



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, October 13, 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, and Councilor Weston. Councilor Nedelka arrived at 7:03.

Also present: City Manager Joyal and City Clerk Lavertu.

5. PROCLAMATIONS/AWARDS – None

6. APPROVAL OF AGENDA

Deputy Mayor Trefethen moved to remove Item 13.B.1., Acceptance of Relocated “Old Rollinsford Road” and put on the October 27, 2010 Agenda; seconded by Councilor Weston.

Vote: 9/0.

Councilor Weston moved to accept the Agenda with the one amendment; seconded by Councilor Garrison.

Vote: 9/0.

7. PUBLIC HEARINGS

A. RESOLUTION: AMENDMENT OF FY2011 FEE SCHEDULE FOR PARKING LOT RATES (REQUIRES A 2/3 MAJORITY VOTE) SPONSORED BY MAYOR MYERS BY REQUEST

Edward J. Bleiler, 28 Isaac Lucas Circle: He spoke about his research on parking availability in the City, and asked the Councilors to visit the parking lots themselves. He asked the Council not to raise the fees in the parking lots. He said the City needs the money just to pay its bills.

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



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B. ORDINANCE: CHAPTER 166, VEHICLES AND TRAFFIC – PARKING METERS SPONSORED BY MAYOR MYERS BY REQUEST

Otis Perry, 91 Court Street, Member of the Parking Commission: He said the intent of the Ordinance is to extend the time of day for parking management until 8:00pm. He said 6:00pm to 8:00pm is a busy time, and they are trying to encourage people who park on the street for the night to park somewhere else. He urged the Council to vote in favor of this Ordinance.

Mayor Myers, seeing no one else 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.

Dana Lariviere, 16 Fieldstone Drive: He spoke about the unfunded pension liability that the State, County and City are facing. He said downshifting is unconscionable. He asked that the Council stop digging the hole deeper. He asked the Council to advocate an immediate reform of the pension system.

Cherie Bartlett, 14 Apache Street, Willand Pond Ad-Hoc Committee Member: She spoke on the condition of Willand Pond. She said they had a very successful booth at the Apple Harvest Festival. She asked for the Council's continued support.

Robert Fisher, 23 Hillcrest Drive: He said 2011 is another municipal election year and asked the citizens to take note of what the Mayor, Council and City Manager have done. He said the interests of the taxpayers are ignored. He was not satisfied with the unnecessary spending.

Timothy Dargan, 5 Hawthorn Road, Dover Business and Industrial Development Authority Member: He said DBIDA supports the TIF Enabling Resolution on the Agenda. He urged the Council to support the Resolution. He said it was an important economic development tool.

Kirt Schuman, 30 Cushing Street, Greater Dover Chamber of Commerce Executive Director: He urged the Council to support the TIF Resolution. He said it is enabling legislation and the parameters will be set by the Council as proposals come forth.

Michael Bolduc, 5 Reynors Brook Drive, Greater Dover Chamber of Commerce Chairperson: He urged the Council to support the TIF Resolution. He said it made sense.

Edward J. Bleiler, 28 Isaac Lucas Circle: He read his comments to the Council.

Harvey J. Lynch, 26B Lincoln Street: He said there are not enough federal funds, and this is taxpayers paying for private business.

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 said he had a few items to bring to the attention of the Council: 1. He discussed the ongoing work on the drainage collapse under Henry Law Park. 2. He asked people who quote him to get his words correct and not take it out of context. He said his State of the City address is available online on the City Manager's page. He informed the Council of budgetary concerns. He said there were two key revenue sources that were lagging behind: motor vehicle registrations and investment income. He said they will adjust any discretionary spending for the rest of the year. He said the New Hampshire Retirement System recently certified the rates that will go into effect next year. He explained the program and the City's requirement to contribute to the system to the citizens. He said the City will be responsible for an additional \$300,000 in next year's budget. He referred to the Citizen's Forum comment regarding unexpended bond proceeds and explained how the City has to use them on like projects to avoid penalties.

Councilor Hooper asked about the additional fencing in Henry Law Park.

City Manager Joyal said the fencing was a safety improvement that helps to control crowds.

Councilor Weston referred to Page 2/26, and asked how much was outstanding in parking fines.

Parking Manager William Simons said it was approximately \$224,000.

City Manager Joyal said Mr. Simons was working with other communities in coming up with a plan to coordinate efforts to collect parking fines. He said the State recognizes that this is a State-wide problem and created a law where communities can withhold motor vehicle registrations until all outstanding parking fines have been paid. He said Mr. Simons has worked with the City Clerk's office and sent notices to people with outstanding fines.

