

CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **McConnell Center, Room 306**
Meeting Date: **Wednesday, June 24, 2015**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Deputy Mayor Carrier 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

6. APPROVAL OF AGENDA

Councilor Hooper moved to add the School Board Report.

Councilor Cheney moved to add the Legislative Liaison Report.

Deputy Mayor Carrier moved to add the Joint Building Committee – Dover High School and Regional CTC Report. He also mentioned that Item 12.C.1. will be referred to a vote on July 8, 2015. He said Items 13.C.1., 13.C.2., 13.C.3., and 13.C.4. will be referred to a public hearing on July 8, 2015.

Councilor Garrison moved to add a Planning Board Report.

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

Vote: 9/0.

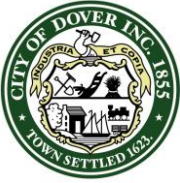
7. PUBLIC HEARINGS

**A. B15021 DOVER LED INDOOR POOL LIGHTING UPGRADE (B15021) AND
AUTHORIZATION FOR FINANCING
(REQUIRES OF 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.

**B. IMPLEMENTING THE PROVISIONS OF RSA 79-E RELATIVE TO THE COMMUNITY
REVITALIZATION TAX RELIEF INCENTIVE PROGRAM
SPONSORED BY MAYOR WESTON BY REQUEST**

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



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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.

New Hampshire Senator David Watters, 19 Maple Street: He spoke about passing the budget and several other House Bills. He said it may be vetoed by the Governor because the budget as passed is unbalanced, and went over those areas with the Council.

Timothy Paiva, 4 Cailey Anna Lane, President of Seacoast Swimming Association and Jenny Thompson Aquatic Center: He spoke in favor of the resolution to support the reaffirmation of the Jenny Thompson Aquatic Center.

Jeffrey Brissette, 11 Fieldstone Drive: He spoke about the work on Tolend Road and the City Manager's problems with getting it completed and fixed the damages.

Donald Medbery, 3 Covered Bridge Lane: He spoke about the work on Tolend Road. He spoke about the lawsuit against the School Department and the incompetency of the School Department. He said the costs for the High School is too high and shouldn't be done at this time. He spoke about the Water Infiltration System not going to bid since 2000. He talked about the leak in the system. He spoke against the Aquatic Center. He spoke about the Children's Museum and said they were promised that the children in the City would not be charged.

Doreen Paiva, 4 Cailey Anna Lane, Treasurer of Seacoast Swimming Association: She spoke in favor of the resolution to support the Jenny Thompson Aquatic Center.

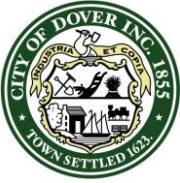
Brian Fischer, Owner of Earcraft Music: He spoke about the parking problems and closing of the loading dock for his business. He said he didn't get notice that this was going to happen. He talked about the plan and the need to be clear that the loading dock will remain. He also spoke about the resolution tonight and that it allows two parking spaces. He said that wasn't enough.

Jennifer Halstead, Fiddlehead Farms: She spoke in favor of the Aquatic Center.

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

9. CITY MANAGER'S REPORT

City Manager Joyal said he submitted his report in writing. He said the Community Services Department has found a major source of the water leak on Rutland Street, but they continue to look for other leaks. He said summer programs are underway. He reminded the citizens of the fireworks on July 4th, and other activities held during the day. He recognized the Youth 2 Youth yearbook. He answered questions about credit card use in the City. He spoke about the City Hall roof projects, and the City is researching options for the elevator vestibule. Councilor McManus asked about the water inflow and infiltration not going out to bid. City Manager Joyal said Wright Pierce is most qualified in the City's system. Councilor O'Connor asked why Earcraft Music wasn't given any notice.



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City Manager Joyal said the contractor acted on eliminating parking without the City's consent. He said the resolution tonight amends the situation and restores the loading dock. Councilor O'Connor asked about two spaces and Mr. Fischer's comments that it wasn't enough.

Mayor Weston moved to suspend the rules to allow Mr. Fischer to address the Council; seconded by Councilor Cheney.
Roll Call Vote: 9/0.

Mr. Fischer said no one knew of this development. He said in the purchase and sales agreement from 17 years ago they were designated four parking spaces. He said he reduced it to three spaces a few years ago at the request of Parking Manager Bill Simons.

Mayor Weston said she will ask to have this resolution moved forward on the agenda to after the City Manager's Report.

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

Deputy Mayor Carrier moved to suspend the rules to move forward Item #13.B.3. and also to allow the businessman to speak; seconded by Councilor McManus.
Roll Call Vote: 9/0.

Deputy Mayor Carrier moved for the adoption of Item #13.B.3.; seconded by Councilor O'Connor.

Mayor Weston discussed resolving the parking and loading dock issue with the Council.

Assistant City Manager Parker gave an overview of the problem.

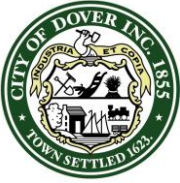
Mayor Weston asked about changing the spacing to 12 feet from 11 feet.

