



CITY OF DOVER

## CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, August 23, 2006**  
Meeting Time: **7:00pm**  
**NON-PUBLIC SESSION FOLLOWED**

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

THOSE PRESENT: COUNCILORS CHENEY, CIOTTI, DEDE, DEPUTY MAYOR HINDLE, MAYOR MYERS, COUNCILORS SCOTT, TREFETHEN, AND TURNER. ALSO PRESENT: CITY MANAGER JOYAL AND CITY ATTORNEY ALLAN KRANS. COUNCILOR KEAYS WAS ABSENT.

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

THE MAYOR STATED THEY WILL BE ADJOURNING TO THE CITY MANAGER'S OFFICE AFTER THE MEETING TO A NON PUBLIC SESSION TO DO THE CITY MANAGER'S EVALUATION.

- 6. CITIZEN'S FORUM**

*Citizens are invited to speak to items that appear on this agenda.  
Statements shall be limited to five minutes.*

**ED BLEILER** 28 ISAAC LUCAS CIRCLE IS HERE WITH AN ARTICLE THAT WAS IN THE WALL STREET JOURNAL ENTITLED 'THE OTHER PENSION CRISIS'. HE IS CONCERNED ABOUT THE AMOUNT OF MONEY THAT THE CITY MUST PAY FOR THESE GROWING PENSIONS. HE READ WITH AMAZEMENT THE AMOUNT OF THESE CITY PENSIONS AND HOW IT HAS RECENTLY INCREASED 4 FOLD. HE THINKS IT WILL BECOME 25 MILLION DOLLARS IN 20 – 25 YEARS. HE READ THE NUMBERS ON HOW MANY CITY EMPLOYEES EARN MORE THAN \$60,000. HE IS CONCERNED THE CITY WILL END UP BROKE OR IN BANKRUPTCY. HE READ IN THE NEWSPAPER THAT WE WILL SPEND \$6.8 MILLION IN MAGLARAS PARK, WHEN WILL IT STOP, HE URGED THE COUNCIL TO GET ON THE BALL AND STOP THE BLEEDING BEFORE IT IS TOO LATE. HE CONTINUED READING A LETTER SENT BY NANCY SHEPHERD TO THE CITY COUNCIL REGARDING MR. SCOTT.

**JERRY LYNCH** OF LINCOLN ST WANTS TO REVIEW MR JOYAL'S SALARY AND BENEFITS. HE LISTED THE CITY MANAGER'S STARTING SALARY AND GAVE HIS INFORMATION FROM A PREPARED STATEMENT ON THE SALARY AND BENEFITS OF THE CITY MANAGER. HE WANTS A SOLUTION TO RELIEVE THE TAXPAYERS. NO MORE FANCY WIDGETS. HE KNOWS OF NO ONE THAT GETS THE BENEFITS THAT MR. JOYAL GETS IN THIS STATE.

**ANTHONY MCMANUS** OF 49 GLEN HILL ROAD AND A MEMBER OF THE PLANNING BOARD AS WELL AS A MEMBER OF THE DOVER MAIN STREET PROGRAM IS HERE TO ADDRESS THE MAIN STREET RESOLUTION ON THE AGENDA TONIGHT WITH REGARDS TO THE HARVEY'S



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BAKERY REVEAL PROJECT. HE MENTIONED THE PUBLIC COMMENT PERIOD THAT IS REQUIRED BY LAW. ALSO THERE IS NO COST TO THE CITY; HE CONGRATULATED MAIN STREET FOR DOING THIS. HE THANKED THE GUILLEMETTE FAMILY FOR PARTICIPATING IN THIS PROJECT. IT WILL CREATE AN ENTIRELY NEW STREET SCAPE FOR DOVER. AND RESTORE THE BUILDING TO WHAT IT WAS ORIGINALLY. HE ASKED THE COUNCIL TO APPROVE THE RESOLUTION AND THAT THE PROJECT WILL START IN SEPTEMBER.

