



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, February 13, 2013**
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 – None

6. APPROVAL OF AGENDA

Councilor Hooper moved to add two School Board Reports; seconded by Councilor Garrison.

Vote: 9/0.

Councilor Cheney moved to add the Ordinance Codification and Verification Committee Report; seconded by Councilor Weston.

Vote: 9/0.

Councilor Garrison moved to add the Legislative Liaison Report; seconded by Councilor Hooper.

Vote: 9/0.

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

Vote: 9/0.

7. PUBLIC HEARINGS – None

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.

Human, 55 Union Street: He spoke about the membership for the Police Facility Building Committee, and their first meeting.

Jack Mettee, 56 Rutland Street, Chairperson of the Cocheco Waterfront Development Advisory Committee: He spoke about the resolution before the Council to amend the agreement with the Waterfront Developer. He urged the Council to vote in favor of the resolution.

Mark Moeller, 80 Cottonwood Drive, Vice Chairperson of the Dover Housing Authority: He spoke in favor of the Waterfront Land Disposition Agreement resolution.



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Daniel Barufaldi, 240 Blackwater Road, Dover Economic Development Director: He spoke in favor of the Waterfront Land Disposition Agreement resolution.

Shellie Lemelin, 9 Western Avenue: She spoke about her inability to use the paratransit service that COAST provides.

Mayor Trefethen, 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 spoke about the blizzard clean up, and thanked the staff for their effort to remove the snow. He listed several meetings he attended and participated in for professional development.

Councilor Crago asked for an update on the EPA Stormwater Runoff Permit.

City Manager Joyal spoke about the press release from the EPA, which was an update for a draft permit for those communities that operate stormwater systems.

Councilor Weston asked when he felt this would all happen.

City Manager Joyal said he felt there will be new permits within the next year.

Councilor Weston asked about the reestablishment of the Willand Pond well.

City Manager Joyal said he believed they were waiting for the permit from the DES, and they will have five years to put the infrastructure in place to support the well.

Councilor Weston asked for clarification on the financials for the Ice Arena.

City Manager Joyal clarified the financing for the Ice Arena.

Deputy Mayor Carrier thanked Community Services Director Doug Steele and his staff for the snow removal from the blizzard. He asked for some alternate avenues the Citizen's Forum speaker can use for handicap transportation.

City Manager Joyal said he will follow up with Ms. Lemelin.

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

Vote: 9/0.

10. APPROVAL OF MINUTES

A. January 23, 2013

Deputy Mayor Carrier moved to approve the minutes; seconded by Councilor Hooper.

Vote: 9/0.



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11. MAYOR'S REPORT

Mayor Trefethen thanked the Community Services and City Contractors for their work with snow removal. He said as Mayor he submitted his appointments for the Cocheco Waterfront Development Advisory Committee. Brian Gottlob, David Bamford, James Schulte, and Franklin Torr to serve another three year term, and Carla Goodknight to fill the vacancy. Councilor Cheney asked for clarification of the Citizen's Forum comment regarding the make up to the Police Facility Building Committee.

Mayor Trefethen said it was how the committees were formed that they were Mayoral appointments.

Deputy Mayor Carrier moved to accept the Mayor's Report; seconded by Councilor Crago.
Vote: 9/0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING – None

B. ORDINANCES IN THE 3rd READING – None

C. RESOLUTIONS – None

13. NEW BUSINESS

A. CONSENT CALENDAR

1. **BLOCK PARTY – Stinilon International, LLC (Retroactive)**
2. **BLOCK PARTY – Greater Dover Chamber of Commerce – Apple Harvest Day**
3. **RAFFLE – Greater Dover Chamber of Commerce – Apple Harvest Day**
4. **ROAD RACE – Greater Dover Chamber of Commerce – Apple Harvest Day**
5. **ROAD RACE – Baby Rachel's Legacy**
6. **ROAD RACE – St. Mary Academy**

COMMITTEE REPORTS

1. **School Board (2)**
2. **Planning Board**
3. **Appointments Committee**
4. **Recreation Advisory Board**
5. **McConnell Center Advisory Committee**
6. **Arts Commission**
7. **Solid Waste Advisory Commission**
8. **Transportation Advisory Commission**
9. **Joint Building Committee – Horne Street School**
10. **Legislative Liaison**
11. **Pool Advisory Committee**
12. **Parking Commission**
13. **Ordinance Codification and Verification Committee**

Deputy Mayor Carrier moved for the adoption of the Consent Calendar; seconded by Councilor Weeden.



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

Councilor Cheney asked to pull the Ordinance Codification and Verification Committee Report.

Councilor Weston asked to pull Item 13.A.1.

