



1. **MOMENT OF SILENCE**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**

Those present: Councilor's Cheney, Ciotti, DeDe, Deputy Mayor Hindle, Councilor Keays, Mayor Myers, Councilors Scott, Trefethen, Turner. Also present City Manager Joyal and City Attorney Krans.

4. **PROCLAMATIONS - AWARDS**
5. **SUMMARY OF AGENDA**

The Mayor reviewed the agenda briefly and explained about the new order of items on the agenda that is in accordance with the new adopted rules of the city council. The other item is on the city website the complete resolution and ordinance will be attached to the agenda and the rules will be posted on the website.

6. **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.

Eileen Williams of Autumn Street thanked them all for getting elected and for all the effort in labor and thought they will be putting in. She speaks for several people and talked to her neighbors in helping Harvey Turner's election effort while he was running for election.. People are extremely concerned about the rising tax bills. We have an unusually high payroll. She was married to a man that who was involved in hotel operations so she knows no one bids out a job and comes back a year later and says we need a million dollars. The person has to fulfill a contract on time and for the bid amount. We are not consistent on keeping track of our tax dollars on a daily basis. We did not keep track of a certain cell phone bill that went unnoticed. She speaks for all her neighbors and more.

Don Medbury of 3 Covered Bridge Lane, there are many items that need to be addressed and scrutinized in Dover. See prepared statement in 1-11-2006 agenda folder. The Mayor asked him to conclude his report after 5 minutes.

Rick Hebbard of 97 Spruce land wished them a Happy New Year and stated he concurs with Eileen Williams and appreciates the updated agenda is on the website. A word of advice from me, you are our representative and you speak for us. You all have experience and they want to hear each of them.

Seeing no one else wishing to speak the Mayor closed citizen's forum.



7. PUBLIC HEARINGS

- A.** Resolution RE: Approval of McConnell Center Bonds for the Purpose of Internal Revenue Code Section 147(f). Sponsored by Mayor Scott Myers, by Request.

The Mayor opened the public hearing, seeing no one wishing to speak he closed it.

- B.** Ordinance # 23-12/14/05, Chapter 166, Vehicle and Traffic, Section 166-50, Schedule C: Stop Intersections, Hancock Street. Sponsored by Deputy Mayor Jason Hindle.

The Mayor opened the public hearing, seeing no one wishing to speak he closed it.

- C.** Ordinance # 24-12/14/05, Chapter 166, Vehicle and Traffic, Section 166-56, Schedule I, No Parking at Any Time, Rogers Street. Sponsored by Deputy Mayor Jason Hindle.

The Mayor opened the public hearing, seeing no one wishing to speak he closed it.

8. CITY MANAGER'S REPORT

The manager welcomed the new councilors; he explained what he expects to do for the two reports on a monthly basis. He will give them statistical information on the first and on the second one maybe a particular issue or budgetary issue, and maybe the city's indebtedness and bond issue. For this month he wants to draw the council's attention to the Washington Street Bridge project, this project has gone out to preliminary design and the cost estimate is 2.6 million dollars, there are amenities and options that can be discussed. He reminded them the funding was discussed during the workshop and only 20% is paid for by the city. The McConnell Center renovation project started this past Monday with the initial demolition going as planned. He had sent some information to the council on the bond for the McConnell Center project where he highlighted the independent credit analysts for the city. These people determine the projects worthiness for the city; this is from the Moody's report. Moody's expects the city's financial operations to remain stable as it is supported by a sound general fund balance. We have a policy to maintain at least a 6% fund balance; the prior councils have been good about not using the fund balance. We should not use the fund balance. He also noted the city's debt burden is averaging at 2 ½% debt value. Standard and Poore also completed their analysis and reaffirmed the bond rating, it reflects the city's sound economy. Both rating agencies are concerned about the debt in the Arena fund even though it broke even last year but it still affects the balance sheet.

He responded to comments citizens have raised tonight. One is a concern on the status of Tolend - Watson Road and the condition of these roads. In the 2009 CIP there is a multi year project that deals with the Tolend - Watson Road area; they are old cow paths that were paved over. This is anticipated and will be dealt with. The next comment is the city manager's salary that was said to be too high, he has been getting statistics on this as well. He was hired for the position at the beginning of June. He quoted from the NHMA wage survey of 2005 that compares 12 communities; he read them and when



City of Dover
City Council Meeting Minutes
City Council Chambers

Date: January 11, 2006 Time: 7:00 PM

you look at those communities the average city manager wage was \$104,000. His base wage is \$106,620 not including any benefits. Secondly Rochester just recently hired a city manager and is paying him \$100,000 plus \$15,000 of deferred compensation.