**RAY BARDWELL** OF SPUR ROAD STATED HE WILL TAKE A DIFFERENT VENUE. WITH REGARDS TO NEXT YEARS BUDGET WE NEED SOMETHING MORE CONCRETE IN THE PLANNED SPENDING AREA. HE MENTIONED THE MCCONNELL CENTER AND THE TENANTS. HIS CONCERN IS IF THEY WILL BE CITY TENANTS. WHAT IS THE TOTAL COST GOING TO BE. ALSO WE HAVE A BIG PROJECT ON THE WOODMAN PARK SCHOOL GOING ON ALONG WITH A WISH LIST WITH THE RIZZO TRAFFIC STUDY, THE NEW WASHINGTON STREET BRIDGE, THE RIVERFRONT PROJECT, A NORTH END FIRE STATION, A POLICE STATION AND NOW AN IDEA TO DO SOMETHING WITH MAGLARAS PARK. MAYBE THE CITY SHOULD GET A GENERAL CONTRACTOR AND DEVELOP THE WATERFRONT THEMSELVES. HE CONTINUED ABOUT THE IDEA OF PUTTING CONDO'S ON THE WATERFRONT. HE GAVE HIS THOUGHTS ON THE REVENUE WE MIGHT OBTAIN IN TAXES. WHO IS SETTING THE PRIORITIES IN THE CIP; CAN WE GET A LIST OF WHAT DROPS OFF FROM THE CIP AND WHAT IS TAKEN ON. IF WE CANNOT MAINTAIN THE BALL FIELDS WE CURRENTLY HAVE HOW CAN WE AFFORD MORE. ARE WE RETIRING THINGS OR JUST ADDING MORE AND MORE TO THE BONDING. HE THINKS WE NEED SOMETHING OUT THERE FOR FOLKS TO LOOK AT.

**JOHN SCRUTON** OF 99 SIXTH STREET STATED TONIGHT INSTEAD OF THINKING ABOUT PAY RAISES HE WOULD LIKE SOME WAGE STRUCTURE AND GO BY IT HERE IN THE CITY. HE QUOTED FROM A PREPARED STATEMENT ON MR. JOYAL'S INCOME IN 2002 AND COMPARED HIS SALARY TO THE GOVERNOR'S AND TO DIFFERENT COMMUNITY'S MANAGERS FROM AROUND THE STATE. HE WANTS STRUCTURE IN THE PAY INCREASES. HE URGED THEM TO COME UP WITH A WAGE GRADE STRUCTURE THAT WILL WORK FROM YEAR TO YEAR.

**BILL ASBELL** OF 4 HALL STREET GAVE SOME STATISTICS ON THE CITY WITH 27,000 PEOPLE AND A MEDIAN INCOME OF \$45,000 AND THERE ARE SEVERAL CITY EMPLOYEES THAT MAKE OVER \$60,000. HE THINKS THERE IS CRITERIA THAT SHOULD BE INCLUDED IN THE CITY MANAGERS EVALUATION AS HE LISTED A NUMBER OF ITEMS. HE THINKS THE CITY MANAGER FAILS ON ALL COUNTS. HE MENTIONED THE POLICE CHIEF'S CONTRACT AND AMENDMENTS AND HOW THE CITY MANAGER CLAIMED HE DID NOT KNOW ABOUT ANY OF THIS. HE CONTINUED WITH ISSUES HE SEES THAT THE CITY MANAGER IS NOT PERFORMING. HE COMPARED DOVER TO ROCHESTER'S SALARIES. HE NOTED WE HAVE THE HIGHEST DEBT PER CAPITA IN THE STATE AND THE HIGHEST PAID EMPLOYEES IN THE STATE.



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**TED ANGLACE** OF WALLACE DRIVE HAD A HARD TIME GETTING DOWN HERE DURING THE BUDGET SEASON. HE HAS READ THE BUDGET AND THANKS THEM FOR THEIR WORK AND TIME. HE HAS WORKED IN THE PRIVATE SECTOR FOR 26 YEARS NOW AND HE HAS SOME SUGGESTIONS FOR THE CITY MANAGER'S EVALUATION. INTERIM GOALS SHOULD BE ATTAINABLE AND MEASURABLE.

IF HE WANTED TO APPLY IT TO CERTAIN AREAS, HIS TAX BILL HAS GONE UP CONSIDERABLY SINCE HE MOVED HERE IN 1999. AS FAR AS THE BUDGET GOES HE THINKS WE NEED TO START FROM THE TAX BILL AND WORK BACKWARDS. PEOPLE THAT WORK FOR HIM GET A 2% RAISE AND PEOPLE MUST SUCK IT UP. IF WE DO NOT ADDRESS THIS WE WILL BE IN DEEP TROUBLE; WE NEED SHORT TERM AND LONG TERM GOALS. HE HAS A PROBLEM WITH THE WATTENDORF CONTRACT AND GIVING HIM 3 YEARS OF BENEFITS; THE POTENTIAL IS THERE TO COST US A LOT OF MONEY. HE HAS HEARD ABOUT THE ICE ARENA FOR THE PAST 7 YEARS AND WE SHOULD BE TURNING A PROFIT BY NOW. WE NEED TO KEEP OUR PROJECTS ON TIME AND ON BUDGET. HE WOULD LIKE A ONE PAGE SUMMARY ON THE BUDGET IN WITH THE TAX BILL AND WHAT IT IS GOING TO COST HIM.

