

 CITY OF DOVER	<table> <tr> <th colspan="2">CITY COUNCIL - MINUTES</th></tr> <tr> <td>Meeting Type:</td><td>Special Meeting</td></tr> <tr> <td>Meeting Location:</td><td>City Hall, Council Conference Room</td></tr> <tr> <td>Meeting Date:</td><td>Wednesday, November 18, 2020</td></tr> <tr> <td>Meeting Time:</td><td>7:00 pm</td></tr> </table>	CITY COUNCIL - MINUTES		Meeting Type:	Special Meeting	Meeting Location:	City Hall, Council Conference Room	Meeting Date:	Wednesday, November 18, 2020	Meeting Time:	7:00 pm
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1. CALL TO ORDER

2. ~~MOMENT OF SILENCE~~

3. ~~PLEDGE OF ALLEGIANCE~~

4. ROLL CALL ATTENDANCE

Present: Mayor Carrier, Deputy Mayor Ciotti, Councilor Cullen, Councilor O'Connor, Councilor Shanahan. Councilor Muffett-Lipinski, Councilor Thibodeaux, and Councilor Williams attended virtually.

Absent: Councilor Manley.

Also Present: City Manager Joyal, City Attorney Wyatt, and City Clerk Mistretta.

5. PROCLAMATIONS/AWARDS

A. PLAID FRIDAY AND SUPER SATURDAY TO SUPPORT SMALL BUSINESSES

Mayor Carrier read the proclamation to the Council and citizens.

6. APPROVAL OF AGENDA

Councilor Shanahan moved to add the following items:

Item 6.A – Public Hearing for Emergency Ordinance for Face Coverings

6.B. – Emergency Ordinance – Chapter 89, Section 14

Substitute as a whole Item 13.A.2.

13.C.3. Authorization for Issuance of Tax Anticipation Note for Fiscal Year 2021.

Deputy Mayor Ciotti moved to approve the Agenda as amended; seconded by Councilor Shanahan.

Roll Call Vote: 8/0/

6.A. PUBLIC HEARING FOR EMERGENCY ORDINANCE – CHAPTER 89, SECTION 14 WEARING OF FACE COVERINGS IN THE CITY OF DOVER.

Pastor Taigen Joos, Heritage Baptist Church, 186 Dover Point Road: He spoke against the Emergency Ordinance.

Michael Runey, 3 Seaborne Drive: He spoke against the Emergency Ordinance.

Nicholas Foley, 62 Belknap Street: He spoke against the Emergency Ordinance.

Zachary Woodward, Cushing Street: He spoke against the Emergency Ordinance.

Adam Anderson, 41 Nye Lane: He spoke against the Emergency Ordinance.

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Marybeth Perrelli, 35 New Rochester Road: She spoke against the Emergency Ordinance.

Michael Comeau, 50 Dover Point Road: He spoke against the Emergency Ordinance.

Erin Kniphfer– Owner of Kid’s Culture Childcare and Learning Center, 32 St. Thomas Street: She spoke against the Emergency Ordinance.

John Cannon, 36 Samuel Hanson Avenue: He spoke against the Emergency Ordinance.

Joseph Perrelli, 35 New Rochester Road: : He spoke against the Emergency Ordinance.

Mayor Carrier, seeing no one else wishing to the speak, closed the Public Hearing.

6.B. EMERGENCY ORDINANCE – CHAPTER 89, SECTION 14 - WEARING OF FACE COVERINGS IN THE CITY OF DOVER.

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Shanahan.

Councilor

City Attorney Wyatt explained the process for an Emergency Ordinance.

Councilor Thibodeaux explained the importance of wearing a mask during this time.

Councilor O’Connor discussed the areas in the Ordinance that he felt were not appropriate and not enforceable.

Councilor Shanahan said he isn’t an expert, but listed all the experts and organizations that encourage the use of masks. He said he would wear a mask all the time if it meant he was protecting someone else. He did have concerns with some of the same restrictions brought up by Councilor O’Connor.