Trefethen asked about the Open Lands Committee and is it possible the Little Bay Bridge project has a pot of money they are willing to share to help fund the Tuttle conservation of the farm. His question is if the DOT makes that money available will it go towards the city's contribution or will it be shared with Three Rivers Farm. Joyal's understanding is it will be targeted towards a specific parcel by the DOT. He will confirm this with the Open Lands Committee and get back to him.

Scott stated at the election there was a city charter passed out so he went and got more copies. He had phone calls right after and wonders where it says the city manager can sign contracts. The Mayor asked if it is a question for him or if he had not responded to the whole query. Scott says the question still remains that the city manager can sign city contracts be it employee contracts or purchasing contracts. The Mayor responded he will answer again and the City Manager can respond also in more detail. Trefethen stated point of order he wants us to ask questions to remarks made in the City Manager's report. The Mayor will answer by email within 24 hours. The City Manager is offended and has already elaborated on the answers for Scott's questions.

Hindle asked the City Manager if it is not on line could he put the bond reports on line to read. Joyal stated they already are.

Turner asked in regards to information he has about having our speakers mention these items tonight how come a lot of this information has not been brought forward earlier. Joyal will accept some blame for this but he has the responsibility to provide factual information. Sometimes the answers are not trusted and how the information is perceived. With regards to the salary information, the information has been out there. And this was one of the items he struggles with and he will be doing this. Turner says at this time we know the importance of public relations.

Keays wants to let the citizens know they can go to the clerk's office and get a copy of any item and if this is the way these council meetings are going to be run he is right with them but he will fight them to the end. He is here to represent the people.

Scott has a question on the audit report. It indicated there was a mobile phone charge from a prior employee that went unnoticed for 3 months. How could this have happened, do we have weaknesses in the procedures. Joyal recalled the early 90's and cell phone technology and how he was issued a cell phone through the police department. That phone continued to be used by the past city manager. They now have a much better use and a master cell phone account even though the police department continues to have their own account. This was never billed to the city manager's office. The police assumed the city manager's bill was being paid by the city manager's office. The error was discovered and it has been corrected. He has also asked Jeff Harrington to investigate and put in place a new policy for reviewing the phone bills. He has also asked to have the cell phone bills audited with the annual audit. The Mayor says a comment was made about an EPS fund; as there was a commentary brought to Joyal's attention in the city regarding a million and half dollar fine on the city. Joyal is not familiar with that. The Mayor is correct that Dean Peschel spoke



during a discussion on the shellfish beds and as a result the city mitigated but they did pay a small fine.

Cheney wondered if when we accept this report if it is excluding the email we received this morning or is the part included about legal services as well. The Mayor clarified that will be on the next council agenda.

Hindle moved seconded by Cheney to accept the report with all excluding the City Manager's emailed addition that was received today. All were in favor.

9. MINUTES

- A. Special Council Meeting – December 7, 2005
- B. New Council Orientation #2 – December 12, 2005
- C. Council Workshop – December 21, 2005
- D. Council Organizational Meeting – January 3, 2006

Hindle moved seconded by DeDe to accept. DeDe stated he took the time to transcribe the 12/21/05 meeting on the city manager's evaluation. The reason he transcribed this section almost word for word was the meeting was allowed to go beyond control and there was no ruling; that left him no opportunity to explain his rationale on his sheet before him. He then decided to leave the meeting. He has forwarded this transcription to the city clerk. Trefethen has a question regarding the transcription; is this just one portion of the meeting or an amendment. DeDe stated it is a correction. DeDe clarified this is the transcribed word for word or minutes of what occurred at this portion of the meeting until he left the meeting and are to be substituted for the Clerk's minutes.

Cheney also agrees this should be part of the record. Motion passed on a vote of 5-3 with all except Mayor Myers, Trefethen and Keays opposed.

10. MAYOR'S REPORT

The Mayor reported things were quieter this month. He thanked them for participating in the orientation meetings. He also thanked the city clerk and her office for their inauguration party last week. One other thing he would like to do is read into the record the list of appointments to the McConnell Oversight Committee. He listed the 7 people that will be appointed if the resolution is passed tonight. Time wise he wants the group to be up to speed and ready to go. The seven people are: Otis Perry, Chair, Doug DeDe, Gary Gilmore, Paul Mauceri and new appointees Don Andolina, Ken Latchaw and Bob Carrier. Hindle moved seconded by Ciotti with all in favor.

11. UNFINISHED BUSINESS

A. ORDINANCES IN 2ND READING



1. **#23-12/14/05**, Chapter 166, Vehicle and Traffic, Section 166-50, Schedule C: Stop Intersections, Hancock Street. Sponsored by Councilor Jason Hindle.

