



**CITY OF DOVER**

## CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**  
Meeting Location: **Council Chambers, City Hall**  
Meeting Date: **Wednesday, July 11, 2012**  
Meeting Time: **7:00 pm**

### 1. CALL TO ORDER

### 2. MOMENT OF SILENCE

### 3. PLEDGE OF ALLEGIANCE

Councilor Spuler led the Pledge of Allegiance.

### 4. ROLL CALL ATTENDANCE

**Present:** Deputy Mayor Carrier, Councilor Cheney, Councilor Crago, Councilor Garrison, Councilor Hooper, Councilor Spuler, Councilor Weeden, and Councilor Weston.

**Absent:** Mayor Trefethen.

**Also Present:** City Manager Joyal, General Legal Counsel Krans, and City Clerk Lavertu.

### 5. PROCLAMATIONS/AWARDS – None

### 6. APPROVAL OF AGENDA

Councilor Garrison moved to add the list of Solid Waste Advisory Commission members to Item 13.B.2. Operating Rules for the Solid Waste Advisory Commission; seconded by Councilor Hooper.

Vote: 8/0.

Councilor Garrison moved to change the sponsorship for Item 13.B.2. Operating Rules for the Solid Waste Advisory Commission to Councilor Garrison; seconded by Councilor Spuler.

Vote: 8/0.

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

Vote: 8/0.

Councilor Weston motioned to move 12.A.1. to immediately follow 7.A. Public Hearing; seconded by Councilor Weeden.

Vote: 5/3; Passed. Deputy Mayor Carrier, Councilors Garrison and Hooper were opposed.

Councilor Hooper moved to approve the agenda as amended; seconded by Councilor Garrison.

Vote: 8/0.

### 7. PUBLIC HEARINGS

#### A. CHAPTER 109 – FIRE PREVENTION AND LIFE SAFETY SPONSORED BY COUNCILOR WEEDEN

**Marilyn Follansbee, 25 Dover Point Road:** She spoke against the Ordinance. She listed several conditions and regulations should be met by the individuals seeking to use fireworks if the Council did approve this Ordinance.

**Jim Beshern, 102B Sixth Street:** He spoke against the Ordinance change.



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**Robert Campbell, 86 Sixth Street:** He spoke against the Ordinance. He said fireworks should be eliminated completely from the City of Dover.

**Louise Tower, 29 Boxwood Lane:** She spoke against the Ordinance. She is appalled with injuries her research online showed. She said even with safety testing that people can act irresponsibly.

**Eric Hagman, 205 Silver Street, Retired Dover Firefighter:** He spoke against the Ordinance. He referred his email to the Council that described a fire two years ago due to fireworks.

**David Montenegro, 55 Union Street:** He spoke in favor of the Ordinance. He said he was amazed people were objecting to this Ordinance, and compared fireworks to machine guns, which are legal.

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

### **Item 12.A.1.**

Councilor Weeden moved for the adoption of 12.A.1.; seconded by Councilor Garrison. Councilor Weeden moved to substitute as a whole, listing the changes to the Ordinance; seconded by Councilor Weston.

City Manager Joyal said the substitute isn't in the proper format, and recommended that the Council take the format that the Ordinance is currently and add in the appropriate verbiage. Councilor Weeden moved to amend so it shows the additional wording per General Legal Counsel in the Ordinance.

Deputy Mayor Carrier discussed all the changes.

City Manager Joyal recommended that all these changes shouldn't be done on the fly. He said the Police and Fire departments should have time to review this since there will be enforcement issues.

Councilor Hooper asked if this could be tabled and rewritten. She said this should have been reviewed by the City Manager before the meeting.

Councilor Garrison moved to table to a date uncertain; seconded by Councilor Crago.

Vote: 7/1; Passed. Councilor Spuler was opposed.

## **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 said the renovated Council Chambers is nice. She said she would still be against the fireworks ordinance.

**David Scott, 220 Back Road:** He spoke about the work being done on the City Charter, and said he was confident the Council will restore the Charter according to the will of the voters.

**David Montenegro, 55 Union Street:** He spoke about radiological contaminants in trailers at the South End Fire Station, and urged the Council not to approve the license tonight.



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**Mary Hebbard, 97 Spruce Lane:** She spoke about substituted as a whole, and said Councilor Hooper only objected to them if they are sponsored by Councilor Weeden. She spoke about Item 13.B.1. and said she is stunned that the Council is considering this resolution. She urged the Council to vote against it.

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

Councilor Weston moved to recess to move into Workshop session; seconded by Councilor Crago.

Vote: 5/3; Passed. Deputy Mayor Carrier, Councilors Garrison and Hooper were opposed.

Deputy Mayor Carrier reconvened the meeting after the completion of the Workshop.

