



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, February 25, 2015**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Cheney led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Weston, Councilor Cheney, Councilor Gagnon, Councilor Garrison, Councilor Hooper, Councilor O'Connor, and Councilor Thibodeaux.

Absent: Deputy Mayor Carrier and Councilor McManus.

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

5. PROCLAMATIONS/AWARDS

6. APPROVAL OF AGENDA

Councilor Hooper moved to add the School Board Report.

Councilor Gagnon moved to add the Police and Parking Facility Building Committee Report.

Councilor Cheney moved to add the Ordinance Committee Report and Legislative Liaison Report.

Councilor Garrison moved to accept the agenda as amended; seconded by Councilor Thibodeaux.

Vote: 7/0.

7. PUBLIC HEARINGS

A. CHAPTER 5, SECTION 23 – DOWNTOWN DOVER TAX INCREMENT FINANCE ADVISORY BOARD

SPONSORED BY MAYOR WESTON, DEPUTY MAYOR CARRIER AND COUNCILOR CHENEY

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

B. CHAPTER 5, SECTION 24 – WATERFRONT TAX INCREMENT FINANCE ADVISORY BOARD

SPONSORED BY MAYOR WESTON, DEPUTY MAYOR CARRIER AND COUNCILOR CHENEY

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



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D. CHAPTER 166, SECTION 47 – TOLEND ROAD WEIGHT LIMIT SPONSORED BY MAYOR WESTON BY REQUEST

Jeffrey Brissette, 11 Fieldstone Drive: He requested a time limit to this Ordinance.

Donald Medbery, 3 Covered Bridge Lane: He spoke about the City Manager's performance.

Councilor Hooper called for a point of order stating this was a public hearing for Tolend Road. Mayor Weston asked the speaker to refrain his comments to Tolend Road.

Mr. Medbery talked about the conditions of Tolend and the problems with the contract.

Mayor Weston interrupted Mr. Medbery and said the public hearing is on the weight limit.

Mr. Medbery spoke about the importance of the weight limit. He said it's something that shouldn't be discussed. The contractor is responsible and due diligence should have been followed. He said he felt the City should conduct a forensic audit on this project.

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

E. ADVANCED REFUNDING FOR CITY OF DOVER JUNE 2006 AND JUNE 2007 GENERAL OBLIGATION BONDS AND AUTHORIZATION TO ISSUE REFUNDING BONDS (REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL, WITH A COUNCIL VOTE TO OCCUR ON MARCH 11, 2015) SPONSORED BY MAYOR WESTON BY REQUEST

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

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 Tolend Road and the proposed change order.

Donald Medbery, 3 Covered Bridge Lane: He agreed with Mr. Brissette's comments. He spoke about why the process for the Tolend Road construction project wasn't adhered to.

Michael Russo, 33 Samuel Hanson Avenue: He spoke about the cost of the new High School project, and asked that the citizens be able to vote on spending this money. He asked the City Manager for the total debt the City is carrying. He also asked the City Manager how much interest is the City collecting on the Fund Balance of \$14 million and if it could be invested in a mutual fund.



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

9. CITY MANAGER'S REPORT

City Manager Joyal reminded residents for the need to remove snow from roofs, and the danger from icicles. He said the property owners are responsible to remove icicles. He spoke about melting of snow and said pothole season is now upon us, and asked citizens to be careful. He said there is a pothole hotline and asked citizens to let the City know about potholes. He said he was recommending the reappointment of Marjorie Briand to the Dover Housing Authority. He addressed the Citizen's Forum questions. He said the City's debt is approximately \$115 million. He spoke about the interest on the \$14 million and explained the function of the Fund Balance. He listed the professional developments of City staff.

Councilor Cheney said she wouldn't be voting on the City Manager's Report, because she does not feel that under our Charter or the State Law that he is granted the authority to make that appointment.

Mayor Weston asked about the Fund Balance and how low it has gotten.

City Manager Joyal said they have gotten as low as a few hundred thousands, which wouldn't cover a week's worth of vendor payments.

Councilor Garrison moved to accept the City Manager's Report; seconded by Councilor Gagnon.

Vote: 6/0; Passed. Councilor Cheney abstained.

10. APPROVAL OF MINUTES

- A. February 11, 2015 – Workshop Session**
- B. February 11, 2015 – Regular Meeting**

Councilor Cheney referred to Page 10/10 on the February 11, 2015 Regular Meeting Minutes, and moved to strike "There was consensus."

Vote: 7/0.

Councilor Gagnon moved to approve the minutes as amended; seconded by Councilor Garrison.

Vote: 7/0.

11. MAYOR'S REPORT

Mayor Weston said she judged the Young Inventors at the Woodman Park Elementary School. She attended the USS Norfolk tour.

