



CITY OF DOVER

## CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: Wednesday, October 10, 2007  
Meeting Time: **7:00 pm**

### 1. MOMENT OF SILENCE

### 2. PLEDGE OF ALLEGIANCE

Councilor Keays led the Pledge of Allegiance.

### 3. ROLL CALL

Councilors Present: Deputy Mayor Jason Hindle, Robert Keays, Mayor Scott Myers, David Scott, Dean Trefethen, Harvey Turner, Catherine Cheney, Dennis Ciotti and Doug DeDe,. Also Present: City Manager Mike Joyal and City Attorney Allan Krans.

### 4. PROCLAMATIONS – AWARDS

### 5. SUMMARY OF AGENDA

### 6. CITIZEN'S FORUM

*Citizens are invited to speak to items that pertain to the business and/or interests of Dover, NH. Statements shall be limited to five minutes.*

Mayor Myers opened the Citizen's Forum asking if anyone wished to speak:

Joe Scruton, 99 Sixth St. questioned the City Manager if the DRA has received everything for the tax rate. *Joyal responded yes-we are waiting for appointment from DRA.*

Karen Weston, French Cross Rd wanted to know the clean up timeframe for the Tolend Rd. landfill cleanup. She also wished to discuss Horne Court. She attended 2 traffic advisory meetings and felt that the road was too narrow and that truck traffic should be barred. *The mayor replied that it will go to public hearing and no action would be taken tonight.*

Beth Satear, 29 Horn St, owns adjacent property and feels trucks should use the designated street entrance. Also has further issues with health, safety, and environmental concerns.

Ethan Mackey, 30 Glenwood Ave, Due to reconstruction of Glenwood Ave there were runoff issues. The planning Board has responded and he thanks them. On 10/4 letters were sent to each Council member, mayor and Deputy mayor. He would like this issue put on hold for now as Community Service Director Doug Steele and City Engineer Paul Blaster have come up with a plan and timeline for completion. He will return in 2 weeks if plan is not being implemented.

Richard Callaghan, 32 Horn St, Chairman of Zoning Board of Adjustment and he supports the neighbors who have been very cooperative working with the City. The lack of response from the Planning Board was very embarrassing. He urges swift action and to do the right thing.



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Pete Lablanc, 189 Central Ave, last spring there was a water main break that caused water through the foundation of the building causing approximately \$53,000.00 of damage. Insurance company helped with some but not all of the expense. Mr. Steele and City asked to assist with the remainder not being paid. DUC supports this request. They received a letter from City Attorney that an additional \$3500.00 would be paid but nothing more would be done. They wanted it known that they had not spoken to the attorney as was indicated on the August 20<sup>th</sup> Minutes. They feel this is a City responsibility and would like them to pay as they would have to pay if they caused damage. *Mayor responded that they cannot take action at this time.*

J.Grasso, 1 Pebblewood Dr, Horn Court residents came to TAC with concerns. Removal of a fence and paving made it a thru street. Other potential code violations need to be looked at.

Evita Grasso, 1 Pebblewood Dr., frustrated about last nights meeting. Information about tax cap proposal should be available-last nights meeting was a farce

Seeing no one else wishing to speak, they Mayor closed the Citizens Forum.

### **7. PUBLIC HEARINGS -NONE**

### **8. CITY MANAGER'S REPORT**

Joyal will contact Planning Department and discuss the issues surrounding Horne Court. There was a workshop last Wednesday to discuss Tolend Rd. Will proceed with test wells/pump and treat facilities. Some will be up this winter, some next spring. Eventually there will be a sewer main to waste facility. Glenwood Ave is still being worked on. Hindle questioned if it would be done by the thanksgiving deadline and Joyal replied that there are some issues involving outside contractors.

Hindle stated that the recommendation had been made to work with the planning office to resolve Horne Court. That meeting never took place and he was embarrassed as a member of TAC. *Joyal stated that he initially thought that the matter had been resolved.*

Turner asked about Central Ave. *Joyal stated that the city did assist with clean up and helped with the insurance adjustor. This is not an issue for the DUC it is an insurance issue.*

Turner stated that he is shocked that these people are out \$15,000.00. *Joyal responded that it is an insurance issue.*

Keays asked why sidewalks are being pulled up on Portland Ave and *Joyal stated he would find out why.*

Keays also felt bad for the couple who had water in the cellar. He feels the city has an obligation to assist these people or it could land in court with another large bill. *Joyal reminded the councilor that he is a part of the city and that there are statutory requirements but he will look into it further.*

Cheney responded maybe we should have something in place for this type of issue because this was a multi family unit and other families were affected. She would appreciate the follow



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up. She also asked but the Redimix status. *Joyal responded that what was in the paper is all that we know and the situation is still unresolved.*

Cheney also wanted to know what has been done about the standardization of leave requests. *Joyal responded that an electronic version and printed version are now standard between departments and there is a weekly audit of payroll transactions.*

Cheney also wanted to know if we are changing how we are fixing the Butterfield gym. *Joyal responded that the initial bids came in too high as testing needed to be done as well. We needed a bid under \$600,000.00 however they negotiated a better price with the subcontractor.* Keays questioned the Sixth street section of road being torn up when this road was not in bad shape. There are others that are worse (example given of Grove St. Ext). He feels the infrastructure of the City really needs to be taken care of. *Joyal responded the repairs on Sixth Street are for damage that occurred during spring flooding and some Federal money was available.*

Turner questioned the status of the funding and the deadline application for Willand Pond.

