



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, September 10, 2014**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor O'Connor led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Weston, Deputy Mayor Carrier, Councilor Cheney, Councilor Gagnon (arrived at 7:37pm), Councilor Garrison, Councilor Hooper, Councilor McManus, Councilor O'Connor, and Councilor Thibodeaux.

Also Present: City Manager Joyal, General Legal Counsel Blenkinsop, and City Clerk Lavertu.

5. PROCLAMATIONS/AWARDS

A. DOVER 9-YEAR-OLD CAL RIPKEN ALL STAR BASEBALL TEAM

Mayor Weston presented the proclamation to the team.

6. APPROVAL OF AGENDA

Councilor Hooper moved to add the School Board Report.

Councilor Cheney moved to add the Ordinance Committee Report.

Councilor McManus moved to add the Library Board of Trustees Report.

Deputy Mayor Carrier moved to approve the Agenda as amended; seconded by Councilor Thibodeaux.

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.

Jeffrey Brissette, 11 Fieldstone Drive: He spoke about the condition of Tolend Road and how the paving was done incorrectly. He spoke about the need to complete the bidding process. He said it cost the City more money and it is already cracking.

Donald Medbery, 3 Covered Bridge Lane: He agreed with Mr. Brissette. He spoke about the need to complete the bidding process.



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Thomas Levasseur, 8 Harvest Drive: He spoke about the flood damage to Kelley's Row and Blue Latitudes. He said the owners of these businesses are always helping and contributing to the City and the City's charitable organizations. He asked for the City's help in getting these businesses opened again.

Brian Kelley, 48 Picard Lane, co-owner of Kelley's Row: He spoke about his business and how nothing is being done to help them get back to business. He asked for the City's input to help them get this resolved.

Raylene O'Neil, 128 Henry Law Avenue: She spoke in support of Kelley's Row and Blue Latitudes.

Shannon O'Neil, 128 Henry Law Avenue: He spoke in support of Kelley's Row and Blue Latitudes.

Eddie Edwards, 57 Clearwater Drive: He talked the lack of leadership of the Council. He asked the Council to help these businesses.

Raymond Masse, 7 Fieldstone Drive: He spoke in support of Kelley's Row and Blue Latitudes. He said he was present when the flooding happened.

Tony Christopher, 17 School Street: He spoke in support of Kelley's Row and Blue Latitudes. He asked for the Council's input to get this resolved.

Larrie Upton, 4 Oak Hill Drive: He spoke in support of Kelley's Row and Blue Latitudes.

Jamie Stevens, 7 Drew Road: He spoke in support of Kelley's Row and Blue Latitudes.

Nathan Dickey, 43 Cushing Street: He spoke in support of Kelley's Row and Blue Latitudes.

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

9. CITY MANAGER'S REPORT

City Manager Joyal thanked the citizens for supporting Kelley's Row and Blue Latitudes. He said all the citizen's forum comments have been taken to heart. He said they are trying to be creative and solve this issue legally. He said it is the City's primary goal to get these businesses back on their feet.

Mayor Weston said the leadership of this community is working on this issue. She asked the City Manager if the City is responsible to determine who is responsible.

City Manager Joyal said the City has conducted an initial engineering report. He said legal action has started and ultimately it's the courts that will determine responsibility. He said they plan to have engineers meet with insurance adjusters to get this resolved quickly. He said the City is named in the suit, but he is working with the businesses to get this resolved.



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Councilor Cheney moved to suspend the rules to reopen Citizen's Forum; seconded by Councilor O'Connor.
Roll Call Vote: 9/0.

Mayor Weston reopened Citizen's Forum.

Larry Gormley, Hoefle Phoenix Gormley & Roberts, P.A.: He said he represents Kelley's Row and Blue Latitudes. He discussed why the businesses initiated the lawsuit, and the process the lawsuit needs to go through. He said the purpose of speaking tonight with the Council is these businesses need money to rebuild now.

Michael Cartelli, owner of Cartelli's Bar and Grill: He spoke in support of Kelley's Row and Blue Latitudes.

Michael Steinberg, owner of Relyco: He spoke in support of Kelley's Row and Blue Latitudes.

Raymond Masse, 7 Fieldstone Drive: He spoke in support of Kelley's Row and Blue Latitudes. He asked the City to contact their insurance company to pressure them to pay for the damages now and then fight it out between the insurance companies.

Thomas Lévasseur, 8 Harvest Drive: He said he was surprised that it took the City two weeks to find out something was going on at these businesses.

Wayne Gower, 23 Jefferon Drive: He spoke in support of Kelley's Row and Blue Latitudes. He asked the Council to pull the permits for this construction site until the issue is resolved.

