



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, November 12, 2014**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Hooper led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Weston, Deputy Mayor Carrier, Councilor Cheney, Councilor Gagnon, 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 – None

6. APPROVAL OF AGENDA

Councilor Cheney moved to add to Council Correspondence the Health Trust meetings from October 22, 2014 and October 30, 2014.

Councilor Hooper moved to add a second School Board report.

Councilor O'Connor moved to add the Arts Commission report and his handout.

Deputy Mayor Carrier moved to add two raffles to the Consent Calendar as Item 13.A.8. First Parish Church and Item 13.A. 9. Dover High School Girls' Basketball Team.

Deputy Mayor Carrier moved to accept the agenda as amended; seconded by Councilor O'Connor.

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.

Mary Hebbard, 97 Spruce Lane: She spoke about Councilor McManus' correspondence to the Council. She strongly supported Councilor Cheney's nomination to Health Trust. She spoke about Monday's School Board meeting.

Deputy Mayor Carrier interrupted and said Ms. Hebbard's comments were unacceptable.

Ms. Hebbard continued with her comments and discussed her 2nd Amendment rights and asked why the information was released that she and her husband have concealed weapons permits. She said this was about protecting Doris Grady on the School Board.



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Richard Hebbard, 97 Spruce Lane: He spoke in support of Doris Grady on the School Board. He showed his tape measure which was mistaken for a gun during the School Board meeting on Monday..

Robert Prutier, Shady Lane: He spoke about their 1st Amendments Rights to speak at the School Board's meeting.

Arthur Burke, 2 Union Street: He spoke about the services held on Veterans' Day at City Hall. He spoke about the lack a memorial for the veterans of World War II.

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

9. CITY MANAGER'S REPORT

City Manager Joyal submitted his report in writing. He spoke about revenues and expenditures. He said the City is still waiting for the tax rate to be set, and the need to start getting the revenues in to pay the County taxes in December. He said the Leadership Academy has completed and hopes to see new citizens volunteer for boards and commissions. He spoke about his professional development activities. He spoke about his conversations with the New Hampshire Department of Transportation (DOT) and increasing the speed limit north of Ext 9 on the Spaulding Turnpike to 65 miles per hour.

Mayor Weston asked for an explanation on the process to have a World War II Veterans memorial created.

City Manager Joyal said it would be what the City wanted and where, fundraising, and creating it. He said he did believe there was a World War II monument in Henry Law Park, but it doesn't list the names of veterans. He will check into it.

Mayor Weston asked how much is owed to the County.

City Manager Joyal said the City budgeted for \$7,980,468, but the actual amount won't be set until the warrant has been created.

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

Vote: 9/0

10. APPROVAL OF MINUTES

A. October 15, 2014 – Workshop Session

B. October 22, 2014 – Regular Meeting

Deputy Mayor Carrier moved to accept the Minutes.

Councilor Cheney referred to the October 22, 2014 minutes and moved to amend Page 7/7 to add that she mentioned that she brought forward her request to be nominated on October 8th; seconded by Councilor Hooper.

Vote: 9/0.



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Mayor Weston asked for a vote on accepting the minutes as amended.

Vote: 9/0.

11. MAYOR'S REPORT

Mayor Weston said she attended the McConnell Center candidates forum. She attended the Leadership Academy graduation. She spoke at the Veterans' Day services on Tuesday. She reminded the public about the Lip-sync concert this Friday.

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

Vote: 9/0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING – None

B. ORDINANCES IN THE 3rd READING – None

C. RESOLUTIONS

1. ADOPTION OF FY2016-2021 CAPITAL IMPROVEMENTS PROGRAM SPONSORED BY MAYOR WESTON BY REQUEST

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

Mayor Weston gave an overview of the resolution to the Council. She asked about the changes.

City Manager Joyal said there was a revised plan on the Council's desk, and gave an overview of the changes. He said it would be appropriate to substitute the background list to the resolution.

Councilor Garrison moved to substitute the list of CIP projects with the revised list; seconded by Councilor Hooper.

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

Mayor Weston asked for a roll call vote on the amended resolution.

