



CITY OF DOVER

## CITY COUNCIL – MI NUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, July 12, 2006**  
Meeting Time: **7:00pm**

### 1. MOMENT OF SILENCE

### 2. PLEDGE OF ALLEGIANCE

Deputy Mayor Hindle led the Pledge of Allegiance.

### 3. ROLL CALL

Present: Deputy Mayor Jason Hindle, Councilor Bob Keays, Mayor Scott Myers, Councilor David Scott, Councilor Dean Trefethen, Councilor Harvey Turner, Councilor Catherine Cheney, Councilor Dennis Ciotti and Councilor Doug DeDe. Also Present: City Manager Mike Joyal and City Attorney Allan Krans.

Absent: NONE

### 4. PROCLAMATIONS – AWARDS

NONE

### 5. SUMMARY OF AGENDA

Mayor Myers reviewed the agenda stating that the 3 major issues include the McConnell Center appropriations transfer, the Merit Plan and the written correspondence/e-mail issue.

### 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.*

Mayor Myers opened the Citizen's Forum asking if anyone wished to speak:

Roland Hofemann, 18 Wellington Ave – State Representative District 6 for Wards 5 and 6, asked the Council to support resolution 12B-4, McConnell Center Funds, which will transfer the money from the sale of the Grove Street Senior Center to the McConnell Center to be used for the final fit-out of the new center. The money is needed for inside fixtures, lighting and flooring. He commended Gary Bannon of the Recreation Department in facilitating the move and making it as pleasant an experience as possible. Gary attended the Senior Advisory Committee meetings twice a month and helped with a smooth transition. This is not only a physical move but is also a move to new, improved programs and again he asked for the Council support on resolution 12B-4.

Al Lobdell, 16 Lisa Beth Circle – member of the Senior Advisory Program committee stated he has been an active member since moving to Dover. He stated he firmly believes in good facilities for good programs. He stated there are 3 main areas of concern which are programs, facilities and transportation. He reviewed his concerns for each area and concluded by stating that the seniors in the public housing need a way to get there as it is too far for them to walk and would like a mini-bus that would run twice a day to the senior housing areas. Also, regarding



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private transportation, he wonders where people will park as there are not many spaces in the lot available now and the building isn't even open yet. He then commended Gary Bannon stating that he has been open and up front through the process and has earned the respect of the seniors. He stated that the City of Dover spends \$33 million on education which is \$4,700 per child per year and they are spending \$20,000 on the seniors which is \$5.00 per senior and urged the Council not to say no to the seniors.

Rich Thorpe, 27 Hill Street – Vice Chair of the Recreation Advisory Board, stated the Rec Board supports the transfer of the funds from the Butterfield Gym to the McConnell Center Accounts as well as the sale of the Senior Center revenue.

Ed Bleiler, 28 Isaac Lucas Circle – discussed the ethics ordinance asking who had an ethical problem in Dover in the past 12 years, not the Councilors, but City Managers past and present. He continued to cite several Foster's news articles and discussed the recent budget process. He concluded by stating that he has read Councilor DeDe's resolution (12B-1) and feels it is hard to understand and is getting into people's first amendment rights.

Karen Weston, 42 French Cross Road – began by thanking the city for getting the crosswalks painted recently, but would like them to be painted with florescent paint next time. She then discussed adding more foot patrols to the downtown area especially at night. She stated that a cruiser going by is not the same as having police walking the streets and may help prevent some of the vandalism downtown. Next, she discussed the bag and tag program stating that the quality of the new bags is not as good and now the prices have gone up and she feels that with signing a 5 year contract, the prices should have been stabilized. Regarding the McConnell Center resolution, she urged the Council to take care of our seniors as we will all be there some day. Finally, she discussed using solar panels at our facilities stating that although there is an upfront cost, the savings in oil costs would pay for it in short time.

John Scruton, 99 Sixth Street – referred to page 26 of the Master Plan which talks about strip malls and he feels that Central Avenue is non-stop strip malls and now a Walgreen's is going in up there and how will we control the traffic up there. He stated that there are nothing but box stores up there and there is a difference between good planning and political planning and he is not opposed to developing at Exit 9, but in 1992 we only had 2 sets of street lights.

