



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, July 27, 2011**
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 Trefethen, Deputy Mayor Weston, Councilor Carrier, Councilor Cruikshank, Councilor Garrison, and Councilor Hooper.

Absent: Councilor Cheney and Councilor Nedelka

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

5. PROCLAMATIONS/AWARDS – None

6. APPROVAL OF AGENDA

Mayor Trefethen said they will discuss the Councilor-At-Large vacancy during Councilor Matters of Interest.

Councilor Weston moved to pull Item 13.B.1 from the Agenda; seconded by Councilor Carrier.
Vote: 6/0.

Councilor Hooper moved to add the School Board Report to the Agenda; seconded by Councilor Carrier.
Vote: 6/0.

Councilor Carrier moved to add the Recreation Advisory Board Report to the Agenda; seconded by Councilor Garrison.
Vote: 6/0.

Councilor Garrison moved to accept the Agenda as amended; seconded by Councilor Hooper.
Vote: 6/0.

7. PUBLIC HEARINGS – None

A. CHAPTER 166, VEHICLES AND TRAFFIC, NELSON STREET ONE WAY SPONSORED BY DEPUTY MAYOR WESTON

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



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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.

Marilyn Follansbee, 25 Dover Point Road: She referred to Mr. Montenegro's comments at the last meeting, and said she felt it was very petty of him not to give up one Saturday for a City event. She said he should have to get a weekly permit again. She said the City employees deserved their thanks. She spoke in favor of the 4-day work week and keeping it Friday that the City Hall is closed. She spoke about the State burden being passed down to the cities and towns. She said she worked at the polls when the tax cap was passed in 2007, and felt people did not understand it. She did not think the Council did anything wrong in overriding the tax cap this year. She again thanked the City workers who were working on the roads in the heat.

Ronald Huml, 199 Mast Road: He congratulated the Mayor. He spoke about the 4-day work week equaling 59 fewer days open to the public, and said that wasn't acceptable. He said the School Board, City, Mayor and City Council were in violation of the tax cap. He read the Charter to explain his reasoning. He spoke about the proposed Charter Amendment on the tax cap, and said he preferred the tax cap the City has now. He spoke about selling City property and it coming back to the taxpayer.

Edward Bleiler, 28 Isaac Lucas Circle: He spoke about saving the pedestrian covered bridge.

Raymond Bardwell, 199 Spur Road: He submitted an updated report on the pedestrian covered bridge project.

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

Councilor Hooper moved to suspend the rules to elect a Deputy Mayor; seconded by Councilor Cruikshank.

Roll Call Vote: 6/0.

Mayor Trefethen nominated Councilor-At-Large Weston to be Deputy Mayor for the remainder of the term; seconded by Councilor Cruikshank.

Vote: 6/0.

9. CITY MANAGER'S REPORT

City Manager Joyal said he submitted his report in writing to the Council. He spoke about the paving activities in the City. He said earlier in the day he appointed Richard Driscoll as Dover's Fire Chief.

Councilor Cruikshank asked about the tax cap being illegal based on the Supreme Court decision.



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City Manager Joyal said the language has rendered it not enforceable, but the Secretary of State clarified that while it wasn't enforceable it does remain in the Charter. He said he submitted a budget that reflected the tax cap. He said the mechanics of the vote on the budget was in conformance; 2/3 of the Council voted to exceed tax cap.

Councilor Carrier commended the Community Services Department and the job being done with the paving.

Councilor Garrison referred to the recent unveiling of Budget Revealed, and said it shows the City's transparency. He asked who would be filling Mr. Driscoll's former position as the City's Deputy Fire Chief.

City Manager Joyal said Chief Driscoll will have to make that assessment. He suspects there will be some promotions within the department.

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

Vote: 6/0.

10. APPROVAL OF MINUTES

A. July 13, 2011 – Regular Session

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

Vote: 6/0.

11. MAYOR'S REPORT

Mayor Trefethen said he attended the 30th Anniversary for Jewelry Creations. He said the Cochecho Arts Festival is continuing and encourages people to attend all events. He spoke about the opening on the Appointments Committee and said he will be addressing this during Council Matters of Interest.

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

Vote: 6/0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING

1. CHAPTER 166, VEHICLES AND TRAFFIC, NELSON STREET ONE-WAY SPONSORED BY DEPUTY MAYOR WESTON

Deputy Mayor Weston moved for its adoption; seconded by Councilor Garrison. Deputy Mayor Weston gave the background information and the Transportation Advisory Commission's recommendation to the Council.

Roll Call Vote: 6/0.

