



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, April 13, 2011**
Meeting Time: **7:00pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Deputy Mayor Trefethen 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 and Councilor Weston.

Also present: City Manager Joyal, General Legal Counsel, and City Clerk Lavertu.

5. PROCLAMATIONS/AWARDS

Mayor Myers presented a proclamation to the Dover Boys Hockey Team.

6. APPROVAL OF AGENDA

Councilor Hooper moved to add two School Board Reports; seconded by Councilor Nedelka.
Vote: 9/0.

Deputy Mayor Trefethen moved to add an Appointments Committee Report; seconded by Councilor Nedelka.

Vote: 9/0.

Councilor Cruikshank moved to approve the Agenda as amended; seconded by Councilor Nedelka.

Vote: 9/0.

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.

James Schulte, 8 Towle Avenue: He said the citizens trust the Council to do their job and adopt a responsible budget on behalf of the City. He asked why the City needs to spend money on a search for a new Fire Chief when there are several qualified people within the department.

Tim DeKorne, Vice-Chairperson of Dover Main Street: He spoke about the Marketing Program Dover Main Street has been working on with the City Manager and the Economic Development Director. He spoke about the increased involvement from local businesses and they want a more constructive enhancement of the City.



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Edward Bleiler, 28 Isaac Lucas Circle: He formally offered \$1,000 for the covered pedestrian bridge, because he felt it was an important asset and should remain in the City. He said it was his desire that the 2012 budget reflect a decrease in taxes and said the City needs to collect the \$3 million owed in past due property taxes. He referred to the new Economic Action of Dover newspaper, put out by DBIDA, and spoke about the City selling parking lots, and said it would force the City into building a parking garage. He referred to the article that the City was assisting Tuttle Farm in being open and viable, and asked why when they owe back taxes. He referred to the resolution regarding allocating \$3,000 of parking funds to assist Downtown marketing, and asked why the parking funds were being used for this when the City has said the parking funds can only be used for parking projects.

David Scott, 220 Back Road: He seconded Mr. Schulte's comments on wasting money and the City should seriously consider Mr. Driscoll as Fire Chief. He spoke about the economy and the Council's big job concerning the budget. He said the taxpayers cannot pay any more, and that the budget should come in lower than the current year.

Robert Fisher, 600 Central Avenue: He said his budget has a zero percent increase. He said he also agreed with Mr. Schulte to promote from within the Fire Department.

Donald Medbery, 3 Covered Bridge Lane: He said he didn't believe in spending money to find a replacement for the Fire Chief, because Mr. Driscoll is a qualified person. He said the \$3,000 from parking should be used for parking as agreed. He mentioned that the Dover Tea Party will be having a discussion in front of City Hall at noon on Friday. He said the Council should be looking at the budget with a jaundice eye.

Perry Plummer, 48 Varney Road: He said this was his last meeting coming before the Council as Fire Chief. He thanked the Council for their hard work and support of the Fire Department. He thanked the Firefighters and citizens.

Tom Lamy, 9 Deepwood Drive: He spoke about the Dover Tea Party gathering on Friday, April 15th, at noon, in front of Dover City Hall. He reiterated several comments from other speakers. He felt the Council would be fiscally responsible in hiring a new fire chief. He didn't understand the \$3,000 from the parking fund, but did feel it was suspect. He said he felt the City could do a lot better by coming in 5% under last year's budget.

Michelle Holt-Shannon, 14 Florence Street: She thanked the Council for their work, and she expected reasonable choices on the budget. She said she attended the Budget Reveal Workshop and recommended everyone to watch it online. She said people are still scared right now, but jobs and wages are back up. She said the citizens problems are not wasteful City government and services. New Hampshire is consistently listed as one of the best places to live in the U.S. She asked the Council to think long term and not short term.

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



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9. CITY MANAGER'S REPORT – FY2012 PROPOSED BUDGET PRESENTATION

City Manager Joyal discussed the process for hiring a new Fire Chief. He said the only costs are the ads in the newspapers and food for the evaluators.

