

CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **McConnell Center, Room 306**
Meeting Date: **Wednesday, July 27, 2016**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Gagnon led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Weston, Deputy Mayor Carrier, Councilor Ciotti, Councilor Gagnon, Councilor Greenshields, Councilor O'Connor, Councilor Shanahan, and Councilor Thibodeaux.

Absent: Councilor Nicolella.

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

5. PROCLAMATIONS/AWARDS

A. RIDE4GABE – DUCHENNE MUSCULAR DYSTROPHY AWARENESS

6. APPROVAL OF AGENDA

Deputy Mayor Carrier moved to add the Police and Parking Facility Building Committee and the Joint Building Committee – Dover High School and Regional CTC reports.

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

Vote: 8/0.

7. PUBLIC HEARINGS

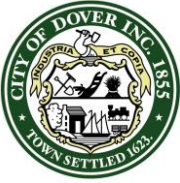
A. CHAPTER 170: ZONING, SECTION 8 – ZONING MAP

SPONSORED BY COUNCILOR CIOTTI, CITY COUNCIL PLANNING BOARD REPRESENTATIVE

Douglas Knight, 19 Roosevelt Avenue: He spoke against the ordinance change. He gave an overview of past water drainage issues in the area, and the history of the Berry Brook area.

NH State Representative Peter Schmidt, 53A Fourth Street: He said he was concerned with the impact on the Berry Brook area, which is just beginning to recover. He asked the residents to keep in contact with the Planning Board, if this zoning change is approved, to make sure Berry Brook is protected.

NH State Representative Peter Bixby, 69 Glenwood Avenue: He spoke about his primary concern with the impact on the Berry Brook area. He asked that the City consider forwarding this to the Open Lands Committee for consideration.



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Brian Kelley, 2 Crescent Avenue: He spoke against the ordinance change.

Kathryn Wrenn-Kleiman, 36 Mathes Hill Drive: She spoke against the ordinance change.

Cheryl Mulcahy, 71 Glenwood Avenue: She spoke against the ordinance change.

Rosemary Zurawel, 16 Northam Drive: She spoke against the ordinance change.

David Latchaw, 1 Crescent Avenue: He spoke against the ordinance change.

Allan Krans, Jr., 169 Mount Vernon Street: He spoke against the ordinance change.

Karen Parry, 10 Crescent Avenue: She spoke against the ordinance change.

Paul LeBlanc, 816 Central Avenue: He spoke against the ordinance change.

Richard Casimiro, 4 Crescent Avenue: He spoke against the ordinance change.

Richard Friberg, Engineer from TEC, representing the developer: He gave an overview of the development, which consisted of local, state and federal regulations that they have to follow to protect Berry Brook. He said this is just the first step and not the last opportunity for the City to provide feedback on the project.

Cheryl Mulcahy, 71 Glenwood Avenue: She wondered why Mr. Friberg was allowed to speak since he is not a resident of Dover.

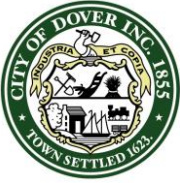
Scott Kelley, 2 Crescent Avenue: He spoke against the ordinance change. He asked the Council to protect the residents and Berry Brook.

Richard Hebbard, 97 Spruce Lane: He said this boiled down to property rights. It is zoned one way and should be developed for that purpose. The Council is supposed to represent the people and the developer by weighing the differences.

Scott Mitchell, Developer: He said he was committed to protecting Berry Brook. He said they were willing to create a buffer with the residents.

Mary Hebbard, 97 Spruce Lane: She said only citizens are allowed to speak, and it isn't fair that the Council is allowing the developer and engineer to speak.

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



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B. AMENDMENT OF FISCAL YEAR 2017 FEE SCHEDULE TO ADJUST CEMETERY FEES AND PARKING FEES (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL) **SPONSORED BY MAYOR WESTON BY REQUEST**

Grover Tasker, 756 Central Avenue, Cemetery Board Chairperson: He said the Board did meet and got the proposal in in time, but it didn't get updated on the fee schedule for Council approval. He gave an overview of the process for recommending an increase with the Council.

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

Councilor Shanahan moved to suspend the rules to move 12.B.1. to this point on the agenda; seconded by Councilor O'Connor.
Roll Call Vote: 8/0.

Deputy Mayor Carrier moved for the adoption of Item 12.B.1.; seconded by Councilor Ciotti. Assistant City Manager Parker gave an overview of this project and what will be done to protect Berry Brook. He said the Planning Board will stay on top of this and make sure it's protected. City of Dover Utilities Supervisor Boulanger answered questions regarding Berry Brook and the City's commitment to keep improving Berry Brook even when grant funding runs out. Councilor O'Connor discussed why he was opposed to this project and the impact to the area and Berry Brook. He felt it was the wrong time and place for this type of development. Councilor Gagnon said he felt the City would protect Berry Brook, may improve traffic flow, and said his concern was the impact for the residents and their way of life. He said the Council has to do what's best for the City as a whole.
Roll Call Vote: 5/3; Passed. (Councilors Greenshields, O'Connor and Shanahan were opposed.)