B. ORDINANCES IN THE 3rd READING – None



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C. RESOLUTIONS – None

13. NEW BUSINESS

A. CONSENT CALENDAR

1. **BLOCK PARTY – Florence Street Block Party**
2. **RESOLUTION: B11004B – ADDITIONAL SCOPE OF SERVICES FOR 2010 INFILTRATION AND INFLOW REDUCTION**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
3. **RESOLUTION: ADDITIONAL SCOPE OF SERVICES FOR RIVER STREET PUMP STATION CONSTRUCTION OVERSIGHT**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
4. **RESOLUTION: SENIOR CENTER TRIP TO RED SOX VS. ORIOLES**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
5. **RESOLUTION: B11090 WIRELESS COMMUNICATIONS SERVICES AWARD OF BID**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

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 | |

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

Mayor Trefethen asked if there were any items the Council would like pulled for further discussion.

Councilor Hooper asked to pull the School Board Report.

Councilor Carrier asked to pull the Recreation Advisory Board Report.

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

Roll Call Vote: 6/0.



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Councilor Hooper gave an overview of her School Board Report.
Councilor Cruikshank moved to accept the School Board Report; seconded by Councilor Carrier.
Vote: 6/0.

Councilor Carrier gave an overview of his Recreation Advisory Board Report.
Deputy Mayor Weston moved to accept the Recreation Advisory Board Report; seconded by Councilor Hooper.
Vote: 6/0.

B. RESOLUTIONS

1. RESOLUTION: B11052 – NORTH END PRESSURE ZONE CONTRACT 1 – WATER TRANSMISSION MAINS
SPONSORED BY MAYOR TREFETHEN BY REQUEST

This item was pulled during Approval of Agenda.

2. PEDESTRIAN BRIDGE LOCATION
SPONSORED BY COUNCILORS NEDELKA AND CHENEY

Deputy Mayor Weston moved for its adoption; seconded by Councilor Cruikshank.
Mayor Trefethen gave an overview on this resolution to the Council.
Vote: 6/0.

3. PEDESTRIAN BRIDGE EXTENSION OF TIME
SPONSORED BY COUNCILORS NEDELKA AND CHENEY

Deputy Mayor Weston moved for its adoption and to substitute as a whole the version on the Councilor's desk; seconded by Councilor Garrison.
Deputy Mayor Weston said the difference with the substitution is the wording: "the funds shall be held in escrow by the City."
Mayor Trefethen said this changes the deadline from September 1st to December 14th.
Councilor Cruikshank asked if this change interferes with Dickinson Development.
Mayor Trefethen said December was fine, but Dickinson intends to start in April of 2012.
City Manager Joyal said he wasn't concerned with the May ending date in this resolution.
Councilor Cruikshank asked if the project doesn't happen if the funds can be used to get rid of the bridge.
City Manager Joyal said he felt it was the expectation that if the project didn't happen then the funds would be returned to the donors.
Councilor Garrison said he couldn't support extending the time.
Roll Call Vote: 5/1; Passed. Councilor Garrison was opposed.



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C. ORDINANCES IN 1ST READING – None

14. COUNCIL CORRESPONDENCE – None

15. COUNCIL MATTERS OF INTEREST

Councilor Hooper referred to the Council not being able to respond to Citizen's Forum comments, and asked citizens to wait and listen to Mayor and City Manager to respond.

Mayor Trefethen spoke about the vacancy on the Appointments Committee. He said both Councilor Cheney and Councilor Carrier have expressed an interest to be appointed. He said Councilor Cheney applied first and nominated Councilor Cheney.

Deputy Mayor Weston spoke in support of Councilor Cheney.

Vote: 2/4; Failed. Mayor Trefethen and Deputy Mayor Weston voted in favor.

Councilor Cruikshank nominated Councilor Carrier for the Appointments Committee; seconded by Councilors Hooper and Garrison.

Councilor Carrier said he was interested in serving on this committee because he felt he could relate to a lot of people coming to serve.

Vote: 6/0.

Deputy Mayor Weston made a motion to declare a At-Large Councilor seat vacant; seconded by Councilor Garrison.

Mayor Trefethen said they will follow the same procedure for filing as for the Mayor's vacancy.

City Clerk Lavertu said the filing period would start tomorrow, July 28, 2011 and end on August 9, 2011 at noon.

Mayor Trefethen said the Council will have a special meeting at 6:00 pm on August 10, 2011, allowing five minutes for each candidate to speak. Interviews will be in order of filing. He asked Deputy Mayor Weston to add the requirements to the motion.

Deputy Mayor Weston amended her motion to declare an At-Large Councilor seat vacant, and to allow 5 minutes for each candidate to speak at the Special Meeting on August 10, 2011, followed by a question and answer period; seconded by Councilor Garrison.

Vote: 6/0.

16. ADJOURNMENT

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

Vote: 6/0.