THE MAYOR INTERRUPTED AND WENT OVER THE CITY MANAGER EVALUATION CRITERIA THAT WAS ADOPTED LAST AUGUST SAYING ALSO THERE IS A HANDBOOK THAT WAS DISTRIBUTED ON CITY MANAGER EVALUATIONS. AND LAST JANUARY DEDE PRESENTED A COMPREHENSIVE SPREADSHEET WITH CRITERIA FOR EVALUATING THE CITY MANAGER. HINDLE ADDED WE SHOULD PUT THESE DOCUMENTS ON LINE FOR THE PUBLIC.

DON MEDBERY OF 3 COVERED BRIDGE LANE ALSO WANTS TO MENTION THE FACT OF THE \$55,000 MOWING TRACTOR AND WHY DO WE NEED THIS ROLLS ROYCE OF TRACTORS. HE HAS BEEN IN THIS BUSINESS FOR MANY YEARS. HE SUGGESTS THAT THEY HAVE A COMMITTEE OF RESIDENTS THAT GO OVER THE BIDS AND HELP FIND COMPANIES THAT CAN FIND ALTERNATE SPECIFICATIONS FROM MORE THAN ONE COMPANY. HE THINKS AN APOLOGY IS IN ORDER TO TWO CITIZENS IN THIS COMMUNITY FOR THESE PEOPLE THAT WERE EXPELLED FROM BOARDS. WHAT WILL BE THE NEXT WITCH HUNT; HE HAS A LETTER THAT WAS SENT TO ALL COUNCILORS ON THE DOVER SAND AND GRAVEL PITS FROM. THE LETTER WAS WRITTEN BY TOM FARGO ON 4-11-2005 WHERE HE POINTED OUT THE POOR DRAINAGE INSPECTION ON DOVER PITS THAT WAS DONE BY DEAN PESCHEL. (SEE COUNCIL FOLDER OF 8-23-2006 FOR THE LETTER) THIS IS A WELL WRITTEN LETTER AND IT EXPLAINED THE ITEMS BEING HAULED INTO THESE PITS. HE CONTINUED WITH A PREPARED STATEMENT. WHERE DOES THE MONEY GO FROM THE SAND AND GRAVEL IN THE CITY. WE NEED TO LOOK OVER THIS OPERATION. HE SUGGESTS THAT THE COUNCIL HAVE SOME CITIZENS VOLUNTEER ON THESE BID PROCESSES.

SEEING NO ONE ELSE WISHING TO SPEAK, THE MAYOR CLOSED CITIZENS FORUM.

### 7. PUBLIC HEARINGS



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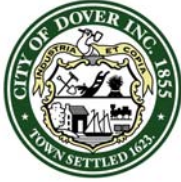
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### 8. CITY MANAGER'S REPORT

THE CITY MANAGER STATED IN HIS WRITTEN REPORT HE HAS INCLUDED AN UPDATE ON THE MAIN STREET PROGRAM. ALSO LAST TIME WE MET THERE WERE SOME CONCERNS ON THE CITY TRASH BAGS; HE ASSEMBLED A BREAKOUT OF THE VISUAL COSTS. HE EXPLAINED ALMOST 82% OF THE COST OF THE BAGS AND TAGS IS RELATED TO THE PICKUP; THE OTHER 8% IS RELATED TO THE COST OF THE BAGS, AND THERE IS A SMALL PERCENTAGE FOR THE COST OF THE VENDORS TO SELL THE BAGS. THIS ALL DETERMINES THE COST OF THE BAGS, THERE HAVE BEEN CHANGES IN THE RECYCLING THIS ENCOURAGES PEOPLE TO RECYCLE MORE; THERE IS A NUMBER OF FACTORS THAT GO INTO THE PRICE OF WASTE REMOVAL. HE WOULD LIKE A WORKSHOP TO SHOW HOW THIS PROGRAM HAS EVOLVED OVER THE LAST 15 YEARS. THE SOLID WASTE COMMITTEE DID GO BACK AND REVIEW THE QUALITY OF THE BAGS. TO FOLLOW UP ON CITIZEN'S FORUM ITEMS; THERE IS A SUMMARY OR LIST OF DEBT ON THE CITY WEBSITE UNDER THE FINANCIAL INFORMATION ON THE WEBSITE THIS WILL SHOW THE ENTIRE DEBT LOAD FOR THE CITY. IN ADDITION THE EVALUATION CRITERIA WILL BE PLACED ON THE WEBSITE BY MORNING. HE SPOKE AGAIN ABOUT HONESTY AND INTEGRITY AND THE RIGHT TO KNOW ISSUE THAT DEALT WITH NAMES ONLY; THERE WAS A LIST OF POSITIONS, IT SIMPLY DELETED THE NAMES; HE CONTINUED TO EXPLAIN THE REASONING FOR NOT DISCLOSING THE NAMES. ANOTHER ISSUE IN 2004 THERE WAS A DECISION TO PROVIDE A BREAKOUT OF AN EMPLOYEE'S PAYCHECK. THE COURT STATED THIS WAS AN INVASION OF PRIVACY TO DISCLOSE AN EMPLOYEE'S BENEFITS. THIS WAS DIRECTED AT THE FORMER CITY MANAGER. WE NOW HAVE A COURT DECISION HE IS GETTING BLAMED FOR AND ACCUSED OF NOT RELEASING THIS INFORMATION. HE DOES NOT AGREE WITH IT BUT HE HAS A RESPONSIBILITY TO UPHOLD THE CITY CHARTER, STATE LAW AND US FEDERAL CONSTITUTION. HE CONTINUED THAT HE EARNS EVERY PENNY THAT IS PART OF HIS COMPENSATION. THIS ANNOYS HIM TO GREAT END THAT PEOPLE THINK HE IS WITHHOLDING INFORMATION.

