



**CITY OF DOVER**

## CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**  
Meeting Location: **Media Access Center, McConnell Center**  
Meeting Date: **Wednesday, August 14, 2013**  
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:** Mayor Trefethen, Deputy Mayor Carrier, Councilor Cheney, Councilor Crago, Councilor Hooper, Councilor Spuler, Councilor Weeden, and Councilor Weston.

**Absent:** Councilor Garrison.

**Also Present:** City Manager Joyal and City Clerk Lavertu.

### 5. PROCLAMATIONS/AWARDS – None

### 6. APPROVAL OF AGENDA

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

Vote: 8/0.

Deputy Mayor Carrier moved to add the Appointments Committee Report; seconded by Councilor Cheney.

Vote: 8/0.

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

Vote: 8/0.

### 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 said he had a few items to discuss. He was disappointed with the last regular meeting. He spoke about the letter of intent to the Strafford County Regional Planning Commission being part of the City Manager's Report, and said he felt it should have been on the agenda as a separate resolution. He spoke about the comments from the representative from the Strafford County Regional Planning Commission saying that the City has three projects and two were concerning the construction of parking garages. He spoke about his crystal ball telling him about several areas where the City is funding the parking garage instead of putting the money into the General Fund. His last comment was about the new police facility probably going over budget.

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



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### 9. CITY MANAGER'S REPORT

City Manager Joyal highlighted a few items of his written report. He said the summer recreation programs were wrapping up. He said the Library summer reading program has also wrapped up with record attendance. He said the overlay paving projects are wrapping up. He spoke about the progression of the Tolend Road reconstruction project. He informed the Council that he will be proposing that Watson Road be moved up on the CIP because of potential savings. He also informed the Council that the water/sewer billing office has moved to the first floor in City Hall.

Councilor Crago asked for clarification of the Citizen's Forum comment about two parking garages.

City Manager Joyal said he can't comment on another person's remarks, but recommended that citizens go the July 18, 2012 City Council Workshop, which is available on the City's website. He said the workshop laid out a proposed strategy for the Downtown infill project.

Councilor Crago started a discussion about Enterprise Park II being actively pursued versus being considered.

Mayor Trefethen said they have been talking about this for the last year and a half.

Councilor Weeden referred to Page 10 of the City Manager's Report, and asked how the consultant identified who to meet with regarding TIF areas.

City Manager Joyal said the consultant had a suggested list of who to meet with.

Councilor Cheney talked about the three parking garages and said discussions were happening. She said the public has to be fully engaged.

Councilor Weston spoke about the Pool Advisory Committee requesting credit card swipe capability.

City Manager Joyal said they are working on it. He said they already have online use of credit card for motor vehicles registration renewals, dog licensing, and school lunches. He said they are working on Recreation Department uses. He said the biggest issue they're having is with accounting. He said it is coming.

Councilor Spuler asked about the Chestnut Street crosswalk.

City Manager Joyal said the design specifications for the improvements will be completed by next week, bids will be going out, and he expects it will be completed by winter.

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

Vote: 8/0.

### 10. APPROVAL OF MINUTES

- A. July 17, 2013 – Workshop Session**
- B. July 24, 2013 – Regular Session**
- C. July 31, 2013 – Non-Public Session**

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

Mayor Trefethen asked to separate item 10.C. from the vote. The first vote will reflect approving items 10.A. and 10.B.

Vote: 8/0.



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Councilor Hooper moved to amend the July 31, 2013 minutes to include the Summary Sheet and Score Sheet; seconded by Councilor Weston.

Vote: 8/0.

### 11. MAYOR'S REPORT

Mayor Trefethen recommended the appointment of Councilor Cheney, Councilor Weeden, and Councilor Weston to the newly formed Ordinance Committee. He attended the opening day for the Cal Ripken Tournament. He said the Planning Board and Planning Department have created a climate adaptation exercise with MIT and they would like to know if the Council would like to participate.

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

Vote: 8/0.

### 12. UNFINISHED BUSINESS

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

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

#### **C. RESOLUTIONS**

- 1. AUTHORIZATION FOR CITY TO PARTICIPATE IN STATE CLEAN WATER STATE REVOLVING FUND FOR WASTEWATER TREATMENT FACILITY (WWTF) UPGRADE CAPITAL IMPROVEMENT PROJECT (CIP) (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL) SPONSORED BY MAYOR TREFETHEN BY REQUEST**

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

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

Vote: 8/0.

### 13. NEW BUSINESS

#### **A. CONSENT CALENDAR**

- 1. RAFFLE – American Legion Post 8**
- 2. RAFFLE – Saint Mary Academy**
- 3. ROAD TOLL – American Cancer Society Relay for Life “Angels of Hope”**
- 4. RESOLUTION: B12085 BIO SOLIDS DISPOSAL SERVICES CONTRACT EXTENSION**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST
- 5. RESOLUTION: B14003 DOVER DRAW STRING TRASH BAGS**  
SPONSORED BY MAYOR TREFETHEN BY REQUEST



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### **6. RESOLUTION: OPERATING RULES FOR ARTS COMMISSION SPONSORED BY COUNCILOR SPULER**

#### **COMMITTEE REPORTS**

1. **School Board (3)**
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

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 Weston asked to pull Item 13.A.5.

Councilor Hooper asked to pull the three School Board Reports.

