



**CITY OF DOVER**

## CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**  
Meeting Location: **Council Chambers, City Hall**  
Meeting Date: **Wednesday, November 28, 2012**  
Meeting Time: **7:00 pm**

### 1. CALL TO ORDER

### 2. MOMENT OF SILENCE

### 3. PLEDGE OF ALLEGIANCE

Councilor Cheney led the Pledge of Allegiance.

### 4. ROLL CALL ATTENDANCE

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

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

### 5. PROCLAMATIONS/AWARDS

#### A. LIVING CHRISTMAS TREE

Mayor Trefethen read the proclamation to the Council.

### 6. APPROVAL OF AGENDA

Councilor Cheney moved to add a resolution as Item 13.B.4.: Extension of the Ordinance Authentication Committee; seconded by Councilor Weston.

Vote: 9/0.

Councilor Weston moved to remove Item 7.D., the public hearing and the resolution to be voted on December 12, 2012; seconded by Councilor Spuler.

Mayor Trefethen asked the audience if anyone was present to speak to the public hearing. No response.

Vote: 9/0.

Deputy Mayor Carrier moved to approve the agenda as amended; seconded by Councilor Weston.

Vote: 9/0.

### 7. PUBLIC HEARINGS

#### A. ADOPTION OF FY2014-FY2019 CAPITAL IMPROVEMENTS PROGRAM (CITY COUNCIL VOTE ON DECEMBER 12, 2012) SPONSORED BY MAYOR TREFETHEN BY REQUEST

**William Helfinstine, 27A Cushing Street:** He spoke in favor of the traffic calming project.

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



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**B. APPROPRIATION FOR FY2014 CAPITAL IMPROVEMENTS PROGRAM –  
AUTHORIZATION FOR BONDING (REQUIRES 2/3 MAJORITY VOTE)  
(CITY COUNCIL VOTE ON DECEMBER 12, 2012)  
SPONSORED BY MAYOR TREFETHEN BY REQUEST**

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

**C. APPROPRIATION FOR FY2014 CAPITAL IMPROVEMENTS PROGRAM –  
NON-DEBT FINANCED PROJECTS (REQUIRES 2/3 MAJORITY VOTE)  
(CITY COUNCIL VOTE ON DECEMBER 12, 2012)  
SPONSORED BY MAYOR TREFETHEN BY REQUEST**

**Ronald Huml, 199 Mast Road:** He asked how these were paid for. Mayor Trefethen responded that they were paid for with reserve funds. Mr. Huml asked if they were supported with tax dollars or other sources. Mayor Trefethen said most were funded by previous years' tax revenue.

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

**D. ESTABLISHMENT OF SCHOOL FACILITIES CAPITAL RESERVE FUND  
(CITY COUNCIL VOTE ON DECEMBER 12, 2012)  
SPONSORED BY COUNCILORS WESTON AND SPULER**

Removed from agenda by Council vote.

**E. ESTABLISHMENT OF SCHOOL CURRICULUM CAPITAL RESERVE FUND  
(CITY COUNCIL VOTE ON DECEMBER 12, 2012)  
SPONSORED BY COUNCILORS WESTON AND SPULER**

**Ronald Huml, 199 Mast Road:** He referred to public hearings D., E., F., G., and asked what was the source of income.

Mayor Trefethen said it has not been identified at this time. He said these resolutions were just to establish the reserve funds.

**Superintendent Jean Briggs Badger and Business Administrator Mike Limanni:** She gave an overview of establishing these reserve funds.

Mr. Limanni addressed some of the language in the resolutions that had not been brought before the School Board, and asked that the language be struck from the resolutions.