Councilor O'Connor moved to accept the Mayor's Report; seconded by Councilor Thibodeaux.
Vote: 7/0.



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12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING

1. CHAPTER 5, SECTION 23 – DOWNTOWN DOVER TAX INCREMENT FINANCE ADVISORY BOARD

SPONSORED BY MAYOR WESTON, DEPUTY MAYOR CARRIER AND COUNCILOR CHENEY

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

City Manager Joyal said under General Provisions in Chapter 5 there is a provision that states that all members shall be residents with any exceptions being approved by the City Council. He said there is also a provision for staggering of terms for new boards.

Councilor Cheney moved to add at the end of Paragraph A, “All members shall be residents of Dover.”; seconded by Councilor Gagnon.

Vote: 4/3; Passed. Councilors Garrison, Hooper, and Thibodeaux were opposed.

City Manager Joyal said he didn’t want to confuse the Council, but at the last meeting the Council voted to remove the wording at the last meeting, but he noticed that the language is still in Chapter 5.

General Legal Blenkinsop explained the error in the Ordinance.

Roll Call Vote: 4/3; Passed. Councilors Garrison, Hooper and Thibodeaux were opposed.

2. CHAPTER 5, SECTION 24 – WATERFRONT TAX INCREMENT FINANCE ADVISORY BOARD

SPONSORED BY MAYOR WESTON, DEPUTY MAYOR CARRIER AND COUNCILOR CHENEY

Councilor O’Connor moved for its adoption; seconded by Councilor Cheney.

Councilor Cheney moved to add at the end of Paragraph A, “All members shall be residents of Dover.”; seconded by Councilor Gagnon.

Vote: 4/3; Passed. Councilors Garrison, Hooper, and Thibodeaux were opposed.

Mayor Weston asked for a roll call vote.

Roll Call Vote: 4/3; Passed. Councilors Garrison, Hooper, and Thibodeaux were opposed.

3. CHAPTER 166, SECTION 47 – TOLEND ROAD WEIGHT LIMIT SPONSORED BY MAYOR WESTON BY REQUEST

Councilor O’Connor moved to substitute as a whole; seconded by Councilor Cheney.

Councilor Cheney gave an overview of the substituted Ordinance to the Council.

Vote: 7/0.



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Councilor Gagnon recused himself from the discussion and vote.

Councilor Cheney moved for its adoption; seconded by Councilor Garrison.
Councilor Cheney said she was concerned that there wasn't an end date.
City Manager Joyal explained he didn't want an end date because he couldn't guarantee when the work to fix the road will be completed.
Roll Call Vote: 6/0.

B. ORDINANCES IN THE 3RD READING

C. RESOLUTIONS

- 1. REPROGRAM AUTHORIZATION FOR WILLAND POND WATER MAIN IMPROVEMENT FISCAL YEAR 2014 CAPITAL IMPROVEMENTS PROGRAM (CIP) PROJECT TO WATER SYSTEM FACILITIES UPGRADE PROJECT AND AUTHORIZE PARTICIPATION IN DRINKING WATER STATE REVOLVING FUND (DWSRF) PROGRAM (REQUIRES A 2/3 MAJORITY OF THE CITY COUNCIL) SPONSORED BY MAYOR KAREN WESTON BY REQUEST**

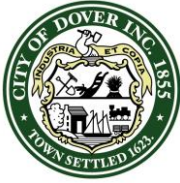
Councilor O'Connor moved for its adoption; seconded by Councilor Thibodeaux.
Deputy City Manager Steele gave an overview of resolution to the Council.
Roll Call Vote: 7/0.

- 2. ADDITIONAL APPROPRIATION FOR WATER SYSTEM FACILITIES UPGRADE AND AUTHORIZATION FOR PARTICIPATION IN DRINKING WATER STATE REVOLVING FUND (DWSRF) PROGRAM (REQUIRES A 2/3 MAJORITY OF THE CITY COUNCIL) SPONSORED BY MAYOR KAREN WESTON BY REQUEST**

Councilor O'Connor moved for its adoption; seconded by Councilor Hooper.
City Manager Joyal gave an overview of resolution to the Council.
Roll Call Vote: 7/0.

- 3. AMENDMENT TO FISCAL YEAR 2015 FEE SCHEDULE – UPDATED RESIDENT PARKING PASS PROGRAM (REQUIRES A 2/3 MAJORITY OF THE CITY COUNCIL) SPONSORED BY MAYOR WESTON BY REQUEST**

Councilor O'Connor moved for its adoption; seconded by Councilor Garrison.
Mayor Weston asked the Council to vote this down, because there will be a new resolution at the next regular meeting.
Roll Call Vote: 0/7; Failed.