8. CITIZEN'S FORUM

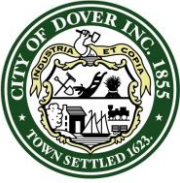
Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.

Thomas Hindle, 35 Atkinson Street, Curator of Woodman Museum: He spoke about the Museum's 100th anniversary, one of the oldest historical museums in New England. He invited the Council to attend a personal tour of the Museum.

Mary Hebbard, 97 Spruce Lane: She spoke against Item #13.B.4.

Richard Hebbard, 97 Spruce Lane: He spoke against Item #13.B.4. He added that he would like to have Police Chief Colarusso present at the next meeting to answer questions about explosives in the City, and if he was supportive of the citizens of Dover over the President of the United States.

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



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9. CITY MANAGER'S REPORT

City Manager Joyal said he submitted his report in writing. He invited the Council and Citizens to meet the Police and Fire Departments. He talked about volunteer water conservation.

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

Vote: 8/0.

10. APPROVAL OF MINUTES

- A. July 6, 2016 – Workshop
- B. July 6, 2016 – Non-Public Session
- C. July 13, 2016 – Regular Meeting

Deputy Mayor Carrier moved for the approval of the minutes; seconded by Councilor O'Connor.

Vote: 8/0.

11. MAYOR'S REPORT

Mayor Weston listed the events she attended: Grand Opening of Rand Whitney, ground breaking for Bill Dube Ford, Cochecho Waterfront Development Advisory Committee meeting, met with Senator Shaheen at the Dover Police Station, Tri-City Coalition meeting, ground breaking for the new Dover High School, 100th anniversary for the Woodman Museum, and the Transportation Advisory Commission meeting.

Mayor Weston discussed Ward 4 Councilor Nicolella's resignation on the Council. She said the filing period to sign up for the Special Municipal Election starts tomorrow, July 28, 2016 and closes at 4:00 pm on August 5, 2016.

Deputy Mayor Carrier moved for the acceptance of the Mayor's Report; seconded by Councilor O'Connor.

Vote: 8/0.

12. UNFINISHED BUSINESS

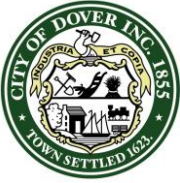
A. ORDINANCES IN THE 2nd READING

B. ORDINANCES IN THE 3rd READING

1. CHAPTER 170: ZONING, SECTION 8 – ZONING MAP

SPONSORED BY COUNCILOR CIOTTI, CITY COUNCIL PLANNING BOARD REPRESENTATIVE

Council voted to move this agenda item up on the Agenda to immediately follow Item 7.B.



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C. RESOLUTIONS

- 1 REPROGRAM UNEXPENDED BOND PROCEEDS FOR GENERAL STREET IMPROVEMENTS AND AWARD OF B16070 HOT BITUMINOUS PAVING – ASPHALT LAID IN PLACE (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 Shanahan.
Roll Call Vote: 8/0.

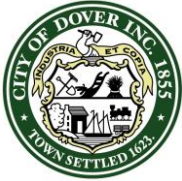
- 2. AMENDMENT OF FISCAL YEAR 2017 FEE SCHEDULE TO ADJUST CEMETERY FEES AND PARKING FEES (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)**
SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Ciotti.
Roll Call Vote: 8/0.

13. NEW BUSINESS

A. CONSENT CALENDAR

- 1. BLOCK PARTY – Children’s Museum of New Hampshire**
- 2. BLOCK PARTY – Friends of Florence Street**
- 3. RAFFLE – Annunciation Greek Orthodox Church**
- 4. TAG – Dover Youth Football**
- 5. WALK – Portsmouth Christian Academy**
- 6. BOOKS & MEDIA PURCHASES**
SPONSORED BY MAYOR WESTON BY REQUEST
- 7. AWARD OF PHASE I B14074 PROFESSIONAL ENGINEERING SERVICES FOR WATER SYSTEMS FACILITY UPGRADES ADDITIONAL SCOPE**
SPONSORED BY MAYOR WESTON BY REQUEST
- 8. B15020 CONSULTANT LEIGHTON WAY PUMP STATION REPLACEMENT ADDITIONAL SCOPE OF WORK**
SPONSORED BY MAYOR WESTON BY REQUEST
- 9. B16048 DESIGN AND PERMITTING SERVICES AT BELLAMY ROAD CULVERT**
SPONSORED BY MAYOR WESTON BY REQUEST
- 10. B16056 LEIGHTON WAY PUMP STATION IMPROVEMENTS**
SPONSORED BY MAYOR WESTON BY REQUEST
- 11. B16069 WATER FACILITIES IMPROVEMENTS PHASE I**
SPONSORED BY MAYOR WESTON BY REQUEST