City Manager Joyal gave a PowerPoint presentation on the Fiscal Year 2012 Budget to the Council.

Mayor Myers went over the budget process and tentative schedule. He said there will be ten opportunities for the public to address the Council.

Mayor Myers said Mr. Bleiler has offered to purchase the pedestrian bridge for \$1,000, and asked the City Manager about the expense of moving the bridge.

City Manager Joyal said there were no funds to relocate the bridge in the budget. He has spoken with Mr. Bleiler about purchasing the bridge, and was also informed that Mr. Bleiler and Mr. Medbery plan to form a fundraising committee. He said the City is looking for the best offer for the bridge, which included moving the bridge to a place where it will be used. He said he has received offers from the Town of Sunapee and the City of Manchester.

Councilor Nedelka asked about the parking lots being up for sale.

City Manager Joyal said the City is researching public/private partnerships for parking solutions.

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

Vote: 9/0.

10. APPROVAL OF MINUTES

- A. March 16, 2011 – Special Meeting
- B. March 16, 2011 – Workshop
- C. March 23, 2011 – Regular Session

Deputy Mayor Trefethen moved to the approval of the Minutes; seconded by Councilor Hooper.

Vote: 8/1; passed. Councilor Cheney was opposed.

11. MAYOR'S REPORT

Mayor Myers said he attended a business open house at One Washington Center. He attended the Heylinger Awards at the Loyal Order of the Moose. He attended the raising of the Greek Flag on Greeks' Independence Day. He attended the Business After Hours event hosted by the Greater Dover Chamber of Commerce at the Weathervane. He attended the New Hampshire Retirement System informational presentation. He attended the Dover Business and Industrial Development Authority meeting, where they continue to work on a number of initiatives. He attended the Municipal Advisory Committee meeting. He held two public sessions for the Ad-Hoc Financial Policy Review Committee, and recommendations will be brought before the Council at the next regular session.

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

Vote: 9/0.



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12. UNFINISHED BUSINESS

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

13. NEW BUSINESS

A. CONSENT CALENDAR

1. RAFFLE – American Legion – Dover Post 8, drawing June, 2011
2. RAFFLE – American Legion – Dover Post 8, drawing July, 2011
3. RAFFLE – American Legion – Dover Post 8, drawing September, 2011
4. RAFFLE – Dover High School Soccer Booster
5. PARADE – American Cancer Society's Making Strides Against Breast Cancer
6. PARADE – Baby Rachel Legacy Walk/Run
7. PARADE – Children's Museum of New Hampshire
8. PARADE – Dover Day Care Learning Center
9. PARADE – Dover Knights of Columbus, Our Lady of the Rosary Council #807
10. RESOLUTION: B11044 AWARD OF BID FOR CONSTRUCTION EQUIPMENT RENTAL
SPONSORED BY MAYOR MYERS BY REQUEST
11. RESOLUTION: B11045 AWARD OF BID FOR SAND & GRAVEL PRODUCTS
SPONSORED BY MAYOR MYERS BY REQUEST
12. RESOLUTION: B11054 AWARD OF BID FOR ENGINEERING SERVICES FOR THE MAST ROAD & SPRUCE LANE SIDEWALK & DRAINAGE PROJECT
SPONSORED BY MAYOR MYERS BY REQUEST
13. RESOLUTION: CLASS OF 1948 SCHOLARSHIP FUNDS
SPONSORED BY MAYOR MYERS BY REQUEST
14. AUTHORIZATION TO ACCEPT BERRY BROOK WATERSHED MANAGEMENT PLAN GRANT
SPONSORED BY MAYOR MYERS BY REQUEST
15. EcoMEDIA DOVER AGREEMENT
SPONSORED BY MAYOR MYERS BY REQUEST



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COMMITTEE REPORTS

1. **School Board (2)**
2. Planning Board
3. **Appointments Committee**
1. Recreation Advisory Board
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. Legislative Liaison
12. Pool Advisory Committee
13. Parking Commission

Deputy Mayor Trefethen moved for the approval of the Consent Calendar; seconded by Council Garrison.