Councilor Weston asked for an update on the Fourth Street Bridge.

City Manager Joyal said he expected it to be open in the next two weeks, but he didn't have a definite date.

Councilor Garrison referred to Page 7/27 and 2-way communications. He asked if this would be helpful with a county dispatch.

City Manager Joyal said it would be helpful with any emergency situations. He said it was helpful to have multiple organizations have a consistent means for communicating.

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

Vote: 9/0.

10. APPROVAL OF MINUTES

A. September 22, 2010

Deputy Mayor Trefethen moved for the approval of the Minutes; seconded by Councilor Weston.

Vote: 9/0.



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11. MAYOR'S REPORT

Mayor Myers started his report with an update on the Fiscal Policy Committee. He attended the Greater Dover Chamber of Commerce's Visitor Center opening and naming event. He stopped by the Park Street Playground when the Rotary and volunteers were installing playground equipment. He did some new business ribbon cuttings for the Chamber of Commerce. He attended a luncheon at the Cochecho Country Club for the Children's Hospital at Dartmouth Golf Tournament. He said the Apple Harvest Day was wonderful, and thanked Governor Lynch for opening the event. He attended the Dover High School Alumni event. He met with representatives from Centrix Bank who sponsor programs in the City. He attended a concert at Dover High School sponsored by Measured Progress. He took part in the National Walk to School Day. He attended DBIDA meetings and they continue to work on the economic development in the City. He recognized St. Thomas of Aquinas 50th anniversary in Dover. He attended the Board of Directors meeting for the Local Government Center.

Deputy Mayor Trefethen moved to accept the Mayor's Report; seconded by Councilor Nedelka.
Vote: 9/0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING

1. CHAPTER 166, VEHICLES AND TRAFFIC – PARKING METERS SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Garrison.
Councilor Weston started a discussion about the negative impact the extra fees will have.
Roll Call Vote: 0/9; Failed.

B. ORDINANCES IN THE 3rd READING – None

C. RESOLUTIONS

1. ADOPTION OF TAX INCREMENT FINANCING PROVISIONS SPONSORED BY MAYOR MYERS AND DEPUTY MAYOR TREFETHEN

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Weston.
Councilor Hooper discussed her reasons for supporting this Resolution. She said property taxes were a major problem in the City and they needed to encourage businesses to come. She said it was a tool, and the Council can decide not to use it.
Councilor Cheney discussed her reasons for not supporting this Resolution. She said it only benefits the developer, and what new businesses really want is the City putting money into schools, infrastructure, and safety.

Mayor Myers said TIF money goes to public improvements, and not to the developer. He asked the City Manager if any TIF projects have been identified, and more specifically if anyone from Dickinson Development and the Waterfront project approached the City.



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City Manager Joyal said the City has not identified any TIF districts and he wasn't aware of any efforts from Dickinson Development to propose the Waterfront as a TIF district.
Roll Call Vote: 8/1; Passed. Councilor Cheney was opposed.

**2. AMENDMENT OF FY2011 FEE SCHEDULE FOR PARKING LOT RATES
(REQUIRES A 2/3 MAJORITY VOTE)
SPONSORED BY MAYOR MYERS BY REQUEST**

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Weston.
Roll Call Vote: 9/0.

13. NEW BUSINESS

A. CONSENT CALENDAR

1. **PARADE – Brian Doucette Scholarship Fund**
2. **PARADE – Kiwanis Club of Dover**
3. **RAFFLE – First Parish Church Congregational, United Church of Christ**
4. **RAFFLE – Greater Dover Chamber of Commerce**
5. **RAFFLE – Our House for Girls**
6. **RAFFLE – Portsmouth Christian Academy**
7. **RAFFLE – Portsmouth Christian Academy**

8. **RESOLUTION: SETTING THE VOTING HOURS FOR THE STATE GENERAL ELECTION**
SPONSORED BY MAYOR MYERS BY REQUEST

9. **RESOLUTION: B10004 CHANGE ORDER IV HYDROGEOLOGICAL SERVICES FOR THE WILLAND POND WELL**
SPONSORED BY MAYOR MYERS BY REQUEST

10. **RESOLUTION: AWARD OF BID B11013 FOR SNOW PLOWING/HAULING SERVICES FOR CITY STREETS AND PARKING LOTS**
SPONSORED BY MAYOR MYERS BY REQUEST

COMMITTEE REPORTS

- | | |
|--|---|
| 1. School Board | 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 – Media Access |
| 5. McConnell Center Advisory Committee | 11. Legislative Liaison |
| 6. Arts Commission | 12. Pool Advisory Committee |



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Deputy Mayor Trefethen moved for the adoption of the Consent Calendar; seconded by Councilor Weston.

