



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **City Hall, Council Chambers**
Meeting Date: **Wednesday, October 8, 2014**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Thibodeaux 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 as Item 13.B.4.: Dover Main Street Business Assistance Grant Program.

Councilor Cheney moved to add two items to Council Correspondence: Letter from Mr. Ronald Huml, and a letter from herself.

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

Vote: 9/0.

7. PUBLIC HEARINGS

A. CHAPTER 131 – OFFENSES

SPONSORED BY MAYOR WESTON BY REQUEST

Mary Hebbard, 97 Spruce Lane: She spoke against the Ordinance change and urged the Council to vote no.

Donald Medbery, 3 Covered Bridge Lane: He spoke against the Ordinance change.

Aimee Dion, 3 Earle Street : She spoke in favor of the Ordinance change.

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



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B. ADVANCED REFUNDING FOR CITY OF DOVER JUNE 15, 2005 GENERAL OBLIGATION BONDS AND AUTHORIZATION TO ISSUE REFUNDING BONDS (REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL, WITH CITY COUNCIL VOTE TO OCCUR ON OCTOBER 22, 2014)
SPONSORED BY MAYOR WESTON BY REQUEST

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

C. AUTHORIZATION FOR PARTICIPATION IN STATE OF NEW HAMPSHIRE DRINKING WATER STATE REVOLVING LOAN FUND FOR WILLAND POND WATER MAIN IMPROVEMENT FY2014 CIP PROJECT (REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL, WITH CITY COUNCIL VOTE TO OCCUR ON OCTOBER 22, 2014)
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.

Charles Lewis, 10 Whittier Street: He talked about the need for sidewalks on Whittier Street. He asked the Council if they supported him on this.

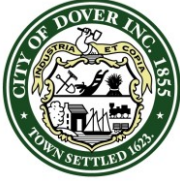
Mayor Weston said the City Manager will address it during the City Manager's Report.

Jeffrey Brissette, Fieldstone Drive: He spoke about the Tolend Road and Watson Road change order, and the incorrect statements with the City Manager's comments at the September 24, 2014 meeting.

Donald Medbery, 3 Covered Bridge Lane: He spoke about the Watson Road closure, and said it wasn't in the plans for the work. He also spoke about Citizen's Forum resolutions and said it should be before and after discussions in a Workshop Session. He also mentioned the other problems with Tolend Road and said he wanted answers.

Mary Hebbard, 97 Spruce Lane: She referred to Item #12.C.2. and urged the Council to vote yes. She referred to Item 13.A.3. regarding the traffic signals and said this should be forwarded to a workshop. She referred to Item 13.A.11. and spoke against it. She also asked the Mayor for an update on the refugee issue.

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 gave an overview of upcoming budget meetings. He gave an overview regarding the parking campaign to the Council. He recognized Planning and Community Development Director Parker and gave him a Certificate of Achievement.

Mayor Weston asked about the sidewalk on Whittier Street. City Manager Joyal asked City Engineer White to speak to the Council regarding the project. Mr. White gave an overview of the project to the Council. He said the project includes the Whittier Street Bridge, and the State moved their funding for the bridge to 2017 and the sidewalk will be designed in 2018 and put in soon thereafter.

Mayor Weston requested a sidewalk for Atlantic Avenue and if it was in the CIP. Director Parker said it was in the CIP.

Councilor O'Connor started discussion on the traffic signals. Director Parker addressed some issues.

City Manager Joyal gave an overview on the Tolend Road project. He said he is in the process of setting up workshops with the engineers.

Councilor O'Connor talked about needing a light on Chestnut Street. Community Services Director Steele said the request has been received and he will follow up on it.

Councilor Thibodeaux asked about parking in the Orchard Street lot and the people who lease them. City Manager Joyal said alternative parking has been issued for the leased parking spots.

Councilor McManus referred back to the Tolend Road project and suggested that they stop construction.

Mr. White said it wasn't advantageous for the City to stop construction. Mayor Weston asked for an explanation of the bid process. Mr. White gave an overview of the process to the Council.