Jerry Lynch, 26 Lincoln Street – discussed the Tolend Landfill stating that in the past funds have been diverted from that account which is in violation of the agreement between the City and the DES which is very unethical if not illegal and stated that soon there will be an Ethics Committee.

Don Medbury, 3 Covered Bridge Lane - (see full text in Council Folder) discussed the e-mail between Councilors issues and stated that there should be more public involvement prior to passing Councilor DeDe's resolution (12B-1). He also discussed the location of the city server stating that it should not be located in the police department. Also, he feels that the fact that the city has recently passed an open purchase order to 4 law firms is troubling to most citizens because Attorney John Peltonen who represents the City in the Tolend Road Landfill did not disclose that he and his firm represented Casella Waste Systems against the Town of



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Bethlehem, NH in the NH Supreme Court. He stated that the City Manager and the City's Environmental Project Manager Dean Peschel failed in their duty to disclose this information as well. Finally, he discussed the possible purchase of a hybrid police vehicle with \$100,000 that the DES sent to Dover which he stated rightfully belong to the Tolend Road Superfund site clean up fund as it was part of a large fine imposed upon Waste Management @ Turnkey Landfill for odor and methane gas violations which he and a group of 185 residents brought to the attention of the EPA.

Norm Champagne, 13 Church Street – discussed the Dover Police Dispatch and Fire and Rescue personnel stating that he had to call upon their services the other night for his mother and he was impressed and happy with the very quick response she received. He stated that because the ambulance crew are ALS certified, she was able to begin receiving treatment right in the ambulance and that 3-4 minutes could be the difference between life and death. He stated that there have been discussions about having a north end fire station and he feels that there should be something done as all residents deserve the same response time that he received.

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

### 7. PUBLIC HEARINGS

- A. **ORDINANCE RE: #08-06/28/2006, CHAPTER 166, VEHICLES AND TRAFFIC, SECTION 166-57, SCHEDULE J: LIMITED TIME PARKING: CHURCH STREET.** SPONSORED BY DEPUTY MAYOR JASON HINDLE, TRANSPORTATION ADVISORY COMMISSION. (**SEE ITEM 11A-1**)

Mayor Myers opened the Public Hearing asking is anyone wished to speak:

Norm Champagne, 13 Church Street – asked if this is regarding the activity that has already been done in this area. (Deputy Mayor Hindle confirmed that this was the case). He continued that he has no problem with this ordinance but it needs to be enforced and not just when people call and complain. He stated he was told that this wouldn't be the case and that even if it takes time and money to enforce it, that 's what needs to be done, or otherwise don't bother with this at all.

Seeing no one else wishing to speak, the Mayor closed the public hearing.

- B. **ORDINANCE # #09-06/28/2006, CHAPTER 166, VEHICLES AND TRAFFIC, SECTION 166-56, SCHEDULE I: NO PARKING AT ANY TIME: LOCUST STREET AND SCHEDULE J: LIMITED TIME PARKING: LOCUST STREET.** SPONSORED BY DEPUTY MAYOR JASON HINDLE, TRANSPORTATION ADVISORY COMMISSION. (**SEE ITEM 11A-2**)

Mayor Myers opened the Public Hearing asking is anyone wished to speak:



CITY OF DOVER

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Norm Champagne stated he likes the change on Locust Street but again stressed the importance of enforcement. He stated that Henry Law Park parking is not enforced and there had been a court order in the past that disallowed parking at Henry Law Park because it is a part of a Charitable Trust.

Don Medbury, supports the comments of the previous speaker.

Seeing no one else wishing to speak, the Mayor closed the public hearing.

### 8. CITY MANAGER'S REPORT

Joyal stated that he has 2 issues to discuss, first a follow-up to Councilor Keays concern with the gravel pit. He stated that last night at the Planning Board meeting they voted to NOT renew the permit to excavate at the Griffin Well pits as the company is not in compliance. Secondly, during last year's budget process, there was an addition of 4 firefighters which would result in reduction or elimination of overtime in that department resulting in a savings that would pay for those 4 positions. He is pleased to pass along that this did indeed occur and there was actually an excess of \$3,800 at the close of FY06. There were some overtime issues during the year but they were related to events that were reimbursed by the federal and state government and a serious injury to a firefighter that required others to cover his shifts.

