



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, April 24, 2013**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Weeden 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 Weeden moved to substitute as a whole Item 13.B.2.; seconded by Councilor Cheney. City Manager Joyal explained the three differences in the resolution.

Mayor Trefethen said this was more of an amendment, and it would be better to amend the resolution when they come to it.

Councilor Weeden withdrew his motion.

Councilor Cheney withdrew her second.

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

Vote: 9/0.

Deputy Mayor Carrier moved to add Deborah Sousane's letter to Council Correspondence; seconded by Councilor Spuler.

Vote: 9/0.

Deputy Mayor Carrier moved to accept the Agenda as amended; seconded by Councilor Hooper.

Vote: 9/0.

7. PUBLIC HEARINGS

A. CHAPTER 166, VEHICLES AND TRAFFIC – HENRY LAW AVENUE AND GEORGE STREET STOP SIGNS

SPONSORED BY COUNCILOR WESTON

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



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B. CHAPTER 166, VEHICLES AND TRAFFIC – WASHINGTON STREET AND MAIN STREET YIELD SIGN

SPONSORED BY COUNCILOR WESTON

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

C. CHAPTER 166, VEHICLES AND TRAFFIC – GROVE STREET STOP SIGNS

SPONSORED BY COUNCILOR WESTON

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

D. CHAPTER 166, VEHICLES AND TRAFFIC – PARK STREET STOP SIGNS

SPONSORED BY COUNCILOR WESTON

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

E. CHAPTER 166, VEHICLES AND TRAFFIC – COURT STREET PARKING RESTRICTION

SPONSORED BY COUNCILOR WESTON

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

F. CHAPTER 170, ZONING – REZONING LITTLEWORTH ROAD

SPONSORED BY MAYOR TREFETHEN, PLANNING BOARD REPRESENTATIVE

Bernard Stillwagon, 20 Littleworth Road: He spoke about the property being mostly wetlands. He asked the Council to respect neighborhood wishes to keep it rural residential.

Robert Sherwood, 11 Lisa Beth Circle, owner of Sherwood Landscaping, 55 Knox Marsh Road: He spoke in favor of the project.

Chris Schoonmacker, John Deere Store Manager, 10 Littleworth Road: He spoke in favor of the project.

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

G. CHAPTER 170, ZONING – REZONING RUTLAND STREET

SPONSORED BY MAYOR TREFETHEN, PLANNING BOARD REPRESENTATIVE

Attorney Jim Schulte: He said he represented the applicant. He understood there will be a second public hearing on May 8, 2013 and will address the Council at that time.

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.

Ronald Huml, 199 Mast Road: He spoke about his concerns with the proposed budget.

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

9. CITY MANAGER'S REPORT

- A. April 10, 2013**
- B. April 24, 2013**

City Manager Joyal said he has submitted both City Manager's Report for the month. He spoke about the successful Dover Pride Clean Up Day, and thanked all volunteers. He spoke about the pedestrian bridge presentation from Earle Goodwin and his upcoming memorandum about his other options. He talked about opening the outdoor pool, street cleaning and hydrant flushing. He attended a conference for City Managers in Boston. He discussed the City's lean process training project that he and the department heads are working on. He attended a City Manager meeting regarding recycling.

Councilor Weeden talked about the Prospect Street sewage backup and asked what has been done.

City Manager Joyal said he believed it was due to roots in the pipeline. He said they were working with their insurance company to help cover damages.

Deputy Mayor Carrier asked for an approximate amount for the cost for snow removal.

City Manager Joyal referred to Page 18 of the April 10, 2013 City Manager's Report, and said it was \$438,312.13, which was overbudget. He said they were expecting to receive approximately \$130,000 in federal funds for snow disaster relief.

Councilor Cheney asked about the water/sewer meter reader being broken.

City Manager Joyal explained the issue with the older equipment, and they have since bought equipment to upgrade the system.

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

Vote: 9/0.

10. APPROVAL OF MINUTES

- A. April 3, 2013 – Workshop Session**
- B. April 10, 2013 – Regular Meeting**

Deputy Mayor Carrier moved to accept the Minutes; seconded by Councilor Weeden.

Vote: 9/0.



