor opened the public hearing asking if anyone wished to speak, seeing no one he closed the public hearing

4. Resolution RE: Authorization to Apply for Bureau of Justice Assistance Block Grant to Purchase Equipment for the Police Department. Sponsored by Mayor Wil Boc, by Request. **(See 11.B.-3.)**

The Mayor opened the public hearing asking if anyone wished to speak, seeing no one he closed the public hearing

5. CITIZEN'S FORUM

Mr. Thorner - 74 Glenwood Ave. Mr. Thorner spoke regarding the need for additional recreational field space for sports fields. He stated as President of the Dover Minor League, the leagues is growing but space is real difficult to come by.

Dennis Spellman - Mt. Vernon Street. He stated he was here speaking on behalf of his parents who are residents of Dover. He spoke regarding losing Channel 8 when Media One changed over their station programming. He explained that Media One stated that it is related to something congress has done. He went on to explain that the General Manager of channel 8 is currently pursuing legal actions. In closing he stated that channel 8 does cover a lot of events in the area, and asked the council for they're support in having channel 8 returned to Dover programming.

Dennis Lapse - Dover Youth Softball, he spoke regarding the need for more playing fields. He explained the number of children involved in their sports programs.

Alan Poulin - Resident since 1990, stated he came tonight to address the White Cane Law. He explained the significance of drivers paying attention to citizens using the white cane. He asked the council what is being done to ensure the city meets the ADA's standards with regards to sidewalks and curbcuts.

Odessa Rahn - Central Ave, she stated that there is a rumor that the council is going to purchase more land for the school.

The Mayor seeing no one else wishing to speak, he closed citizen's forum.

6. MINUTES

- A. Minutes of August 26, 1998 – Workshop

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- B. Minutes of September 9, 1998- Regular Meeting
- C. Minutes of September 16, 1998 – Special Meeting/Workshop

Councilor Perry moved to accept the minutes as presented seconded by Councilor Landry. Motion to accept passed 8-0.

7. MAYOR'S REPORT

The Mayor stated on Oct 3rd he participated in the opening ceremonies for Apple Harvest Fest. On Oct 7th along with Perry, Landry and Wilson, he attended the Tri-city council event. He stated this was the first time that the elected officials from the Tri-City area have come together in a social event. He stated, they did suggest looking into regionalization.

The Mayor read a Proclamation, proclaiming Oct 15th White Cane Safety Day and presented it to Mr. Poulin.

The Mayor presented a proclamation to Wayne Norton for achieving Eagle Scout status.

The Mayor stated he asked County Commissioner George Maglaras to address the council this evening. Chairman Maglaras stated he is here tonight to propose to the council, some county land for the purpose of developing sports fields. He stated the Board of Commissioners are interested in some type of public/public partnership.

Jalbert asked are there plans already for these type of fields. Maglaras stated 3 years ago the Soccer Association had some plans designed. Maglaras continued by explaining that they are looking at placing these fields along County Farm Rd. Jalbert asked who would maintain the fields. Maglaras stated this would need to be worked out but he does have the county farm inmates. Rawding stated this was a very generous proposal and he is very much in favor of pursuing this matter.

Perry moved to accept the Mayor's report, seconded by Berry. Motion passed on an 8-0 vote.

8. REPORTS OF STANDING AND SPECIAL COMMITTEES

A. Solid Waste Advisory – Councilor David Landry

Landry stated the board met on September 17th, he stated the fund balance is in order. He continued by stating that the Drop Off Center is open from 10-12 on Sundays until November 22nd, Household hazardous Day is October 17th from 8-2.

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He went on to discuss the School recycling program. Landry displayed one of the recycling bins that are being used. He stated their next meeting is tomorrow October 22nd.

B. Planning Board – Councilor Jerry Reese

Reese stated the board met on September 15. There was a bus tour for the zoning proposal changes.

Sept. 22 – Public Hearing at City Hall on the proposed zoning changes. At which time 45 residents addressed the Planning Board.

Sept. 29 – Regular meeting. Tabled an application for a site review of land for Telecorp. PCS, a division of AT&T to locate another tower next to an existing PCS tower. This raised a series of issues. Therefore, this was tabled because the planning staff determined the City of Dover needs expertise from consultants not available internally. The applicant will bear the burden of the consultant cost.

Also, held a Public Hearing on Sept. 29 - Consider rezoning two parcels of land on the corner of Cataract Ave. and Central Ave. No votes were taken.

C/A conditional use dock on Piscataqua for Spencer and Linda Struble on Dover Point Rd.

C/A application lot line adjustment and site plan for North East Credit Union for a new facility on the Sixth Street Connector. Tabled.

Site walk on Oct. 6 for that piece of property for North East Credit Union.

C/A lot merger of land for Richard and Robin Ellis - 17 Fieldstone Drive

Oct. 6 – Workshop held for the Planning Board regarding the zoning changes.

