



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, April 27, 2011**
Meeting Time: **7:00pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Hooper led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

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

Absent: Councilor Cruikshank and Councilor Nedelka

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

5. PROCLAMATIONS/AWARDS – None

6. APPROVAL OF AGENDA

Councilor Hooper moved to add the School Board Report; seconded by Councilor Weston.

Vote: 7/0.

Deputy Mayor Trefethen moved to add Mr. Gary Green's letter to Council Correspondence; seconded by Councilor Hooper.

Vote: 7/0.

Councilor Carrier moved to add the Application for Tagging from the Dover Middle School PTA as Item 13.A.12 on the Consent Calendar; seconded by Councilor Garrison.

Vote: 7/0.

Councilor Weston moved to approve the amended Agenda; seconded by Councilor Garrison.

Vote: 7/0.

7. PUBLIC HEARINGS – None

A. FISCAL YEAR 2012 BUDGET APPROPRIATIONS, FEES AND CAPITAL IMPROVEMENTS PROGRAM (SCHOOL PORTION ONLY)

SPONSORED BY MAYOR MYERS BY REQUEST

State Representative Marsha Pelletier, 94 Back River Road: She said she would appreciate the Council's support of the School Department's budget. She said Career Tech will be getting some cuts in funding from the State.

Martin Baker, 14 Gradys Lane: He spoke in support of the School Department's budget.

Anne Ross, 104 Boxwood Lane: She referred to the ribbons that people in the audience were wearing, and said they represent the belief that education should be a priority in Dover.



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School Board Chairperson Carolyn Mebert, 254 Dover Point Road: She urged the Council to support the School Department's budget. She said more cuts would affect the students.

Timothy Granfield, 4 Dean Drive: He spoke in favor of the School Department's budget and the need to invest in education.

Joy Koblenzer, 3 Emery Lane: She asked the Council to support the School Department's budget.

Carolyn Williams, 60 Tolend Road: She spoke in favor of the School Department's budget, and the need to place more importance on education.

Janis Hennessey, 55 Applevale Drive, Academic Administrator for the World Language Department at Dover High School: She said she chose Dover because of the school system. She had three children graduate from Dover High School and continue on to excellent colleges. She asked the Council to support the School Department's budget.

Linda Sibik, 25 Hubbard Road: She spoke about the Firefighter program that her son is enrolled in and the research she did about Career Tech education.

Donna Nicoll-Daniels, 7 Austin Drive: She spoke in support of the School Department's budget.

Frances Meffen, 16 Benjamin Way, Dover Middle School Counselor: She spoke in support of the School Department's budget.

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

Ronald Huml, 199 Mast Road: He explained his handouts to the Council.

Donald Medbery, 3 Covered Bridge Lane: He spoke in support of the Career Tech Education, and how it was more important than preparing students for college. He spoke about the 90+ children in 7th grade reading at the 4th grade level, and asked where the money went for them. He asked why the administration wasn't monitoring progress and let these students slip through the cracks.

Thomas Lamy, 9 Deepwood Drive: He spoke in agreement with the last three speakers.

Becca Carter, 41 Bridle Path: She spoke in support of the School Department's budget, and asked for the Council's support.



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Amanda Russell, 20 Cranbrook Lane: She said she understood the Council wasn't going to blindly accept the School Department's budget, but a 0% increase budget was unacceptable. She said the schools need money to function and it's a civic duty to fund the schools.

Peter Wotton, 12 Apache Street: He said he didn't want his taxes to go up, but he was willing to pay more taxes to support education.

Jessica Richardson, 10 Lexington Street: She said she likes the direction Dover is going. She asked the Council to support current budget for the School Department.

Robert Kleiman, 36 Mathes Hill Road: He urged the Council to support the School Department's budget as it is presented.

Melissa Glidden, 26 Fisher Street: She said the teachers do a great job with less, and they are just asking to keep the status quo.

Margaret Carter, 210 Gulf Road, Realtor: She spoke about Dover property values and her belief that they were better than surrounding communities because of the school system. She said she fully supports the School Department's budget.

Stephanie DeMatteo, 6 Tennyson Avenue: She said she agrees with Mr. Bleiler that the students needed to be motivated to learn. She asked the Council to show the students that we believe in them and vote in the School Department's budget as presented.