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11. MAYOR'S REPORT

Mayor Trefethen talked about Dover Clean Up Day and said they will hear a detailed report from Dover Main Street. He attended the D.A.R.E. event on April 14, 2013.

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

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING

1. CHAPTER 166, VEHICLES AND TRAFFIC – HENRY LAW AVENUE AND GEORGE STREET STOP SIGNS
SPONSORED BY COUNCILOR WESTON

Councilor Weston moved for its adoption; seconded by Councilor Weeden.
Roll Call Vote: 9/0.

2. CHAPTER 166, VEHICLES AND TRAFFIC – WASHINGTON STREET AND MAIN STREET YIELD SIGN
SPONSORED BY COUNCILOR WESTON

Councilor Weston moved for its adoption; seconded by Councilor Garrison.
Roll Call Vote: 9/0.

3. CHAPTER 166, VEHICLES AND TRAFFIC – GROVE STREET STOP SIGNS
SPONSORED BY COUNCILOR WESTON

Councilor Weston moved for its adoption; seconded by Councilor Spuler.
Roll Call Vote: 9/0.

4. CHAPTER 166, VEHICLES AND TRAFFIC – PARK STREET STOP SIGNS
SPONSORED BY COUNCILOR WESTON

Councilor Weston moved for its adoption; seconded by Councilor Spuler.
Roll Call: 9/0.

5. CHAPTER 166, VEHICLES AND TRAFFIC – COURT STREET PARKING RESTRICTION
SPONSORED BY COUNCILOR WESTON

Councilor Weston moved for its adoption; seconded by Councilor Weeden.
Roll Call Vote: 9/0.



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6. CHAPTER 170, ZONING – REZONING LITTLEWORTH ROAD SPONSORED BY MAYOR TREFETHEN, PLANNING BOARD REPRESENTATIVE

Mayor Trefethen moved for its adoption; seconded by Councilor Weeden.
Mayor Trefethen said the abutters had not been notified by the Council and therefore it cannot be voted on this evening. He said they will be referring this ordinance to a second public hearing and a third reading. He discussed the area being considered.
Planning Director Parker gave an overview regarding the proposal and the area in question.
Mayor Trefethen moved to postpone the vote and hold another public hearing on May 8, 2013; seconded by Councilor Weeden.
Vote: 9/0.

7. CHAPTER 170, ZONING – REZONING RUTLAND STREET SPONSORED BY MAYOR TREFETHEN, PLANNING BOARD REPRESENTATIVE

Mayor Trefethen moved for its adoption; seconded by Councilor Weeden.
Mayor Trefethen said the same issue occurred and abutters need to be notified. He discussed the area being considered.
Planning Director Parker gave an overview regarding the proposal and the area in question. He said Economic Development Director Barifauldi also supported both of these rezoning ordinances.
Mayor Trefethen moved to postpone the vote and hold another public hearing on May 8, 2013; seconded by Councilor Garrison.
Vote: 9/0.

B. ORDINANCES IN THE 3rd READING – None

C. RESOLUTIONS – None

13. NEW BUSINESS

A. CONSENT CALENDAR

- 1. BLOCK PARTY – Greater Dover Chamber of Commerce – Farmer’s Market**
- 2. TAG – UNH Relay for Life (American Cancer Society)**
- 3. RESOLUTION: B13039 HOT BITUMINOUS PAVING – ASPHALT LAID IN PLACE**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
- 4. RESOLUTION: B13048 AWARD OF BID AMKUS HYDRAULIC TOOL REPLACEMENT**
SPONSORED BY MAYOR TREFETHEN BY REQUEST



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5. RESOLUTION: AUTHORIZATION TO ENTER INTO AN AGREEMENT AND COMMIT FUNDS TO THE NEW HAMPSHIRE STORMWATER COALITION. SPONSORED BY MAYOR TREFETHEN BY REQUEST

COMMITTEE REPORTS

1. School Board
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. Legislative Liaison
10. Pool Advisory Committee
11. Parking Commission
12. **Ordinance Codification and Verification Committee**

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

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

Councilor Weeden asked to pull Item 13.A.5.

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

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

Roll Call Vote: 9/0.