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.9.

Councilor Hooper asked to pull the School Board Report.

Councilor Garrison asked to pull the Pool Advisory Committee Report.

Mayor Myers pulled #13.A.10.

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

Vote: 9/0.

Deputy Mayor Trefethen moved to adopt Item 13.A.9.; seconded by Councilor Cruikshank.

City Manager Joyal asked Environmental Project Manager Dean Peschel to come up to the podium and introduce the representative of Emery & Garrett Groundwater, Inc.

Mr. Peschel referred to the funds appropriated in April, 2010 for a 90-day pump test at Willand Pond. He introduced Mr. James Emery who will discuss what the results of the test, which is almost complete. He started the discussion saying that the pump test has been extremely successful and positive.

Mr. Emery said the committees and volunteers have been remarkable with helping with this study by collecting data and observations. He presented a slideshow to the Council.

Councilor Nedelka started a discussion regarding bacteria growth, and testing the water if it is put online as a water source.

Councilor Carrier asked if there has been relief with residents' basement flooding.

Mr. Emery said they have seen relief. He said they will be creating a map showing which houses have benefitted from the pump test, and which houses saw relief because of the natural water decline this season.

Councilor Carrier asked if Emery & Garrett were working with the Somersworth.

Mr. Emery said they were not working with Somersworth.

Roll Call Vote: 9/0.

Deputy Mayor Trefethen moved to adopt Item 13.A.10.; seconded by Councilor Cruikshank.

Mayor Myers said they had plenty of bids for plowing parking lots, but not enough for plowing streets, and asked about late bids being accepted at the agreed upon rates.

City Manager Joyal said last year they had two vendors who offered their services after the bidding process. The language in the Resolution would allow the City to add vendors to the list at a comparable rate without coming before the Council.

Roll Call Vote: 9/0.

Councilor Hooper discussed the School Board Report.

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

Vote: 9/0.

Councilor Garrison discussed the Pool Advisory Committee Report.

Councilor Hooper moved to accept the Pool Advisory Committee Report; seconded by Councilor Garrison.

Vote: 9.0.



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B. RESOLUTIONS

**1. ACCEPTANCE OF RELOCATED "OLD ROLLINSFORD ROAD"
SPONSORED BY MAYOR MYERS BY REQUEST**

Council voted to remove from Agenda and put on the October 27, 2010 Agenda.

**2. ENDORSEMENT OF PLANNING BOARD APPROVAL FOR PROPOSED
ROUNDBOUT
SPONSORED BY DEPUTY MAYOR TREFETHEN**

Deputy Mayor Trefethen moved for its adoption; seconded by Councilor Weston. Deputy Mayor Trefethen discussed the proposal with the Council. He said the Department of Transportation has more work to do. He said there were no provisions for pedestrians or bike travel. He said the Planning Board felt it needed more work. Roll Call Vote: 5/4; Passed. Deputy Mayor Trefethen, Councilors Cheney, Hooper, and Weston were opposed.

**3. DISCONTINUANCE OF A PORTION OF OLD ROLLINSFORD ROAD
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 27, 2010)
SPONSORED BY MAYOR MYERS BY REQUEST**

Deputy Mayor Trefethen moved to refer to a Public Hearing on October 27, 2010; seconded by Councilor Garrison.
Vote: 9/0.

**4. B11022 DREDGE DISPOSAL FACILITY OPERATIONS
(REQUIRES A 2/3 MAJORITY VOTE)
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 27, 2010)
SPONSORED BY MAYOR MYERS BY REQUEST**

Deputy Mayor Trefethen moved to refer to a Public Hearing on October 27, 2010; seconded by Councilor Cruikshank. City Manager Joyal said the dredging project is getting underway. He said given the time constraints he has authorized Charter construction could start the operations in the dredge cell. He said the delay would incur a considerable amount of costs. He said he felt he had to make this executive decision in anticipation of the Council's vote on October 27th.
Vote: 9/0.

C. ORDINANCES IN 1ST READING – None

14. COUNCIL CORRESPONDENCE – None



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15. COUNCIL MATTERS OF INTEREST

Councilor Carrier gave an update on the Park Street Park project.
Councilor Nedelka said going paperless and using his iPad during the Council meeting is working well.

16. ADJOURNMENT

Councilor Weston moved to adjourn; seconded by Councilor Hooper.
Vote: 9/0.

Emery & Garrett Groundwater, Inc.'s presentation will be archived with the Minutes.