



CITY OF DOVER

## CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, June 8, 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 and City Clerk Lavertu.

### 5. PROCLAMATIONS/AWARDS – None

### 6. APPROVAL OF AGENDA

Councilor Cheney moved to add two letters under Council Correspondence, one from Ray Bardwell and one from Edward Bleiler regarding the pedestrian bridge; seconded by Councilor Weston.

Vote: 9/0.

Councilor Weston moved to add a Joint Building Committee – Horne Street Report; seconded by Councilor Carrier.

Vote: 9/0.

Councilor Hooper moved to accept the Agenda as amended; seconded by Councilor Weston.

Vote: 9/0.

### 7. PUBLIC HEARINGS

#### 1. ORDINANCE: 166-18 VEHICLES AND TRAFFIC, PARKING LOTS SPONSORED BY MAYOR MYERS BY REQUEST

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

#### 2. ORDINANCE: 166-38 VEHICLES AND TRAFFIC, UNLAWFUL ACTS; SEPARATE VIOLATIONS, SUBSECTION C SPONSORED BY MAYOR MYERS BY REQUEST

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



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### 3. FISCAL YEAR 2011 – BUDGET AMENDMENT #1 SPONSORED BY MAYOR MYERS BY REQUEST

**Edward J. Bleiler, 28 Isaac Lucas Circle:** He spoke about funding the retirement system.

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.*

**Edward J. Bleiler, 28 Isaac Lucas Circle:** He referred to his letter to the Council, and said he was willing to answer any questions from the Council.

**Raymond Bardwell, 199 Spur Road:** He referred to his letter to the Council, and spoke about the pedestrian bridge.

**Randall Peller, 113 Tolend Road:** He spoke about the Greater Dover Chamber of Commerce's walking tour, and said the pedestrian bridge should be incorporated into the tour.

**Raymond Guillemette, 7 Hayes Lane:** He commended Officer Bill Simons on a job well done. He said he was still on the fence regarding the parking meters, and spoke about the program with the Council.

**Donald Medbery, 3 Covered Bridge Lane:** He spoke to the Council regarding the economy and the need to get a handle on spending money in the City. He spoke about the sewer pipe going through his area of the City and that no one asked if the residents could hook up into it.

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

### 9. CITY MANAGER'S REPORT

City Manager Joyal said he submitted his report in writing. He said there were two items he wished to bring to the Council's attention. First, the County has decided to fund the Domestic Violence Prosecution Unit for the remainder of this year. He referred to the \$40,000 in the City's budget for this expense and recommended that the funds be reallocated to fund the Youth to Youth Counseling position. He said as part of accepting the City Manager's Report they will be accepting his recommendation.

The Council discussed their support for this recommendation. Mayor Myers spoke against this recommendation. There was consensus.

Councilor Weston referred to Mr. Medbery's comments asked the City Manager to explain the sewer hookup on Covered Bridge Lane.



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City Manager Joyal explained that as part of the Tolend Road Remediation Project they need a sewer pipeline to connect the Tolend Road Landfill to the Wastewater Treatment Plant. He said the engineers recommended that they not have resident tie-ins because the system would be under pressure and didn't want to take on the potential liability. He said they have revisited the issue and he doesn't know the status at this point.

Councilor Hooper referred to comments made about the pedestrian bridge asked about the possibility to pay back funds if it is not relocated over water.

City Manager Joyal said the statements are not true. He said they have a letter from the granting agency that stated that the City could do as they please with the pedestrian bridge.

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

Vote: 9/0.

### 10. APPROVAL OF MINUTES

- A. **May 18, 2011 – Workshop**
- B. **May 25, 2011 – Regular Session**
- C. **May 25, 2011 – Workshop**

Deputy Mayor Trefethen moved for the approval of the Minutes; seconded by Councilor Hooper.  
Vote: 9/0.

### 11. MAYOR'S REPORT

Mayor Myers attended several retirement parties for the Fire Department. He attended the Memorial Day ceremony. He attended the Local Government Center Board Meeting. He attended the Dover Business and Industrial Development Authority meeting. He participated in a basketball game against the Harlem Wizards. He attended the retirement party for Fire Chief Perry Plummer. He spoke about the City receiving a grant to work with the EPA on sustainability and using it for zoning and codes. He said he will be attending Exeter's Council meeting to offer testimony regarding the Memorandum of Agreement with the EPA. He said the Dover Elks is holding a Flag Day ceremony next Tuesday in Henry Law Park at 5:30 pm. He congratulated Dover Boys Lacrosse for winning the State II Division.

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

Vote: 9/0.

### 12. UNFINISHED BUSINESS

#### A. ORDINANCES IN THE 2<sup>nd</sup> READING

- 1. **166-18 VEHICLES AND TRAFFIC, PARKING LOTS**  
SPONSORED BY MAYOR MYERS BY REQUEST

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

Mayor Myers gave an overview of the background regarding this Ordinance.



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Councilor Nedelka commended Officer Simons for his excellent work.  
Deputy Mayor Trefethen asked the Resolution reflect that there was a public hearing held.  
Officer Simons explained the resident permitting process during the winter months.  
Roll Call Vote: 9/0.