Keays asked if Joyal has gone over and looked at the pit.

Joyal stated about 2 weeks ago.

Keays stated that this can't just be filled in it has to be done right and someone should be there to watch.

Scott asked about the 5 leases signed for the McConnell Center and what was the square footage price.

Joyal stated this information was all a part of the agenda packet when it was voted on by the Council.

Scott then stated in addition to the personnel information already included in the City Manager's Report, he would like to see the salaries of the new hires versus those who left the position. Finally, he would like to "acknowledge" the Manager's Report instead of approve it so that the Council is not approving policies that they don't intend to approve.

Hindle stated that is a change to the Council rules and would take a 2/3 majority.

Turner thanked the Manager for his report and then discussed the upcoming Speak Out Dover forums stating that he wants these to be publicized early on.

Joyal reviewed the schedule of the Speak Out Dover forums. On 07/13/06 there will be one held at the Horne Street School for Ward 1 residents. Others are welcome to attend but the focus will be on Ward one issues. He stated this is an important part of the Master Plan process which is updated every 10 years and urged people to participate. If people can't attend the meetings there is a questionnaire on the website.

Hindle moved to accept the manager's report, seconded by DeDe.



CITY OF DOVER

## CITY COUNCIL – MINUTES

Meeting Type: Regular Meeting  
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Scott stated he will vote no as he is not approving this report and will bring forth a resolution to change the Council rules.

DeDe clarified that we are “accepting” the Manager’s Report when there is something additional being “approved” as part of the Manager’s Report it is clearly stated as such and is also done on occasion in the Mayor’s Report.

Motion to accept the Manager’s Report passed on an 8-1 vote, Scott opposed.

### 9. MINUTES

- A. MINUTES – WORKSHOP – MAY 20, 2006
- B. MINUTES – REGULAR COUNCIL MEETING – MAY 24, 2006

Hindle moved to accept and place on file, seconded by DeDe.  
Motion passed on a 9-0 vote.

### 10. MAYOR’S REPORT

Mayor Myers began by stating he met with a group from New Zealand as part of the Friendship Club who stayed with host families and enjoyed visiting with them. Also, Fourth of July he was out of town, so Deputy Mayor Jason Hindle attended the reading of the Declaration of Independence on the City Hall steps. The reading was enacted by several members of the Garrison Players and he hopes that it becomes a tradition and more well attended each year. Also, Deputy Mayor Hindle presented a proclamation to the Chamber of Commerce at the kickoff of the 20<sup>th</sup> season of the Cochecho Arts Festival on July 7<sup>th</sup>.

Next, he stated that the Council toured the McConnell Center with Chris Parker and representatives of Martini Northern Construction Co. He stated that he is excited about the progress.

Finally, the next “Coffee with the Mayor” will be held on July 22<sup>nd</sup> at 9:00 a.m. at the Café on the Corner. The City Manager and several department heads will also be on hand to answer questions in an informal setting.

Hindle moved to accept the Mayor’s Report, seconded by Cheney.  
Motion passed on a 9-0 vote.

### 11. UNFINISHED BUSINESS

- A. ORDINANCES IN THE 2<sup>ND</sup> READING

- 1. **ORDINANCE RE: #08-06/28/2006, CHAPTER 166, VEHICLES AND TRAFFIC, SECTION 166-57, SCHEDULE J: LIMITED TIME PARKING: CHURCH STREET.** SPONSORED BY DEPUTY MAYOR JASON HINDLE, TRANSPORTATION ADVISORY COMMISSION.

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



CITY OF DOVER

## CITY COUNCIL – MI NUTES

Meeting Type: Regular Meeting  
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 Meeting Date: **Wednesday, July 12, 2006**  
 Meeting Time: **7:00pm**

2. **ORDINANCE # #09-06/28/2006, CHAPTER 166, VEHICLES AND TRAFFIC, SECTION 166-56, SCHEDULE I: NO PARKING AT ANY TIME: LOCUST STREET AND SCHEDULE J: LIMITED TIME PARKING: LOCUST STREET.** SPONSORED BY DEPUTY MAYOR JASON HINDLE, TRANSPORTATION ADVISORY COMMISSION.