Roll Call Vote: 8/1; Passed. Councilor McManus was opposed.

2. APPROPRIATION FOR FY2016 CAPITAL IMPROVEMENTS PROGRAM – NON-DEBT FINANCED PROJECTS (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL) SPONSORED BY MAYOR WESTON BY REQUEST

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

Mayor Weston gave an overview of the resolution to the Council. She said it did not impact the tax rate.

Councilor McManus disagreed with the statement that it didn't affect the tax rate. He said spending money affects the tax rate.

Roll Call Vote: 9/0.



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3. APPROPRIATION FOR FY2016 CAPITAL IMPROVEMENTS PROGRAM AND AUTHORIZATION FOR BONDING (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL) SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Thibodeaux. Mayor Weston said they would go through the items one by one to amend them.

Item #1 – Intersection reconstruction of Sixth Street and Venture Drive
Councilor Thibodeaux moved to amend the number to \$0.00; seconded by Councilor Garrison.
Vote: 9/0.

Item #2 – Street reconstruction – Bellamy Road
Councilor Thibodeaux moved to amend the number to \$0.00; seconded by Councilor Gagnon.
Vote: 9/0.

Item #4 – Reconstruction of Floral Avenue and Brick Street
Councilor Garrison moved to amend the number to \$0.00; seconded by Councilor Thibodeaux.
Vote: 9/0.

Item #8 High School & Dunaway Field Improvements
Deputy Mayor Carrier gave an overview of the project to the Council. Council discussed the amounts needed to assure State funding. Councilor Cheney discussed having another workshop on this project and vote on this resolution on December 10, 2014. Mayor Weston said they needed to give the Joint Building Committee some money, but she didn't want to have this project held off for another building season. Councilor O'Connor moved to amend to \$16,000,000; seconded by Councilor Gagnon. Councilor Cheney asked about the timing issue and if the City would risk the State funding. City Manager Joyal said it's two separate funding projects that is being treated as one project. He spoke about the important of approving this resolution at this time.
Vote: 9/0.

Item #14 Sewer Main Floral Ave/High Ridge
Councilor Thibodeaux moved to amend to \$0.00 (Zero Dollars); seconded by Councilor Gagnon.
Vote: 9/0.

Mayor Weston said the new total the Council is authorizing for bonding has been amended to \$30,875,000.
Roll Call Vote: 9/0.



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13. NEW BUSINESS

A. CONSENT CALENDAR

1. **RAFFLE – Cocheco Valley Humane Society**
2. **RAFFLE – Great Bay Figure Skating Club (1)**
3. **RAFFLE – Great Bay Figure Skating Club (2)**

4. **OPERATING RULES FOR PARKING COMMISSION**
SPONSORED BY MAYOR WESTON BY REQUEST

5. **AWARD OF BID B14074 PROFESSIONAL ENGINEERING SERVICES FOR WATER SYSTEMS FACILITY UPGRADES**
SPONSORED BY MAYOR WESTON BY REQUEST

6. **B15011 SNOW PLOWING/HAULING SERVICES FOR CITY STREETS AND PARKING LOTS**
SPONSORED BY MAYOR WESTON BY REQUEST

7. **ESTABLISHMENT OF FISCAL YEAR 2015 EXPECTATIONS BY MAYOR AND CITY COUNCIL FOR CITY MANAGER**
SPONSORED BY MAYOR WESTON

8. **RAFFLE – First Parish Congregational Church**
9. **RAFFLE – Dover High School Girl's Basketball Team**

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. 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

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

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

Councilor Hooper pulled the School Board Report.

Councilor McManus pulled the Item #13.A.4.

Councilor O'Connor pulled the Arts Commission Report.

Councilor Gagnon pulled Item #13.A.6.

Deputy Mayor Carrier asked to pull the Appointments Committee Report.



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

Roll Call Vote: 9/0.

Deputy Mayor Carrier moved to adopt Item 13.A.4.; seconded by Councilor O'Connor.

City Clerk Lavertu gave an overview of the reason for amending the rules to change Chapter 3 to Chapter 5.

Deputy Mayor Carrier moved to change the language in the Parking Commission operating rules to: "...Chapter 5, Boards, Commissions and Committees, including Sections 5-1. and 5-18."

