



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, March 10, 2010**
Meeting Time: **7:00pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Cruikshank led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Myers, Deputy Mayor Trefethen, Councilor Carrier, Councilor Cheney, Councilor Cruikshank, Councilor Garrison, Councilor Hooper, Councilor Nedelka, Councilor Weston.

Also present: City Manager Joyal and City Clerk Lavertu.

5. PROCLAMATIONS/AWARDS

A. Albert Michaud

Mayor Myers presented and read a proclamation to Mr. Michaud for his service in keeping the community clean and free of litter.

Mr. Michaud expressed his thanks.

6. APPROVAL OF AGENDA

Councilor Garrison made a motion to add his Legislative Liaison Report; seconded by Councilor Cruikshank.

Vote: 9/0.

Councilor Hooper made a motion to add a second School Board Report; seconded by Councilor Cheney.

Vote: 9/0.

Councilor Weston made a motion to accept the Agenda as amended; seconded by Councilor Hooper.

Vote: 9/0.

7. PUBLIC HEARINGS

A. ORDINANCE: CHAPTER 2, CITY COUNCIL ORIENTATION SPONSORED BY MAYOR MYERS BY REQUEST

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



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B. RESOLUTION: APPROPRIATION FY11 CIP – NON-DEBT FINANCED PUBLIC WORKS HEAVY EQUIPMENT

SPONSORED BY MAYOR MYERS BY REQUEST

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

8. CITIZEN'S FORUM

Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.

Margaret Fogarty, 16 Florence Street: She asked the Council to use their authority to override the tax cap and explained her reasoning. She thanked the Council for recognizing Mr. Michaud.

Timothy Provencal, 16 Florence Street: He asked the Council to consider overriding the tax cap for education.

Edward Bleiler, 28 Isaac Lucas Circle: He disagreed with the first two speakers, saying that money does not educate children. He discussed the city retirement liability. He discussed the two newspaper articles he gave to the Council. He believes Dover is in the highest percentile for taxes, and felt Dover should spend less than last year in order to start banking funds. He believes any more spending will just bankrupt Dover sooner.

Aviva Grasso, 1 Pebblewood Drive: She spoke on behalf of the Community Trail Advisory Subcommittee of the Planning Board. She discussed the Community Trail, which was not paid for by property taxes. She indicated that the subcommittee wished for tunnel lights to remain lit

Donald Medbery, 3 Covered Bridge Lane: He said he would like to see a lot done in Dover, but staying within the tax cap. He wants to be on record for being against overriding the tax cap. He spoke regarding the Tolend Road meeting that he attended. He felt the engineering firm gave an excellent presentation.

Richard Hebbard, 97 Spruce Lane: He spoke about the Mayor's actions toward Mr. Lynch, and felt it was discrimination. He spoke about the Stormwater Feasibility program on the Agenda. He presented a bench that he made and offered to donate it to the City to replace the bench that was removed from the downtown area. He asked the City Manager if it could be placed in front of Café on the Corner.

City Manager Joyal said he would follow up on this with Mr. Hebbard.

Mary Hebbard, 97 Spruce Lane: She talked about a new movement throughout the country called progressivism, which was about control, spending, and violating people's rights. She spoke about the actions of the Council at the last regular session and the Foster's Daily Democrat article. She discussed the Census. She said "fair share" is a Marxist statement, and asked for people to stand up for their rights.



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Bob Kane, 6 Western Avenue: He discussed the need for the benches on Central Avenue.

Glenn Grasso, 1 Pebblewood Drive: He discussed that getting your fair share is not a Marxist comment, but actually a capitalist comment, because the City should get what they pay for. He recommended that the Council have a Sergeant-at-arms present for Council meetings. He discussed the discrimination comments mentioned earlier by Mr. Hebbard about the Mayor not saying thank you, and asked the Mayor not to thank him for his comments. He discussed his opinions on other people's hypocritical comments. He discussed the independent audit and the comments that the City was doing well. He said the people of Dover voted in this new Council.