Patricia Driscoll, 41 Arch Street: She spoke in support of the School Department's budget.

William Tower, 29 Boxwood Lane: He said he supported the budget as proposed.

Elizabeth Andrews-Parker, 34 Gladiola Way: She said she will continue to write the checks for the recorder lessons, the field trips, and glue sticks, but asked the Council how she was going to raise \$350,000 for a new math curriculum. She said it was the Council's responsibility to fund the Schools.

Jacquelyn Silvani, 600 Sixth Street: She urged the Council to pass the School Department's budget.

Christine Sieks, 7 Florence Street: She said the Budget Revealed session was excellent and gave a lot of credit to the City Manager. She said Dover needs to decide what kind of City it wants to be. She asked the Council to make education a priority in the budget process.

Superintendent Jean Briggs-Badger: She asked the Council to maintain the legacy of Dover. She said Dover is the fastest growing community in the State, and the lowest percentage of cost per student in the area. She said a strong educated community impacts the City.



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Lisa Spurling, 10 Isaac Lucas Circle: She spoke about her decision to move to Dover, her discussions with the Superintendent regarding the School department's budget, and urged the Council to approve it.

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

**B. AMENDMENT OF FY2011 FEE SCHEDULE TO ESTABLISH MOBILE PARKING METER SYSTEM RATES (REQUIRES A 2/3 MAJORITY COUNCIL VOTE)
SPONSORED BY MAYOR MYERS BY REQUEST**

Gary Green, 18 Footbridge Lane: He spoke about his letter to the Council.

Anthony McManus, 39 Glen Hill Road: He spoke in favor of the transponder, which he compared to the EZPass system. The same transponder can be used in Portsmouth and Manchester. He spoke about changing the parking times from 8:00-6:00 to 9:00-7:00.

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

**C. ORDINANCE CHAPTER 166 - PARKING HOURS OF OPERATION
SPONSORED BY MAYOR MYERS BY REQUEST**

Gary Green, 18 Footbridge Lane: He said the Parking Commission has done an excellent job with listening to the community and merchants.

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.

Cherie Bartlett, 14 Apache Street: She asked the Council to support Item 13.A.7.

C. Jean Hausman, 14 Strafford Road: She spoke about the history and current problems with Willand Pond. She asked for the support of the Council.

Elizabeth Michelle Holt-Shannon, 14 Florence Street: She spoke about priorities in the budget, and she is expecting a reasonable increase in her property taxes.

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 submitted his report in writing. He asked Environmental Contractor Dean Peschel to explain to the Council the Resolution regarding Willand Pond.

Mr. Peschel spoke about the need to apply to Department of Environment Services (DES) for two wells. He said that may take a few years, and in the meantime they have received a permit to pump the water to keep the water levels down.

Councilor Weston asked if the City has investigated planting more trees in the Willand Pond area. City Manager Joyal said where they could put trees was private property.

Councilor Weston referred to the spending cap formula, and asked how much money the School could add to their budget.

City Manager Joyal said the School could add \$818,000. He explained the balancing act of reduced non-taxed revenues and needing to increase the tax levies. He said the School would need to reduce their proposed budget by \$1 million to stay consistent with the prior tax cap.

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

Vote: 7/0.

10. APPROVAL OF MINUTES

A. March 30, 2011 – Workshop

B. April 13, 2011 – Regular Meeting

Deputy Mayor Trefethen moved to approve the Minutes; seconded by Councilor Garrison.

Vote: 6/1; Passed. Councilor Cheney was opposed.

11. MAYOR'S REPORT

Mayor Myers said he did six ribbon cuttings for the Greater Dover Chamber of Commerce. He attended Mildred Rand's 104th birthday party at Watson Fields. He attended Fire Chief Perry Plummer's retirement party. He attended the State of the State Breakfast where Governor Lynch spoke. He attended the Local Government Center (LGC) board meeting. He attended the Great Bay Estuary Committee meeting regarding new EPA requirements and spoke about the support from the legislature.

Councilor Cheney asked about the money that the LGC has that belongs to Dover.

Mayor Myers said the LGC has not made any commitments to return any money to the communities. He said it was a very complicated issue, and didn't want the Council to expect any sum of money.