Vote: 9/0.

Mayor Weston talked about changing consecutive absences from three to four; seconded by Councilor O'Connor.

City Manager Joyal suggested striking the first sentence because it's part of the City Code.

Councilor Garrison move to strike the current language under Article 3, and replace it with "Refer to Code 5-1.c.; seconded by Councilor O'Connor.

Vote: 9/0.

Councilor Cheney asked about the process. Does Chapter 5 state that the chairperson will attempt to contact the member regarding absences.

Mayor Weston asked the Council to vote on the rules as amended.

Vote: 9/0.

Deputy Mayor Carrier moved to adopt Item 13.A.6.; seconded by Councilor Thibodeaux.

Councilor Gagnon recused himself from the vote and left the Chambers

City Manager Joyal gave an overview of the process to the Council, stating that the City is still looking for more contractors for snowplowing.

Roll Call Vote: 8/0. Councilor Gagnon recused.

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

Deputy Mayor Carrier moved to accept the School Board Report; seconded by Councilor McManus.

Vote: 9/0.

Councilor O'Connor gave an overview of the Arts Commission Report to the Council.

Deputy Mayor Carrier moved to accept the School Board Report; seconded by Councilor Thibodeaux.

Vote: 9/0.



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Deputy Mayor Carrier gave an overview of the Appointments Committee Report to the Council. They recommended the following appointments:
Cyrus Esmareili – Energy Commission
Yulia Rothenberg – alternate position on the Arts Commission
Mayor Weston asked for vote from the Council.
Vote: 9/0.

B. RESOLUTIONS

1. HUMAN SERVICES (WELFARE) GUIDELINES FOR THE CITY OF DOVER SPONSORED BY MAYOR WESTON BY REQUEST

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

2. B10040 MUNICIPAL SOLID WASTE COLLECTIONS, RECYCLING AND DISPOSAL SERVICES WITH PINARD WASTE SYSTEMS INC SPONSORED BY COUNCILOR GAGNON BY REQUEST

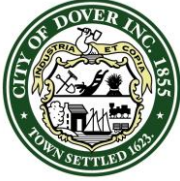
Councilor Gagnon moved for its adoption; seconded by Deputy Mayor Carrier. Councilor Gagnon gave an overview of the resolution to the Council. He stated that the Solid Waste Advisory Commission recommended extending this contract. Community Services Director Steele said it was an advantageous contract for the City. Councilor Cheney said she didn't support not going out to bid. Councilor O'Connor said he also didn't support not going out to bid. The Council discussed the merits of going out to bid or extending the current contract. Roll Call Vote: 7/2; Passed. Councilor Cheney and Councilor O'Connor were opposed.

3. AUTHORIZATION FOR CATHERINE CHENEY TO VOTE AT 2014 HEALTHTRUST ANNUAL MEETING SPONSORED BY COUNCILOR CHENEY

Councilor Cheney moved for its adoption; seconded by Councilor Garrison. Councilor Cheney gave an overview of the resolution to the Council. Deputy Mayor Carrier said he was uncomfortable with picking one Councilor over another. He suggested that they send the City Manager to represent the Council.

Councilor Garrison moved to suspend the rules to continue the meeting past 10:30 pm to complete the agenda; seconded by Councilor McManus.
Roll Call Vote: 9/0.

Councilor McManus moved to move the question; seconded by Councilor Garrison.
Vote: 6/3; Passed. Councilors Cheney, Gagnon, and O'Connor were opposed.
Mayor Weston asked for a vote on the resolution.
Vote: 3/5; Failed. Mayor Weston and Councilors Cheney and O'Connor voted in favor.
Councilor Gagnon abstained.



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Councilor Thibodeaux moved to reconsider the vote to allow ...
Councilor McManus called for a point of order. He asked if this motion can take place since he moved the question.
Mayor Weston said the Council can still have a motion to reconsider.

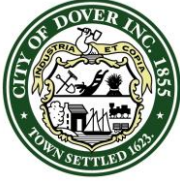
Councilor Thibodeaux moved to reconsider the vote.
There was no second.