Joyal stated that we are in the process of applying and working with DES and Somersworth. DES has been very supportive. The deadline might be at the end of the month and the grant request will be submitted to the State and we are in good shape to get the money.

Deputy Mayor Hindle made a move to accept the Managers report, seconded by Ciotti. Passed on a 9/0 vote.

### 9. MINUTES

#### A. SPECIAL COUNCIL MEETING – SEPTEMBER 5, 2007

Deputy Mayor Hindle made a move to accept the minutes seconded by Trefethen. There were no changes or deletions and the motion passed 9/0.

### 10. MAYOR'S REPORT

There is good work being done with DES concerning Willand Pond. He received a letter after the agenda was set and would request that when the consent calendar is approved that the correspondence also be accepted. This letter was sent to many key officials and acknowledged the excellent work and partnership. The Mayor also attended the Liberty Mutual opening on 9/28 with Ted Kelly, Gov. Lynch, the City Manager, and City staff. Employees are moving in and things are going well. Last Saturday was the Apple Harvest Day and the weather was great. No official head count yet however probably well over 20,000. Each year it extends further into Henry Law Park for families. There will be a coffee with the mayor on 10/20 at 9 am at the café on the corner. This is open to the public for informal discussion. Deputy Mayor Hindle made a motion to accept the Mayors report, seconded by Ciotti. Passed 9/0.

### 11. UNFINISHED BUSINESS

- A. ORDINANCES IN THE 2<sup>ND</sup> READING - NONE
- B. ORDINANCES IN THE 3<sup>RD</sup> READING – NONE
- C. RESOLUTIONS - NONE



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### 12. New Business:

#### A. CONSENT CALENDAR

1. TAG PERMIT – UNH FIGURE SKATING TEAM
2. RAFFLE PERMIT – DOVER HIGH SCHOOL GIRLS BASKETBALL BOOSTERS
3. PARADE PERMIT - BENEVOLENT AND PROTECTIVE ORDER OF ELKS #184 – HOLIDAY PARADE
4. RESOLUTION RE: CLOSURE OF CITY STREETS FOR HOLIDAY PARADE. SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.
5. RESOLUTION RE: SETTING VOTING HOURS FOR NOVEMBER 6, 2007 MUNICIPAL ELECTION. SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.
6. RESOLUTION RE: ACCEPTANCE OF STILES LANE AS A CITY STREET. SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.

#### COMMITTEE REPORTS

- |  |                                       |
|--|---------------------------------------|
| 1. Appointments Committee  | 6. McConnell Center                   |
| 2. Arena Committee   | 7. Planning Board                     |
| 3. North End Fire Station Building Committee<br>– <b>SUBMITTED</b> | 8. Recreation Advisory Board          |
| 4. COAST Bus   | 9. Class VI Roadway Committee         |
| 5. Joint Building Committee  | 10. Transportation Advisory Committee |

Deputy Mayor Hindle moved to accept the consent calendar, committee reports and additional correspondence, seconded by Cheney. No items were removed for discussion. Passed 9/0.

#### B. RESOLUTIONS

1. RESOLUTION RE: CLASS VI ROADWAY COMMITTEE RECOMMENDATION. SPONSORED BY COUNCILOR DEAN TREFETHEN, CHAIR.

Trefethen gave recommendations. This is the third recommendation brought to council. The Nute Road section of Dover Point Road to the Spaulding Turnpike is currently closed off. There is now a sewer line passing under it. Need ROW kept. Recommend class 6 road and keeping it. Move to adopt by Trefethen, seconded by Ciotti. Passed on roll call 9/0

A committee report for an update on the North end fire station was not pulled for discussion and the fire chief is here to speak about this issue. Motion made to suspend rules to allow



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opportunity to speak made by Trefethen, seconded by Deputy Mayor Hindle. Passed on roll call 9/0.

Sam Allen, Chair of the committee thanked all of the committee members, staff, firefighters, and Liberty Mutual. This has been gratifying work. Public safety is at risk because of lack of coverage. There were 15 responses to the bid request. 8 selected and 2 withdrew. 5 were eventually chosen to receive specs. Bids are due in November. The drawings were presented showing entrances, bays and administrative space. There are 3 acres of wetlands. There was a community meeting on 9/20. Keays remarked that the administrative space looked almost as big as the bays. The fire chief said that administrative space is 1/3 of the building. There is poor work flow at the Central office and there are parking issues. This new facility will be easier for training and for public access for paying bills. Keays stated that he would prefer the administrative office be kept where people can walk to pay their bills. The chief stated that he has received complaints about parking and the Central office and that bays get blocked by the public. Mayor Scott remarked that fire officers were represented on the committee.

### 2. RESOLUTION RE:

#### C. ORDINANCES IN THEIR FIRST READING

1. ORDINANCE #2007.10.10-04, CHAPTER 166, VEHICLES AND TRAFFIC, SECTION 166-53, SCHEDULE F, COMMERCIAL VEHICLE TRAVEL RESTRICTED, HORNE COURT. SPONSORED BY DEPUTY MAYOR JASON HINDLE, CHAIR, TRANSPORTATION ADVISORY COMMISSION. **(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 24, 2007)**

Deputy Mayor Hindle, Chair of TAC, spoke with residents and the City attorney and there are language issues that need to be addressed. Need to be pulled from the agenda and refer to Public Hearing later. The website can be checked for dates. Joyal stated that we will be sure to inform the public

#### D. COUNCIL CORRESPONDENCE - NONE

### 13. ADJOURN

Motion was made by Deputy Mayor Hindle to adjourn, seconded by Turner. Passed 9/0 at 8:15