Bart Jordan, 303 Central Towers: He said he came to see Albert Michaud be recognized. He discussed his troubled thoughts about what is happening at these meetings.

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

9. CITY MANAGER'S REPORT

City Manager Joyal spoke about the wind storm clean-up, and said information will be published in the local newspaper and Channel 22 regarding curbside pick-up, which is being funded for by federal disaster funds. The City received additional funding from a grant for additional energy efficient improvements, which will help offset the cost of the energy project. He said he will be reappointing Marjorie Briand to the Dover Housing Authority. He spoke about the Census, which will determine distribution of elected officials and federal funding. He asked everyone to complete and return the Census by mail. He said if it isn't returned by mail, then someone has to physically visit the home, and there is an expense attached to that process.

Councilor Cheney asked about the process for the monthly report from the energy efficiency project.

City Manager Joyal said the contractor has a full year to complete the energy efficiencies, and discussed the process for the monthly reports after that time. He said he is getting preliminary reports to see if the projects are performing as expected and corrections will be made if needed. He said the grants have lowered the amount to be debt financed from \$1.6 million to under \$1 million, which allows for a quicker payback.

Councilor Cheney asked for figures on prior years' storm management.

City Manager Joyal said he would provide them as part of the upcoming budget proposal.

Councilor Cheney discussed the \$300,000 in subsidies for the McConnell Center showing up under the City Council's budget.

City Manager Joyal explained that it was intentionally put there to clearly show the subsidies in the budget given Council feedback to do so.

Deputy Mayor Trefethen moved to accept the City Manager's Report; seconded by Councilor Weston.

Vote: 9/0.



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10. APPROVAL OF MINUTES

A. February 24, 2010 – Regular Session

Deputy Mayor Trefethen moved for the approval of the minutes; seconded by Councilor Cruikshank.

Councilor Cheney said she will not be voting to approve these minutes.

Councilor Nedelka made a motion to remove Councilor Cheney from the Roll Call, Present, because she was absent, which it also stated; seconded by Councilor Cheney.

Vote: 9/0.

Mayor Myers asked for a vote on the Minutes as amended.

Vote: 8/1, Passed. Councilor Cheney opposed.

11. MAYOR'S REPORT

Mayor Myers thanked the City staff, volunteers, and citizens for their around the clock work during the windstorm. He asked everyone to "Take 10 for the 2010 Census." He discussed the Taste of Dover event hosted by Dover Main Street. He attended the "How to be a Good Citizen" program at the Garrison Elementary School. He attended the rally to save the Strand Theatre. He met with Carol Shea-Porter and City Manager to discuss specific Dover issues.

Deputy Mayor Trefethen moved to accept the Mayor's Report; seconded by Councilor Garrison.

Vote: 9/0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING

1. CHAPTER 2, CITY COUNCIL ORIENTATION SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Cruikshank. Mayor Myers said this Ordinance was to formally introduce this process into the Charter. Roll Call Vote: 9/0.

B. ORDINANCES IN THE 3rd READING – None

C. RESOLUTIONS

1. RESOLUTION: APPROPRIATION FY2011 CIP – NON-DEBT FINANCED PUBLIC WORKS HEAVY EQUIPMENT (REQUIRES A 2/3 MAJORITY VOTE) SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Garrison.



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City Manager Joyal discussed that the funds would be used to purchase two new sidewalk snowplows.

Roll Call Vote: 9/0.