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12. B16073 BRIDGE RELATED REPAIRS SPONSORED BY MAYOR WESTON BY REQUEST

COMMITTEE REPORTS

- | | |
|--|--|
| 1. School Board | 12. Police and Parking Facility Building Committee |
| 2. Planning Board | 13. Recreation Advisory Board |
| 3. Appointments Committee | 14. Solid Waste Advisory Commission |
| 4. Arena Commission | 15. Transportation Advisory Commission |
| 5. Arts Commission | 16. Joint Building Committee – Dover High School and Regional Career Technical Center |
| 6. Legislative Liaison | 17. Joint Building Committee – Garrison Elementary School |
| 7. Library Board of Trustees | 18. Dover Main Street |
| 8. McConnell Center Advisory Committee | |
| 9. Ordinance Committee | |
| 10. Parking Commission | |
| 11. Pool Advisory Committee | |

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. Deputy Mayor Carrier pulled the Police and Parking Facility Building Committee and the Joint Building Committee – Dover High School and Regional CTC reports.

Roll Call Vote: 8/0.

Deputy Mayor Carrier gave an overview of the Police and Parking Facility Building Committee Report to the Council. He said the Committee does not plan to meet again.

General Legal Counsel Blenkinsop agreed that no further action was needed to end the Committee.

Deputy Mayor Carrier moved to accept the Police and Parking Facility Building Committee Report; seconded by Councilor Ciotti.

Vote: 8/0.

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

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

Vote: 8/0.

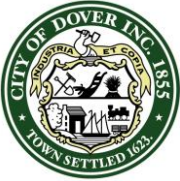
B. RESOLUTIONS

1. ACCEPTANCE OF RESIGNATION OF JOSEPH NICOLELLA, JR. FROM CITY COUNCIL

SPONSORED BY MAYOR WESTON

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

Vote: 8/0.



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2. REPLACING A MEMBER OF THE GARRISON ELEMENTARY SCHOOL JOINT BUILDING COMMITTEE

SPONSORED BY MAYOR WESTON

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

Vote: 8/0.

3. SUPPORTING THE EQUALITY OF ALL INDIVIDUALS WITHOUT REGARD TO ACTUAL OR PERCEIVED SEXUAL ORIENTATION, GENDER IDENTITY OR GENDER EXPRESSION

SPONSORED BY COUNCILOR CIOTTI AND COUNCILOR SHANAHAN

Councilor Shanahan moved for its adoption; seconded by Councilor Ciotti.

Vote: 8/0.

4. REPROGRAM UNEXPENDED BOND PROCEEDS FOR WATER MAIN IMPROVEMENTS AND AWARD OF B16073 BRIDGE RELATED REPAIRS (TO BE REFERRED TO A PUBLIC HEARING ON AUGUST 10, 2016, WITH CITY COUNCIL VOTE TO OCCUR ON AUGUST 24, 2016)

SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to refer to a public hearing on August 10, 2016; seconded by Councilor Greenshields.

Vote: 8/0.

5. REPROGRAMING UNEXPENDED APPROPRIATIONS AND SPAULDING TURNPIKE UTILITY AGREEMENT NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

(TO BE REFERRED TO A PUBLIC HEARING ON AUGUST 10, 2016)

SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to refer to a public hearing on August 10, 2016; seconded by Councilor Ciotti.

Vote: 8/0.

C. ORDINANCES IN 1ST READING

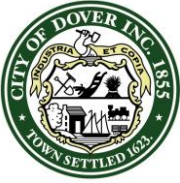
1. CHAPTER 5, BOARDS AND COMMISSIONS, SECTION 15 – JOINT FISCAL COMMITTEE

(TO BE REFERRED TO A PUBLIC HEARING ON AUGUST 10, 2016)

SPONSORED BY MAYOR WESTON

Deputy Mayor Carrier moved to refer to a public hearing on August 10, 2016; seconded by Councilor Shanahan.

Vote: 8/0.



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14. COUNCIL CORRESPONDENCE

A. Letter from Anthony McManus, received July 8, 2016.

Deputy Mayor Carrier moved to place correspondence on file; seconded by Councilor O'Connor.
Vote: 8/0.

15. COUNCIL MATTERS OF INTEREST

Councilor O'Connor spoke about the Woodman Museum. He spoke about the University of Massachusetts research on ALS, and said the breakthrough was partially funded by the Ice Bucket Challenge.

Councilor Thibodeaux said she will be holding her "Coffee with a Councilor" this Saturday, 9:00 am to 11:00 am.

Mayor Weston asked the Council for a time they would like to tour the Woodman Museum. The Council agreed to a time period after Labor Day.

Councilor Greenshields spoke about the retirement of Monty, a Percheron/Thoroughbred Cross Gelding, from the Mounted Police.

16. ADJOURNMENT

Councilor Greenshields moved to adjourn; seconded by Councilor O'Connor.
Vote: 8/0.