Hindle moved to adopt, seconded by Ciotti.

DeDe stated that one concern that has surfaced is the parking for the church and have they been notified of this change.

Hindle stated yes they were notified but there has been no comment so far.

DeDe then discussed the area around My School stating that there was a van parked there with flashers on in the travel lane, stating that there will need to be full cooperation of this and other businesses in the area to enforce the new parking arrangements.

Hindle stated there will be a 20 mph school zone sign added to the area as well.

Turner asked why this is being done after the fact and clarified that this isn't the usual process.

Hindle stated it is not the usual process, but this is a housekeeping measure to allow for enforcement of a resolution that was passed back in September 2005.

Motion to adopt passed on a 9-0 roll call vote.

B. ORDINANCES IN THE 3<sup>RD</sup> READING

NONE

C. RESOLUTIONS

NONE

### 12. NEW BUSINESS

A. CONSENT CALENDAR

1. RAFFLE PERMIT – COCHECHO VALLEY HUMANE SOCIETY
2. RAFFLE PERMIT – LINDSEY KENNEL FOR LIFE
3. **RESOLUTION RE: AWARD OF PURCHASE ORDER FOR (4) POLICE CRUISERS.** SPONSORED BY MAYOR SCOTT MYERS BY REQUEST. **(REMOVED FROM CONSENT CALENDAR)**

Item removed from Consent Calendar for discussion by Councilor Scott.

Hindle moved to adopt, seconded by Ciotti

Scott stated that there are too many cruisers parked in front of the police station and feels that we need to tighten our belts and put this purchase off for another year.



CITY OF DOVER

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Joyal stated he has asked Chief Fenniman these questions as it is a legitimate concern and feels that the Chief has clarified the reasons for this policy. He reviewed the fleet of cars and their assignments including 8 cruisers, 4 K-9 unit vehicles, 7 detectives, 2 captains and the police chief.

Keays asked how many go home at night.

Joyal stated 6-7 are taken home, with 4 of them being the k-9 units which all serve different purposes and must be available at all times.

Discussion ensued.

Turner discussed the use of hybrid vehicles and distributed an article regarding the development of hybrid vehicles for police and taxi cab usage. (See folder). He stated that we should hold off on buying the gas guzzling cruiser and wait for this new technology which is projected to be available in 2 years. He would like to put aside these funds and put it toward the hybrid vehicles.

Scott and Cheney both agree with Turner.

Trefethen stated he understands wanting to look at alternatives but feels that it will be a minimum of 2 years before these are available and the vehicles need to be replaced now. He also feels that hybrids will have an increased maintenance cost that should be kept in mind.

Myers stated that when this was previously discussed it was decided that we will look at trying hybrids for another city department such as inspection and not the police cruisers. He explained that cruisers have a lot of idling time which may not be something that the hybrid can support.

Turner agrees that 2 years is a long time to wait to replace the vehicles but he will be keeping a closer eye on this next year.

Motion to adopt passed on a 7-2 roll call vote, Turner and Scott opposed.

4. **RESOLUTION RE: AWARD OF BID #B06085 FOR BITUMINOUS CONCRETE (ASPHALT).** SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.
5. **RESOLUTION RE: AWARD OF BID #B06086 FOR OCCUPATIONAL HEALTH SERVICES.** SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.
- ~~6. **RESOLUTION RE: AWARD OF BID #B06087 FOR PLAYGROUND EQUIPMENT.** SPONSORED BY MAYOR SCOTT MYERS BY REQUEST. **WITHDRAWN**~~
7. **RESOLUTION RE: AWARD OF BID #B06088 FOR SIDEWALK IMPROVEMENTS.** Sponsored by Mayor Scott Myers by Request.

Item removed from Consent Calendar by Councilor Keays.

Hindle moved to adopt, seconded by Ciotti.

Keays stated he wants to see a list of the projects included from now on.

Steele stated he can provide it to him.



