

CITY OF DOVER

## CITY COUNCIL MINUTES

Meeting Type: **SPECIAL MEETING**  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Wednesday, September 5, 2007**  
Meeting Time: **6:30 p.m.**

### 1. PLEDGE ALLEGIANCE

Deputy Mayor Hindle led the Pledge of Allegiance.

### 2. ROLL CALL

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

### 3. PUBLIC HEARING:

A. Resolution RE: Spending Cap Petition. Sponsored by Mayor Scott Myers by Request.

Mayor Myers opened the public hearing asking if anyone wished to speak:

Bill Asbell, 4 Hall Street – strongly encouraged the people and Council to support the spending cap proposal. He stated that there is an override mechanism of a 2/3 majority to override the cap if necessary. He stated that other areas that have the tax cap in place have been successful in keeping the taxes down and feels that this will help the elderly who are being forced out of Dover because of high taxes.

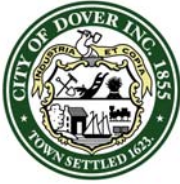
Ron Huml, 199 Mast Rd. – stated the supports the tax cap and had suggested it back when he ran for Council Commission and that it had been brought up by Commissioner Reynolds at that time but it was defeated.

Kurt Schuman, 30 Cushing Street – stated he doesn't like to pay taxes but he does not support the tax cap proposal. He stated he would like Councilor Scott to have public information meetings to answer the hard questions as he feels this is an easy answer to a tough question.

Eileen Williams, 2 Autumn Street – stated many people she has spoken to are in favor of stopping the spending but don't feel comfortable going to their Councilors. She stated that there is a mechanism to override the cap if necessary and that this has been successful in other communities.

Bethany Holmes-Gellar, 18 Westwood Circle – stated she worked hard to get the names for the petition and that people feel that government has let them down. She is proud of those who have stepped up.

John O'Connor, 15 Emery Lane, Supt. Of Schools – stated he is not here to speak for or against this but feels that there should be a thorough legal review to ensure there is no encroachment issues. He stated he feels there is language and ambiguities that could be challenged and urged them to get a legal review.



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Victor Gagnon, 9 Salem Avenue – stated he wants people to be able to decide on this themselves at the polls.

Steve Fellows, 38 Tideview Drive – stated that fiscal responsibility is an important aspect of government and respects the process of bringing this question to the election, but feels it is short-sighted. He feels that if people are unhappy they should deal with it through the Council election process. He continued that putting a tax cap in place puts a bias on keeping spending low and not allowing spending in critical areas.

Eric Vogt, 5 Taylor Road – stated he feels there should be a tax cap because since moving here 2 years ago his taxes have gone up \$600.00 each year and feels that he doesn't received the services that are provided in other communities. He concluded by thanking Councilor Scott for bringing this to the people.

Ted Anglais, 23 Wallace Drive – stated he helped collect signatures and out of the 40-45 people he approached only 3 wouldn't sign. He stated people are in favor of putting this on the ballot and that is what is being voted on tonight. He stated that there are doom and gloom scenarios out there but in other cities with this tax cap it has actually attracted more people to those communities. He concluded by asking that they let the people decide in November.

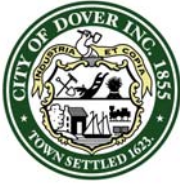
Pete Loomis – stated he lived in Dover for 60 years and moved to York for 8 where he helped bring Home Rule to that town and he explained the process. He stated if there was a yes vote on the submitted budget went into effect, if no then it reverted back to the previous year.

Ray Bardwell, Spur Road – stated it is about accountability and responsibility and is why it is up to a vote. He feels that wants have been put before needs i.e. roads which are in deplorable condition but we have a grandiose plan to cut up city hall. He stated the taxpayers need responsible government and this has worked in other cities.

Glenn Grasso – 1 Pebble Hill Drive – stated that some things are inevitable and this will make it on to the ballot, but wants people to realize that taxes aren't going to go down as a result. He stated that things get more expensive and a tax cap sounds simple, but there are no quick fixes. He stated that this may actually undo all of the progress that the city has made recently. He stated that some people are complaining about a lack of services, but this tax cap will halt any progress made. He stated that no one wants taxes to go up but this will also defer maintenance which is more costly in the long run.

Jerry Lynch, Lincoln Street – stated that there are people speaking who want to spend money and have e-mail lists to get people to come to public hearings but he just wants to slow spending.

Alice Briggs, 10 Cote Drive – stated that the biggest thing that the Council needs to realize is that people are worrying about whether they can stay in their homes. She stated she knows that there are unanticipated expenses and employment contracts etc. but feels that the Council needs to identify with the people and let the question go to the ballot.