THE MAYOR ASKED THE CITY MANAGER ALONG THOSE LINES YOU CANNOT BREAK IT DOWN, CAN YOU RELEASE THE DOLLAR VALUE IN A LUMP SUM. THE CITY MANAGER SAYS YES. THE MAYOR LISTED SEVERAL COMPONENTS THAT HE WOULD LIKE FOR 2004 AND 2005 THAT THE CITY PAID IN WAGES AND BENEFITS IN ITS ENTIRETY FOR THE EMPLOYEES WITH COLUMNS A B AND TOTALLED IN C. THE MAYOR WANTS IT BY MONDAY MORNING. TREFETHEN ASKED ARE WE TALKING ABOUT MONEY PAID TO AN EMPLOYEE OR WHAT IS PAID BY THE CITY ON BEHALF OF THE EMPLOYEE. THE CITY MANAGER WILL LUMP IT ALL TOGETHER. TREFETHEN IS NOT SURE THE REQUESTS ARE ASKING FOR THAT; HE THINKS PEOPLE WOULD BE VERY SHOCKED IF THEY KNEW WHAT THEIR OWN COMPANY PAYS FOR THEM. HE SEES NO PROBLEM IN THE NUMBERS BEING RELEASED BUT HE DOES NOT THINK IT ANSWERS THE QUESTION. DISCUSSION ENSUED ABOUT THE LEVEL OF DISCLOSURE THAT CAN BE TAKEN BY LAW. SCOTT SAYS THE MAYOR HIT IT ON THE HEAD BY ASKING FOR GROSS PAY INCLUDING BENEFITS. SCOTT IS PLEASED THAT A FEW SESSIONS AGO THE INFORMATION ON THE NUMBER OF PEOPLE HIRED AND THOSE THAT WERE TERMINATED WERE GIVEN TO THE COUNCIL. LET'S TRANSLATE



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THIS INTO DOLLARS TO COMPARE THE MONTHLY WAGE WITH THE PEOPLE COMING IN; THIS IS A USEFUL PIECE OF INFORMATION. THE CITY MANAGER STATED HE WILL CONTINUE THIS DETAIL OF STATISTICS ON THE SECOND MEETING OF EACH MONTH ALONG WITH LEGAL STATISTICS. HINDLE MOVED SECONDED BY CIOTTI TO ACCEPT WITH ALL IN FAVOR.

### 9. MINUTES

- A. WORKSHOP – JUNE 21, 2006
- B. REGULAR MEETING – JUNE 28, 2006
- C. WORKSHOP – JULY 19, 2006

HINDLE MOVED SECONDED BY CIOTTI TO ACCEPT WITH ALL IN FAVOR.

SCOTT STATED HE WANTS THE MOST RECENT MEETING MINUTES TO BE DISTRIBUTED AT THE VERY NEXT MEETING. THE CITY MANAGER ASKED HOW LONG BEFORE MINUTES BY STATE LAW NEED TO BE MADE PUBLIC. THE CLERK STATED THE LAW IS 144 HOURS WHEN WE NEED TO HAVE A DRAFT OF THE MINUTES AVAILABLE. SCOTT REITERATED HE NEEDS THE MINUTES AT LEAST IN DRAFT FORM IN A TIMELY FASHION.