Reese stated another workshop will be held Tuesday, Oct. 13 at 6 p.m. This is a Planning Board workshop. This is not an opportunity for the public to comment, but the public is welcome to attend.

Oct. 13 – C/A minor subdivision of land on Atlantic Ave. and Cross St. for Norman and Helen Gagne.

C/A application for site plan for Cambridge Tool & Manufacturing at 29 ½ Littleworth Rd.

C/A application for minor lot line adjustment for Patrick Cragin – Knox Marsh Rd.

C/A application for minor lot line adjustment for Ronald Pfeiffer and Elizabeth Penniford located on Summer St.

Approved driveway waiver for Dennis Munson on Tolend Rd.

Johnson stated he attended the Workshop on rezoning. He would like to commend the Planning Board on the rezoning. They have listened to the public and handled the comments well.

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

Rawding stated the board met Sept. 15. He stated they reviewed the budget and after much discussion the JBC voted to ask the School Board to approve \$115K in additional spending and send it on to the City Council.

The architect has completed all his plans.

The construction is progressing on schedule with almost half of the footings in place and some walls going up by the gym area.

Sept. 29 – Berry spoke regarding this meeting.

Berry explained the reason for the request of the additional \$115K from the City. The City was approaching the maximum amount for the bond and the city needed to guarantee the state bonding.

D. Ad Hoc Committee on Labor Relations – Mayor Pro-Tem Otis Perry.

Perry stated the board met Oct. 14 for a general meeting. He stated the board discussed plans for the labor negotiations as the season will formally get underway after the new year. They will meet again next week.

E. Parking and Traffic Committee – Councilor David Landry.

Landry stated the next meeting will be tomorrow Oct. 15 at 5 p.m. in the Council Chambers. The agenda consists of a request by Fleet Bank for consideration for change of the current parking restrictions in front of 180 Washington St.

Discussion of safety and sign issues concerning the intersection of Summer St. at Locust.

Preliminary discussion concerning traffic issues relating to Central Ave.

The public is welcome to attend.

The meeting on Sept. 9 – Discussion on Willand Avenue by residents regarding speeding, increase in volume of traffic, change in type of traffic, request by residents for a no left turn off of Route 108.

Request for crosswalk on Central Ave. near intersection of Hill St.

Willand Avenue – A speed table request that was approved will be installed this fall.

There are several ordinances on the agenda this evening addressing Willand Avenue and the crosswalk on Central Ave.

F. Joint Building Committee - Kindergarten – Councilor Bill Wilson.

Landry attended the meeting for Wilson.

The committee met on Sept. 15 at the Dover High School Library,
The minutes for the prior meeting were approved.

Stephania Pierce provided a financial report.
The first reimbursement was received from the State.

Tom Forbes addressed construction progress to date. He stated everything
was fine. There were some minor concerns: i.e., intercom system, shades, fire
doors, striping to better direct traffic flows

Manifest for invoices was reviewed and paid.

The next meeting will be Oct. 20 at 6:30 p.m. The public is invited.

Perry moved to accept the committee meeting reports, seconded by Jalbert.
Motion passed on a vote of 8-0.

9. CITY MANAGER'S REPORT

The City Manager stated that the year to date through the end of September for
the budget is on target for both revenue and expenditures at 25%.

DEDC will meet with the City Council in a workshop and discuss waterfront
development.

He stated the city issued 58 building permits in Sept. with a total of \$3.4 million
in construction values; \$18,500 in fees, 16 single family buildings.

The City Manager reminded the City Council they are invited to an open house
at the Wastewater Treatment Plant on October 22 at 7 p.m.

He stated the City Council authorized the sale of property on Old Rochester
Road. The original high bidder withdrew his bid. The staff recommends selling
the property to the second high bidder, Peter Russell, for \$16,750.

The City Manager stated there would be a special meeting next week on
the bond issue and the City Council will be presented with the CIP for the
next fiscal year.

The City Manager stated he informed the City Council via memo the city set
its tax rates with the Department of Revenue. It is a 57¢ increase as
opposed to the \$1+ . He stated, however, next year it will be at least \$1.00
because of the school issue; just to pay the school bond.

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Finally, the City Manager stated he would like to address ADA. The city does, in all new construction, adhere to ADA compliance issues and in reconstruction. In all city buildings and the majority of sidewalks, we do pay close attention to ADA compliance.

He stated the Building Inspector works with the private sector as their projects are developed, built, and rebuilt to ensure that their buildings do come under ADA compliance.

Perry moved to accept the City Manager's Report, seconded by Berry. Motion passed on a roll call vote of 8-0.