City Manager Joyal talked about the Council's role in allowing this. He said the Police Chief controls loading zones in the City. He said there was no purchase & sale agreement with the City.

Mr. Fischer said no one knew about this. He said 17 years ago he met with the police about purchasing the building. He said he can work with three spaces.

Mayor Weston said she felt the best solution is to expand the parking spaces a few feet.

Councilor Hooper moved to table to the resolution; seconded by Councilor Garrison.
Vote: 9/0.



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10. APPROVAL OF MINUTES

- A. June 3, 2015 – Workshop**
- B. June 10, 2015 – Regular Meeting**

Deputy Mayor Carrier moved for the approval of the minutes; seconded by Councilor O'Connor. Councilor Cheney referred to the two resolutions going to a public hearings and said it should say moved to be referred to a public hearing. Mayor Weston asked for a vote on the amended minutes. Vote: 9/0.

11. MAYOR'S REPORT

Mayor Weston listed functions she attended: Elks Lodge's Flag Day ceremony, Dover High School graduation, Dover Adult Learning Center graduation, Legion Baseball Opening Day, opening day at the Hyder House, and Anna Munch's 100th birthday party at Bellamy Fields. She thanked Councilors McManus and Thibodeaux for volunteering for the Tri-city Coalition. Deputy Mayor Carrier moved to accept the Mayor's Report; seconded by Councilor Thibodeaux. Vote: 9/0.

Deputy Mayor Carrier moved to suspend the rules to move #13.B.2. to this point on the agenda; seconded by Councilor O'Connor. Roll Call Vote: 9/0.

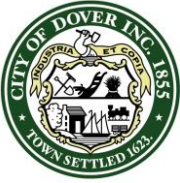
Deputy Mayor Carrier moved for the adoption of Item #13.B.2.; seconded by Councilor Garrison. Councilor Cheney said she met with the Stu and Jerod Paiva and liked the idea of a pool since the public pools are so crowded, but she didn't support this resolution. Vote: 8/1; Passed. Councilor Cheney was opposed.

12. UNFINISHED BUSINESS

- A. ORDINANCES IN THE 2ND READING**
- B. ORDINANCES IN THE 3RD READING**
- C. RESOLUTIONS**

- 1. B15021 DOVER LED INDOOR POOL LIGHTING UPGRADE (B15021) AND AUTHORIZATION FOR FINANCING (REQUIRES OF 2/3 MAJORITY VOTE OF THE CITY COUNCIL, WITH A VOTE TO OCCUR ON JULY 8, 2015))**
SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to refer the vote to July 8, 2015; seconded by Councilor O'Connor. Vote: 9/0.



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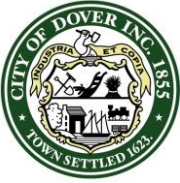
**2. IMPLEMENTING THE PROVISIONS OF RSA 79-E RELATIVE TO THE
COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE PROGRAM
SPONSORED BY MAYOR WESTON BY REQUEST**

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Garrison.
Assistant City Manager Parker gave an overview of the resolution to the Council.
Roll Call Vote: 8/1; Passed. Councilor Cheney was opposed.

13. NEW BUSINESS

A. CONSENT CALENDAR

- 1. BLOCK PARTY – FLORENCE STREET**
- 2. B12001 ADDITIONAL SCOPE OF WORK INDOOR POOL SIEMENS
SPONSORED BY MAYOR WESTON BY REQUEST**
- 3. B15061 CRACK SEALING SERVICES
SPONSORED BY MAYOR WESTON BY REQUEST**
- 4. B15065 CONSULTING SERVICES FOR KEATING & BIRCHWOOD
RECONSTRUCTION
SPONSORED BY MAYOR WESTON BY REQUEST**
- 5. B15066 CONSULTING SERVICE FOR RICHARDSON DRIVE RECONSTRUCTION
SPONSORED BY MAYOR WESTON BY REQUEST**
- 6. B15072 BITUMINOUS CONCRETE ASPHALT PICKED UP
SPONSORED BY MAYOR WESTON BY REQUEST**
- 7. B15075 TREE REMOVAL SERVICES
SPONSORED BY MAYOR WESTON BY REQUEST**
- 8. 2015 INFILTRATION AND INFLOW REDUCTION AWARD OF ADDITIONAL SCOPE
OF SERVICES
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**
15. Dover Main Street
16. Library Board of Trustees

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

Mayor Weston asked the Council if they had items they would like pulled for further discussion. Councilor Hooper pulled the School Board Report.

Councilor Cheney pulled Items #13.A.5., 13.A.7., and the Legislative Liaison Report.

Councilor Garrison pulled the Planning Board Report.

Deputy Mayor Carrier pulled the Joint Building Committee – Dover High School and Regional CTC Report.

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 for the adoption of Item #13.A.5.; seconded by Councilor Cheney.

Deputy City Manager Steele gave an overview of the construction project to the Council.

Roll Call Vote: 9/0.

Deputy Mayor Carrier moved for the adoption of Item #13.A.7.; seconded by Councilor Cheney.

Roll Call Vote: 9/0.