### 10. MAYOR'S REPORT

THE MAYOR STATED HE HAS BEEN THE CONTACT PERSON WITH THE AUDITORS ON RECENT ISSUES. IN SPEAKING WITH AUDITORS, SCOTT MCINTIRE WAS IN WASHINGTON DC AND WILL BE HERE ON SEPTEMBER 6<sup>TH</sup> TO EXPLAIN. HE HAS BEEN SPENDING THE LAST TWO WEEKS PUTTING TOGETHER THE CITY MANAGER'S EVALUATION. HE THANKED THEM FOR ALL OF THEIR EFFORTS IN SUBMITTING THEIR INFORMATION. HE ATTENDED A WATERFRONT MEETING WITH TREFETHEN EARLIER TONIGHT. TURNER WANTS TO LET PEOPLE KNOW THE CITY'S HAZARDOUS WASTE DAY WILL BE ON SATURDAY, SEPTEMBER 23<sup>RD</sup> FROM 9 AM TO 1 PM. AND PEOPLE WILL NEED A POSITIVE FORM OF ID WHEN DELIVERING HAZARDOUS WASTE TO THE RECYCLING CENTER AS THIS PROGRAM DOES INCLUDE TWO OTHER COMMUNITIES.

HINDLE MOVED SECONDED BY CHENEY TO ACCEPT WITH ALL IN FAVOR.

### 11. UNFINISHED BUSINESS

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

NONE

- B. ORDINANCES IN THE 3<sup>RD</sup> READING  
NONE

- C. RESOLUTIONS



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### 1. **REVOCATION OF CERTAIN POLE LICENSES OF VERIZON.** SPONSORED BY MAYOR SCOTT MYERS BY REQUEST. (TO BE REMOVED FROM THE TABLE)

HINDLE MOVED SECONDED BY DEDE TO REMOVE FROM THE TABLE WITH ALL IN FAVOR. HINDLE MOVED SECONDED BY DEDE TO ADOPT. THE CITY MANAGER STATED HE HAS HAD SOME SCHEDULING CONFLICTS WITH VERIZON; HE WOULD LIKE THIS TABLED UNTIL NEXT TIME. THE MAYOR SAYS DUE TO SOME SEVERE WEATHER RECENTLY HE WOULD LIKE TO LET VERIZON OFF THE HOOK TONIGHT. CIOTTI WOULD LIKE THE CITY MANAGER TO PROVIDE AN UPDATED LIST OF POLES THAT ARE LEFT THAT HAVE NOT BEEN TAKEN CARE OF. SCOTT SAYS AND WHAT IS THE SEQUENCE OF THOSE POLES THAT NEED TO BE REMOVED. HINDLE MOVED SECONDED BY CIOTTI TO TABLE UNTIL 9/13/2006 WITH ALL IN FAVOR.

HINDLE MOVED SECONDED BY DEDE TO ADD 12A-8; MOTION PASSED ON A ROLL CALL VOTE OF 8-0.

### 12. **NEW BUSINESS**

#### A. **CONSENT CALENDAR**

HINDLE MOVED SECONDED BY CIOTTI; SCOTT MOTIONED TO REMOVE ITEM # 6, TURNER ASKED TO REMOVE 12 A-1

ALL WERE IN FAVOR OF THE REMAINING ITEMS.

1. ROAD TOLL PERMIT – DOVER PROFESSIONAL FIREFIGHTERS ASSOC.
2. RAFFLE PERMIT – DHS FOOTBALL BOOSTERS (50/50 RAFFLES)
3. RAFFLE PERMIT – DHS FOOTBALL BOOSTERS (SCOOTER)
4. RAFFLE PERMIT – DHS CHEERLEADING BOOSTERS (CASH CALENDAR)
5. TAG PERMIT – THE SHARPER EDGE SKATING CLUB

### 6. **RESOLUTION RE: AWARD OF BID #B07004 FOR A PICKUP TRUCK.** SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.

#12A6 HINDLE MOVED SECONDED BY CIOTTI TO ADOPT. SCOTT SAYS HE IS VERY UNCOMFORTABLE WHEN HE SEES ONLY ONE BID; WE DO NOT GET THE BEST PRICE IF WE ONLY HAVE ONE BID. THIS LOOKS LIKE IT WAS DIRECTED TO ONLY ONE COMPANY. HE WANTS THE CITY MANAGER TO ASK THE PURCHASING AGENT OR THE COMMUNITY SERVICES DIRECTOR TO FOLLOW THROUGH ON THESE ISSUES. ALSO THE BIDS WERE NOT ON THE WEBSITE BUT WERE IN THE PACKET. THE MAYOR STATED WE HAD 7 BIDS. WHY CAN'T WE WAIT 8 WEEKS TO GET THE CHEAPER TRUCK. CHIEF PLUMMER SAYS THE BID SPECS WENT OUT WITH EXACTLY WHAT SCOTT WANTED ON THEM. THE REASON WHY WE ARE LOOKING FOR THE SECOND BID IS WHEN WE SENT IT OUT WE FIGURED WE WOULD GET A CHEAPER PRICE ON A 2006 MODEL.