Councilor Cullen asked Police Chief Breault to answer about enforcement.

Police Chief Breault said enforcement will be a challenge. He said they will handle it as an education matter and only enforce it as a last resort.

Councilor Cullen moved to strike Section C and Section D; seconded by Councilor Shanahan.

Mayor Carrier asked for further discussion before the motion to strike.

Councilor Cullen said there was a motion on the floor.

City Manager Joyal said as chairperson the Mayor can reject the motion, and if necessary the Council can overrule the Mayor.

Councilor Shanahan recommended to Councilor Cullen that he withdraw his motion, and he would withdraw his second. Finish the discussion on the original Ordinance.

Councilor Cullen withdrew his motion.

Councilor Shanahan withdrew his second to the motion.

Deputy Mayor Ciotti spoke about the Ordinance and said he would not be supporting it.

Councilor Williams asked about outdoor face coverings.

City Manager Joyal gave an overview of what is meant about wearing a mask outdoors.

Councilor Williams gave an overview of the Ordinance as she felt it impacted the citizens.

Mayor Carrier said people should be wearing a mask in public. He said 80 or 85 percent of the people get it. He said he put this forward to the Council because he was asked to bring it

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forward. He felt there were parts of the Ordinance that can be enhanced. He recommended that it be tabled.

Councilor O'Connor moved to table the Ordinance; seconded by Deputy Mayor Ciotti.
Roll Call Vote: 6/2; Passed. Councilors Muffett-Lipinski and Williams were opposed.

City Manager Joyal gave an overview of what the next steps would be regarding this Ordinance. He asked Councilors to send their suggestions for changes to him or the Mayor. He said there is an ongoing pandemic and encouraged mask use and social distancing guidelines.

7. PUBLIC HEARINGS

A. ESTABLISHING A SCHEDULE AND PROCESS FOR REVIEW AND FINAL PROPOSAL OF POTENTIAL CHARTER AMENDMENTS SPONSORED BY MAYOR CARRIER BY REQUEST

Mayor Carrier, seeing no one wishing to speak, closed the Public Hearing.

8. CITIZEN'S FORUM

Taxpayers, Business owners, and Residents are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.

Email correspondence must be directed to CityCouncil-All@doover.nh.gov, Voicemails must be left at (603) 516-6338, and written letters or correspondence must be directed to City of Dover, ATTN: City Council, 288 Central Avenue, Dover, NH 03820.

Correspondence that does not state the individual's name and Dover address shall not be placed on file with the Council public meeting record.

Mayor Carrier, seeing no one else wishing to speak, closed the Citizen's Forum.

9. CITY MANAGER'S REPORT

City Manager Joyal submitted his report in writing. He gave an overview of the following items: Food Baskets being delivered for Thanksgiving, Toy Bank for the holiday season, Homeless Shelter, and securing a grant for addressing a grant to help the homeless. He spoke about the Right to Know request from the media for access to City Council – All emails, which has been activated. He recognized Finance Director Lynch for once again being recognized for excellence in financial reporting.

Councilor Cullen spoke about his concerns regarding the City Council – All emails.

City Manager Joyal said the City has an obligation to be transparent. He said it is the State law that these emails be made available.

Deputy Mayor Ciotti asked if a disclaimer that needs to be checked off to allow the email to be sent.

City Attorney Wyatt asked the Council if they wish him to answer the question in this public session.

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There was no objection from the Council.

City Attorney Wyatt said the Council would be allowing the sender to declare something confidential, and that is not how RSA 91-A works.

Deputy Mayor Ciotti said he wanted a disclaimer to stop the person from sending the email if they do not want to have it become public.

City Manager Joyal asked for a motion to temporary suspend the City Council – All emails being sent to the media.

Councilor Cullen made the motion; seconded by Councilor O'Connor.

Roll Call Vote: 6/2; passed. Councilors Muffett-Lipinski and Williams were opposed.