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

**F. ESTABLISHMENT OF SCHOOL TECHNOLOGY CAPITAL RESERVE FUND  
(CITY COUNCIL VOTE ON DECEMBER 12, 2012)  
SPONSORED BY COUNCILORS WESTON AND SPULER**

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



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**G. ESTABLISHMENT OF SCHOOL ATHLETICS CAPITAL RESERVE FUND  
(CITY COUNCIL VOTE ON DECEMBER 12, 2012)  
SPONSORED BY COUNCILORS WESTON AND SPULER**

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

**H. REPROGRAMMING UNEXPENDED BOND PROCEEDS FOR VARIOUS CIP  
PROJECTS AND APPROPRIATE BOND PREMIUM (REQUIRES A 2/3 MAJORITY  
VOTE) (CITY COUNCIL VOTE ON DECEMBER 12, 2012)  
SPONSORED BY MAYOR TREFETHEN BY REQUEST**

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

**I. CHAPTER 170 – UPDATES TO THE ZONING ORDINANCE  
SPONSORED BY MAYOR TREFETHEN, PLANNING BOARD REPRESENTATIVE**

Mayor Trefethen, seeing no one 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.*

**Ronald Huml, 199 Mast Road:** He spoke about the tax cap and the Council needs to stay within the cap. He said the City Hall should be open five days a week. He said no long term obligations should be committed until the economy improves.

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

### **9. CITY MANAGER'S REPORT**

City Manager Joyal said his report consisted of the activities of the General Legal Counsel and Economic Development Departments. He invited the Council and citizens to the Christmas tree lighting on Friday. He said the Christmas Tree Lighting Fundraising Committee will be hosting the Festival of Trees at City Hall.

Councilor Weston asked about the RFP for Tolend Road.

Community Services Director Steele said they have finished their review and the bid packet is being prepared for the end of December.

Councilor Cheney asked for the salary and benefits report.

Finance Director Lynch said they have started to work on it, but the software wouldn't produce what she was looking for. They were getting a software upgrade on Friday that they hope will address the issue.

Councilor Cheney asked for an updated report showing year by year costs of outside legal services.

City Manager Joyal said that was part of the 1<sup>st</sup> quarter report, and will send it to her again.



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

Vote: 9/0.

### 10. APPROVAL OF MINUTES

**A. November 7, 2012 – Workshop**

**B. November 14, 2012 – Regular Meeting**

Deputy Mayor Carrier moved to accept the Minutes; seconded by Councilor Hooper. Councilor Weston referred to one typographical error in the spelling of Mayor under Mayor's report, Page 3/7.

Vote: 8/0. Councilor Spuler was absent from the Council Chambers.

### 11. MAYOR'S REPORT

Mayor Trefethen attended the Christmas parade and commented on the good turnout. He spoke about judging the floats with the Deputy Mayor and City Manager.

Deputy Mayor Carrier moved to accept the Mayor's Report; seconded by Councilor Weeden.

Vote: 9/0.

### 12. UNFINISHED BUSINESS

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

##### 1. CHAPTER 170 – UPDATES TO THE ZONING ORDINANCE

SPONSORED BY MAYOR TREFETHEN, PLANNING BOARD REPRESENTATIVE

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Spuler. Planning Director Parker gave a PowerPoint presentation and clarified areas to the Council.

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

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

#### C. RESOLUTIONS – None



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### 13. NEW BUSINESS

#### A. CONSENT CALENDAR

1. **RAFFLE – GREAT BAY FIGURE SKATING CLUB**
2. **RAFFLE – DOVER POLICE CHARITIES AND A SAFE PLACE OF N.H.**
3. **RAFFLE – AMY’S TREAT**
4. **RAFFLE – GREATER DOVER CHAMBER OF COMMERCE**
  
5. **RESOLUTION: AWARD OF ADDITIONAL SCOPE OF SERVICE INFILTRATION AND INFLOW REDUCTION**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST
  
6. **RESOLUTION: B12049 ADDITIONAL SCOPE OF SERVICES SILVER STREET CONSULTING SERVICES**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST

#### COMMITTEE REPORTS

- |  |   |
|--|---|
| 1. School Board                        | 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                            |

Deputy Mayor Carrier moved to approve the Consent Calendar; seconded by Councilor Weeden. Mayor Trefethen asked the Council if they had items they would like pulled for further discussion. Roll Call Vote: 9/0.