**2. 166-38 VEHICLES AND TRAFFIC, UNLAWFUL ACTS; SEPARATE VIOLATIONS, SUBSECTION C**  
SPONSORED BY MAYOR MYERS BY REQUEST

Councilor Weston moved for its adoption; seconded by Councilor Garrison.  
Councilor Weston gave an overview of this Ordinance to the Council.  
Deputy Mayor Trefethen asked the Resolution reflect that there was a public hearing held.  
Roll Call Vote: 9/0

**B. ORDINANCES IN THE 3<sup>rd</sup> READING – None**

**C. RESOLUTIONS**

**1. FISCAL YEAR 2011 BUDGET AMENDMENT #1**  
SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its adoption; seconded by Councilor Garrison.  
Mayor Myers gave an overview of this Resolution to the Council. Mayor Myers said it requires a 2/3 majority vote of the Council.  
Roll Call Vote: 9/0.

**13. NEW BUSINESS**

**A. CONSENT CALENDAR**

- 1. PARADE – Greater Dover Chamber of Commerce**
- 2. RESOLUTION: DOG WARRANT**  
SPONSORED BY MAYOR MYERS BY REQUEST
- 3. RESOLUTION: B10056 NORTH END WATER TANK AND PRESSURE ZONE**  
SPONSORED BY MAYOR MYERS BY REQUEST
- 4. RESOLUTION: B10081 WOOD ASH FOR WWTP EXTENSION OF EXISTING CONTRACT**  
SPONSORED BY MAYOR MYERS BY REQUEST



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**5. RESOLUTION: B11067B RECREATION BUS TRANSPORTATION SERVICES  
 SPONSORED BY MAYOR MYERS BY REQUEST**

**6. RESOLUTION: B11075 OCCUPATIONAL HEALTH SERVICES  
 SPONSORED BY MAYOR MYERS BY REQUEST**

### COMMITTEE REPORTS

- |  |   |
|--|---|
| 1. School Board                        | 8. Transportation Advisory Commission             |
| <b>2. Planning Board</b>               | <b>9. Joint Building Committee – Horne Street</b> |
| 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     |   |

Deputy Mayor Trefethen moved to adopt the Consent Calendar; seconded by Councilor Garrison.  
 Vote: 9/0.

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

Deputy Mayor Trefethen asked to pull the Planning Board Report.

Councilor Weston asked to pull item 13.A.6. and the Joint Building Committee – Horne Street Report.

Councilor Cheney asked to pull item 13.A.3.

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.3.; seconded by Councilor Cheney.  
 Councilor Cheney said she pulled this Resolution so she could vote against it.

Roll Call Vote: 8/1; Passed. Councilor Cheney was opposed.

Deputy Mayor Trefethen moved for the approval of Item 13.A.6.; seconded by Councilor Weston.  
 Councilor Weston asked the City Manager Joyal what was spent last year on Occupational Health Services versus what was budgeted for this year.

City Manager Joyal said last year the City spent \$20,575.42 last year for workers' compensation, pre-employment exams, medical testing, and employee injuries. He said he was secure with the amount being budgeted for in this resolution.

Roll Call Vote: 9/0.

Deputy Mayor Trefethen discussed the Planning Board Report.

Vote: 9/0.

Councilor Weston discussed the Joint Building Committee – Horne Street Report.

Vote: 9/0.



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### B. RESOLUTIONS

#### 1. DOVER EDUCATIONAL OFFICE PERSONNEL (DEOP) SPONSORED BY COUNCILOR NEDELKA

Councilor Nedelka moved for its adoption; seconded by Councilor Carrier.  
Councilor Nedelka discussed the Resolution to the Council.  
Councilor Weston said she would not be supporting this resolution, as she did not support the teachers' contract and paraprofessionals' contract.  
Councilor Cruikshank said she would be voting no on this resolution. She said she would not be supporting any type of raise.  
Mayor Myers said he would not be supporting this resolution.  
Roll Call Vote: 5/4; Passed. Mayor Myers, Councilors Cheney, Cruikshank and Weston were opposed.

#### 2. COVERED BRIDGE RESCISSION SPONSORED BY COUNCILOR NEDELKA

Councilor Nedelka moved to table the resolution until June 22, 2011 based on the correspondence the Council has received; seconded by Councilor Cheney.  
Vote: 2/7; Failed. Councilors Cheney and Nedelka voted in favor.  
Councilor Nedelka discussed the resolution with the Council.  
Councilor Cheney said the Council told the citizens they have until September and they should honor that.  
Councilor Hooper spoke about the fact that the bridge is not a historical landmark.  
Councilor Cruikshank started a discussion about the risk in this volunteer effort to the City if something gets damaged.  
Mayor Myers said the only reason he is considering this is because of Mr. Bardwell and his time and commitment to the community. He felt tabling for two weeks was too short a time period, and felt July 13<sup>th</sup> was a better time to show substantial progress.  
Councilor Nedelka moved to table the resolution until July 13, 2011; seconded by Councilor Cruikshank.  
Vote: 7/2; Passed. Councilors Garrison and Hooper were opposed.

#### 3. FISCAL YEAR TRANSFER OF APPROPRIATION – GENERAL FUND SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Weston.  
Mayor Myers gave an overview to the Council.  
Councilor Cheney asked for the account numbers that the money was coming from.  
Roll Call Vote: 9/0.

### C. ORDINANCES IN 1ST READING – None



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### 14. COUNCIL CORRESPONDENCE

- A. Letter from Raymond Bardwell
- B. Letter from Edward J. Bleiler

Deputy Mayor moved to accept the Council Correspondence and place on file; seconded by Councilor Cheney.

Vote: 9/0.

### 15. COUNCIL MATTERS OF INTEREST – None

### 16. ADJOURNMENT

Councilor Cruikshank moved to adjourn; seconded by Councilor Carrier.

Vote: 9/0

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