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THEY NEVER THOUGHT IT WOULD WORK OUT LIKE THIS ON A 2007 TRUCK. THE DEALER HAS EXPLAINED THIS IS A ONE TIME INCENTIVE; THEY ARE BETWEEN A ROCK AND A HARD PLACE. ALSO THEY HAVE A VEHICLE THAT WENT DOWN IN APRIL SO THEY ARE SHORT ONE VEHICLE. SCOTT THANKED CHIEF PLUMMER FOR THE EXPLANATION. TREFETHEN QUESTIONED WHY THE VEHICLE WOULD NOT PASS INSPECTION. CHIEF PLUMMER CLARIFIED THE FRAME WAS ROTTED. MOTION TO ADOPT PASSED ON A ROLL CALL VOTE OF 8-0.

**7. RESOLUTION RE: AWARD OF BID FOR A WHEEL LOADER-MOUNTED 20' BOOM WITH A 50" FLAIL MOWER.** SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.

ITEM WITHDRAWN.

HINDLE MOVED SECONDED BY CIOTTI TO ADOPT ITEM 12A1. TURNER STATED HIS FAMILY HAS BEEN CAUGHT IN TRAFFIC FOR THIS EVENT ON CENTRAL AVENUE LAST YEAR AS WELL AS THIS YEAR. HE WANTS TO ASK CHIEF PLUMMER TO USE ONLY ONE LANE FOR THIS FUND RAISER. HE WANTS HIM TO FIND A WAY TO NOT HAVE TRAFFIC BACKED UP ALL THE WAY INTO TOWN FOR THIS. THE CITY MANAGER CLARIFIED THIS IS AN ORGANIZATION OF THE FIREFIGHTERS AND NOT CHIEF PLUMMER BUT THE CHIEF WILL MENTION IT TO THE UNION. TURNER STATED OTHERWISE HE IS IN FAVOR OF THIS. MOTION PASSED WITH ALL IN FAVOR.

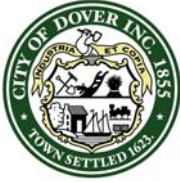
### COMMITTEE REPORTS

- |  |  |
|--|--|
| 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                    |  |

### B. RESOLUTIONS

**1. RESOLUTION RE: CERTIFICATION FOR REFLEASE OF NH MAIN STREET CENTER FUNDS TO DOVER MAIN STREET FOR HARVEY'S BAKERY REVEALED PROJECT.** SPONSORED BY MAYOR SCOTT MYERS BY REQUEST.

HINDLE MOVED SECONDED BY DEDE TO ADOPT. HINDLE OFFERED A FRIDENDLY AMENDMENT ON THE 4<sup>TH</sup> WHEREAS CHANGING THE DATE OF 9/6 TO 9/8 AND ALL DATES THAT SAY 9/6 SHOULD BE CHANGED TO 9/8. MOTION WAS SECONDED BY CIOTTI. ALL WERE IN FAVOR OF THE AMENDMENT. DEDE THINKS THIS IS A PHENOMENAL THING; HE POINTED OUT HOW MATCHING FUNDS IN THE DOVER MAIN STREET PROGRAM EARN OTHER FUNDS. THIS WILL BE A REAL PLUS FOR THE CITY WITH THE NEW FACADE. SCOTT WANTS TO THANK THE OWNER OF THE BUILDING FOR THEIR \$58,000 DONATION. CIOTTI WOULD LIKE A PICTURE OF THE NEW FACADE TO BE PUT IN FOSTER'S NEWSPAPER. MOTION PASSED ON A ROLL CALL VOTE OF 8-0.



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### C. ORDINANCES IN THEIR FIRST READING:

**1. #10-08/23/2006, CHAPTER 166 VEHICLES AND TRAFFIC SECTION 166-57, SCHEDULE J: LIMITED TIME PARKING.** SPONSORED BY DEPUTY MAYOR JASON HINDLE, TRANSPORTATION ADVISORY COMMISSION CHAIR. **(TO BE REFERRED TO PUBLIC HEARING ON SEPTEMBER 13, 2006)**

HINDLE MOVED SECONDED BY CIOTTI TO REFER TO A PUBLIC HEARING WITH ALL IN FAVOR.