CITY OF DOVER

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Motion passed on a 9-0 vote.

### COMMITTEE REPORTS

- |  |  |
|--|--|
| 1. Appointments Committee                  | 8. City / School Joint Service Committee |
| 2. Arena Committee                         | 9. Solid Waste Advisory Committee        |
| 3. Arts Commission                         | 10. Transportation Advisory Committee    |
| 4. McConnell Center Committee              | 11. Joint Building Committee             |
| 5. Planning Board – Councilor D. Trefethen | 12. Recreation Advisory Board            |
| 6. Cable Franchise Negotiations Committee  | 13. COAST Bus                            |
| 7. School Board Liaison                    |  |

Hindle moved to grant items 1 and 2 and to adopt items 4 and 5, seconded by Ciotti.

Motion passed on a 9-0 roll call vote.

### B. RESOLUTIONS

#### 1. **RESOLUTION RE: WRITTEN CORRESPONDENCE AND CONFIDENTIALITY UNDER NH RSA 91-A.** SPONSORED BY COUNCILOR DOUG DEDE.

DeDe moved to adopt, seconded by Ciotti.

DeDe moved to amend by substituting as a whole, seconded by Hindle.

DeDe clarified that the substitution includes 2 words “or e-mail”.

Motion to amend passed on a 6-3 vote, Cheney, Keays and Scott opposed.

DeDe explained that if this resolution fails then the previous one that was adopted will remain in effect. He stated that the previous resolution did not say “e-mail” and that this resolution also includes “that originates from a city Councilor” so that citizen e-mail will not be on the web. He stated that this is an impact from the Council Rules under the Agenda, Council Correspondence and not RSA 91-A and that information can still be requested through the 91-A. He stated that we have a resolution currently on the books that has been misinterpreted and this corrects the problems created by the first one.

Cheney stated that this is a very, very big issue. She stated that they need to look at the laws and then read the definition of a meeting as given by NHMA. She reviewed a timeline of various things that have happened since the adoption of the previous resolution on May 10<sup>th</sup> which was brought forward in a good faith effort. She reviewed the impact of the posting of citizen e-mails on the city website and her efforts to have this rectified and her frustration at not being able to reach the City Manager on June 30<sup>th</sup>. She thanked the City Manager for now having removed the citizens e-mails from the web, but is concerned that the Council e-mail is still out there. She referred to House Bill 626 which passed 300-4 and is currently tabled in the senate stating that we should wait until the State sets the policy and not try to do our own as the Council could spend the rest of their term debating this. She further stated that there are Councilors who do not use their city e-mail address and use their private one instead, but once that goes out on the web, it is open to everyone. She concluded by stating she would like to table this resolution and work with Councilor DeDe on it further.



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Keays stated that the State legislature hasn't passed a law yet and Cheney says it will be passed in February, so why not just wait for that to happen.

Scott agrees with Cheney and Keays and feels we should slow down this process. He also agrees that several Councilors are not using the city e-mail system because of a potential negative result and feels that the city is a snoop and not to be trusted. He would like to have the State decide the issue first. Finally, he stated he will second the motion to table the resolution.

No formal motion was made, discussion ensued.

Turner stated he likes the direction this resolution is taking especially the last sentence and he has not used his city e-mail since this happened. He stated he is unsure how this all went so terribly wrong and wonders why the definition of a quorum is not stated anywhere in these resolutions and wants it clarified. He would want to amend the resolution to add such a definition.

Trefethen stated the e-mail accounts were created for the Council as a convenience, whereas previously the public would have to call or write a councilor a letter to communicate. Now 95% of communication is done through e-mail, but with the convenience there are some "gotchya's" because e-mails can be forwarded to other people which can cause problems and create the appearance of things being done behind the scenes, etc. but he wants to let it be known that it is not happening either by mistake or on purpose, but he can understand how it can be perceived that way. He stated that if a letter is sent to the City Council as a whole it is included on the agenda as Council Correspondence, if it is to an individual Councilor, it is not. So if a citizen simply cut and paste the same message and then sent it individually to each Councilor it would not be included either. He concluded by stating we cannot wait for the State and feels that this resolution will help fix the problems created from the May 10<sup>th</sup> resolution. He added that people should also be careful with anything in e-mail and to remember it is not private.