Deputy Mayor Ciotti moved to accept the City Manager's report; seconded by Councilor O'Connor.

Roll Call Vote: 8/0.

10. APPROVAL OF MINUTES

A. October 28, 2020

Deputy Mayor Ciotti moved to approve the Minutes as presented; seconded by Councilor Shanahan.

Roll Call Vote: 8/0.

11. MAYOR'S REPORT

Mayor Carrier listed the events he attended: Veterans' Day ceremony, Christmas lights, and a meeting with the thirteen Mayors of the State. He spoke Dover Main Street sponsoring the Tree lighting, ice sculpture, decorate your door for the holiday event, and a Santa drive by .

Deputy Mayor Ciotti moved to accept the City Manager's report; seconded by Councilor O'Connor.

Roll Call Vote: 8/0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2ND READING

B. ORDINANCES IN THE 3RD READING

C. RESOLUTIONS

1. ADOPTION OF FISCAL YEAR 2022 – 2027 CAPITAL IMPROVEMENTS PROGRAM (CIP)

SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Ciotti moved for its adoption; seconded by Councilor O'Connor.

City Manager Joyal gave an overview of the Resolution to the Council.



CITY OF DOVER

CITY COUNCIL - MINUTES

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Deputy Mayor Ciotti moved to \$25,000 from 2024 funding for the Garrison Elementary School and moved it to 2022 Garrison Elementary School so the kitchen can be addressed; seconded by Council O'Connor.
Roll Call Vote: 8/0.

Councilor Cullen moved the \$2 million turf construction project up from 2026 to 2022; seconded by Councilor Shanahan.
Councilor Muffett-Lipinski said she was more concerned the City had the funding for the children coming back to school.
Mayor Carrier said a good place to start with that is the City Council/School Board Collaborative Committee meeting.
Councilor Shanahan said the Council can express their intent right now, but can revisit if needed.
City Manager Joyal recommended adopting the document now, and revisit after having a discussion with the School.
Deputy Mayor Ciotti asked about the impact of moving \$2 million dollars on the current year.
City Manager Joyal gave an overview of the impact for both the School and City sides of the budget to the Council.
Councilor Shanahan asked the City Manager to review the recommended changes with the School Department, and come back to the Council.
City Manager Joyal asked Councilor Cullen and Councilor Shanahan if they wanted to hold off on the amendment.
Councilor Cullen asked for a vote on the amendment.
Roll Call Vote: 2/6 Failed. Councilors Cullen and O'Connor voted in favor.

Councilor Cullen motioned to move the Skate Park project a year; seconded by Deputy Mayor Ciotti for discussion.
Councilor O'Connor gave an overview of the project to the Council and supported that it remain where it was in the CIP.
Assistant City Manager Parker said the funding for the Skate Park consisted of impact fees.
Roll Call Vote: 1/7; Failed. Councilor Cullen voted in favor.

City Manager Joyal gave an overview of the additional \$25,000 for the Garrison Elementary School.

Mayor Carrier asked for a roll call vote on the amended Resolution.
Roll Call Vote: 8/0.

Councilor Shanahan moved to have the City Manager work with the Planning Board and School Board to investigate the implications of moving the \$2 million turf management up to fiscal year 2022 and the appropriation of funds from the CARES Act for mental health activities; seconded by Councilor O'Connor.
Roll Call Vote: 8/0.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Special Meeting**
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**2. APPROPRIATION FOR FY2022 CAPITAL IMPROVEMENTS PROGRAM (CIP) –
NON-DEBT FINANCED PROJECTS
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)
SPONSORED BY MAYOR CARRIER BY REQUEST**

Deputy Mayor Ciotti moved for its adoption; seconded by Councilor O'Connor.
City Manager Joyal gave an overview of the Resolution to the Council.
Roll Call Vote: 8/0.