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

City Manager Joyal said the City can withhold the certificate of occupancy, but not to stop the construction. He said he was at the site as soon as he realized there was a problem, and he takes the blame that it wasn't sooner.

Councilor O'Connor referred to the Tolend Road paving project, and asked if it was constructed correctly.

City Manager Joyal said this situation is being dealt with Statewide and the specifications for pavement. He said they are working with the contractor.

Councilor Hooper asked for clarification regarding comments made about the City's insurance. City Manager Joyal said they no longer use the insurance company mentioned, but now have Primex. He added that he was never on the board for the Local Government Center (LGC).

Councilor Cheney questioned that he was on the board of the New Hampshire Manager's Association.

City Manager Joyal agreed, but added that it had nothing to do with the New Hampshire Municipal Association.



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Councilor Cheney asked about the costs for paving Tolend Road and Watson Road. City Manager Joyal said there are fixed costs and that the total cost is not based on the length of road being paved.

Mayor Weston talked about doing a feasibility study for the Waterfront area. City Manager Joyal said that would be his recommendation.

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

10. APPROVAL OF MINUTES

A. August 27, 2014 – Regular Meeting

Deputy Mayor Carrier moved to approve the minutes: seconded by Councilor O'Connor.
Vote: 9/0.

11. MAYOR'S REPORT

Mayor Weston said she attended the DBIDA retreat. She spoke about the dedication of a new sign for the Dover Transportation Center. She attended the Dover BizEd meeting. She talked about the CTC funding from the State, and thanked Senator Watters for his work.

Deputy Mayor Carrier moved to accept the Mayor's Report; seconded by Councilor Garrison.
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. RAFFLE – Amy's Treat
2. RAFFLE – Farmington Parks & Recreation
3. RAFFLE – St. Thomas' Episcopal Church
4. ROAD RACE – Dover High School Unified
5. ROAD TOLL – Muscular Dystrophy Association of N.H. & Dover Fire
6. TAG – Seacoast Titans Football and Cheer



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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 Committee**
13. Police and Parking Facility Building Committee
14. Joint Building Committee – Dover High School and Regional CTC
15. **Library Board of Trustees**

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

Councilor Hooper asked to pull the School Board Report.

Councilor Cheney asked to pull the Ordinance Committee Report.

Councilor McManus asked to pull the Library Board of Trustees Report.

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

Vote: 9/0.

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

Vote: 9/0.

Councilor Cheney gave an overview of the Ordinance Committee Report to the Council. She spoke about adding a line to the Ordinance Template to have the section.

Vote: 9/0.

Councilor McManus gave an overview of the Library Board of Trustees Report to the Council.

Vote: 9/0.

B. RESOLUTIONS

1. **ADDITIONAL SCOPE OF WORK FOR DREDGE CELL CLOSURE, GEOINSIGHT INC.**

SPONSORED BY MAYOR WESTON BY REQUEST

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

Environmental Project Manager Peschel gave an overview of this resolution to the Council regarding the dredge cell.

Roll Call Vote: 9/0.

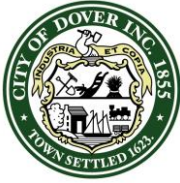
2. **UNH COCHECO AND UPPER PISCATAQUA RIVER SAMPLING PROJECT**

SPONSORED BY MAYOR WESTON BY REQUEST

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

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

Roll Call Vote: 9/0.



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3. NEW HAMPSHIRE MUNICIPAL ASSOCIATION LEGISLATIVE POLICY +CONFERENCE SPONSORED BY COUNCILOR GARRISON

Councilor Garrison moved for its adoption; seconded by Councilor O'Connor.
Vote: 9/0.

C. ORDINANCES IN 1ST READING

1. CHAPTER 131 – OFFENSES (TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 24, 2014) SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to refer to a public hearing on September 24, 2014;
seconded by Councilor O'Connor.
Vote: 9/0.

14. COUNCIL CORRESPONDENCE – None

15. COUNCIL MATTERS OF INTEREST

Councilor McManus talked about the Waterfront development project and starting the process for creating the TIF district for the waterfront to cover the costs.

Councilor Thibodeaux said the second Saturday of the month she will be holding a "Coffee with the Councilor" session.

Councilor Gagnon said Hazardous Waste Day for Dover is set for September 29, 2014, 8:30 – 12:30.

City Manager Joyal said there is a list of items they will take on the City's website.

Councilor McManus said the Irish Festival is September 27, 2014, 12:00 – 4:00 pm, in Henry Law Park.

Councilor Weston spoke about the Council considering to change the timing of the Citizen's Forum segment during a workshop session to be in the beginning.

16. ADJOURNMENT

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