10. UNFINISHED BUSINESS:

A. ORDINANCES IN 2ND READING

1. Ordinance #12 – 09/09/98, Zoning, Chapter 170. (Middleton Lumber Property). Sponsored by Councilor Jerry Reese, Planning Board Representative. Reese moved to adopt, seconded by Berry. Motion passed on 7-1 roll call vote Reese opposed.
2. Ordinance #13 – 09/09/98, Streets and Sidewalks, Chapter 152, (Brick Sidewalks). Sponsored by Councilor David Landry.

Landry moved to adopt, seconded by Wilson. Landry explained the area within the city that is being suggested to use brick on. Landry also explained that he believes we should protect the heritage of our community.

Rawding stated on behalf of a constituent that they would like to know will the new sidewalks be replaced with brick and what is going to happen to it once frost heaves have pushed it up and snow removal has broken and split the bricks. Beecher stated that many of these problems could be avoided with the proper sublaying.

Rawding stated that the public can be assured that we are not replacing all the sidewalks with brick. We are replacing brick for brick. Landry stated that is correct. Berry stated he is concerned with the wording of all bricks. Wilson asked if we have a Historic District. Landry stated not specifically. It was proposed to the council about 8 years ago, but failed.

Jalbert asked how much money is in the street and sidewalk budget. Mr. Beecher stated \$100,000 in sidewalks and \$200,000 in streets. Jalbert asked do we pay more for brick and if we do this are we going to guarantee a maintenance budget. He also continued by asking regarding the ADA standards does anyone realize how hard it is for a wheelchair.

Johnson stated he would like to consider these on a case by case basis. Berry suggested a friendly amendment that would allow for consideration prior to replacement with brick. Landry stated no thank you.

Berry moved to amend, seconded by Johnson to review each brick sidewalk prior to being replaced.

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Wilson asked what is the cost of brick vs. concrete. Bobinsky stated Brick is \$70-120 per cubic yard, Bituminous asphalt is \$30 per cubic yard and Concrete is \$32 to \$35 per cubic yard. Jalbert asked how much per brick? Bobinsky stated 50 cents per brick. The Mayor stated we have a policy that allows property owners to share the responsibilities of maintaining the area.

Perry stated he is infavor of the ordinance, he also explained that ward 5 was part of the proposed Historic District area. Perry also noted we can always increase the budget.

Motion to amend failed 3-5; Main motion failed on a roll call vote of 4-5, Landry, Wilson, Perry and Rawding in favor. The Mayor voted to break the tie.

B. ORDINANCES IN 3RD READING-none

C. RESOLUTIONS-none

11. NEW BUSINESS:

A. CONSENT CALENDAR

1. Resolution RE: Approval to Donate (12) Surplus Bicycles for Complete Rehabilitation and Subsequent Christmas Donations to "Needy" Families. Sponsored by Mayor Wil Boc, by Request.
2. Resolution RE: Award of Change Purchase Order for Additional Summer Recreation Program Bus Transportation Charges. Sponsored by Mayor Wil Boc, by Request.
3. Resolution RE: Award of Bid #B99017 for the Lease/Purchase of a 4WD Loader-Backhoe. Sponsored by Mayor Wil Boc, by Request.
4. Resolution RE: Authorization to Apply for Bureau of Justice Assistance Block Grant to Purchase Equipment for the Police Department. Sponsored by Mayor Wil Boc, by Request.
5. Raffle – Cocheco Chapter, American Diabetes Association
6. Raffle – Dover Little Green Football.
7. Raffle – St. Thomas Aquinas High School.
8. Tag – Dover Tennis Booster Club.
9. Wetlands Permit – Dover Self-Storage Units, LLC.
10. Wetlands Permit – Northeast Credit Union.

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Perry moved to adopt 1-4, grant 5-8 and accept and place on file 9 and 10 seconded by Berry. Rawding asked to have 2 and 3 removed. Motion to adopt passed on a roll call of 8-0

B. RESOLUTIONS

1. Resolution RE: Award of Request for Proposal #B99003 for a Computerized Document Imaging Storage and Retrieval System. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt seconded by Jalbert. The Mayor asked to have the Bids explained. Mike Fenton stated the only 2 bidders that can actually be considered are Donnegan and Inception because they met the RFP specifications. Wilson asked if references have been checked.

The City Clerk stated that she has been out of town and just received the names of the other companies using the software and they will be checked. Wilson stated he wishes to postpone the vote until this is accomplished. Mr. Beecher stated this is non-proprietary software and we basically design it to each one of our individual functions. Jalbert stated in today's age this type of software is common place. Rawding stated he looked long and hard at each of these purchases and believes that this is a good investment, it will save time and bring in revenue in the City Clerks office and it will generate revenue and is going to save money in the Police Department Landry moved to postpone, seconded by Wilson motion failed 2-6. Main motion to adopt passed on a 5-3 vote Wilson, Landry and Reese opposed.