13. NEW BUSINESS

A. CONSENT CALENDAR

1. **PARADE – Rochester Runners Club**
2. **RAFFLE – Greater Dover Chamber of Commerce**
3. **RAFFLE – Maine Coast Runners Flyball Team/Piscataqua Obedience Club**
4. **RAFFLE – Susan G. Komen For the Cure**

5. **RESOLUTION: B10034 MUNICIPAL STORMWATER UTILITY FEASIBILITY STUDY**
SPONSORED BY MAYOR MYERS BY REQUEST

COMMITTEE REPORTS

- | | |
|--|---|
| 1. School Board Liaison (2) | 7. Solid Waste Advisory Commission |
| 2. Planning Board | 8. Transportation Advisory Commission |
| 3. Appointments Committee | 9. Joint Building Committee – Horne Street |
| 4. Recreation Advisory Committee | 10. Joint Building Committee – Woodman Park |
| 5. McConnell Center Advisory Committee | 11. Legislative Liaison |
| 6. Arts Commission | |

Deputy Mayor Trefethen moved for the approval of the Consent Calendar; seconded by Councilor Carrier.

Mayor Myers asked the Council if they had items they would like pulled for further discussion. Councilor Garrison asked to pull the Legislative Liaison report.

Mayor Myers asked for a Roll Call Vote on the remaining items in the Consent Calendar.

Roll Call Vote: 9/0.

Councilor Garrison discussed his Legislative Liaison Report.

Deputy Mayor Trefethen moved to accept the Legislative Liaison Report; seconded by Councilor Cheney.

Vote: 9/0.



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B. RESOLUTIONS

1. SIGNATURES ON RESOLUTIONS AND ORDINANCES; RETENTION OF RESOLUTIONS AND ORDINANCES
SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Nedelka. Mayor Myers said this Ordinance is formally recognizing electronic signatures. Roll Call Vote: 9/0.

C. ORDINANCES IN 1ST READING

1. CHAPTER 166, VEHICLES AND TRAFFIC - FOURTH STREET PARKING (TO BE REFERRED TO A PUBLIC HEARING ON MARCH 24, 2010)
SPONSORED BY COUNCILOR WESTON

Deputy Mayor Trefethen moved to refer to a Public Hearing on March 24, 2010; seconded by Councilor Weston. Vote: 9/0.

2. CHAPTER 166, VEHICLES AND TRAFFIC - HENRY LAW AVENUE/GEORGE STREET PARKING (TO BE REFERRED TO A PUBLIC HEARING ON MARCH 24, 2010)
SPONSORED BY COUNCILOR WESTON

Deputy Mayor Trefethen moved to refer to a Public Hearing on March 24, 2010; seconded by Councilor Weston. Vote: 9/0.

3. CHAPTER 166, VEHICLES AND TRAFFIC - HOUGH STREET STOP SIGNS (TO BE REFERRED TO A PUBLIC HEARING ON MARCH 24, 2010)
SPONSORED BY COUNCILOR WESTON

Deputy Mayor Trefethen moved to refer to a Public Hearing on March 24, 2010; seconded by Councilor Weston. Vote: 9/0.

14. COUNCIL CORRESPONDENCE

Councilor Cheney asked to submit Mr. Bleiler's photocopied articles; seconded by Councilor Weston.

Councilor Nedelka said they were newspaper articles, which are copyrighted materials and therefore not necessary to include per Council rules.

Vote: 1/8; Failed. Councilor Cheney voted in favor.



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15. COUNCIL MATTERS OF INTEREST

Councilor Hooper spoke about the final celebration for Dover Reads.

Councilor Cheney asked about the process for placing the new bench. She discussed the Tolend Road project. She mentioned the last regular Council meeting and said she treats everyone with kindness and respect.

Councilor Carrier said he has received several emails about the budget. He said he did not direct Mr. Steele to remove the snow from the grave stones, but reported the incident to him.

Councilor Cruikshank thanked the police and fire departments for their ride-a-longs, and said she has a new appreciation for their work.

Mr. Nedelka told the citizens to keep their emails coming. He said everyone is welcomed at the podium. He said he volunteers at the Library and sometimes asks the librarian for help, and he does not want to be asked to resign because of it.

16. ADJOURNMENT

Deputy Mayor Trefethen moved to adjourn; seconded by Councilor Weston.

Vote: 9/0.