**3. APPROPRIATION FOR FY2022 CAPITAL IMPROVEMENTS PROGRAM (CIP)
AND AUTHORIZATION FOR BONDING
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)
SPONSORED BY MAYOR CARRIER BY REQUEST**

Deputy Mayor Ciotti moved for its adoption; seconded by Councilor O'Connor.
City Manager Joyal gave an overview of the Resolution to the Council.
Roll Call Vote: 8/0.

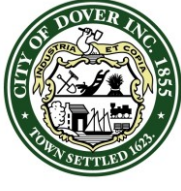
**4. ESTABLISHING A SCHEDULE AND PROCESS FOR REVIEW AND FINAL
PROPOSAL OF POTENTIAL CHARTER AMENDMENTS
SPONSORED BY MAYOR CARRIER BY REQUEST**

Deputy Mayor Ciotti moved for its adoption; seconded by Councilor Shanahan.
Councilor Shanahan gave an overview of the Resolution to the Council.
Roll Call Vote: 8/0.

13. NEW BUSINESS

A. CONSENT CALENDAR

- 1. RAFFLE – American Legion Post 8**
- 2. B14074 PHASE II – PROFESSIONAL ENGINEERING SERVICES FOR WATER
SYSTEM FACILITY UPGRADES ADDITIONAL SCOPE OF WORK NO. 10,
UNDERWOOD ENGINEERS
SPONSORED BY MAYOR CARRIER BY REQUEST**
- 3. CONSTRUCTION SUPPORT ENVIRONMENTAL CONSULTING SERVICES FOR
BROADWAY RAILROAD CULVERT PROJECT - ADDITIONAL SCOPE OF WORK
WITH RANSOM CONSULTING LLC
SPONSORED BY MAYOR CARRIER BY REQUEST**
- 4. TIRES, PASSENGER & TRUCK - STATE OF NH CONTRACT WITH SULLIVAN
TIRE CO., INC.
SPONSORED BY MAYOR CARRIER BY REQUEST**

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- 5. REPLACEMENT OF COMPRESSOR AT DOVER ICE ARENA**
SPONSORED BY MAYOR CARRIER BY REQUEST
- 6. APPROVAL OF MEMORANDUM OF AGREEMENT REGARDING PARKING SPACES BETWEEN ONE FIRST DOVER, LLC AND CITY OF DOVER**
SPONSORED BY MAYOR CARRIER BY REQUEST
- 7. AUTHORIZATION TO ACCEPT SEWER EASEMENTS TRANSFERRED FROM EZRA GREEN'S FARM, LLC**
SPONSORED BY MAYOR CARRIER BY REQUEST

COMMITTEE REPORTS

- | | |
|---|---|
| 1. School Board | 16. Pool Advisory Committee |
| 2. Planning Board | 17. Recreation Advisory Board |
| 3. 400th Anniversary Committee | 18. Solid Waste Advisory Commission |
| 4. Appointments Committee | 19. Transportation Advisory Commission |
| 5. Arena Commission | 20. Waterfront TIF Advisory Board |
| 6. Arts Commission | 21. City Council / School Board Collaborative Committee |
| 7. Conservation Commission | 22. Joint Building Committee – Dover High School and Regional Career Technical Center |
| 8. Downtown TIF Advisory Board | 23. COAST |
| 9. Energy Commission | 24. Cocheco Waterfront Development Advisory Committee |
| 10. Heritage Commission | 25. Dover Main Street |
| 11. Legislative Liaison | 26. Strafford Regional Planning Commission |
| 12. Library Board of Trustees | 27. Tri-City Homelessness Task Force |
| 13. McConnell Center Advisory Committee | |
| 14. Ordinance Committee | |
| 15. Parking Commission | |

Deputy Mayor Ciotti moved for the adoption of the Consent Calendar; seconded by Councilor O'Connor.

Mayor Carrier asked the Council if they had items they would like pulled for further discussion. Deputy Mayor Ciotti pulled 13.A.1.

Roll Call Vote: 8/0.

Deputy Mayor moved to approve the raffle application through the end of 2020.

Roll Call Vote: 8/0.