Councilor Hooper asked to pull the two School Board Reports.

Councilor Garrison asked to pull the Legislative Liaison Report.

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

Vote: 9/0.

Deputy Mayor Carrier moved for the approval of Item 13.A.1.; seconded by Councilor Weston.

Councilor Weston moved to amend application to the dates of February 23, and 24, 2013; seconded by Councilor Weston.

Vote: 9/0.

Mayor Trefethen asked for a vote on the block party event.

Vote: 9/0.

Councilor Hooper gave an overview of the two School Board Reports.

Deputy Mayor Carrier moved for the approval of the two School Board Reports; seconded by Councilor Crago.

Vote: 9/0.

Councilor Garrison gave an overview of the Legislative Liaison Report.

Deputy Mayor Carrier moved for the approval of the Legislative Liaison Report; seconded by Councilor Hooper.

Vote: 9/0.

Councilor Cheney gave an overview of the Ordinance Codification and Verification Committee Report.

Deputy Mayor Carrier moved for the approval of the Ordinance Codification and Verification Committee Report; seconded by Councilor Spuler.

Vote: 9/0.

B. RESOLUTIONS

1. WATERFRONT LAND DISPOSITION AGREEMENT AMENDMENT #1 SPONSORED BY COUNCILORS CRAGO, SPULER, AND WESTON

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

Councilor Crago moved to substitute as a whole; seconded by Councilor Weston.

Vote: 9/0.

Councilor Crago moved to amend the amended resolution the last sentence of the Now, Therefore, after the first Dover to insert: "for a total nonrefundable sum of \$125,000..." and after financing period: "beginning on the date when the Cocheco Waterfront Development Advisory Committee approves the concept adjustments that will facilitate Dickinson Development Corporation to pursue financing. Followed by up to a subsequent



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24 month permitting period, during which a \$10,000/month non-refundable payment to the City of Dover, creditable to the purchase price, shall be made until closing and start of construction occurs. The City Manager is authorized to sign an amendment to the land disposition agreement incorporating the provisions above"; seconded by Councilor Weeden.

Vote: 9/0.

Councilor Spuler proposed an amendment to add to the original amendment "or three months from today's date, whichever come first"; seconded by Councilor Crago.

Vote: 9/0.

Councilor Crago asked that all Councilors sponsor this resolution to show support for the resolution; seconded by Councilor Spuler.

Councilor Cheney said she would not support adding her name to the resolution.

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

Mayor Trefethen asked for a show of hands who would like to co-sponsor the resolution.

All Councilors raised their hands, but Councilor Cheney did so with reservations.

Mayor Trefethen asked for a vote on the amended resolution.

Vote: 9/0.

Councilor Weston asked for a copy of the amended resolution from the City Clerk.

2. DIRECTION ON PEDESTRIAN BRIDGE

SPONSORED BY MAYOR TREFETHEN AND DEPUTY MAYOR CARRIER

Deputy Mayor Carrier moved for its adoption; seconded by Mayor Trefethen.

Mayor Trefethen gave an overview of the resolution to the Council.

Vote: 9/0.

3. FINAL ACCEPTANCE OF HORNE STREET ELEMENTARY SCHOOL CONSTRUCTION

SPONSORED BY COUNCILOR WESTON AND DEPUTY MAYOR CARRIER

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

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

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

4. TRANSFER TO PARKING CAPITAL RESERVE FUND FISCAL YEAR 2013 BUDGET AMENDMENT #2 – APPROPRIATION FOR TRANSFER TO PARKING CAPITAL RESERVE FUNDS (REQUIRES A 2/3 COUNCIL MAJORITY VOTE) (TO BE REFERRED TO A PUBLIC HEARING ON FEBRUARY 27, 2013) SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Carrier moved to refer to a public hearing on February 27, 2013; seconded by Councilor Weeden.

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

C. ORDINANCES IN 1ST READING – None



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14. COUNCIL CORRESPONDENCE

- A. Save the Bridge Correspondence from Raymond Bardwell, dated January 24, 2013.**
- B. Letter from Jaclyn Cote to Councilor Spuler, dated November 16, 2012**
- C. Letter from xfinity, dated January 24, 2013**

Deputy Mayor Carrier moved to accept and place on file items 14.A. and 14.B.; seconded by Councilor Weston.

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

Deputy Mayor Carrier moved to place on file item 14.C.; seconded by Councilor Weston.

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

15. COUNCIL MATTERS OF INTEREST

Councilor Garrison talked about the creation of the District Security Committee for the Schools. Councilor Crago started a discussion regarding the stormwater requirements.

16. ADJOURNMENT

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