Mayor Myers stated he uses the city server 100% of the time for city business. He also does not feel we should wait for the State. He stated that the City of Dover has been proactive on many issues i.e. the sex offender ordinance, and reiterated that this doesn't address any Right to Know requests under RSA 91-A. He reviewed the criteria of a quorum and stated that realistically each citizen of Dover is represented by 4 councilors, their ward councilor, the at-large councilor, the deputy mayor and the mayor and feels that most Councilors look at issues globally anyway. He stated that if there are councilors using their private e-mails then they could be subject to 91-A requests for those e-mails and should err on the side of public information.

Hindle clarified that his intentions of the May 10<sup>th</sup> resolution were misinterpreted. He wanted a list of correspondence on the agenda and the website to save photocopying of lengthy documents and multiple e-mails. He stated that he would also like to work together to get one proposal and perhaps there are some experts at the State level with expertise on the 91-A that could give some advice.



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Ciotti stated he agrees with Trefethen and the Mayor that we should not wait for the State to fix the system and feels this resolution will resolve the current flaw we have.

Mayor Myers summarized some of the thoughts expressed and stated that if the Council decides to table the resolution and seek outside advice rather than to keep amending the policy then that would be fine, but he would want it to come back in the early fall for action and not wait until the State votes in February.

DeDe stated that this motion only addresses Council e-mails not public e-mails and the only issues that will become public will be from the Council. He stated that several years ago their were computers subpoenaed from the workplaces of Councilors and cautioned those not using city e-mail addresses. He stated that the right to privacy was given up by the Councilors when they got elected. He stated there is not a need to define quorum as it is already understood to be a majority and in this case 5 Councilors. He urged the Council not to delay the vote as the May 10<sup>th</sup> resolution will remain in effect if they do.

Turner stated he wants to see this resolved quickly, but is more confused than before regarding the last line of the resolution "This rule specifically excludes any Councilor response to a single citizen's email that was addressed to the entire council, or to a majority of the council unless that response was also directed to a majority of the council as well" and he is still looking to add the definition of quorum.

Cheney disagrees. She wants to wait for the State of NH as 300 state representatives have already supported this. She addressed the comment made by the Mayor that Dover is proactive and a pioneer, but feels this is not the case when it comes to the police vehicles. She also addressed the comments regarding Council Correspondence on the Agenda stating that out of the 29 documents that have appeared on the agenda, 23 have been wetlands applications, 4 have been letters from Comcast and 2 requests for abatements.

Discussion ensued.

DeDe moved to table to September 27<sup>th</sup>, seconded by Cheney.  
Motion passed on a 9-0 vote.

**2. RESOLUTION RE: ESTABLISHMENT OF AD HOC COMMITTEE ON PERSONNEL POLICY AND COMPENSATION. SPONSORED BY MAYOR SCOTT MYERS AND DEPUTY MAYOR JASON HINDLE.**

Hindle moved to adopt, seconded by Ciotti.

Trefethen stated that in the mid-1990's there was a subcommittee formed who did a strategy paper which was then considered a part of the union negotiations and therefore was not a public document. He stated in the Now, therefore section he would like to know if this report which is due back to the City Council on or before January 10<sup>th</sup> 2007 going to be public or considered a confidential strategy document.



CITY OF DOVER

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Joyal stated it will be a confidential document.

Trethen wants that noted for the record.

Hindle stated that when the committee concluded there was an adoption of the policy, so was it public then?

Joyal stated that the resolution adopted on 11/12/1997 was the summary but was not the detailed report.

Hindle asked for clarification that there will be a public summary portion.

Joyal stated that they don't want to get into the situation of drawing a line in the sand and the appearance of not negotiating in good faith but the Council can express policy issues to control costs.

Scott stated this committee should be a public policy committee and he is willing to serve on this committee.

The Mayor asked for Councilors who are interested in serving on the committee to e-mail him and he will make his recommendations at the next meeting.

Hindle suggested that the Mayor be the Chair.

Motion to adopt passed on a 9-0 vote.