Councilor Muffett-Lipinski gave an overview of the School Board Report to the Council.

Deputy Mayor Ciotti moved to accept the School Board Report; seconded by Councilor Thibodeaux.

Roll Call Vote: 8/0.

Deputy Mayor Ciotti gave an overview of the Planning Board Report to the Council.

Deputy Mayor Ciotti moved to accept the Planning Board Report; seconded by Councilor Shanahan.

Roll Call Vote: 8/0.

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Councilor Muffett-Lipinski lost her virtual connection.

Deputy Mayor Ciotti gave an overview of the Appointments Committee Report to the Council.
Deputy Mayor Ciotti moved to accept the Appointments Committee Report; seconded by Councilor O'Connor.
Roll Call Vote: 7/0.

Councilor Muffett-Lipinski regained her virtual connection.

Councilor O'Connor gave an overview of the Arena Commission Report to the Council.
Deputy Mayor Ciotti moved to accept the Arena Commission Report; seconded by Councilor O'Connor.
Roll Call Vote: 8/0.

Councilor Shanahan gave an overview of the Arts Commission Report to the Council. He said approval of his report will also include the approval of an Arts installation.
Deputy Mayor Ciotti moved to accept the Arts Commission Report; seconded by Councilor Shanahan.
Roll Call Vote: 8/0.

Councilor Williams gave an overview of the Conservation Commission Report to the Council.
Deputy Mayor Ciotti moved to accept the Conservation Commission Report; seconded by Councilor O'Connor.
Roll Call Vote: 8/0.

Deputy Mayor Ciotti moved to suspend the rules to move the Authorization for Issuance of Tax Anticipation Note for Fiscal Year 2021 Resolution from Item 13.C.3. to Item 13.B.1; seconded by O'Connor.
Roll Call Vote: 8/0.

B. RESOLUTIONS

1. AUTHORIZATION FOR ISSUANCE OF TAX ANTICIPATION NOTE FOR FISCAL YEAR 2021 (TO BE REFERRED TO A PUBLIC HEARING ON DECEMBER 2, 2020) SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Ciotti moved to refer to a public hearing on December 2, 2020; seconded by Councilor O'Connor.
Roll Call Vote: 8/0.



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C. ORDINANCES IN 1ST READING

1. FINE SCHEDULE

(TO BE REFERRED TO A PUBLIC HEARING ON DECEMBER 9, 2020)

SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Ciotti moved to refer to a public hearing on December 9, 2020; seconded by Councilor Cullen.

Roll Call Vote: 8/0.

2. CHAPTER 141 – VEHICLES AND TRAFFIC

(TO BE REFERRED TO A PUBLIC HEARING ON DECEMBER 9, 2020)

SPONSORED BY MAYOR CARRIER BY REQUEST

Deputy Mayor Ciotti moved to refer to a public hearing on December 9, 2020; seconded by Councilor O'Connor.

Roll Call Vote: 8/0.

3. CHAPTER 89 – HEALTH AND SANITATION, SECTION 14

DECLARATION OF EMERGENCY AND PURPOSE – WEARING OF FACE COVERINGS IN THE CITY OF DOVER

SPONSORED BY MAYOR CARRIER AND COUNCILOR THIBODEAUX

Moved up on the Agenda

14. COUNCIL CORRESPONDENCE

A. Letter from xfinity, dated November 2, 2020.

Deputy Mayor Ciotti moved to place correspondence on file; seconded by Councilor Shanahan.

Roll Call Vote: 8/0.

15. COUNCIL MATTERS OF INTEREST

Councilor O'Connor recognized the Dover High School cheerleaders. He urged citizens to donate to the Dover Children's Home.

Mayor Carrier spoke about the Fire Department Labor Union selling raffle tickets to raise funds for warm jackets for children in need.

16. ADJOURN

Councilor O'Connor moved to adjourn; seconded by Deputy Mayor Ciotti.

Roll Call Vote: 8/0.