**2. ORDINANCE #07-05/24/2006 – DRAFT 11 – CHAPTER 22 ETHICS, REVISION OF ENTIRE CHAPTER.** SPONSORED BY DEPUTY MAYOR JASON HINDLE. **(TO BE REFERRED TO PUBLIC HEARING ON SEPTEMBER 13, 2006)**

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### D. COUNCIL CORRESPONDENCE

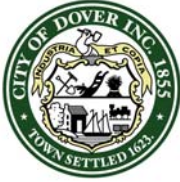
NONE

### 13. COUNCIL MATTERS OF INTEREST

CIOTTI APOLOGIZED FOR NOT DOING THE APPOINTMENTS COMMITTEE REPORT UNDER THE CONSENT CALENDAR. HE MOTIONED TO REINSTATE RICK HEBBARD AND ED BLEILER TO THEIR PRIOR COMMITTEES AND TO MAKE FIVE OTHER REAPPOINTMENTS, INCLUDING MARK HYSON TO THE RECREATION ADVISORY BOARD, DONALD ANDOLINA TO THE PLANNING BOARD, JOHN SCRUTON AND DENNIS MUNSON TO THE TRANSPORTATION ADVISORY COMMISSION AND JAMES O'NEILL JR. TO THE ECONOMIC LOAN COMMISSION. DEDE SECONDED THE MOTION. TURNER ASKED ABOUT THE REINSTATEMENT OF RICK HEBBARD AND ED BLEILER AND IF THEY ARE STARTING A NEW TERM OR COMPLETING THEIR OLD ONE. CIOTTI STATED THEIR EXISTING TERM IS IN EFFECT NOW AND WILL BE CONTINUING TO THE ORIGINAL EXPIRATION DATE. MOTION PASSED WITH ALL IN FAVOR.

TURNER STATED THAT ROUTE 108 IN THE NORTH END OF CITY HAS TWO TIP PROGRAMS THAT ARE CURRENTLY UNDER WAY. HE IS TRYING TO WORK WITH THE CITY MANAGER AND BRUCE WOODRUFF TO HAVE A PROPER SIDEWALK CONSTRUCTED IN THE WESTERN AUTO AREA. THE CITY MANAGER HAS BEEN WORKING CLOSELY WITH HIM TO GET THE ISSUE RESOLVED. WE MAY NEED TO APPROPRIATE MORE OR WE MAY NEED LESS MONEY; HE JUST WANTS TO LET THEM KNOW THIS IS COMING DOWN THE LINE AND WILL BE BASED ON WHAT THE ENGINEERS SAY DEPENDING ON IF WE NEED TO MOVE 8 UTILITY POLES OR NOT.

TREFETHEN COMMENTED ABOUT MONEY IN THE CIP THAT IS TO ELIMINATE THE ODOR PROBLEM ON THE PUMP STATION AND WHEN WILL THIS BE CORRECTED AND WHAT IS THE EXPECTATION OF THE SUCCESS OF THE STORY. JOYAL STATED THEY ARE WORKING ON IT.



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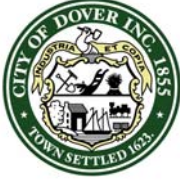
SCOTT TALKED ABOUT THE PENDING TSUNAMI ON THE TABLE WHICH IS THE PENSION COSTS; THIS IS ALSO A STATE PROBLEM. HE HAS SPOKEN WITH SOMEONE IN CONCORD ABOUT THE PENSION LIABILITIES AND THE HUGE AMOUNTS AND THE BIG SHORTFALL THAT SHOULD BE IN THE FUND. WE NEED TO MOVE QUICKLY ON THIS; HE HAS A SUGGESTION TO ALLEVIATE THE DEFICIT THAT IS COMING UP. WE MUST NOT CONTINUE THE WAY WE ARE GOING. THE MAYOR CONCURRED AND NOTED THIS IS A STATE PROBLEM NOT JUST A CITY PROBLEM.

CHENEY STATED SHE HAS INFORMATION ON THE 91A RESOLUTION FROM LAST WEEK AND WANTS TO SHARE MORE OF HER REASONS FOR NOT RESTRICTING THE ATTORNEY CLIENT PRIVILEGE AS SHE IS IN SEARCH OF TRUTH. SHE QUOTED FROM SEVERAL BULLETINS WITH EXCERPTS ON THE ATTORNEY CLIENT PRIVILEGE. SHE QUOTED FROM THE CIRCUIT COURT AND SHE ALSO HAS A LETTER ON A THOMPSON MEMORANDUM; SHE QUOTED FROM SEVERAL PAPERS AND LETTERS REGARDING THE ATTORNEY CLIENT PROTECTIONS. SHE CONTINUED SUPPOSEDLY A CONFIDENTIAL DOCUMENT MIGHT HAVE BEEN RELEASED; SHE THINKS THIS WAS RIGHT DOING IT AND WHY DON'T WE RELEASE THE DOCUMENT IN QUESTION ANYWAY; THERE IS NO REASON WHY IT WAS MARKED CONFIDENTIAL. LASTLY ALL OF OUR DOCUMENTS COME THROUGH AS CONFIDENTIAL EVEN THE ONE WHERE TREFETHEN TALKS ABOUT THE SKY BEING BLUE. SHE IS STATING FACTS; EVERYBODY WANTS TRUTH, SHE LISTED HER DOCUMENTS IN FRONT OF HER. EVERY MOMENT WE HOLD ONTO THIS WE ARE NOT OBEYING THE LAW AND NOT BEING TRUSTWORTHY TO THE CITIZENS WE SERVE.

