



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, June 23, 2010**
Meeting Time: **7:00pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Cheney led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

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

Absent: Deputy Mayor Trefethen

Also present: City Manager Joyal, Finance Director Lynch, and City Clerk Lavertu.

5. PROCLAMATIONS/AWARDS – None

6. APPROVAL OF AGENDA

Councilor Garrison moved to add his Legislative Liaison Report.

Vote: 8/0.

Councilor Cheney removed Item 13.B.2.

Vote: 8/0.

7. PUBLIC HEARINGS – None

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.

William Colbath, 129 Silver Street: He asked the Council to reconsider their vote at the last City Council meeting to remove the Zoning Board of Adjustment chairperson who asked to be reappointed.

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



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9. CITY MANAGER'S REPORT

City Manager Joyal reminded the Council that he will be hosting a Dover Discussions on July 12th, from 6:30pm to 8:30pm, in the McConnell Center Cafeteria. He said Councilors from Wards 3 and 4 will be present. He said Willand Pond has been tested by the State and the warnings have been removed. He said the pools are open and they have a new rate schedule, which is available on the website.

Councilor Carrier moved to accept the City Manager's Report; seconded by Councilor Cruikshank.

Vote: 8/0.

10. APPROVAL OF MINUTES

- A. June 2, 2010 – Workshop
- B. June 2, 2010 – Special Meeting
- C. June 9, 2010 – Regular Meeting

Councilor Weston moved to accept the Minutes; seconded by Councilor Hooper.

Vote: 8/0.

11. MAYOR'S REPORT

Mayor Myers said he attended the Irish Festival, with Governor Lynch giving opening remarks. He attended the Tri-City Chamber Meeting. He had three ribbons cuttings for the Greater Dover Chamber of Commerce. He said he will be appointing Mike McCann as the Skyhaven representative.

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

Vote: 8/0.

12. UNFINISHED BUSINESS

- A. ORDINANCES IN THE 2nd READING – None
- B. ORDINANCES IN THE 3rd READING – None

- 1. CHAPTER 3, FORMATION OF POOL ADVISORY COMMITTEE
(TO BE REMOVED FROM THE TABLE)
SPONSORED BY MAYOR MYERS BY REQUEST

Councilor Weston moved to substitute as a whole; seconded by Councilor Nedelka.
Vote: 8/0.

Councilor Weston moved for its approval; seconded by Councilor Garrison.

Councilor Weston started a discussion on membership, and whether the City Councilor has the right to vote. There was a consensus to have the Council liaison be non-voting.
Roll Call Vote: 8/0.



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C. RESOLUTIONS – None

13. NEW BUSINESS

A. CONSENT CALENDAR

1. **FIREWORKS – City of Dover Recreation Department**
2. **RAFFLE – City of Dover Recreation Department**
3. **TAG - Dover Little Green Football**

4. **RESOLUTION: B07061 TAX ASSESSING AND DATA COLLECTION SERVICES**
SPONSORED BY MAYOR MYERS BY REQUEST
5. **RESOLUTION: B10004 CHANGE ORDER III HYDROGEOLOGICAL SERVICES**
FOR THE WILLAND POND WELL
SPONSORED BY MAYOR MYERS BY REQUEST
6. **RESOLUTION: B07052 ROOT CONTROL SERVICES**
SPONSORED BY MAYOR MYERS BY REQUEST
7. **RESOLUTION: B10034 AMENDMENT 1: MUNICIPAL STORMWATER UTILITY**
FEASIBILITY STUDY
SPONSORED BY MAYOR MYERS BY REQUEST
8. **RESOLUTION: B10079 VARIOUS CHEMICALS FOR RECREATION AND**
COMMUNITY SERVICES DEPARTMENTS
SPONSORED BY MAYOR MYERS BY REQUEST
9. **RESOLUTION: B10081 WOOD ASH FOR WWTP**
SPONSORED BY MAYOR MYERS BY REQUEST
10. **RESOLUTION: B10083 BITUMINOUS CONCRETE PICKED UP**
SPONSORED BY MAYOR MYERS BY REQUEST
11. **RESOLUTION: B10086 SPECIALIZED MUNICIPAL LEGAL SERVICES**
SPONSORED BY MAYOR MYERS BY REQUEST
12. **RESOLUTION: AWARD OF MAINTENANCE AGREEMENT TO**
SOUTHWORTH/MILTON CAT FOR GENERATOR MAINTENANCE
SPONSORED BY MAYOR MYERS BY REQUEST