Mayor Myers asked the Council if they had any items they would like pulled for further discussion. Councilor Hooper asked to pull both School Board reports.

Deputy Mayor Trefethen asked to pull 13.A.12 and the Appointments Committee Report.

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

Roll Call Vote: 9/0.

Deputy Mayor Trefethen moved for the approval of Item 13.A.12.; seconded by Councilor Weston. Deputy Mayor Trefethen gave an overview of the project and the challenges that the City may be facing with right of ways, drain easements, and trees. He said they won't know the impact until the engineering study has been completed.

Roll Call Vote: 9/0.

Councilor Hooper gave an overview of her School Board Reports.

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

Vote: 9/0.

Deputy Mayor Trefethen gave an overview of his Appointments Committee Report. He listed openings for boards and commissions. He gave the following recommendations for appointments and reappointments:

Reappointments:

- Arts Commission – Kim Schuman, regular member
- Cemetery Board – Belinda Labourdette and William Knowles, regular members
- DBIDA – Marc Weinstein, regular member
- Planning Board – Frank Torr, regular member
- Solid Waste Advisory Commission – Joseph Nicolella and David Dinzeo, regular members
- Zoning Board of Adjustment – Chris Prior and James Kelley, regular members
- Conservation Commission – Bill McCann, regular member
- Ethics Commission – Dana Lariviere and Herman Stolzenberg, regular members



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Appointments:

- Conservation Commission – Lauren Jacoby, current alternate member to regular member Ronald Hebert, alternate member
- Recreation Board – Norm Francassa, regular member
- Transportation Advisory Committee – Jeremiah LaRose, regular member and COAST rep.
- Dover Utilities Commission – Ted Mortner, current alternate member to regular member Dennis Munson, alternate member
- Planning Board – Lee Skinner, current alternate member to regular member Dennis Ciotti, alternate member

Deputy Mayor Trefethen moved to accept the recommendations of the Appointments Committee; seconded by Councilor Hooper.

Vote: 9/0.

Councilor Cheney asked for a point of order. She asked to pull Item 13.A.15. for further discussion.

Councilor Cheney made a motion to waive the rules to reconsider Item 13.A.15.; seconded by Councilor Garrison.

Vote: 9/0.

Councilor Cheney made a motion to reconsider Item 13.A.15.; seconded by Councilor Weston.

Vote: 9/0

Deputy Mayor Trefethen moved to approve Item 13.A.15.; seconded by Councilor Cheney.

Councilor Cheney asked for clarification on the agreement.

Planning Director Chris Parker gave an overview of the agreement to the Council.

Roll Call Vote: 9/0.

B. RESOLUTIONS

1. ARCH STREET REZONING REQUEST FOR REHEARING SPONSORED BY DEPUTY MAYOR TREFETHEN

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

Deputy Mayor Trefethen gave an overview on this issue and why it was brought before the Council again.

Deputy Mayor Trefethen moved to amend the Resolution to state: "Now, Therefore, be it resolved by the Dover City Council that the request for rehearing for the zoning changes on Arch Street is denied;" seconded by Councilor Hooper.

Vote: 9/0.

Mayor Myers asked for a roll call vote on the amended Resolution.

Roll Call Vote: 9/0.



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2. RESOLUTION: ALLOCATE UP TO \$3,000 OF PARKING ACTIVITY FUNDS FOR PARTICIPATION IN THE COOPERATIVE MARKETING OF DOVER DOWNTOWN SPONSORED BY MAYOR MYERS BY REQUEST

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

Councilor Weston recused herself from the vote on this Resolution.

Councilor Cheney started a discussion regarding where the funds were coming from, and what the money would be used for.