HINDLE STATED AS MENTIONED PREVIOUSLY HE WILL HAVE A RESOLUTION PREPARED FOR THE SEPTEMBER AGENDA TO SHOW BOTH SIDES OF THIS DEBATE. THE MAYOR WANTS A MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS THIS AND OTHER ISSUES IN A NON PUBLIC SESSION AND STATED THEY WILL NOT BE RECONVENING IN PUBLIC TONIGHT.

TURNER WANTS TO SECOND CHENEY'S MOTION NOW TO BRING THE LETTER FORWARD AS THIS IS WHAT HE HAS SPENT HIS TIME ON LATELY. CHENEY PASSED THE LETTER AROUND FOR EVERYONE TO SEE. SCOTT AGREES WITH THESE COMMENTS. DEDE SAYS THIS IS A MUTE POINT BECAUSE IT HAS ALREADY BEEN RELEASED. THE MAYOR SAYS WE ARE IN A LEGAL ACTION RIGHT NOW WITH REGARDS TO THIS ISSUE.

JOYAL THANKED CHENEY SAYING IF WE ARE GOING TO DEBATE WHAT IS GOING TO BE RELEASED AND WHAT IS NOT WE HAVE AN ONGOING MATTER AND CAN DISCUSS IT THERE AT THE NON PUBLIC SESSION WITH THE CITY ATTORNEY BECAUSE OF THE CONSEQUENCES THAT CAN OCCUR. CHENEY STRONGLY DISAGREES SAYING WE AS THE BODY ARE THE AUTHORITY. WE CAN RELEASE THIS DOCUMENT WE DO NOT HAVE TO TALK TO AN ATTORNEY. SHE WROTE THE RESOLUTION HERSELF. THEY HAVE TO DO RIGHT BY THE PEOPLE. TURNER DOES NOT KNOW WHO DID RELEASE THIS INFORMATION BUT IF HE WAS ALLOWED TO RELEASE THIS OPINION 3 WEEKS AGO WE WOULD NOT BE INVOLVED IN A LAWSUIT. TREFETHEN SAYS IT MAY BE A MUTE POINT BECAUSE THE INFORMATION IS IN THE PUBLIC DOMAIN. THIS GOES BEYOND COUNCIL MATTERS OF INTEREST AND THIS IS NOT APPROPRIATE AT THIS TIME ON THE AGENDA. WE HAVE ALREADY HEARD FROM THE DEPUTY MAYOR THAT HE WILL BE BRINGING THESE LETTERS FORWARD AT A LATER DATE WHY CAN'T WE WAIT UNTIL THE NEXT REGULAR



CITY OF DOVER

## CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, August 23, 2006**  
Meeting Time: **7:00pm**  
**NON-PUBLIC SESSION FOLLOWED**

MEETING; WE WANT TO WAIT ON EVERYTHING ELSE. SCOTT SAYS WE MUST NOT FORGET THAT WE ARE HIRED BY THE PEOPLE OF DOVER AND CAN'T BE COVERED BY A SPIDER WEB OF THE CITY ATTORNEY. THIS IS JUST ONE OF MANY SITUATIONS AND HE WILL FULLY SUPPORT WHAT HINDLE IS DOING. WE MUST NOT HAVE OUR HANDS TIED BY AN ATTORNEY.

MOTION FAILED ON A 4-4 ROLL CALL VOTE WITH HINDLE, SCOTT, TURNER AND CHENEY IN FAVOR.

### 14. ADJOURN INTO NON-PUBLIC SESSION

HINDLE MOVED SECONDED BY CIOTTI TO ADJOURN TO NON PUBLIC SESSION IN THE CITY MANAGER'S OFFICE AT 8:53 PM WITH ALL IN FAVOR.

## **CITY MANAGER'S OFFICE NON PUBLIC SESSION**

The City Council met in non public session to discuss Personnel related issues.

NOTE: **This meeting was not open to the public per RSA 91-A:2 (b).**