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COMMITTEE REPORTS

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

Councilor Weston moved to accept the Consent Calendar; seconded by Councilor Nedelka. Mayor Myers asked the Council if they had any items they would like pulled for further discussion.

Councilor Nedelka asked to pull Item 13.A.4.

Councilor Cheney asked to pull Items 13.A.5., 13.A.7., and 13.A.11.

Councilor Hooper asked to pull the School Board Liaison Report.

Councilor Garrison asked to pull the Legislative Liaison Report.

Mayor Myers asked for a vote on the remaining items on the Consent Calendar.

Roll Call Vote: 8/0.

Councilor Weston moved to approve Item 13.A.4.; seconded by Councilor Nedelka.

Councilor Nedelka started a discussion about the bidding process.

Roll Call Vote: 8/0.

Councilor Weston moved to approve Item 13.A.5.; seconded by Councilor Garrison.

Councilor Cheney started a discussion on what prompted this change order request.

Community Services Director Steele said the extra cost was for drilling. He said they encountered boulders, which caused extra days for drilling. He said this was a separate project where they are trying to find a new water supply.

Roll Call Vote: 8/0.

Councilor Weston moved to approve Item 13.A.7.; seconded by Councilor Cruikshank.

Councilor Cheney started a discussion on what was approved with the original resolution on feasibility. She said the change order is higher than the high bid.

City Manager Joyal said the City received a grant for the study. He said it was advisable to do samplings of some surfaces around the City to help them come up with estimates.

Roll Call Vote: 7/1; Passed. Councilor Cheney was opposed.

Councilor Weston moved to approve Item 13.A.11.; seconded by Councilor Hooper.

Councilor Cheney started a discussion on blanket orders and how monies are spent.

Mayor Myers said the City Manager and City Attorney are efficient and will keep the Council up-to-date. He said this was implemented on an as-needed basis.

Roll Call Vote: 7/1; Passed. Councilor Cheney was opposed.



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Councilor Weston moved to approve the School Board Liaison Report; seconded by Councilor Garrison.

Councilor Hooper discussed the School Board's decisions on several items. She said the contract for the new Superintendent, Jean Briggs-Badger, has been approved.

Vote: 8/0.

Councilor Hooper moved to approve the Legislative Liaison Report; seconded by Councilor Weston.

Councilor Garrison said the legislature has adopted a budget balancing bill, and it has been signed by Governor Lynch. He said the good news is that there is no additional downshifting to the local level beyond catastrophic aid to school districts.

Vote: 8/0.

B. RESOLUTIONS

1. **B10068 FIRE & RESCUE APPARATUS PURCHASE** SPONSORED BY MAYOR MYERS BY REQUEST

Councilor Weston moved for its adoption; seconded by Councilor Garrison.

Roll Call Vote: 8/0.

2. **FINAL ACCEPTANCE WOODMAN PARK ELEMENTARY SCHOOL ADDITION AND RENOVATIONS** SPONSORED BY COUNCILOR CHENEY AND COUNCILOR WESTON

Item was removed from the Agenda.

3. **REPROGRAMMING OF UNEXPENDED BOND PROCEEDS AND APPROPRIATIONS FOR CERTAIN CIP PROJECTS (TO BE REFERRED TO A PUBLIC HEARING ON JULY 14, 2010)** SPONSORED BY COUNCILOR WESTON AND COUNCILOR GARRISON

Councilor Weston moved to refer to a Public Hearing on July 14, 2010; seconded by Councilor Garrison.