City Manager Joyal said the rationale behind using parking funds is to attract customers for the businesses, and will also increase use of the parking meters.

Roll Call Vote: 5/3; Passed. Councilors Cheney, Garrison and Hooper were opposed.

3. AMENDMENT OF FY2011 FEE SCHEDULE TO ESTABLISH MOBILE PARKING METER SYSTEM RATES (REQUIRES A 2/3 MAJORITY COUNCIL VOTE) (TO BE REFERRED TO PUBLIC HEARING ON APRIL 27, 2011) SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved to refer to a public hearing on April 27, 2011; seconded by Councilor Cruikshank.

Councilor Nedelka moved to amend the Resolution language next to "mobile parking meter" to change it from "at cost and includes \$10.00 worth of parking fees," to "at cost and includes \$15.00 worth of parking fees;" seconded by Deputy Mayor Trefethen.

Councilor Cheney said it should include the change of \$10.00 to \$15.00 in the Whereas. Vote: 2/7; Failed. Councilors Cheney and Nedelka voted in favor.

Councilor Nedelka moved to amend the Resolution by striking all three lines about mobile parking meter reloading fees; seconded by Councilor Cheney.

Councilor Carrier moved to suspend the rules to continue past 10:30 pm in order to complete the Agenda; seconded by Councilor Cruikshank.

Roll Call Vote: 8/1; Passed. Deputy Mayor Trefethen was opposed.

Mayor Myers asked for a vote on the amendment.

Vote: 7/2; Passed. Mayor Myers and Councilor Garrison were opposed.

Deputy Mayor Trefethen moved to refer the amended Resolution to a public hearing on April 27, 2011; seconded by Councilor Carrier.

Vote: 9/0.



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**4. FISCAL YEAR 2012 BUDGET APPROPRIATIONS, FEES AND CAPITAL IMPROVEMENTS PROGRAM
(SCHOOL DEPARTMENT'S PORTION OF THE BUDGET TO BE REFERRED TO A PUBLIC HEARING ON APRIL 27, 2011)
(CITY'S PORTION OF THE BUDGET TO BE REFERRED TO A PUBLIC HEARING ON MAY 25, 2011)
SPONSORED BY MAYOR MYERS BY REQUEST**

Deputy Mayor Trefethen moved to refer the School Department's portion of the budget to a public hearing to be held on April 27, 2011, refer the City's portion of the budget to a public hearing to be held on May 25, 2011, and to substitute as a whole an updated Resolution with actual figures; seconded by Councilor Nedelka.

Vote: 9/0.

C. ORDINANCES IN 1ST READING

**1. ORDINANCE CHAPTER 166 - PARKING HOURS OF OPERATION
(TO BE REFERRED TO A PUBLIC HEARING ON APRIL 27, 2011)
SPONSORED BY MAYOR MYERS BY REQUEST**

Deputy Mayor Trefethen moved to refer to a public hearing on April 27, 2011; seconded by Councilor Nedelka.

Councilor Cheney moved to amend the Ordinance to change the timeframe from 9:00 am to 6:00 pm; seconded by Councilor Cruikshank.

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

Mayor Myers asked for a vote to refer to a public hearing.

Vote: 9/0.

14. COUNCIL CORRESPONDENCE – None

15. COUNCIL MATTERS OF INTEREST

Councilor Cheney started a discussion about parking lots being sold, and she will not support it if it comes before the Council. She also spoke about using taxpayer funds for parking, and said she will not support it.

Mayor Myers clarified Councilor Cheney's comments about taxpayer funds being used for parking. He said DBIDA and Dover Main Street made the decision to contribute to the Downtown marketing program, and it was not voted on by the Council. He spoke about the private/public partnership initiatives and parking lots being sold and agreement that parking spaces will not be lost.

Councilor Nedelka spoke about the free tax program at the Dover Public Library.

16. ADJOURNMENT

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

Vote: 9/0.