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John Scruton, 99 Sixth Street – stated he has been paying property tax for 35 years and even when you stop working you still have to pay it. He stated that some people tell him to sell his house but he still needs a roof over his head. He stated he helped collect signatures and the elderly people are having to move out of Dover after having spent many years paying taxes. He stated that the candidates running for Council should all take the Tax Cap Pledge.

Michelle Holt-Shannon, 14 Florence Street – stated she is not on anyone's e-mail list but bought her house 10 years ago because of the sense of community and thought that this was where people would solve problems with reason.

Steve Fournier, 21 Maple Street – stated he would like people to look at the larger policy picture of this tax cap proposal and do we change our form of government not to make it better or just to change the policy. He stated our Charter calls for our Council to make these decisions.

Peter Schmidt, Fourth Street – State representative for Wards 1 and 2 – stated he is hearing people speak out on taxes but also don't want their services cut. He stated the tax cap would be a substitute for responsible government and this was already tried in Rochester 10 years ago and only lasted for 2 years. He stated that this will go on the ballot, but feels that this is politically motivated.

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

#### 4. **RESOLUTIONS:**

- A. Resolution RE: Spending Cap Petition. Sponsored by Mayor Scott Myers by Request.

Hindle moved to adopt, seconded by Ciotti.

DeDe stated he would like the sponsoring **Councilor** to hold a meeting to allow citizens to ask questions.

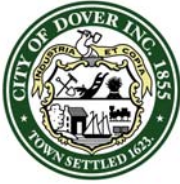
Hindle clarified that the Mayor sponsored this by request, but it is not his proposal.

DeDe corrected that he wants the petitioners to hold the meeting as it is important for people to understand the nuances before making a change to the structure of the government as this was not cobbled together with the cooperation of the Council. He stated if he feels that he needs clarification on this proposal then citizens probably need it as well. He stated he became involved in the City Council because of wanting to see where the taxes were spent.

Keays stated he supports the tax cap and feels the school budget is too high. He stated we are told how great our schools are but the test scores reported in the paper say differently. He stated the tax cap will slow down the spending.

Hindle asked attorney Krans about the requirement for the review by the State and the 30 days they are allowed to take and asked if this has been sent to the State yet.

Krans explained the 3 ways to make a Charter change recommendation; Charter Commission, Council resolution and petition. He stated that all 3 involve review by 3 different State agencies who meet to review the language together. He stated that once the Council has voted on this it will be sent to the State and they will have 30 days which does line up with the ballot printing



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deadline. He stated in this case the language the petitioners used is word for word from Laconia in 2005 which was approved by the State at that time. He stated they will give it a fresh look but it will probably be the same result, although just because they approved it before doesn't mean they will this time.

Hindle asked about the legal opinion required by the City Attorney.

Krans clarified that it is a legal opinion from the Bar Association and not the City Attorney but he can do the letter. He stated the letter doesn't really amount to much and that the State will still have the 30 days to review it.

Mayor Myers asked who reviews to make sure that this proposal does not conflict with State law such as was raised by Supt. O'Connor.

Krans stated the Attorney General would look at that issue.

Turner stated that the Dover Municipal budget should not out-pace the family income and that there should be a mechanism in place to stop this. He quoted statistics of family income and population from 1997 to 2007. He stated that Dover does the best services but salaries have doubled in 10 years and will continue to do so without a spending cap. He feels that there will be enough information put out about this before people vote.

Cheney thanked Councilor Scott and all of those who helped get the signatures and the Clerk and Attorney for getting it to this point. She continued that Councilor Scott found an alternative to using the City Manager proposed budget as a default and feels that this should go to the ballot. She stated that Dover is a nice city but if we do not control our spending people won't be able to stay here. She stated she has spoken to many people and the most important **tool** we have is the budget and feels the council will have more accountability/responsibility with this cap.

Scott thanked the Council and City Manager for calling the special meeting. He also thanked the Clerk and City Attorney as well as the volunteers. He stated once this is placed on the ballot it will be an opportunity for citizens to speak out. He stated that this does have an override provision.

Mayor Myers stated he will vote on this to place it on the ballot and it will be up to the voters. He then read into the record an e-mail received by Wesley Moore of Mallard Lane which brings up a numbers of questions regarding the tax cap that other people may also have.

He then asked Councilor Scott if he will be willing to host some public education forums which would not be public hearings but a question answer session. He stated he does not feel it is the Council's issue to educate on this subject but the petitioners should.

Scott stated he will be happy to hold a forum and has had conversations with the former Mayors of Franklin and Laconia who indicated they will come down also.

Myers stated his intent is to have educational sessions, not people speaking for and against it.

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

### 5. **Adjourn into Workshop**

Hindle moved to adjourn into a workshop at 9:52 a.m., seconded by Ciotti. Motion passed unanimously.