Hindle moved seconded by DeDe to adopt. Motion passed on a roll call vote of 9-0.

2. **#24-12/14/05**, Chapter 166, Vehicle and Traffic, Section 166-56, Schedule I, No Parking at Any Time, Rogers Street. Sponsored by Councilor Jason Hindle.

Hindle moved seconded by DeDe to adopt. Keays asked if Hindle has met with the people on Rogers Street; they had 3 or 4 of them come to the meeting and there was a public comment period. Keays asked about in the last 10 years there has been a lot of remodeling and lot more traffic, he wonders where they are parking all the cars. Hindle says right now they are parking on the street and it makes it difficult for vehicles to pass. Keays says we have a Planning Board and they must give out permits for this remodeling, he thinks they should be the one controlling it. Trefethen says the planning board does not issue permits for any structure in the city, you go to the bldg inspector. He is not part of the planning board. If you are in a zone that allows multi family housing, you can do it by pulling a bldg permit. Motion passed roll call vote of 9-0.

B. ORDINANCES IN 3RD READING – NONE

C. RESOLUTIONS

1. **Approval of McConnell Center Bonds for the Purpose of Internal Revenue Code Section 147(f)**. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Ciotti to adopt. The city manager explained how the McConnell center is moving forward with construction and about the bond rate. This vote pertains to if the city should pay an additional \$277,000 that is taxable instead of tax exempt which is part of the IRS code. The first bond has been through this same process already and has been approved. That just went to market. What they are voting on is the second bond. The difference is the interest that the city is willing to pay. Trefethen asked if we voted on this same thing for the first bond. The city manager confirmed this. The first bond was required to be used for non profit organizations. Trefethen says we will be retaining ownership of the building so will they allow us to qualify for tax free municipal bonds. Joyal explained you can't be using public financing for private purposes. Trefethen says we were going to have the building then the tenants were going to be responsible for the finishing of a particular area. If a for-profit organization comes in they have to provide whatever to make it habitable and it is not being paid for by the bonds. Joyal explained those funds are being used to provide common facilities to include heat, fire protection, even so they will all benefit from the improvements.



City of Dover
City Council Meeting Minutes
City Council Chambers

Date: January 11, 2006 Time: 7:00 PM

DeDe has an observation of this, there have been several weeks, months and in the meeting of 2004 we discussed if we could use the building for profit making; it is designed to be a community service building whereas the arena is designed to be an entertainment center. Ciotti asked if we approve this will it limit us in renting this out to a for profit agency. The City Manager thinks you would probably not be able to allow any other uses other than non profit. Even though possibly a cafeteria would be allowed if it was servicing the non profits. Turner wonders what kind of business for profit could get past the deed. He thinks the TEFRA limits us; the City Manager says the parcels that the building sits on limits us to using the corners of the place for school purposes. They got permission from the probate court when the court used the building. They could go back and revisit this but if they are going to issue TEFRA bonds there will be a tough time allocating funds under the TEFRA situation and issuing tax exempt bonds there will be a difficult time picking and choosing where the improvements will be. Turner thinks there are very few things that would be limited by our constraints. The City Manager says this proposed facility is to be a social service center. Scott will vote for this with one reservation when the project started in December 2004 the project was supposed to cost \$37. per square foot. It is now obvious to him that is much too low and it should be about \$65 per square foot. He has had comments on both sides, it is a beautiful building but how can we get the best return on this building. It will continue losing money for the next many years but perhaps in future years we will have a building that will be a community resource and may possibly be earning some money. He would like to make a very detailed appraisal of the building to try and figure out the economics of the building as that is what he does for a living; it would take him two weeks. He thinks it is worth while to put this decision off for two weeks and he will be able to say to his constituents he has looked at it. He requests that this item be tabled for two weeks; Cheney seconded the motion. The motion failed on a vote of 4-5 with Cheney, Keays, Turner and Scott in favor. Hindle says he has a good point as he has wanted to review it also. He has no problem with that but after hearing from the City Manager, he recalls this was to be opened up for non profit agencies. To put a for profit agency into it would diminish its historical charm and secondly from working with his Dad and under the covenants of a will and knowing the judge, it would be difficult to relinquish authority and we should follow through on what was stated last year.

