



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **McConnell Center, Room 306**
Meeting Date: **Wednesday, August 27, 2014**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor McManus 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 Hooper moved to add the School Board Report.

Deputy Mayor Carrier moved to add the Appointments Committee Report, and three oral reports regarding the Dover City Lights, Dover Main Street, and the McConnell Center Advisory Committee. He moved to add the City Manager's Evaluation Report under 10.C.Minutes. He moved to add as Correspondence letters from Councilor McManus and Kevin Sullivan.

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

Vote: 9/0.

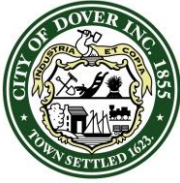
7. PUBLIC HEARINGS

A. CHAPTER 166: VEHICLES AND TRAFFIC – FIRST STREET SPONSORED BY MAYOR WESTON BY REQUEST

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

B. CHAPTER 166: VEHICLES AND TRAFFIC – SECOND STREET SPONSORED BY MAYOR WESTON BY REQUEST

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



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C. CHAPTER 166: VEHICLES AND TRAFFIC – FIFTH STREET STOP SIGNS SPONSORED BY MAYOR WESTON BY REQUEST

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

D. AMENDMENT OF FISCAL YEAR 2015 FEE SCHEDULE TO ESTABLISH PARKING METER RATES FOR RIVER STREET (REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL) SPONSORED BY MAYOR WESTON BY REQUEST

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

E. GREEN HILL ROAD CONVERTED FROM CLASS VI ROAD TO CLASS A TRAIL SPONSORED BY MAYOR WESTON BY REQUEST

Mary Hebbard, 97 Spruce Lane: She spoke against the Ordinance change. She said the City needed the cooperation with Madbury and Barrington. She urged the Council to vote against this Ordinance change.

Richard Hebbard, 97 Spruce Lane: He spoke against the Ordinance change. He said it was creating more control over the public. He urged the Council to vote against this Ordinance change.

Donald Medbery, 3 Covered Bridge Lane: He spoke against the Ordinance change. He supported Mrs. Hebbard's comments.

Mayor Weston, seeing no one else 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.

Goodwin Valentine, Locust Street, Member of Non-Toxic Group of Dover, NH: She read a statement to the Council regarding pesticide use.

Donald Medbery, 3 Covered Bridge Lane: He spoke about the LGC and asked how much money the City received. He said the City needed the money and not credits for future coverage. He spoke against the City Hall being closed on Fridays. He spoke about the "chummy" deals and no bidding process for the paving of Tolend Road. He spoke about the City Manager's raise, and said his benefits package totals over \$200,000. He said he will be submitting a 91-A request to view the whole package.



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Mary Hebbard, 97 Spruce Lane: She complained about Foster's Daily Democrat article regarding the August 13th City Council meeting. She said all the quotes attributed to her husband were not true. She also spoke about the three officers who were called to the meeting, and said it was an extreme overreaction to the situation.

Richard Hebbard, 97 Spruce Lane: He said he spoke from his heart at the last meeting. He said he didn't like what was going on in his community. He said the police don't have a clue to what's going to happen if refugees come to the City. He said he doesn't understand how it all works. He asked that the Mayor start every meeting with a prayer. He said he doesn't know what is coming, but he would be willing to lay down his life for the City.

Peter Schmidt, Fourth Street: He spoke about the refugee issue. He said Dover is already congested and said he wouldn't welcome 3,000 people. He said he was distressed with comments made at the last meeting that were completely out of line. He read the Statue of Liberty plaque and asked Dover to adhere to it.

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

9. CITY MANAGER'S REPORT

City Manager Joyal gave an overview of the activities at the pools. He said work has started on Silver Street. He said September 20, 2014 is Household Hazardous waste disposal day. He invited two gentlemen, Jonathan Kipp and David Witham from Primex to speak to the Council regarding the City new coverage.

Mr. Kipp gave an overview of the new liability coverage to the Council. He recognized the City for adopting the ten areas of Prime designation, which helps the City manage their loss potential.

Mr. Witham gave an overview of the recognition and presented the plaque to the Mayor.

City Manager Joyal recognized Alison Webb, Colleen Bessette, and Ann Legere for their work on this project.

Mayor Weston also thanked the staff for helping the City get this program.

Deputy Mayor Carrier asked how to help Kelly's Row and Blue Latitudes with the damages incurred by the flooding caused by storm water backup.

City Manager Joyal said the City is helping them recover.

Councilor Cheney asked the City Manager to clarify the Tolend Road project and the money saved.

City Manager Joyal extended the project to complete Watson Road because it was believed the price that was locked in was the best price and a substantial savings to stay with the same contractor.