City Manager Joyal said they were waiting for the final report from the Secretary of State.

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

Vote: 7/0.



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12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING

1. ORDINANCE CHAPTER 166 - PARKING HOURS OF OPERATION SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Carrier.
Roll Call Vote: 7/0.

B. ORDINANCES IN THE 3rd READING – None

C. RESOLUTIONS

1. AMENDMENT OF FY2011 FEE SCHEDULE TO ESTABLISH MOBILE PARKING METER SYSTEM RATES (REQUIRES A 2/3 MAJORITY COUNCIL VOTE) SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Weston.
Deputy Mayor Trefethen referred to Public Hearing comments that the transponders can also be used in Portsmouth and Manchester. He asked how the City keeps track of time being used in Dover.

City Manager Joyal said his understanding was that the initial transponders were not multi-jurisdictional and were just specific to Dover. He said there will be a new model coming out this fall that will cover other communities. He explained how parking enforcement will know it's for Dover.

Deputy Mayor Trefethen asked about there not being a cost for the transponders to the City, and the purchaser will be taking on all the costs.

City Manager Joyal said that was correct. He explained the process to the Council. He said there will be a one-time start-up programming fee and fees for recharging the transponders that the Parking Commission will pay.

Councilor Weston asked where the transponders can be purchased.

Parking Manager Bill Simon said you can purchase the transponders from the Police Department for \$20.00, or directly from the company for an additional \$4.00 mailing fee.

Councilor Weston asked about the petitions going around the City to remove the parking meters, and asked about their legal position.

City Manager Joyal spoke about the Council's decisions to implement the parking meters, and discussed that any petitions going around should be making it clear that if the parking meters are removed that the expenses so far will have to be paid for by property taxes.

Mayor Myers said the petitions going around have not gone through the process with the Secretary of State with proper language.

Councilor Cheney said she would not support this Resolution.

Mayor Myers said this was enabling technology that made parking more convenient.

Councilor Garrison asked about reloading process.



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Parking Manager Simon explained the process.

Councilor Garrison made a motion to reinstate the reloading fees that were in the previous Resolution. This motion was not seconded.

Mayor Myers asked for a roll call vote on the Resolution, which required a 2/3 majority vote from the Council to pass.

Roll Call Vote: 7/0.

13. NEW BUSINESS

A. CONSENT CALENDAR

1. **RAFFLE – Cocheco Arts and Technology Academy**
2. **RAFFLE & BLOCK PARTY – Dover Main Street**
3. **TAG – Susan G. Komen 3-day for the Cure – May 21, 2011**
4. **TAG – Susan G. Komen 3-day for the Cure – May 28, 2011**
5. **TAG – USA Lady Mavericks**
6. **PARADE – Triangle Club**

7. **RESOLUTION: B10004 AWARD OF ADDITIONAL SCOPE OF HYDROGEOLOGICAL SERVICES FOR THE WILLAND POND WELL**
SPONSORED BY MAYOR MYERS BY REQUEST

8. **RESOLUTION: B11057 WATER DRAIN SUPPLIES**
SPONSORED BY MAYOR MYERS BY REQUEST

9. **RESOLUTION: B11058 SEWER DRAIN SUPPLIES**
SPONSORED BY MAYOR MYERS BY REQUEST

10. **RESOLUTION: B11062 ASPHALT TRENCH PATCHING SERVICES**
SPONSORED BY MAYOR MYERS BY REQUEST

11. **RESOLUTION: B11063 TRAFFIC CONTROL FLAGGING**
SPONSORED BY MAYOR MYERS BY REQUEST

12. **TAG – Dover Middle School PTA**

COMMITTEE REPORTS

- | | |
|--|---|
| 1. School Board | 8. Transportation Advisory Commission |
| 2. Planning Board | 9. Joint Building Committee – Horne Street |
| 3. Appointments Committee | 10. Joint Building Committee – Media Access |
| 4. Recreation Advisory Board | 11. Legislative Liaison |
| 5. McConnell Center Advisory Committee | 12. Pool Advisory Committee |
| 6. Arts Commission | 13. Parking Commission |
| 7. Solid Waste Advisory Commission | |



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Deputy Mayor Trefethen moved for the approval and acceptance of the Consent Calendar; seconded by Councilor Weston.