Some of the things says DeDe that have been alluded too such as the fund raising in the amount of \$1,000,000 privately raised funding is wholly unrealistic. Joyal interrupted staff did not say this. DeDe stated the core of this city will be blessed with a very attractive building that meets all historic guidelines and in fact when complete they will be asked to have this building put on a historic district list and once we have the building in hand we have all of the requirements necessary to be designated as a historic structure. In addition we will have all these services available within walking distance of the city's senior housing facilities. He hopes



the council will support the efforts of the committee and their vision. Cheney has used the McConnell Center on many different occasions. Over the next 20 years we will be paying and subsidizing and DeDe is right, she is hoping as this project goes forward we get some financial oversight for the building. Keays thinks he might be the only descending vote but he wants to remind them that the school department and the fire chief says the building was not safe. He can't support it and he won't support it because we sunk over 14 million on the Durham road for a middle school, he bets they sink at least 8 million across the street. Every tenant is non profit and won't be contributing. Keays wants to know who is going to support this in 10 years, the City of course. Trefethen wants to refocus on the various frustrations sometime but the question before us is simple the previous council voted the authorization of this bond. The question is do we want it to cost \$277,000 more or not, 40% will come back in the city budget as it is that number of tenants. Scott thinks Keays is right. He still wants time to take a look at it; maybe we can make it into two bonds maybe one that is tax exempt and one for profit. He dislikes the hurry up and vote. The Mayor jumped in all future spending comes back before this council; non profits still pay for maintenance and ongoing costs. The bonds are for 16 years. They did set up a separate account for its own mechanism. We would have to find a place to put the city services that are already there. We are paying all the utilities and all the insurance. There is still a cost to put a lock on the building, insurance, liability; it does offer a wide variety of community services in one building. Cheney has read in other cities on how other cities are having this same request. She thinks it would be nice but she respects the Ward 3 councilor for two weeks she still wants the exact ramifications of this vote and perhaps the city manager could get us two different bonds. In support of everyone that needs more information to feel comfortable in making a decision. Turner had the privilege of getting the tour he was impressed, this is moving forward due to decisions made in the last couple of years. He thinks we should grab it for Motion passed on a roll call vote of 7-2 with Keays and Scott opposed..

12. NEW BUSINESS

A. CONSENT CALENDAR

1. Tag Permit – Dover Baseball Inc.
2. Tag Permit – Dover Brownie Troop #665
3. Raffle Permit – St. Mary Academy
4. Raffle Permit – Dover Main Street

Hindle moved seconded by Ciotti with all in favor.

COMMITTEE REPORTS

1. Appointments Committee
2. Arena Commission
3. Arts Commission
4. McConnell Center Committee



City of Dover
City Council Meeting Minutes
City Council Chambers

Date: January 11, 2006 Time: 7:00 PM

5. Planning Board– Councilor Dean Trefethen
6. Cable Franchise Negotiations Committee
7. School Board Liaison
8. City/School Joint Services Study Committee
9. Solid Waste Advisory Commission
10. Transportation Advisory Commission
11. Joint Building Committee
12. Recreation Advisory Board
13. COAST Bus

Ciotti made a point that he had attended the City of Portsmouth’s organizational meeting and they had wanted their consent calendar read out loud for the benefit of the people at home. All were in favor.

B. RESOLUTIONS

1. **Release of Attorney Opinions Related to Hiring of City Attorney.**
Sponsored by Mayor Scott Myers, Councilor Dean Trefethen and Councilor Catherine Cheney.

Hindle moved seconded by Trefethen to adopt. Trefethen thinks there has been discussion in the general public and there has been misinformation floating around to put this controversy behind us. The Mayor echoed Cheney that this just needs to be made public. Motion to adopt passed on a 8-0 vote with Keays out of the room.

2. **Appointment of McConnell Center Oversight Committee – 2006.**
Sponsored by Mayor Scott Myers.

Hindle moved seconded by Ciotti to adopt. The Mayor wants this sponsored not by request but by him personally. Hindle wants to make an amendment to oversee the governing of the building. DeDe seconded the motion to amend. Motion to amend passed by all. Motion to adopt passed by all.

3. **Award of Bid #B06035 Traffic Intersection Signal Upgrades.** Sponsored by Mayor Scott Myers by Request.

Hindle moved seconded by Trefethen to adopt. Scott wants to know the amount of the dollars, the city manager read from the resolution and the “now therefore section”. The city manager says this is authorizing the purchasing agent to sign a purchase order based on the purchasing ordinance in the City of Dover. Motion passed on a roll call vote of 8-0 with Keays out of the room.

C. ORDINANCES IN 1ST READING

1. **#01-01/11/2006**, Chapter 166, Vehicles and Traffic, Section 166-56, Schedule I, No Parking at Any Time, Ivan’s Lane. Sponsored by Jason Hindle, Deputy Mayor.
(To be referred to a public hearing on February 8, 2006)



Hindle moved to correct the public hearing date to February 8th seconded by Ciotti with all in favor of referring.