Councilor Cheney discussed the change in the role of the General Legal Counsel. City Manager Joyal said it was the wording that changed and can be changed again. The role of the General Legal Counsel has not changed.

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

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



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10. APPROVAL OF MINUTES

A. September 24, 2014 – Regular Meeting

Deputy Mayor Carrier moved for the approval of the minutes; seconded by Councilor O'Connor. Councilor McManus referred to the last page, Council Matters of Interest, and said the meeting at Café on the Corner should be 9:00 to 11:00 am.

Vote: 9/0.

11. MAYOR'S REPORT

Mayor Weston attended the event for Mike Pomp's 30th anniversary in broadcasting. She attended the Irish Festival. She attended the unveiling of the bikerack at the Children's Museum. Lastly, she attended the Apple Harvest Day.

Deputy Mayor Carrier moved to accept the Mayor's Report; seconded by Councilor Gagnon.

Vote: 9/0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING – None

B. ORDINANCES IN THE 3rd READING

1. CHAPTER 131 – OFFENSES

SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor O'Connor. Councilor Gagnon asked for a friendly amendment in order to get these properties posted.

Councilor Cheney said she would support posting the Willand Pond area, Schools, and cemeteries.

Councilor McManus moved to strike the words under 131-23. A. "city owned land comprising and/or abutting", "unless authorized in writing by the City Manager", and "(4) Tolend Landfill". Seconded by Councilor O'Connor.

Deputy Mayor Carrier said there is still work being done at the Tolend Landfill and there shouldn't be hunting out there.

City Manager Joyal explained the posting requirements. He said a consultant has been working the area when he heard shots close to him.

Councilor Cheney asked to add to the friendly amendment by changing #1 to add "and adjacent parks".

Mayor Weston there is a motion.

Councilor McManus withdrew his motion.

Councilor O'Connor withdrew his second.



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Councilor Cheney moved to strike the words under 131-23. A. “city owned land comprising and/or abutting”, “unless authorized in writing by the City Manager”, and “(4) Tolend Landfill”; and change #1 to add “and adjacent park”. Seconded by Councilor McManus.

Deputy Mayor Carrier reiterated that people work at the Tolend Landfill and shouldn't be in fear of their life.
Councilor Garrison asked Councilor Cheney to leave Tolend Landfill on the list, because he felt the whole Council would support it.
Councilor Cheney said she didn't feel that Tolend Road belonged on this list.

Councilor McManus moved the question; seconded by Councilor O'Connor.
Vote: 9/0.

Mayor Weston asked for a vote on the amendment.
Vote: 3/6; Failed. Mayor Weston, Councilor Cheney, and Councilor McManus voted in favor.

Councilor Garrison moved to strike the words under 131-23. A. “city owned land comprising and/or abutting”, “unless authorized in writing by the City Manager”, and change #1 to add “and adjacent parks”. Seconded by Councilor Gagnon.
Vote: 6/3; Passed. Mayor Weston, Councilor Cheney, and Councilor McManus were opposed.

Mayor Weston asked for a vote on the amended resolution.
Roll Call Vote: 7/2; Passed. Mayor Weston and Councilor Cheney were opposed.

C. RESOLUTIONS

1. 2014-2015 CITY COUNCIL RULES CHANGE – ORDER OF BUSINESS (REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL) SPONSORED BY MAYOR WESTON

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Garrison.
Mayor Weston gave an overview of the resolution to the Council.
Councilor O'Connor asked to make a friendly amendment to have Citizen's Forum at the beginning and end of a Workshop session; seconded by Councilor Cheney.

Councilor Garrison suggested that the following resolution not be seconded if this one passes.
Councilor Cheney said she would withdraw the next resolution.

Vote: 3/6; Failed. Councilor Cheney, Councilor McManus, and Councilor O'Connor voted in favor.
Mayor Weston asked for a vote on the original resolution.
Vote: 9/0.