3. **RESOLUTION RE: TRANSFERRING A PARCEL OF PROPERTY TO R.W. REALTY INC. CONTAINING 0.012 ACRES WHILE RESERVING A UTILITY EASEMENT.**  
SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.

Hindle moved to adopt, seconded by Ciotti.

Trefethen clarified that the 0.0012 in the Now, therefore be it resolved section should be 0.012. Krans confirmed this.

Trefethen explained that this is dealing with an old right of way and the Planning Board wanted a sidewalk from the new hotel to Central Avenue, but we need to do a swapping of land and redefining property lines which are convoluted.

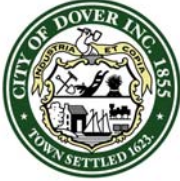
The Mayor clarified that this is being built at someone else's expense.

Motion to adopt passed on a 9-0 roll call vote.

4. **RESOLUTION RE: MCCONNELL CENTER RECREATION/SENIOR CENTER RELATED FITOUT AND UPGRADED MECHANICAL/BOILER REPLACEMENT APPROPRIATION, AND RELATED FUND TRANSFERS.** SPONSORED BY COUNCILOR DOUG DEDE.

DeDe moved to adopt, seconded by Ciotti.

DeDe reviewed the background and the updated services being provided to the seniors at the McConnell Center. He also reviewed the energy efficiency boiler replacement.



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Keays stated that he read the paper that these are going to be gas boilers and wonders if this is a smart move in light of the rising gas prices. He asked if oil would be cheaper. He stated he also read in the paper the “city recreation department has the “opportunity” to move” and feels it should have said “forced” to move. Finally, he asked about the appraisal price of the current senior center and isn’t that money supposed to go into the general fund.

Joyal stated that the property is listed for \$425,000 and the appraisal was in the mid-high \$300,000. He stated the money will flow into the general fund and will be recognized as revenue.

Hindle commended the committee stating it is a great joy to see after 5 years of planning the seniors are happy with the move and are praising Gary Bannon. He is also happy with the revitalization of a historic building.

Scott stated he is in favor of this and that DeDe has done a good job on this. He also commended Roland Hofemann for his work and stated that Alan Lobdell made some good points regarding the amount of money spent on senior citizens versus the children of Dover. He then stated that he feels there should have been 2 appraisals done and have that money appropriated to the seniors.

Ciotti asked for clarification that \$100,000 of the sale was supposed to go to the ramp. DeDe stated the ramp is already there and was a part of the original plans. He stated the entry way has been elevated for accessibility.

Joyal stated that there is a requirement in the Purchasing Ordinance to do two appraisals; one has been done so another one needs to be done.

DeDe stated there is a sense of urgency to get this done as there are occupants set to move in for September and the heating is a part of this. He stated the boiler will pay for itself in 5 years. He added that Martini has kicked in \$35,000 to the project.

Ciotti asked about the second Whereas, regarding the incentive payments, are the immediate and clarified that all the funds from the Grove Street property sale will be re-appropriated to the senior center.

Joyal stated yes to both.

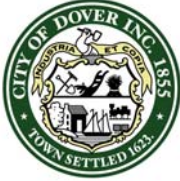
DeDe stated that all of the fit-out items work for the seniors too.

Turner supports this project and is pleased with the comments from citizen’s forum speakers regarding this project as well as hearing positive comments about the contractor.

Trefethen clarified that we are in effect allocating an additional \$100,000 over and above.

Joyal stated yes and no, yes, but it is for the fit out, not for the original core project.

Trefethen stated he will support this since it doesn’t appear that the entire project will be rescinded and he hasn’t supported this in the past. He stated he will be making sure that the money will be spent well as well as making sure that the many promises being made to the seniors are followed through.



CITY OF DOVER

## CITY COUNCIL – MI NUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, July 12, 2006**  
Meeting Time: **7:00pm**

Myers stated he also supports this and has also been concerned with the seniors getting what they need plus replacing the gym space that we are losing.  
Motion to adopt passed on an 8-1 roll call vote, Keays opposed.

**5. RESOLUTION RE: MERIT PLAN AMENDMENT PURSUANT TO CITY CHARTER C7-2. PAY AND CLASS REVISION.** SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.

