



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Workshop Session**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, March 4, 2015**
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 Gagnon, Councilor Garrison, Councilor Hooper, Councilor O'Connor, and Councilor Thibodeaux. Councilor Cheney arrived at 7:08 pm.

Absent: Councilor McManus.

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

5. **CITIZEN'S FORUM**

Citizens are invited to speak on the subject matter of the Workshop. Statements shall be limited to five minutes.

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

6. **DISCUSSIONS**

- A. CLIMATE CHANGE**

- 1. NEW HAMPSHIRE COASTAL RISKS HAZARDS COMMISSION**

City Manager Joyal invited New Hampshire State Senator Warrers regarding this issue. Senator Watters gave an overview of the Commission's work to the Council. He gave an overview of the report entitled: "Sea-level Rise, Storm Surges, and Extreme Precipitation in Coastal New Hampshire: Analysis of Past and Projected Future Trends"

- 2. PREPARING FOR CLIMATE CHANGE IN DOVER**

City Planner Bird talked about the group that discusses what Dover is doing to prepare for climate change. He asked Malone Cloitre to speak to the Council regarding the activities of the group.

Ms. Cloitre gave an overview of the group's activities to the Council.



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MASTER PLAN

1. SUMMARY OF RECOMMENDATIONS

2. LAND USE ANALYSIS

Assistant City Manager Parker gave a PowerPoint presentation to the Council regarding the above two discussions.

B. AUTHORIZING WATERFRONT DEVELOPMENT

City Manager Joyal said General Legal Counsel Blenkinsop's legal opinion has been released and they were here to discuss it with the Council.

Councilor Cheney said she had a legal opinion drawn up by Mark Stull, Esq., which contradicts General Legal Counsel Blenkinsop's opinion. She read the opinion into the record which refers to RSA 162-G and said City can put the authorization under this and not the Dover Housing Authority.

Deputy Mayor Carrier he understood that the Dover Housing Authority still had to have the City's approval, and are "worker bees" for the Council. He asked for clarification.

General Legal Counsel Blenkinsop said he would need to research the issue. City Manager Joyal gave a history of the waterfront development, and said the Council needs to decide if they want to change the direction the City has taken up to this point. He said it was important that they keep moving. He said he didn't agree that Attorney Stull's legal opinion contradicts the General Legal Counsel's opinion.

Councilor Cheney discussed why she wanted the change to have Dover Business and Industrial Development Authority (DBIDA) oversee the waterfront development. She said the Cocheco Waterfront Development Advisory Committee (CWDAC) is a subcommittee of the Dover Housing Authority and not under the authority of the City Council.

Mayor Weston referred to the last line of Attorney Stull's legal opinion, and stated that the primary use for the waterfront will be residential. She said that while Councilor Cheney believes Dover Housing Authority cannot oversee this project, she believes that DBIDA cannot oversee this project, and asked if the City needed another entity to oversee this project. She asked the City Manager if the City has ever had a problem with the Dover Housing Authority.

City Manager Joyal said no, they have not.

Mayor Weston asked the City Manager if he could see any reason that the Dover Housing Authority would hurt the City of Dover with the waterfront project.

City Manager Joyal said no, he did not.

Mayor Weston said they are no rushing this project at all. She asked the Councilors where they stood on whether the Dover Housing Authority should oversee this project.



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Deputy Mayor Carrier said the Dover Housing Authority was very neutral.

Councilor O'Connor said he has done a lot of research on this subject. He said the City maintains control of the waterfront. He said he has come full circle and agrees with the Dover Housing Authority overseeing this project. He was concerned with the last line that the Dover Housing Authority is supposed to appoint the members to CDWAC.

Mayor Weston said she was also concerned with that last line and asked the City Manager to explain that to the Council.

City Manager Joyal said it was a gentlemen's agreement that the Council would recommend the appointments and the Dover Housing Authority would appoint them. He said it was why the City retains ownership of the land. He said the Dover Housing Authority has done everything that the City has asked of them. He said they have nothing to gain with overseeing the waterfront project.

Councilors spoke in favor of continuing the work CDWAC.

Mayor Weston said she also agreed with continuing to work with the Dover Housing Authority and CWDAC. She asked the Dover Housing Authority Executive Director, Allan Krans, to go on the record saying that he will uphold the gentlemen's agreement.

Executive Director Krans spoke he would absolutely uphold the agreement. He said it has been that way for 10 years. He said it has worked well. He said they were a neutral conduit only.

Mayor Weston said the consensus of the Council is 7/1 with Council Cheney opposed.

Councilor Cheney said it is State law that the Dover Housing Authority appoints the members. She also said it doesn't say anywhere in the City's Charter that the Mayor appoints the members.

Mayor Weston said Councilor Cheney was bringing up old news. There is consensus of the Council to continue as they have been. She told Councilor Cheney she was out of order.

Councilor Cheney said it was a workshop session. She said she supports CWDAC and the waterfront project, but not the structure that it stands on.

Mayor Weston said it was the consensus of the Council is to leave it under the Dover Housing Authority. She said the City of Dover has to sign the deed and the Council has control.

Councilor Cheney asked if there were any tax-exempt property being considered in the waterfront property.

City Manager Joyal said that is something that will be discussed with the Council if it is being considered.

Councilor Cheney asked if that would be discussed before a land development agreement.

City Manager Joyal said the land development agreement will be subject to approval of the Council.

7. ADJOURNMENT

Deputy Mayor Carrier moved to adjourn; seconded by Councilor Thibodeaux.

Vote: 8/0.