### 9. CITY MANAGER'S REPORT

City Manager Joyal said his report was emailed to the Council on Monday. He referred to the notice that was sent out that Whittier Street Bridge will be closing for a few weeks this summer for inspection and temporary repairs. He expects the bridge to be opened before school starts. He said the Summer Reading program is in full swing at the library with 525 students signed up in the first week. He spoke about the skylight repairs at the library, and discussed the vendor problems.

Councilor Hooper moved to accept the City Manager's Report; seconded by Councilor Spuler. Councilor Weston said she didn't receive the report until today. She made a motion to table the acceptance of this report until the next regular meeting; seconded by Councilor Cheney.

Vote: 8/0.

Deputy Mayor Carrier asked for an explanation for the barricades on Lexington and Cushing Streets.

City Manager Joyal explained the traffic calming study on these streets. Councilor Spuler asked why this wasn't being done on Chestnut Street.

### 10. APPROVAL OF MINUTES

**A. June 20, 2012 – Workshop Session**

**B. June 27, 2012 – Regular Meeting**

Councilor Hooper moved to approve the Minutes; seconded by Councilor Weeden.

Vote: 8/0.

### 11. MAYOR'S REPORT – None



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### 12. UNFINISHED BUSINESS

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

**1. CHAPTER 109 – FIRE PREVENTION AND LIFE SAFETY**  
SPONSORED BY COUNCILOR WEEDEN

Councilor approved to move this Ordinance to follow 7.A. Public Hearing.

#### B. ORDINANCES IN THE 3<sup>rd</sup> READING

**1. CHAPTER 166 VEHICLES AND TRAFFIC; SECTION 166-28 EXEMPTIONS;  
SUBSECTION A  
(TO BE REMOVED FROM THE TABLE)**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST

Councilor Hooper moved to remove from the table; seconded by Councilor Garrison.  
Vote: 8/0.

Councilor Garrison moved for its adoption; seconded by Councilor Crago.  
Police Chief Colarusso gave an overview of the ordinance change to the Council.  
Roll Call Vote: 8/0.

#### C. RESOLUTIONS – None

### 13. NEW BUSINESS

#### A. CONSENT CALENDAR

1. **BLOCK PARTY – Dover High School Homecoming**
2. **PARADE – Dover High School Homecoming**
3. **RESOLUTION: TROJAN UV3000 PLUS LAMPS**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST
4. **RESOLUTION: HIGHWAY ROAD SALT STATE NH CONTRACT**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST

### COMMITTEE REPORTS

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



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Councilor Hooper moved for the adoption of the Consent Calendar; seconded by Councilor Weston.

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

Councilor Hooper asked to pull the School Board Report.

Deputy Mayor Carrier asked for a vote on the remaining items of the Consent Calendar.

Vote: 8/0.

Councilor Hooper gave an overview of the School Board Report to the Council.

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

Vote: 8/0.

### **B. RESOLUTIONS**

#### **1. LICENSE AGREEMENT WITH NEXT ERA ENERGY SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Councilor Hooper moved for its adoption; seconded by Councilor Spuler.

City Manager Joyal gave an overview of the resolution to the Council.

Fire Chief Driscoll gave an in-depth overview of the resolution answering Council's concerns. He said the City hasn't had any instances where Seabrook personnel came to the City, but there have been six or seven instances where the City could have used the equipment.

Vote: 3/5; Failed. Councilors Crago, Garrison, and Spuler voted in favor.

#### **2. OPERATING RULES FOR SOLID WASTE ADVISORY COMMISSION SPONSORED BY COUNCILOR GARRISON**

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

Councilor Garrison gave an overview of the resolution to the Council.

Vote: 7/1; Passed. Councilor Cheney was opposed.

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

#### **14. COUNCIL CORRESPONDENCE – None**

#### **15. COUNCIL MATTERS OF INTEREST**

Councilor Spuler gave an informal report on the work of the Arts Commission.

Deputy Mayor Carrier said the next Appointments Committee meeting will be held on July 18, 2012.

Councilor Weeden made a motion to suspend the rules to allow Mary Hebbard to speak regarding the Workshop; seconded by Councilor Cheney.

Ms. Hebbard said she didn't see the Workshop and didn't want to speak about it.

Councilor Weeden withdrew his motion. Councilor Cheney withdrew her second.



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Councilor Weston talked about background information being included in the agenda packets, and read the Council Rules that the information be provided.

Councilor Crago talked about helping the McConnell Center and providing funding for the four unfinished units.

City Manager Joyal said the staff is coming up with potential funding options for basic amenities.

### **16. ADJOURNMENT**

Councilor Hooper moved to adjourn; seconded by Councilor Weston.

Vote: 8/0.