2. **#02-01/11/2006**, Chapter 166, Vehicles and Traffic, Section 166-51 and Section 166-50 Changing Yield intersections to Stop Intersections (Adelle, Sylvan, Newport, Applevale, County Farm Cross Road). Sponsored by Jason Hindle, Deputy Mayor.
(To be referred to a public hearing on February 8, 2006)

Hindle moved to correct the public hearing date to February 8th seconded by Ciotti with all in favor of referring.

D. COUNCIL CORRESPONDENCE

1. Wetlands Application – Patricia Anderson, Frank Alexandropoulos
2. Wetlands Application – City of Dover, Varney Brook
3. Letter – Comcast

Hindle moved seconded by Ciotti to accept and place on file with all in favor.

13. COUNCIL MATTERS OF INTEREST

The Mayor stated he wants the city manager to discuss dates of upcoming meetings. The city manager stated there will be a tour of facilities the last Saturday in January and the second sat in February for goal setting, DeDe says that is Presidents day and he can't make it. And if next Wednesday is 1/18 we have a conflict as 2 or 3 councilors want to go to the Local Government Center to hear from the house. That will be on the 18th. He also invited the school folks and no one is able to attend. We were planning to have an executive session to discuss labor negotiations and ongoing strategy should we still have that? The Mayor took a poll and no one was interested in going to Concord. So now the city manager feels we should just focus on labor. On the 25th we could have a workshop first and have the county delegation and third in the goal setting session the Mayor does not want the legislative body. He thinks that is too much but we do need to hear from them. The Mayor also wants to bring the Planning Board, Waterfront Committee, Open Lands Committee and McConnell Committee for a review of these projects; those would be done before the goal setting. Joyal suggests we have a regular meeting on the 28th. On February 1st he wants issues on the agenda like the Tolend Road situation then committees talking about their goals and projects where there will be an update on the Tolend Road Land fill, then they will adjourn into an executive session downstairs with their concerns with the environmental lawyer. Hindle says the legislative meeting will occur after the meeting of the 25th. Next week we will meet in workshop session at 6 pm with an executive session on labor. DeDe wants a readers digest version of the Tolend Road on the 25th the agenda is not lengthy. They will be inviting the legislative body to include senators and pictures at 6 pm. On February 1st hear from the Strafford County Commissioners. And then for the Tolend Road move downstairs at 7 pm. Then on February 8th the regular meeting starting at 7 pm. Also on the 25th we will have representatives from the school so we can move back down stairs to discuss the school issue.



City of Dover
City Council Meeting Minutes
City Council Chambers

Date: January 11, 2006 Time: 7:00 PM

The 28th is also a conflict for elected officials in Concord DeDe, Turner, Cheney and Scott are planning to go to and then there will be the facilities tour on the 11th. Trefethen noted that he found last two years ago it was a lot we didn't need all the personal information that was discussed. DeDe does not want a facilitator either. Hindle wants to follow through with comments on a facilitator at the goal setting session. He thinks it would be good to have a facilitator person to come in to help formulate our goals, we could limit ourselves to perhaps 8 am-12 noon. The Mayor agrees if we had someone who is an expert on government issues. Trefethen now agrees he does not need the "ra-ra" stuff; he does not care who everybody's pet is. Trefethen says the end result was a whole list of goals for the council to vote on and no they are not binding to answer Cheney; they are simply goals, they are only ideas to give us a road map. Scott agrees that we don't need an outside person. The Mayor disagrees saying he would not be comfortable and the city manager should not be the facilitator. We need someone to move the meeting along. Scott says how about Hindle. Hindle says he thinks it is helpful to have an independent person come in to focus us on the goals of the city council. Cheney cannot make the 11th Trefethen thinks we can function until March if we want so how is March 4th. It was decided that would be the date for the goal setting.

DeDe noticed that the recycling center hours have been changed and they are no longer open on Sunday, perhaps the city manager could share the reason why. The city manager thinks it is a manpower issue also we have been taking advice from the Solid Waste Advisory Commission. There is always a line on weekends. Keays called their attention to the road pavement on Central Avenue that was done that dirtied a lot of cars, that road is now cracking. Scott is concerned about the timeline on the budget. The city manager has to defend the software systems saying we cannot manipulate the software to get the exact detail that was in the letter but if it is only a simplified list he will have list of the vehicles tomorrow the Mayor reminded them he still has an opening on Solid Waste and COAST bus committees.

14. ADJOURN

Keays moved seconded by Scott to adjourn with all in favor.

**Judy Gaouette,
City Clerk**