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

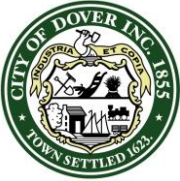
Deputy Mayor Carrier moved to accept the School Board Report; seconded by Councilor Thibodeaux.

Vote: 9/0.

Councilor Garrison gave an overview of the Planning Board Report to the Council, which covered the 19 Zoning amendments. He said it will be going to a third public hearing before the Planning Board.

Deputy Mayor Carrier moved to accept the Planning Board Report; seconded by Councilor Garrison.

Vote: 9/0.



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Councilor Cheney read a statement about the passage of the New Hampshire State budget to the Council as the Legislative Liaison Report.

City Manager Joyal gave an overview of the impact of the New Hampshire State budget on Dover. He said the Council may have to address the City's budget to make amendments for estimates that were put in the budget which may not occur, or it will be pass on to the Dover taxpayers by the Department of Revenue if nothing is done.

Deputy Mayor Carrier moved to accept the Legislative Liaison Report; seconded by Councilor Garrison.

Vote: 9/0.

Deputy Mayor Carrier asked for applications from citizens to volunteer on the Recreation Advisory Board.

Deputy Mayor Carrier gave an overview of the Joint Building Committee – Dover High School and Regional CTC Report to the Council. He gave a handout to the Council.

Deputy Mayor Carrier moved to accept the Joint Building Committee – Dover High School and Regional CTC Report; seconded by Councilor Gagnon.

Vote: 9/0.

B. RESOLUTIONS

1. FISCAL YEAR 2015 TRANSFER OF APPROPRIATION – GENERAL FUND SPONSORED BY MAYOR WESTON BY REQUEST

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

Roll Call Vote: 9/0.

2. REAFFIRMATION OF SUPPORT FOR JENNY THOMPSON AQUATIC CENTER PUBLIC/PRIVATE PARTNERSHIP PROJECT SPONSORED BY MAYOR WESTON BY REQUEST

Moved up on the agenda to follow the Mayor's Report.

3. FIRST STREET LICENSE AGREEMENT AMENDMENT SPONSORED BY MAYOR WESTON BY REQUEST

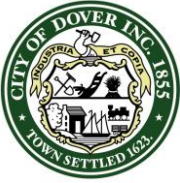
Moved up on the agenda to follow City Manager's Report.

4. GRANITE STATE INDEPENDENT LIVING PAYMENT IN LIEU OF PROPERTY TAX AGREEMENT SPONSORED BY MAYOR WESTON BY REQUEST

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

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

Roll Call Vote: 9/0.



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C. ORDINANCES IN 1ST READING

- 1. CHAPTER 166 – ARTICLE I GENERAL PROVISIONS
(TO BE REFERRED TO A PUBLIC HEARING ON JULY 8, 2015)
SPONSORED BY MAYOR WESTON BY REQUEST**

Deputy Mayor Carrier moved to refer to a Public Hearing on July 8, 2015; seconded by Councilor Garrison.
Vote: 9/0.

- 2. CHAPTER 166 – SECTION 38 SUBSECTION J
(TO BE REFERRED TO A PUBLIC HEARING ON JULY 8, 2015)
SPONSORED BY MAYOR WESTON BY REQUEST**

Deputy Mayor Carrier moved to refer to a Public Hearing on July 8, 2015; seconded by Councilor O'Connor.
Vote: 9/0.

- 3. CHAPTER 166 – SECTION 57 SCHEDULE J
(TO BE REFERRED TO A PUBLIC HEARING ON JULY 8, 2015)
SPONSORED BY MAYOR WESTON BY REQUEST**

Deputy Mayor Carrier moved to refer to a Public Hearing on July 8, 2015; seconded by Councilor Garrison.
Vote: 9/0.

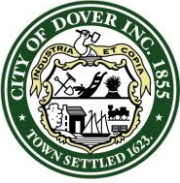
- 4. CHAPTER 166 – SECTION 59 SCHEDULE L
(TO BE REFERRED TO A PUBLIC HEARING ON JULY 8, 2015)
SPONSORED BY MAYOR WESTON BY REQUEST**

Deputy Mayor Carrier moved to refer to a Public Hearing on July 8, 2015; seconded by Councilor Garrison.
Vote: 9/0.

14. COUNCIL CORRESPONDENCE

- A. Letter from Cathryn Oakley, Legislative Counsel, State and Municipal Advocacy, dated May 21, 2015.**
B. Letter from Stan Robbins.

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



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15. COUNCIL MATTERS OF INTEREST

Deputy Mayor Carrier asked for the outside legal opinion on the resolution regarding the General Legal Counsel reporting directly to the City Council to become public.

Councilor Cheney said a resolution should be drawn and presented to the Council.

Deputy Mayor Carrier said it was Restaurant Week.

Councilor Thibodeaux said she will be holding a Coffee with a Councilor session on Saturday.

Councilor Cheney said she will be holding a citizen meeting tomorrow night at the Riverside Rest Home. She said they will be discussing the petitions for the Charter amendments.

Councilor Gagnon reminded the public that the Farmers' Market is now open.

16. ADJOURNMENT

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

Vote: 9/0.