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**2. 2014-2015 CITY COUNCIL RULES CHANGE – ORDER OF BUSINESS
(REQUIRES A 2/3 MAJORITY VOTE OF THE CITY COUNCIL
SPONSORED BY COUNCILOR CHENEY**

Councilor Cheney moved to withdraw the resolution; seconded by Councilor Hooper.
Vote: 9/0.

13. NEW BUSINESS

A. CONSENT CALENDAR

- 1. RAFFLE – Community Action Partnership of Strafford County**
- 2. RAFFLE – Pet Tails Rescue**
- 3. RESOLUTION: B08043 AWARD OF ADDITIONAL SCOPE OF SERVICES
TRAFFIC SIGNAL PROGRAM SEBAGO TECHNICS
SPONSORED BY MAYOR WESTON BY REQUEST**
- 4. RESOLUTION: B15004 SEGREGATION AND RECYCLING OF CONSTRUCTION
DEBRIS AND DEMOLITION WASTE
SPONSORED BY MAYOR WESTON BY REQUEST**
- 5. RESOLUTION: B15005 NATURAL GAS SUPPLIER
SPONSORED BY MAYOR WESTON BY REQUEST**
- 6. APPLICATION FOR LOT RESTORATION – 3 COLUMBUS AVENUE
SPONSORED BY MAYOR WESTON BY REQUEST**
- 7. NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES
STANDARD LEASE AGREEMENT
SPONSORED BY MAYOR WESTON BY REQUEST**
- 8. THE PORTABLE PANTRY PERSONAL CHEF SERVICE, LLC LEASE
ASSIGNMENT FROM COOK & BAKER, LLC
SPONSORED BY MAYOR WESTON BY REQUEST**
- 9. McCONNELL CENTER SUBLEASE – EASTER SEALS NEW HAMPSHIRE AND
REACH FOR THE TOP THERAPY SERVICES PLLC
SPONSORED BY MAYOR WESTON BY REQUEST**
- 10. OUTSIDE LEGAL/LITIGATION CONSULTING SERVICES
SPONSORED BY MAYOR WESTON BY REQUEST**
- 11. CITY OF DOVER AND 44 PORTLAND AVENUE, LLC LICENSE AGREEMENT FOR
PARKING
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 to adopt the Consent Calendar; seconded by Councilor Hooper. Mayor Weston asked the Council if they had items they would like pulled for further discussion. Councilor Hooper asked to pull Item 13.A.1. and the School Board Report. She will recuse herself from the vote on Item 13.A.1.

Councilor McManus asked to pull Items 13.A.3. and 13.A.5.

Councilor Cheney asked to pull Items 13.A.6., 13.A.7., 13.A.8., 13.A.9, and 13.A.10.

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 13.A.1.; seconded by Councilor Thibodeaux. Vote: 8/0. Councilor Hooper recused herself.

Deputy Mayor Carrier moved for the adoption of 13.A.3.; seconded by Councilor O'Connor. Councilor McManus referred to Citizen's Forum comments and said there are problems with this resolution. He said the Council should have a Workshop regarding this issue.

City Manager Joyal agreed that a Workshop would be a good idea.

Councilor McManus moved to table this resolution until date uncertain; seconded by Councilor Cheney.

Vote: 9/0.

Deputy Mayor Carrier moved for the adoption of 13.A.5.; seconded by Councilor McManus.

Councilor McManus said he was confused by the language if it was a group bid or just the City.

City Manager Joyal gave an overview of the process. He said the price is just for the City of Dover, but the bid also covered the School and Dover Housing Authority.

Councilor Cheney started a discussion about the background information regarding the other bids being a link and not included in the packet.

City Manager Joyal said they were doing as the Council asked to conserve paper. He said the Council can change it during Council Matters of Interest.

Roll Call Vote: 9/0.

Deputy Mayor Carrier moved for the adoption of 13.A.6.; seconded by Councilor Cheney.

Director Parker gave an overview of the resolution to the Council.

Roll Call Vote: 8/0. Councilor McManus was absent from the Chambers.



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Deputy Mayor Carrier moved for the adoption of 13.A.7.; seconded by Councilor Thibodeaux. Recreation Director Bannon gave an overview of the resolution to the Council.
Vote: 9/0.