#### B. RESOLUTIONS

1. **LEGISLATIVE DELEGATION SUPPORT FOR FULL FUNDING OF STATE AID GRANT PROGRAM FOR MUNICIPAL INFRASTRUCTURE**  
SPONSORED BY COUNCILOR GARRISON

Councilor Garrison moved for its adoption; seconded by Councilor Hooper. Councilor Garrison gave an overview of the resolution to the Council.  
Vote: 9/0.



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### **2. PRIORITY BASED BUDGETING PROCESS**

SPONSORED BY COUNCILOR WEEDEN

Councilor Weeden moved for its adoption; seconded by Councilor Cheney.  
Councilor Weeden gave an overview of the resolution to the Council.  
City Manager Joyal discussed the affect this would have on the budget process.  
Vote: 9/0.

### **3. COVERED PEDESTRIAN BRIDGE RELOCATION FUNDING (TO BE REFERRED TO PUBLIC HEARING ON DECEMBER 12, 2012, WITH VOTE TO OCCUR AT LEAST 15 DAYS AFTER)**

SPONSORED BY COUNCILORS WEEDEN AND CRAGO

Councilor Weeden moved to refer to a public hearing on December 12, 2012; seconded by Councilor Crago.  
Vote: 9/0.

### **4. EXTENSION OF AUTHENTICATION AND CODIFICATION OF ORDINANCES SPONSORED BY COUNCILOR CHENEY**

Councilor Cheney moved for its adoption; seconded by Councilor Spuler.  
Councilor Cheney there will be a note added to the first Whereas. "The Ordinance Codification Committee is progressing in its review of the ordinances per resolution R-2012.08.08-106." She said they would not meet the December 1, 2012 deadline, and this resolution extends it to May 30, 2013.  
Councilor Cheney moved to add the above reference to the resolution; seconded by Councilor Weston.  
Vote: 9/0.  
Councilor Hooper said she would not support this resolution. She said her term ends on December 1, 2012 and she tendered her resignation.  
Councilor Cheney gave an overview of the progress of the Committee.  
Vote: 4/5; Failed. Councilors Cheney, Crago, Spuler, and Weston voted in favor.  
Mayor Trefethen said it has not been a wasted effort, but did believe it took longer than it should have. He said the content issues can be taken care of, and the style sheet can be published.

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

## **14. COUNCIL CORRESPONDENCE**

### **A. LETTER FROM DIRECTOR PARKER**

Deputy Mayor Carrier moved to accept the letter and place on file; seconded by Councilor Garrison.  
Vote: 9/0.



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### 15. COUNCIL MATTERS OF INTEREST

Mayor Trefethen said the Ordinance Committee has identified ordinances that need correcting. He said any Councilor can bring the ordinances before the Council to be corrected and approved by the Council. He said the style sheet will need to be produced so all the ordinances will look alike. Councilor Cheney discussed the process and history of codifying the ordinances.

Councilor Spuler discussed the School Department staff comments during Citizen's Forum. He read a letter he received from a constituent regarding pedestrian crosswalks on Chestnut Street, which he will add to the next City Council agenda.

Deputy Mayor Carrier said the crosswalk should be eliminated. He said the whole area is too dangerous and it's too close to the railroad tracks. He said it should be reviewed by the Transportation Advisory Commission (TAC).

Councilor Weston said TAC is addressing all crosswalks throughout the City, and these crosswalks are being looked at to be removed.

Mayor Trefethen discussed comments made during Citizen's Forum regarding the tax cap, and clarified that there were no qualifications for a tax cap override.

### 16. ADJOURNMENT

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

Vote: 9/0.