Hindle moved to adopt, seconded by Ciotti.

Joyal explained that this will come before the Council every year to make adjustments to the class plans and pay scales. He continued that the department heads salaries are mostly at market level with some higher and some lower. He continued to explain the ranges listed.

Hindle commended the City Manager, but would like to see all positions listed every year even if there are no changes.

Scott complimented the first page of the document stating that the adjustments set the stage for the future, but he is concerned with other parts and doesn't want to vote on it tonight and wants more time to study it.

Myers stated it is a good step to reclassify the department heads but the rest of the positions are dictated by contracts. He stated the Council wanted the 12 steps for the merit increases. DeDe stated that before there were only 8 steps to the top of the pay grade so with 12 it takes longer to reach that top step. He commended Mike for bringing this information forward.

Keays asked what happens if you hire a new police chief at the bottom of this pay scale at \$69,000 but there is a Captain who already makes \$88,000 then who is going to want to take the lower pay for the higher rank.

Joyal stated he is not bound to hire at the minimum rate.

Hindle moved to suspend the rules to go past 10:30, seconded by Ciotti.

Motion passed on a 9-0 roll call vote.

Discussion ensued regarding the pay scales.

Turner stated he received no e-mail on this previously and only got this on Friday so he would also like to table for time to review further.

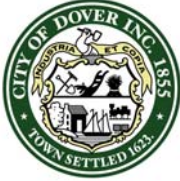
Hindle clarified that there is a 60 day merit plan requirement to take action.

Cheney moved to table, seconded by Turner.

Motion failed on a 4-5 vote.

Motion to adopt passed on a 5-4 roll call vote, Keays, Scott, Turner and Cheney opposed.

### C. ORDINANCES IN 1<sup>ST</sup> READING - NONE



CITY OF DOVER

## CITY COUNCIL – MI NUTES

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### D. COUNCIL CORRESPONDENCE - NONE

#### 13. COUNCIL MATTERS OF INTEREST

Hindle passed out the latest version of the Ethics Ordinance proposal for the Council to review.

Keays stated he has 3 issues to discuss; first he has had 13 phone calls regarding the increase in the trash bags and wants to know why there was such a big increase. Also, he wants to know why we are paying \$46,000 for an assistant supervisor at the recycling center.

Joyal reviewed the background of the bag and tag program which began in the early '90's. This program was meant to encourage recycling and there were 2 separate funds set up to run these programs and the fees for disposal have increased significantly and will continue to do so, and therefore, a fee increase was necessary.

Secondly, he stated there is not a new position in the recycling division. He stated there is the program supervisor, a truck driver and the assistant. He explained that the assistant has to be certified the same as and supervisor to be able to act in his absence when necessary.

Keays stated the bags also break too easily and he has heard that we only pay 10 cents a bag so why do we charge people \$2.00 a bag.

Turner stated he is the Council representative to the Solid Waste Advisory Commission which has attempted to maintain stable prices and there had not been an increase in prices for many years prior to these recent ones. He stated that the savings have been depleted in the accounts due to the increased cost of disposal so the prices had to be raised.

Keays stated that the City of Somersworth only recycles every two weeks and maybe that would help lower the cost of our program as he feels we pay way too high of a price.

Next, Keays asked about the money in the sand and gravel fund. Joyal will get the answer.

Keays asked about the Children's Museum taking over the Butterfield Gym and will the Butterfield sign still be there as previously stated it would be.

Joyal stated there will be "a" sign but not the same sign.

Keays stated that is not what was promised and wants the original sign to stay in place.

Trefethen further discussed the quality of the trash bags stating that the new shape is fine, but agrees that the quality is not good and wants to spend the money for better bags.

Cheney reminded everyone of the Speak Out Dover session being held on 07/13/06 at Horne Street School.

Ciotti stated he also has had feedback about how bad the bags are now. Secondly, he asked for air conditioning in the Council Chambers especially with the complaints from the people watching at home who can't hear because of the fans that are running.

#### 14. ADJOURN

Turner moved to adjourn at 10:55 p.m., seconded and passed unanimously.