Deputy Mayor Carrier moved for the adoption of 13.A.8.; seconded by Councilor Cheney. City Manager Joyal gave an overview of the resolution to the Council.
Vote: 9/0.

Deputy Mayor Carrier moved for the adoption of 13.A.9.; seconded by Councilor Cheney. Director Bannon gave an overview of the resolution to the Council.
Vote: 9/0.

Deputy Mayor Carrier moved for the adoption of 13.A.11.; seconded by Councilor Cheney. Director Parker said this issue is on the next Planning Board meeting, and gave an overview of the resolution to the Council.
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.

B. RESOLUTIONS

**1. ADOPTION OF FY2016-2021 CAPITAL IMPROVEMENTS PROGRAM
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 22, 2014, WITH CITY
COUNCIL VOTE OCCURRING ON NOVEMBER 12, 2014)
SPONSORED BY MAYOR WESTON BY REQUEST**

Deputy Mayor Carrier moved to refer to a Public Hearing on October 22, 2014; seconded by Councilor Garrison.
Vote: 9/0.

**2. APPROPRIATION FOR FY2015 CAPITAL IMPROVEMENTS PROGRAM –
NON-DEBT FINANCED PROJECTS
(REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL)
(TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 22, 2014, WITH CITY
COUNCIL VOTE OCCURRING ON NOVEMBER 12, 2014)
SPONSORED BY MAYOR WESTON BY REQUEST**

Deputy Mayor Carrier moved to refer to a Public Hearing on October 22, 2014; seconded by Councilor O'Connor.
Vote: 9/0.



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3. APPROPRIATION FOR FY2016 CAPITAL IMPROVEMENTS PROGRAM AND AUTHORIZATION FOR BONDING (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL) (TO BE REFERRED TO A PUBLIC HEARING ON OCTOBER 22, 2014, WITH CITY COUNCIL VOTE OCCURRING ON NOVEMBER 12, 2014) SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to refer to a Public Hearing on October 22, 2014; seconded by Councilor Gagnon.
Vote: 9/0.

4. DOVER MAIN STREET BUSINESS ASSISTANCE GRANT PROGRAM SPONSORED BY MAYOR WESTON AND DEPUTY MAYOR CARRIER

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Gagnon.
City Manager Joyal gave an overview of the resolution to the Council.
Councilor Cheney moved to add the application as part of the background information for the resolution; seconded by Councilor O'Connor.
Vote: 9/0.

Councilor Garrison moved to suspend the rules to continue the meeting past 10:30 pm to complete the agenda; seconded by Deputy Mayor Carrier.
Roll Call Vote: 8/1; Passed. Councilor Hooper was opposed.

Roll Call Vote: 9/0.

C. ORDINANCES IN 1ST READING – None

14. COUNCIL CORRESPONDENCE

- A. Letter from xfinity, dated September 15, 2014.**
- B. Letter from Ronald Huml, dated October 3, 2014**
- C. Letter from Councilor Cheney, dated October 8, 2014.**

Deputy Mayor Carrier moved to place correspondence on file; seconded by Councilor Hooper.
Mayor Weston read Mr. Huml's letter into the record.
Vote: 9/0.



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15. COUNCIL MATTERS OF INTEREST

Councilor McManus spoke about the two Fire Department Unions' work on Operation Warm, an organization that provides new winter coats for kids.

Councilor Cheney mentioned that Thursday was "Walk to School Day". She spoke about her correspondence that was just placed on file. She has put in her application to be on the board of trustees for the HealthTrust organization. She spoke about the check being cut to the City from HealthTrust.

City Manager said the City received it in September.

Councilor Garrison gave an update on the Municipal Legislative Policy meeting.

Councilor Gagnon spoke about creating an architectural review board.

Councilor Thibodeaux reminded the citizen's of her Coffee with the Councilor this Saturday, 11:00 am to 1:00 pm.

The Council discussed possible nights for a workshop with the engineers regarding Watson Road and Tolend Road.

16. ADJOURNMENT

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

Vote: 9/0.