



**CITY OF DOVER**

## CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**  
Meeting Location: **Council Chambers, City Hall**  
Meeting Date: **Wednesday, February 27, 2013**  
Meeting Time: **7:00 pm**

### 1. CALL TO ORDER

### 2. MOMENT OF SILENCE

### 3. PLEDGE OF ALLEGIANCE

Councilor Crago 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 Garrison moved to add the Legislative Liaison Report; seconded by Councilor Hooper.  
Vote: 9/0.

Councilor Cheney moved to add the Ordinance Codification and Verification Report; seconded by Councilor Weston.  
Vote: 9/0.

Councilor Hooper moved to add the School Board Report; seconded by Councilor Weeden.  
Vote: 9/0.

Deputy Mayor Carrier moved to approve the agenda as amended; seconded by Councilor Garrison.  
Vote: 9/0.

### 7. PUBLIC HEARINGS

#### **A. 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) SPONSORED BY MAYOR TREFETHEN BY REQUEST**

**Anthony McManus, Parking Commission Vice-Chairperson 39 Glen Hill Road:** He spoke in favor of the Resolution.

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



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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.*

**Anthony McManus, 39 Glen Hill Road:** He spoke about his participation on the Strafford County Regional Planning Commission and how Dover does not pay dues, which is \$21,000 annually. He said they receive a lot of benefits, but cannot serve on the executive committee. He gave the COAST bus issues and Chestnut Street crosswalk situations as areas the Commission could help the City.

**Richard Hebbard, 97 Spruce Lane:** He spoke about standing up against oppression. He said Mayor Trefethen acted like a bully during the Planning Board meeting. He spoke about Robert Rules of Order and being able to table a resolution without a date specific. He disagreed with Mr. McManus about paying the \$21,000 annual dues for the Strafford County Regional Planning Commission.

**Mary Hebbard, 97 Spruce Lane:** She also spoke about Robert Rules of Order and read Section 6, Number 17. She also disagreed with Mr. McManus about paying the \$21,000 annual dues for the Strafford County Regional Planning Commission.

**Donald Medbery, 3 Covered Bridge Lane:** He spoke about his research on the history of Dover and the violation of trust of Mr. Beecher in 1999. He spoke about his disappointment regarding the pedestrian bridge, and the return of the donations.

**Bentley Jessee, 10 Grove Street:** He spoke about the winter parking ban.

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

### 9. CITY MANAGER'S REPORT

City Manager Joyal said he has submitted his report in writing. He spoke about the record snow fall this winter and the probability that they are over budget for snow removal.

Councilor Weston asked about the process for returning the pedestrian bridge funds.

City Manager Joyal said the funds are in a trust account waiting for the Chairperson of the Save our Bridge Committee to make a decision on what to do with the funds. He said they will help them return the funds.

Councilor Cheney spoke about the parking ban.

City Manager Joyal said they have debated this issue on several occasions. It was established by Ordinance and is the Council's prerogative.

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

Vote: 9/0.



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### 10. APPROVAL OF MINUTES

- A. February 6, 2013 – Workshop Session**
- B. February 6, 2013 – Public portion of Non-Public Session**
- C. February 6, 2013 – Non-Public Session – Not Sealed**
- D. February 13, 2013 – Regular Session**

Deputy Mayor Carrier moved to approve the minutes; seconded by Councilor Weeden.  
Councilor Crago referred to the February 6, 2013, Non-Public Session, third arrow: He said that Mr. Dickinson has up to 15 months to obtain financing and 24 months to obtain permitting, at which time he will pay the City \$10,000 per month. He clarified that if Dickinson should obtain financing before the 15 month period has elapsed, then the payments of \$10,000 per month for up to 24 months will start at that time.

Mayor Trefethen said it's the resolution that has to be followed and not the minutes.

Councilor Cheney referred to page 3/6, February 13, 2013, and clarified the Mayor's response to her question about the make up to the Police Facility Building Committee that is should read: "Mayor Trefethen said it was how this committee was form..."

Vote: 9/0.

### 11. MAYOR'S REPORT

Mayor Trefethen said he attended the Tri-City Chamber of Commerce Legislative meeting. He invited Michelle Holt-Shannon, Co-chair of Dover Listens, and asked her to speak regarding her proposal to the Council.

Ms. Holt Shannon gave an overview of Dover Listens. She proposed the creation of a steering committee regarding education. She asked the Council if they had any questions regarding Dover Listens.

Councilor Cheney asked how people get in touch with them.

Ms. Holt Shannon said the website is [www.doverlistens.org](http://www.doverlistens.org).

Councilor Crago said he attended the October 24, 2011 Dover Listens meeting. He said it was an excellent forum.

Councilor Weston asked when the meetings are held.