Mayor Myers asked the Council if they had items they would like pulled for further discussion.

Councilor Hooper asked to pull the School Board report.

Councilor Weston asked to pull Item 13.A.10.

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

Roll Call Vote: 7/0.

Deputy Mayor Trefethen moved to approve Item 13.A.10.; seconded by Councilor Weston.

Councilor Weston asked about the test areas that were done a few years ago.

Community Services Director Doug Steele explained the process and findings to the Council.

Roll Call Vote: 7/0.

Councilor Hooper discussed the School Board Report with the Council.

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

Vote: 7/0.

B. RESOLUTIONS

1. GOODWIN RECYCLING CENTER: MADBURY AGREEMENT

SPONSORED BY COUNCILOR GARRISON

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

Councilor Garrison went over the background materials for this Resolution.

Roll Call Vote: 7/0.

2. ADOPTION OF FINANCIAL POLICIES FOR THE MUNICIPAL CORPORATION

SPONSORED BY MAYOR MYERS

Mayor Myers moved for its adoption; seconded by Councilor Garrison.

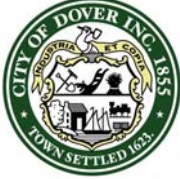
Mayor Myers went over the background for the Resolution. He said the City Manager added the proposed financial policies to the City's proposed budget, but they are not in the School Department's budget.

Councilor Cheney asked for a vote with the whole Council present on this Resolution after the Council has voted on the budget. She made a motion to table this Resolution until June 22nd; seconded by Councilor Weston.

Vote: 2/5; Failed. Councilors Cheney and Weston voted in favor.

Councilor Cheney said she looked at the City's bond rating report and said the City is not in jeopardy of the bond rating going down. She did not think we could simply tax the residents 810 thousand to adhere to the policy without at least going through the budget, perhaps looking at how much or how fast we were going to increase the reserve from 6% to 8%

Mayor Myers said the Financial Policy Review Committee's #1 priority was raising the fund reserve balance to 8% over six years.



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Councilor Weston said she agreed with Councilor Cheney, because they are making cuts in the Fire and Police Departments. She said she wouldn't support this Resolution tonight.

Mayor Myers said the policy does give the Council the option not to fund this every year. City Manager Joyal said it was times like these when policies were necessary. He started a discussion regarding discipline and long-term consequences if the policies aren't followed.

Councilor Cheney referred to Page 35 of the Proposed Financial Policy and spoke about the importance of getting a forecast from the City Manager. She again mentioned the need to wait on adopting this policy to after budget deliberations, after LGC has made a decision to settle. She said the School Department's budget does not implement the policy changes.

Mayor Myers said the LGC is not doing anything and there isn't a magic bucket of money coming from them. He said the School Department was aware of the recommended changes in the policy and it was their choice on whether or not to implement the changes. He said the budget should be based on the policies, and not policies being changed by what the Council agreed to budget in a particular year. Councilor Weston started a discussion regarding the Council's option to not fund the fund reserve balance. She said as long as it isn't binding and the Council has an escape clause she was willing to support the Resolution.

Roll Call Vote: 6/1; Passed. Councilor Cheney was opposed.

3. ACCEPTANCE OF THE ACTION PLAN AND EXPENDITURES FOR FISCAL YEAR 2012 CDBG ENTITLEMENT FUNDS (TO BE REFERRED TO A PUBLIC HEARING ON MAY 11, 2011) SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved to referred to a Public Hearing on May 11, 2011, and to substitute as a whole an amended version of the Resolution; seconded by Councilor Weston.

Vote: 7/0.

C. ORDINANCES IN 1ST READING – None

14. COUNCIL CORRESPONDENCE – None

A. LETTER FROM ANTHONY McMANUS – received April 21, 2011

B. LETTER FROM GARY GREEN – received April 27, 2011

Deputy Mayor Trefethen moved to accept the correspondence and place on file; seconded by Councilor Weston.

Vote: 7/0.



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15. COUNCIL MATTERS OF INTEREST

Council Cheney commented on the Financial Policies and stated again that she felt the Council should have waited to vote on it until after the budget was adopted.

16. ADJOURNMENT

Deputy Mayor Trefethen moved to adjourn; seconded by Councilor Weston.
Vote: 7/0.