2. Resolution RE: Authorization To Release Funds for the Partial Payment of State of New Hampshire Department of Transportation Improvement Projects Work – Sixth Street Reconstruction. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Jalbert. Motion passed on a 8-0 roll call vote.

3. Resolution Re: Award of Bid #B99020 for Sidewalk Improvements. Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Berry. Motion passed on a roll call vote of 7-0. Rawding abstained.

4. Resolution RE: Award of Purchase Order for the New Replacement Public Safety Dispatch Console. Sponsored by Mayor Wil Boc, by Request.

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

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5. Resolution RE: Award of Bid #B99007 for Professional Consulting Services: Smith and Cummings Aquifer Protection. Sponsored by Mayor Wil Boc, by Request.

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

6. Resolution RE: Award of Bid #B99021 for Bituminous Cement (Asphalt). Sponsored by Mayor Wil Boc, by Request.

Perry moved to adopt, seconded by Berry. Motion passed on a roll call vote of 7-0. Rawding abstained

7. Resolution RE: Transfer of Skatepark Donations to Dover Rotary Club. Sponsored by Mayor Wil Boc, by Request.

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

8. Resolution RE: Award of Change Purchase Order for Additional Summer Recreation Program Bus Transportation Charges. Sponsored by Mayor Wil Boc, by Request.

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

9. Resolution RE: Award of Bid #B99017 for the Lease/Purchase of a 4WD Loader-Backhoe. Sponsored by Mayor Wil Boc, by Request

Perry moved to adopt, seconded by Reese. Passed on a roll call vote of 8-0.

Perry moved to suspend the rules to go past 10 PM. Seconded by Berry.

Motion passed on an 8-0 roll call vote.

10. Resolution RE: Suspending of commercial vehicle travel restricted Ordinance: Tolend Rd and Glenhill Road. Sponsored by Mayor Pro Tem Otis Perry.

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

11. Resolution RE: Installation of Crosswalk. Sponsored by Councilor David Landry.

Landry moved to adopt, seconded Berry. Rawding moved to Table seconded by Perry Motion failed 3-5. Perry moved to refer to the Nov 4th Meeting, Seconded by Wilson Motion passed on a 5-3 vote.

C. ORDINANCES IN THEIR 1ST READING

1. Ordinance #14 – 10/14/98, Chapter 166, Vehicles and Traffic (Section 57, Schedule J - Limited Time Parking). Sponsored by Councilor Paul Johnson.

Johnson moved to refer to a public hearing on Nov 4. Seconded by Jalbert. Motion passed on an 8-0 vote

2. Ordinance #15 – 10/14/98, Chapter 166, Vehicles and Traffic (Winter Parking). Sponsored by Councilor Paul Johnson.

Johnson moved to refer to a public hearing on Nov 4. Seconded by Jalbert. Motion passed on an 8-0 vote

3. Ordinance #16 – 10/14/98, Chapter 166, Vehicles and Traffic (Section 49, Schedule B – Prohibited Turns at Intersections). Sponsored by Councilor Paul Johnson.

Johnson moved to refer to a public hearing on Nov 4. Seconded by Jalbert. Motion passed on an 8-0 vote

4. Ordinance #17 - 10/14/98, Chapter 166, Vehicles and Traffic (Section 53, Schedule F – Commercial Vehicle Traffic Restricted). Sponsored by Councilor Paul Johnson.

Johnson moved to refer to a public hearing on Nov 4. Seconded by Jalbert. Motion passed on an 8-0 vote

5. Ordinance #18 – 10/14/98, Chapter 161, Taxicabs. Sponsored by Mayor Wil Boc, by Request.

Perry moved to refer to a public hearing on Nov 4. seconded by Berry. Motion passed on an 8-0 vote.

6. Ordinance #19 – 10/14/98, Chapter 68, Building Construction, (Section 2, Adoption of Standards). Sponsored by Mayor Pro Tem Otis Perry.

Perry moved to refer to a public hearing on Nov 4. seconded by Berry. Motion passed on an 8-0 vote.

D. COUNCIL CORRESPONDENCE- none

12. COUNCIL MATTERS OF INTEREST

Councilor Johnson moved to have Jack Krumm appointed as the Ward 1 representative to the Recreation Advisory Board.

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Rawding directed the City manager to contact Media One regarding the cancellation of Channel 8 and have them put it back into our programming line-up.

Perry moved to suspend the rules to go into non-public session, seconded by Landry. Motion failed.

NON PUBLIC SESSION:
Land sale negotiations
Contract negotiations

13. ADJOURNMENT

Perry moved to adjourn seconded by Jalbert. Motion passed unanimously

KAREN L. LARSON
CITY CLERK

NOTE: Tabled Items:

Resolution RE: Award of Blanket Purchase Order for Miscellaneous Footwear.
Sponsored by Mayor Wil Boc, by Request. (Tabled from 9/9/98 meeting)