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Councilor Cheney asked about the funds due from LGC and when the City will receive its share. City Manager Joyal said they have received their rebates. Councilor Cheney asked if the City is going to receive any more funds. City Manager Joyal said the City has received all the funds due, and employees have received rebates.

Councilor McManus asked about property damage caused to an abutter's property by the construction on Silver Street. City Manager Joyal said the City is withholding occupancy permits until repairs are complete.

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

Vote: 9/0.

10. APPROVAL OF MINUTES

A. August 13, 2014 – Regular Meeting

Councilor Thibodeaux said the person to present the Energy Commission Report was Energy Commission member Walter King, and not Tim Corwin.

Councilor Cheney asked the votes be split up for each meeting.

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

Vote: 9/0.

B. August 13, 2014 – Non-Public Session (meeting reconvened and concluded on August 20, 2014)

Deputy Mayor Carrier moved to approve the Minutes; seconded by Councilor Thibodeaux. Councilor Cheney said there was a lot missing in the Minutes and she would not vote for them.

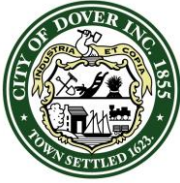
Vote: 8/1: Passed. Councilor Cheney was opposed.

City Manager Joyal recommended that they include 10.C. with the 10.B. minutes.

C. City Manager's Evaluation

Deputy Mayor Carrier moved to include the City Manager's Evaluation with the minutes of 10.B.; seconded by Councilor Thibodeaux.

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



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11. MAYOR'S REPORT

Mayor Weston said she has not heard from ORIS (Organization for Refugee and Immigration Success) or other resettlement group. She said she has spoken with the School Superintendent about the impact to the schools. She met with Jack Buckley and Alan Krans about workforce housing. She said they told her that refugees do not get any special treatment or put on the top of the list. She said Councilor Garrison resigned from the Downtown Dover TIF Advisory Board, and asked another Councilor to email her if they wish to be considered for the position. She spoke about David Bamford resignation on the Cocheco Waterfront Development Advisory Committee (CWDAC), and she recommended Jack Buckley.

Councilor O'Connor said he has a lot of questions regarding the Waterfront Development project. He also asked about federal mandates regarding the refugees.

Councilor Cheney said she felt the CWDAC committee is in limbo and would not support the appointment.

Mayor Weston said they will be having a workshop next week and one of the topics of discussion will be CWDAC. She said the appointment is just to fill an opening on the committee.

City Manager Joyal said September 3, 2014 is the City Council Workshop on the topic and September 8, 2014 CWDAC will be having a public hearing on the topic.

Deputy Mayor Carrier moved to accept the Mayor's Report; seconded by Councilor Garrison. Vote: 8/1; Passed. Councilor Cheney was opposed.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING

1. CHAPTER 166: VEHICLES AND TRAFFIC – FIRST STREET SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Cheney. City Manager Joyal gave an overview of the ordinance change to the Council. Councilor Garrison asked for clarification. Parking Manager Simons clarified the parking areas. Roll Call Vote: 9/0.

2. CHAPTER 166: VEHICLES AND TRAFFIC – SECOND STREET 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 ordinance change to the Council. Roll Call Vote: 9/0.



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3. CHAPTER 166: VEHICLES AND TRAFFIC – FIFTH STREET STOP SIGNS SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Gagnon.
Roll Call Vote: 9/0.

B. ORDINANCES IN THE 3rd READING – None

C. RESOLUTIONS

1. AMENDMENT OF FISCAL YEAR 2015 FEE SCHEDULE TO ESTABLISH PARKING METER RATES FOR RIVER STREET (REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL) SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor O'Connor.
Parking Manager Simons gave an overview of the resolution to the Council.
Roll Call Vote: 9/0.

2. GREEN HILL ROAD CONVERTED FROM CLASS VI ROAD TO CLASS A TRAIL SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Gagnon.
City Manager Joyal gave an overview why this resolution is being brought before the Council. He said it would save the City \$5,000 in maintenance.
Councilor Cheney said there were too many unanswered questions.
Councilor Thibodeaux asked when the Conservation Commission and Transportation Advisory Commission gave their support for this resolution.
General Legal Counsel Blenkinsop said both committees gave their approval in June, 2014.
Councilor Gagnon referred to the third Whereas and asked about blocking the trail with a gate.
General Legal Blenkinsop said this resolution only prohibits motor vehicle use.
Roll Call Vote: 8/1; Passed. Councilor Cheney was opposed.

13. NEW BUSINESS

A. CONSENT CALENDAR

- 1. ROAD RACE: Dover Turkey Trot**
- 2. RESOLUTION: HIGHWAY ROAD SALT STATE NH CONTRACT
SPONSORED BY MAYOR WESTON BY REQUEST**



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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

Deputy Mayor Carrier moved for the adoption of the Consent Calendar; seconded by Councilor O'Connor.