Vote: 8/0.

C. ORDINANCES IN 1ST READING

1. **CHAPTER 3: ADMINISTRATIVE CODE (TO BE REFERRED TO A PUBLIC HEARING ON JULY 14, 2010)** SPONSORED BY MAYOR MYERS BY REQUEST

Councilor Weston moved to substitute as a whole and to refer to a Public Hearing on July 14, 2010; seconded by Councilor Cruikshank.

Vote: 8/0.



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2. CHAPTER 5: BOARDS, COMMISSIONS, AND COMMITTEES (TO BE REFERRED TO A PUBLIC HEARING ON JULY 14, 2010) SPONSORED BY MAYOR MYERS BY REQUEST

Councilor Weston moved to refer to a Public Hearing on July 14, 2010; seconded by Councilor Cruikshank.

Vote: 8/0.

3. CHAPTER 152: STREETS AND SIDEWALKS (TO BE REFERRED TO A PUBLIC HEARING ON JULY 14, 2010) SPONSORED BY MAYOR MYERS BY REQUEST

Councilor Weston moved to refer to a Public Hearing on July 14, 2010; seconded by Councilor Hooper.

Vote: 8/0.

14. COUNCIL CORRESPONDENCE

Councilor Weston read an email from Richard Callaghan into the record regarding the Zoning Board of Adjustment into the record. She requested that it be placed on file.

Councilor Cheney moved to accept correspondence; seconded by Councilor Nedelka.

Vote: 8/0.

15. COUNCIL MATTERS OF INTEREST

Councilor Cheney said she was concerned with the appointments process. She said she offered changes in the rules last December, which were rejected. She asked to rescind her vote on the Zoning Board of Adjustment appointment.

Councilor Weston said she is also concerned with the appointments process. She said she has received messages from people who have applied and haven't received any response. She said there is an opening on the Transportation Advisory Commission. She said she finds the two-sided agenda packets very difficult, and asked for a quick straw poll to have it go back to single-sided.

There was a straw poll of 4/4; no consensus at this time.

Mayor Myers explained that the Appointments Committee hasn't been able to meet because of the Budget process. He said they are having a big meeting next week because there isn't a Council meeting. He referred to the email from Mr. Callaghan. He said the person was not removed from office, but her term had expired. He said he was shocked and offended that someone would mention that she wasn't reappointed because she was a woman. He said he should have been contacted beforehand. He said he knew the former Councilor knew how to contact him, because he contacted him on another matter last week. He said he was dumbfounded and felt it insulted the voters who voted him in as Mayor four terms in a row.



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Councilor Cheney mentioned again that she wanted to recall her vote. She hasn't heard an answer as to why she wasn't reappointed.

Mayor Myers said she was interviewed during a public meeting six weeks ago, and minutes have been posted.

Councilor Cheney asked again for an account from the City Manager regarding where the \$268,000 came from to pay for some expenses. She also asked again for a report on the City Hall rentals.

Councilor Carrier said there are two vacancies on the Recreation Advisory Board. He said to the public that they are a good Council and are doing nothing behind the scenes trying to manipulate anything. He said the emails and accusations are not correct. He said he was born and brought up in this City, he was honest, and felt the City didn't need the distrust that these emails bring forward. He said the Council is trying hard, and asked the public to believe in the Council.

Councilor Nedelka said it was offensive and absurd to even suggest that an appointment was rejected based on gender.

Councilor Weston asked the people to look at the Council, which consists of four women.

Councilor Cheney said they were elected.

Councilor Weston continued to say that the women on the Council wouldn't discriminate. She added to Councilor Carrier's comment that she also was born and raised in Dover, and she would never discriminate against anyone. She said she agreed with Councilor Carrier's statement.

16. ADJOURNMENT

Councilor Cruikshank moved to adjourn; seconded by Councilor Weston.

Vote: 8/0.