4. AUTHORIZATION FOR DOROTHEA HOOPER TO VOTE AT 2014 HEALTHTRUST ANNUAL MEETING SPONSORED BY COUNCILOR HOOPER

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Thibodeaux.
Councilor Hooper gave an overview of the resolution to the Council.
Deputy Mayor Carrier again suggested that the City Manager to attend the meeting on the Council's behalf.
Councilor Cheney moved to amend the resolution replacing Councilor Hooper's name with the City Manager to represent the Council; seconded by Councilor O'Connor.
Councilor Hooper said she didn't have a problem with that suggestion. She said they should vote her down first.
Mayor Weston asked for a vote on the amendment.
Councilor Thibodeaux said it was her opinion that they should vote the current resolution down first.
Councilor Cheney said if they do vote this resolution down, then by default the City Manager goes to represent the Council.
Mayor Weston said they have a motion on the floor.-
Councilor Garrison supported the amendment.
Mayor Weston asked for a vote on the amendment.
Vote: 9/0.
Mayor Weston asked for a vote on the amended resolution.
Vote: 9/0.

5. AMELIA COEN REVOCABLE TRUST DONATION SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor O'Connor.
Mayor Weston gave an overview of the resolution to the Council.
General Legal Counsel Blenkinsop showed the Council that the land donation abuts City-owned land.
Vote: 9/0.



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6. HEALTH TRUST REBATES PLACED IN CITY OPEB (OTHER POST EMPLOYMENT BENEFITS) TRUST FUND SPONSORED BY COUNCILOR CHENEY

Councilor Cheney moved for its adoption; seconded by Councilor Thibodeaux.
Councilor Cheney gave an overview of the resolution to the Council.

Councilor McManus said this resolution and the following resolution were interconnected enough that both should be referred to a public hearing.
Councilor Cheney moved that the resolution be referred to a public hearing on December 10, 2014.
Vote: 9/0.

7. MAINTAIN REGULAR CONTRIBUTIONS TO CITY EMPLOYEE BENEFITS RESERVE (TO BE REFERRED TO A PUBLIC HEARING ON DECEMBER 10, 2014) SPONSORED BY COUNCILOR CHENEY

Councilor Cheney moved to refer to a public hearing on December 10, 2014; seconded by Councilor Garrison.
Vote: 9/0.

8. ORDINANCES IN 1ST READING – None

14. COUNCIL CORRESPONDENCE

- A. Letter from Councilor McManus, dated October 28, 2014.**
- B. Health Trust meetings from October 22, 2014 and October 30, 2014.**

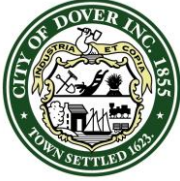
Deputy Mayor Carrier moved to place correspondence on file; seconded by Councilor Gagnon.
Vote: 9/0.

15. COUNCIL MATTERS OF INTEREST

Councilor O'Connor wished Councilor Hooper a Happy Birthday. He spoke about the street light on Chestnut Street. He congratulated Officer Brad Gould on receiving a Hero in Action award.

Councilor Thibodeaux stated that she would not be holding a Coffee with the Council session this weekend. She attended and congratulated Dover Honda for their groundbreaking ceremony.

Councilor Cheney attended the Legal Issue sessions at the New Hampshire Municipal Association (NHMA). She gave an overview regarding the Health Trust resolutions since the Council won't have a meeting before the vote on December 10, 2014. She also recommended that the Council not support Zach Taylor on the Board because he has a conflict by working for a director competitor..



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Mayor Weston asked for a consensus from the Council to direct the City Manager not endorse Mr. Taylor's nomination.

There was consensus from the Council.

Councilor Cheney talked about the new articles of incorporation that she will send to the Council.

Mayor Weston gave an update on the repairs to Tolend Road.

Councilor Gagnon spoke about a 6-month old child who was being treated for a very rare form of cancer. He said a fund has been set up to help them and asked people to contact him. He also asked for good thoughts.

16. ADJOURNMENT

Deputy Mayor Carrier moved to adjourn; seconded by Councilor O'Connor.

Vote: 9/0.