Deputy Mayor Carrier moved for the adoption of Item 13.A.5.; seconded by Councilor Weeden. Councilor Weeden asked about this coalition and the level of funds.

City Manager Joyal discussed the new coalition. He said the level of funding is about \$7,000.

Councilor Weeden asked what they were getting with this coalition.

City Manager Joyal said they hopefully will gain savings for working together with other communities.

Environmental Manager Peschel talked about the issue and other communities involved.

Councilor Weeden moved to make a friendly amendment in the Now, Therefore... "not to exceed available funding" and moved to change it to "not to exceed \$7,500;" and add "and additional funding must be authorized by the City Council;" seconded by Councilor Cheney.

Vote: 9/0.

Mayor Trefethen asked for a vote on the amended resolution.

Vote: 9/0.

Councilor Cheney gave an overview of the Ordinance Codification and Verification Committee Report. She said they will be bringing the Ordinance Code Book to the Council on May 8, 2013 to be referred to a public hearing on May 22, 2013.

Deputy Mayor Carrier moved to accept the Ordinance Codification and Verification Committee Report; seconded by Councilor Spuler.



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B. RESOLUTIONS

- 1. ACCEPTANCE OF THE ACTION PLAN AND EXPENDITURES FOR FISCAL YEAR 2014 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ENTITLEMENT FUNDS (TO BE REFERRED TO A PUBLIC HEARING ON MAY 8, 2013) SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Deputy Mayor Carrier moved to refer to a public hearing on May 8, 2013; seconded by Councilor Weston.

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

Vote: 9/0.

- 2. FISCAL YEAR 2014 BUDGET APPROPRIATIONS, FEES AND CAPITAL IMPROVEMENTS PROGRAM (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL) (TO BE REFERRED TO A PUBLIC HEARING AS FOLLOWS: SCHOOL DEPARTMENT BUDGET HEARING TO BE HELD ON MAY 8, 2013 CITY BUDGET HEARING TO BE HELD ON MAY 22, 2013) SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Deputy Mayor Carrier moved to refer to a public hearing on May 8, 2013; seconded by Councilor Weeden.

Councilor Weeden moved to amend the resolution to reflect a tax cap version of the budget; seconded by Councilor Cheney.

Mayor Trefethen said the top two numbers and bottom two numbers would change on Page 1. He said the School Department number on Page 2 will be reduced by \$308,000.

He said the language that it would require a 2/3 Council vote would be stricken.

Councilor Weston asked Councilor Weeden to withdraw his amendment until the public hearing to be held on May 8, 2013 for the School Department.

Councilor Weeden explained why he was proposing this amendment at this time.

City Manager Joyal referred to 6.3.4 of the City Charter and said this amendment is probably not appropriate. He said the public hearing has to be based on what the School Board presented.

Councilor Weeden withdrew his motion.

Councilor Cheney withdrew her second.

Mayor Trefethen asked for a vote to refer to a public hearing.

Vote: 9/0.

C. ORDINANCES IN 1ST READING – None



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14. COUNCIL CORRESPONDENCE

- A. **GREAT BAY PETITION - dated January 14, 2013 (received by City Clerk on April 10, 2013.)**
- B. **Letter from Deborah Sousane, dated April 23, 2013.**

Deputy Mayor Carrier moved to place the two Council correspondences on file; seconded by Councilor Weeden.
Vote: 9/0.

15. COUNCIL MATTERS OF INTEREST

Councilor Crago started a discussion about the panhandling problem in the City. City Manager Joyal said the police are aware of the situation and are looking into crafting an ordinance and that address this issue.

Deputy Mayor Carrier said Dover Baseball opening day ceremony is this Saturday at Dover High School. He attended the fundraiser for the Dover Children's Home at Blue Lattitudes and said it was a nice affair.

Councilor Spuler asked about Mr. McManus' letter regarding the Regional Planning and asked what the dues were.
City Manager Joyal said it is \$40,000 per year and they do not budget for it.
Councilor Spuler started a discussion regarding the Great Bay letter.
City Manager Joyal explained why the City is appealing the permit process with EPA.

16. ADJOURNMENT

Deputy Mayor Carrier moved to adjourn; seconded by Councilor Weston.
Vote: 9/0.