Ms. Holt-Shannon said they meet on the second Wednesday of the month, 6:00 pm, at the Greater Dover Chamber of Commerce Conference Room.

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

Vote: 9/0.



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### 12. UNFINISHED BUSINESS

**A. ORDINANCES IN THE 2<sup>nd</sup> READING – None**

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

### RESOLUTIONS

**1. 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)  
SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Deputy Mayor moved for its adoption; seconded by Councilor Weston.

Councilor Weeden felt the money should be transferred to the General Fund to help with the budget and offset expenses.

Councilor Crago discussed leaving the funds in the General Fund to help pay for the snow removal expenses this year.

City Manager Joyal said he was hopeful that they will be able to cover the snow removal expense. He recommended the Council support the resolution and parking, because it will help Dover. He said parking is supposed to be self-supporting.

Councilor Crago asked if it might be a good idea to postpone this for 60 days to get past the winter months.

City Manager Joyal clarified that the funds were not in the General Fund, but also said there was no urgency to move it. He said if the snow removal budget goes over he would not recommend these funds to pay for it, because that was the purpose of the Fund Balance in the General Fund.

Councilor Crago asked if these funds could be used to help with the parking ban.

City Manager Joyal talked about the method of using flashing lights to show there is a parking ban.

Councilor Crago asked if the money in the Parking Capital Reserve Fund can be used for this purpose.

Deputy Mayor Carrier talked about practicing fiscal discipline. He said the money would still be available.

Councilor Garrison said using one-time money just creates a hole for next year.

Councilor Cheney made a motion to wait on the vote for this resolution.

Councilor Weston discussed the \$1 million taken out of one of the reserve accounts and how they were still trying to get it back in. She said these funds were earmarked for parking and was in favor of transferring the funds. She said the businesses took the hit with parking meters and parking needs to be addressed.

Councilor Cheney said she didn't see the point in it being retroactive.

Mayor Trefethen talked about the purpose of a capital reserve funds. He said there is never any extra money to put the money back. He said they needed to follow their fiscal policies.

Councilor Crago said after hearing this discussion he did believe they needed to transfer these funds into the capital reserve fund.



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Director Lynch gave the balances for the past three years: 2011 - \$35,402; 2012 - \$209,693; and 2013 - \$47,781; totaling \$312,885.

Councilor Spuler asked to make a friendly amendment to leave \$29,000 to maintain 5% in the account, and only transfer \$109,956.

City Manager Joyal said these figures were only a snapshot and there were more funds in the account.

Councilor Spuler withdrew his friendly amendment.

Roll Call Vote: 7/2; Passed. Councilors Cheney and Weeden were opposed.

### 13. NEW BUSINESS

#### A. CONSENT CALENDAR

##### 1. BLOCK PARTY – Dover Main Street

##### 2. RESOLUTION: PURCHASE OF PORTABLE EMERGENCY GENERATOR VIA NJPA

SPONSORED BY MAYOR TREFETHEN BY REQUEST

#### COMMITTEE REPORTS

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

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

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

Councilor Hooper asked to pull the School Board Report.

Councilor Garrison asked to pull the Legislative Liaison Report.

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

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

Roll Call Vote: 9/0.

Councilor Garrison gave an overview of the Legislative Liaison Report to the Council.

Deputy Mayor Carrier moved to approve the Legislative Liaison Report; seconded by Councilor Weston.

Vote: 9/0.

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

Deputy Mayor Carrier moved to approve the School Board Report; seconded by Councilor Weeden.



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Vote 9/0..

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

Deputy Mayor Carrier moved to approve the Ordinance Codification and Verification Report; seconded by Councilor Weston.

Vote: 9/0.

### **B. RESOLUTIONS**

#### **1. RESOLUTION: AMENDMENT OF BON AMI LEASE FOR McCONNELL CENTER SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Weeden.

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

Vote: 9/0.

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

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

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

Councilor Crago started a discussion regarding the need to change adequacy funding for the Dover schools.

Councilor Hooper discussed the role of the Legislature and the process to get an amendment to a Bill.

Councilor Weston referred to the Superintendent's Coffee, and mentioned a parent's opinion that there should be a moratorium on apartments and condominium.

City Manager Joyal said it's hard to stop growth without impinging on property owner's rights. He said the Council could raise impact fees.

Councilor Weston asked about adequacy aid.

City Manager Joyal agreed that contacting the sponsor of the Bill was a good idea, but the vote is next week and it will be difficult.

Mayor Trefethen said apartments historically do not impact schools. He said the property owners are complaining about impact fees now. He said the Planning Board is surveying school age children calculation all the time.

#### **16. ADJOURNMENT**

Deputy Mayor Carrier moved to adjourn to Workshop Session.

Vote: 9/0.