Deputy Mayor Carrier asked to pull the Appointments Committee Report.

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

Roll Call Vote: 8/0.

Deputy Mayor Carrier moved for the adoption of 13.A.5.; seconded by Councilor Weston.

Councilor Weston asked if this was a price increase, and if it will affect the retail price to citizens.

City Manager Joyal said there would be no impact to the budget.

Roll Call Vote: 8/0.

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

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

Vote: 8/0.

Deputy Mayor Carrier gave an overview of the Appointments Committee Report. He recommended the following appointments:

- Brian Deguzis – COAST representative on the Transportation Advisory Commission
- Michael Joyce – Alternate member on the Conservation Commission

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

Vote: 8/0.

He listed all the current openings on the Boards and Commissions.

Deputy Mayor Carrier moved to approve the Appointments Committee Report; seconded by Councilor Weston.

Vote: 8/0.



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### **B. RESOLUTIONS**

#### **1. B13057 AWARD OF DESIGN SERVICE FOR DOVER POLICE FACILITY SPONSORED BY DEPUTY MAYOR CARRIER**

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Hooper.  
Deputy Mayor Carrier gave an overview of the resolution to the Council.  
Councilor Cheney asked about the contract.  
City Manager Joyal said it was a standard AIA contract.  
Councilor Crago discussed combining major construction projects and realizing savings for both projects.  
City Manager Joyal said there was a provision in the contract for looking at building both facilities, police and parking garage, at the same time.  
Roll Call Vote: 8/0.

#### **2. GENERAL LEGAL COUNSEL EMPLOYMENT AGREEMENT SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Deputy Mayor Carrier moved its adoption; seconded by Councilor Weston.  
City Manager Joyal said he has appointed Anthony I. Blenkinsop as General Legal Counsel. He gave an overview of the employment agreement to the Council. He discussed hours, vacation time, and retirement plan.  
Roll Call Vote: 8/0.

#### **3. ESTABLISHMENT OF OTHER POST EMPLOYMENT BENEFITS (OPEB) IRREVOCABLE TRUST FUND SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Spuler.  
Mayor Trefethen gave an overview of the resolution to the Council.  
City Manager Joyal said 95% of the accumulated funds will be transferred to the trust fund.  
Roll Call Vote: 8/0.

#### **4. B13075 PHASE II ENVIRONMENTAL SITE ASSESSMENT FIRST STREET SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Spuler.  
Mayor Trefethen gave an overview of the resolution to the Council.  
Roll Call Vote: 8/0.

#### **5. MCCONNELL CENTER LEASE WITH COMMUNITY PARTNERS SPONSORED BY MAYOR TREFETHEN BY REQUEST**

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Spuler.  
Vote: 8/0.



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### **6. CONTINUATION OF AUTHENTICATION AND CODIFICATION OF THE CITY ORDINANCES**

SPONSORED BY COUNCILORS CHENEY, WEEDEN, AND WESTON

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

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

Mayor Trefethen asked about the December 31, 2013 deadline.

Councilor Cheney said she doesn't think it will take that long, but they have been working hard and there are still unknown issues that may come up.

Councilor Weeden said they didn't want to have to ask the Council again for an extension.

Mayor Trefethen said the last meeting of this Council's term is early December, and the work of this committee would need to be brought before the Council for a first reading in November.

Councilor Cheney said the background information notes that.

City Manager Joyal said they might want to back it up to allow for second or third readings. He talked about the new General Legal Counsel not being up to speed to be able to help this committee. He understood they were done in April and doesn't feel the Council wants him staffing these meetings.

Councilor Cheney said they were trying to update 30 years of work. She just didn't want a drop dead date, even though they expect to have it completed earlier.

Mayor Trefethen said they will be voting on Chapter 1, which notates all the changes to the entire Code.

Councilor Cheney moved to amend the resolution's Now Therefore and change the date from December 31, 2013 to December 11, 2013.

Vote: 8/0.

Mayor Trefethen asked for a vote on the amended resolution.

Vote: 6:1:1; Passed. Councilor Hooper was opposed. Mayor Trefethen abstained.

### **C. ORDINANCES IN 1ST READING**

#### **1. CHAPTER 170: ZONING, SECTION 28.2: RESIDENTIAL-COMMERCIAL MIXED USE (RCM) OVERLAY DISTRICT E) PROCEDURAL CONCEPTS (TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 11, 2013)**

SPONSORED BY MAYOR TREFETHEN, PLANNING BOARD REPRESENTATIVE

Deputy Mayor Carrier moved to refer to a public hearing on September 11, 2013; seconded by Councilor Crago.

Councilor Weston moved to amend the ordinance to waive the public notice; seconded by Deputy Mayor Carrier.

Vote: 8/0.

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

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

Vote: 8/0.



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### **14. COUNCIL CORRESPONDENCE**

**A. LETTER FROM STATE OF NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION, dated July 10, 2013.**

**B. LETTER FROM COMCAST, dated July 18, 2013.**

Deputy Mayor Carrier moved to place on file; seconded by Councilor Spuler.  
Vote: 8/0.

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

Councilor Crago said he will be coming before the City Council with an Executive Summary. He said Dover will be the first in New Hampshire to receive the State Quality Award.

### **16. ADJOURNMENT**

Deputy Mayor Carrier moved to adjourn; seconded by Councilor Weston.  
Vote: 8/0.