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13. NEW BUSINESS

A. CONSENT CALENDAR

1. **RAFFLE – Greater Dover Chamber of Commerce**
2. **BLOCK PARTY – 7th Settlement Brewery**
3. **BLOCK PARTY – SIX03 Endurance**
4. **ROAD RACE – SIX03 Endurance**
5. **ROAD RACE: Dover Main Street**
6. **ROAD RACE: Moms on the Run**

7. **RESOLUTION: B08043 SEBAGO TECHNICS ADDITIONAL SCOPE OF TRAFFIC SIGNAL PROGRAM**
SPONSORED BY MAYOR WESTON BY REQUEST

8. **RESOLUTION: B12073 COCHECO PUMP STATION GENERATOR AND VAULT REPLACEMENT**
SPONSORED BY MAYOR WESTON BY REQUEST

9. **WENTWORTH-DOUGLASS HOSPITAL ELECTROCARDIOGRAM MONITORING AND DEFIBRILLATION EQUIPMENT**
SPONSORED BY MAYOR WESTON BY REQUEST

COMMITTEE REPORTS

- | | |
|--|---|
| 1. School Board | 9. Legislative Liaison |
| 2. Planning Board | 10. Pool Advisory Committee |
| 3. Appointments Committee | 11. Parking Commission |
| 4. Recreation Advisory Board | 12. Ordinance Committee |
| 5. McConnell Center Advisory Committee | 13. Police and Parking Facility Building Committee |
| 6. Arts Commission | 14. Joint Building Committee – Dover High School and Regional CTC |
| 7. Solid Waste Advisory Commission | |
| 8. Transportation Advisory Commission | |

Councilor O'Connor moved for the adoption of the Consent Calendar; seconded by Councilor Gagnon.

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

Councilor Hooper asked to pull the School Board Report.

Councilor Cheney asked to pull the Legislative Liaison Report and Ordinance Committee Report.

Councilor Gagnon asked to pull the Police and Parking Facility Building Committee Report.

Mayor Weston pulled Item #13.A.9.

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

Roll Call Vote: 7/0.

Mayor Weston said she pulled Item #13.A.9., because she wanted to recognize Wentworth-Douglass Hospital. She asked Fire Department Chief Driscoll to speak to the Council.



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Chief Driscoll addressed the Council regarding the importance of this equipment and how the hospital donated the money to the City to purchase the equipment and training on the use of it.

Councilor Garrison moved for its adoption; seconded by Councilor Gagnon.
Roll Call Vote: 7/0.

Councilor Hooper gave an overview of the School Board Report to the Council.
Councilor Hooper moved to accept the School Board Report; seconded by Councilor Gagnon.
Vote: 7/0.

Councilor Cheney gave an overview of the Legislative Liaison Report to the Council.
Councilor Gagnon moved to accept the Legislative Liaison Report; seconded by Councilor Cheney.
Vote: 7/0.

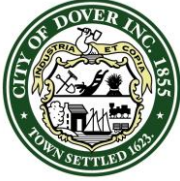
Councilor Cheney gave an overview of the Ordinance Committee Report to the Council.
Councilor Thibodeaux moved to accept the Ordinance Committee Report; seconded by Councilor Gagnon.
Vote: 7/0.

Councilor Gagnon read Deputy Mayor Carrier's Police and Parking Facility Building Committee Report to the Council.
Councilor Cheney moved to accept the Police and Parking Facility Building Committee Report; seconded by Councilor Hooper.
Vote: 7/0.

B. RESOLUTIONS

- 1. 2014-2015 PROCEDURAL RULES CHANGE – COUNCIL MEETINGS
(REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL, WITH A VOTE
OCCURRING ON MARCH 11, 2015)
SPONSORED BY COUNCILOR GARRISON**

Councilor O'Connor moved to refer to a City Council vote on March 11, 2014; seconded by Councilor Garrison.
Councilor Garrison gave an overview of the resolution to the Council.
Vote: 7/0.



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C. ORDINANCES IN 1ST READING

**1. CHAPTER 166, SECTION 56 – NO PARKING ANYTIME – WOODMAN INSTITUTE
– SUMMER STREET
(TO BE REFERRED TO A PUBLIC HEARING ON MARCH 11, 2015)
SPONSORED BY MAYOR WESTON BY REQUEST**

Councilor O'Connor moved to refer to a public hearing on March 11, 2015; seconded by Councilor Cheney.
Vote: 7/0.

14. COUNCIL CORRESPONDENCE

15. COUNCIL MATTERS OF INTEREST

Mayor Weston asked for a Council vote to release the General Legal Counsel's legal opinion regarding the Waterfront Development; seconded by Councilor Cheney.
Vote: 7/0.

16. ADJOURNMENT

Councilor O'Connor moved to adjourn; seconded by Councilor Thibodeaux.
Vote: 7/0.