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.

Deputy Mayor Carrier asked to pull the Appointments Committee Report and to give his three oral reports regarding Dover City Lights, Dover Main Street, and the McConnell Center Advisory Committee.

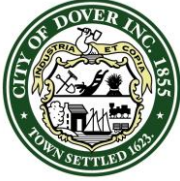
Mayor Weston asked for a roll call vote on the remaining items of the Consent Calendar.
Roll Call Vote: 9/0.

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 Gagnon.
Vote: 9/0.

Deputy Mayor Carrier gave an overview of the Appointments Committee Report to the Council. He said he will split it up into two sections. He had the following recommendations:
Tristan Donovan – Conservation Commission - Alternate
Isaac Epstein – Open Lands Committee - Regular
Herman Stolzenburg – reappointed for another term to the Ethics Commission
Gary Green – reappointed for another term to the Planning Board
Robert Marggraf – Cemetery Board regular member from his current alternate position
Robert Hall – Zoning Board of Adjustments regular member from his current alternate position
Deputy Mayor Carrier moved to approve recommendations; seconded by Councilor O'Connor.

Councilor Cheney asked to pull Isaac Epstein for further discussion.

Deputy Mayor Carrier listed the names again, removing Isaac Epstein.
Tristan Donovan – Conservation Commission - Alternate
Herman Stolzenburg – reappointed for another term to the Ethics Commission
Robert Marggraf – Cemetery Board regular member from his current alternate position
Robert Hall – Zoning Board of Adjustments regular member from his current alternate position
Deputy Mayor Carrier moved to approve recommendation; seconded by Councilor Gagnon.
Vote: 9/0.



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Deputy Mayor Carrier moved to appoint Isaac Epstein to the Open Lands Committee; seconded by Councilor Cheney.

Councilor Cheney said she pulled him out for a separate vote to explain that it was the Council policy to not have people on two Land Use boards.

Vote: 9/0.

Deputy Mayor Carrier moved to appoint Gary Green as an alternate member of the Zoning Board of Adjustments (ZBA); seconded by Councilor Garrison.

Councilor Cheney said there are exceptions for allowing people to serve on multiple land use committee. She said she didn't agree with those reasons.

Mayor Weston said she will support the appointment, because it is allowable by NH State law. She believed Gary Green would serve well on the ZBA.

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

Deputy Mayor Carrier listed the current openings on Boards and Commissions.

Councilor Cheney moved to appoint Isaac Epstein as an alternate to the Conservation Commission; seconded by Councilor O'Connor.

Vote: 9/0.

Councilor Cheney asked a Councilor to make a motion to reconsider the vote for Gary Green, which would allow her to vote in favor.

Councilor O'Connor made the motion to reconsider the Gary Green vote for appointment as an alternate to the Zoning Board of Adjustments; seconded by Councilor Thibodeaux.

Vote: 9/0.

Deputy Mayor Carrier moved to appoint Gary Green as an alternate member of the Zoning Board of Adjustments; seconded by Councilor O'Connor.

Vote: 9/0.

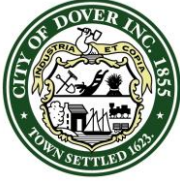
Deputy Mayor Carrier gave an overview of the work of Dover City Lights. He gave an update on the McConnell Center Advisory Committee. He gave an update on Dover Main Street and the upcoming Irish Festival.

Deputy Mayor Carrier moved to accept the three oral reports, seconded by Councilor Thibodeaux.

Vote: 9/0.

B. RESOLUTIONS – None

C. ORDINANCES IN 1ST READING – None



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14. COUNCIL CORRESPONDENCE – None

- A. Letter from Councilor Anthony McManus.
- B. Letter from Kevin Sullivan, Rivermill at Dover Landing

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

15. COUNCIL MATTERS OF INTEREST

Councilor Cheney recognized the passing of Ray Stackpole. She reminded the public of the NH State Primary on September 9, 2014.

Councilor O'Connor reminded the public about the Irish Festival.

Councilor Thibodeaux thanked the owners of Baby Ben's, which is now closed. She said the new owners will also be giving their space for Coffee with a Councilor the 2nd and 4th Saturday of the month.

Councilor Weston asked for a motion to reconsider the vote for Item #12.A.1. It should have been Chapter 155:56.

Councilor Cheney moved to reconsider the vote for Item #12.A.1.; seconded by Councilor O'Connor.

Vote: 9/0.

Councilor Weston moved to correct the Section to 56; seconded by Councilor Cheney.

Roll Call Vote: 9/0.

16. ADJOURNMENT

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

Vote: 9/0.