

CITY OF DOVER

CITY COUNCIL MINUTES

Meeting Type: **SPECIAL MEETING**
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, October 3, 2007**
Meeting Time: **7:00 p.m.**

1. PLEDGE ALLEGIANCE

Councilor DeDe led the Pledge of Allegiance.

2. ROLL CALL

Councilors Present: Doug DeDe, Robert Keays, Mayor Scott Myers, David Scott, Dean Trefethen, Harvey Turner, Catherine Cheney and Dennis Ciotti.

Absent: Deputy Mayor Jason Hindle

Also Present: City Manager Mike Joyal and City Attorney Allan Krans

Mayor Myers stated that Deputy Mayor Hindle was away on business and Councilor DeDe will fill in as Deputy Mayor.

Mayor Myers then reminded everyone of the upcoming informational meeting being held at the McConnell Center on October 9th regarding the tax cap. He stated he met yesterday morning with Councilor Scott to work out the format and that they agreed to meet in the cafeteria for an informational session and not a public hearing of for and against. He stated he will be moderating the meeting and hopes that people will get their questions answered. He stated he is looking for Dover people to get answers from Dover people although Councilor Scott wants to invite residents of Franklin and Laconia to speak. He stated he doesn't feel the need for these people to come to this meeting but will allow them to speak for educational purposes. He stated this is a Dover situation and most of the questions should be answered by the Dover petitioners. He stated there will also be city and school staff available to answer questions as well. He reiterated that this will be a question/answer forum and not a for and against public hearing.

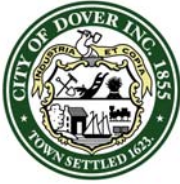
3. CITIZENS FORUM

The Citizen's Forum is limited to the Resolutions on this Agenda in Accordance with City Council Rules, Item 12H.

The Mayor opened the Citizens Forum explaining that this is limited to the Charter Amendment resolution on tonight's agenda. He stated this has already been discussed and voted on previously, but the State has since reviewed it and responded back with concerns with the language. He asked Attorney Krans to review the response.

Krans stated that a letter was received today signed by the Attorney General, Department of Revenue Administration and the Secretary of State regarding approval of the language in tonight's resolution. He stated that he has been working with the Asst. Attorney General for 2 weeks on the language and there is no problem with the concept of changing the Ward School Board to At-large, but there were issues with other parts of the language.

He continued to explain that the first issue was the way we express our term of office for school board members which states 2 year terms, but is supposed to say "until successor is elected and qualified", Also, they did not like the way we fill vacancies which currently is with a special election, we were proposing to change it to be the highest vote getter of those who weren't elected, but the State says it needs to be the School Board that appoints a replacement. Finally,



CITY OF DOVER

CITY COUNCIL MINUTES

Meeting Type: **SPECIAL MEETING**
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, October 3, 2007**
Meeting Time: **7:00 p.m.**

there was an issue with our residency requirement which currently states the person must be a resident for 2 years prior, but it should be they can be a resident for any length of time and a registered voter.

Peter Schmidt, 53 Fourth Street and State representative for Wards 1 and 2 – stated he has spoken on this before and is directing his comments to the citizens of Dover as they will be the ones voting on the question. He stated he has reservations on the concept of all at-large candidates because he feels it eliminates some people from running due to the expense and the difficulty in getting to every house in the City and is easier to do in their own neighborhoods. He stated we don't elect our State representatives and congressmen at-large and we should not do this either. He stated he tried to get several people to run in the upcoming election but they didn't feel like they were qualified. He stated that the only qualifications you need are commonsense and to care about the city.

Seeing no one else wishing to speak, the Mayor closed the Citizens Forum.

4. RESOLUTION:

- A. Resolution RE: Charter Amendment – School Board. Sponsored by Deputy Mayor Jason Hindle.

DeDe moved to adopt, seconded by Ciotti.

Trefethen stated he had stated both of the previous times they voted on this that he is against this concept but is in favor of letting the voters make the decision.

Ciotti asked about the residency requirement and does that apply to the Council as well. Krans stated yes and no. The Charter says the Council residency requirement is 1 year, but it probably wouldn't be enforced if it were challenged.

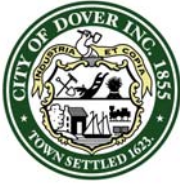
Myers asked about the language "successor elected and qualified" and will that mean that the school board can't take their oath of office the first week in January as the Council does. Krans stated that duly qualified will be when they are sworn in.

Motion to adopt passed on an 8-0 roll call vote.

DeDe moved to adjourn.

Scott moved to suspend the rules to introduce new business, seconded by Turner. Motion passed on a 6-2 roll call vote, Myers and DeDe opposed.

Scott stated he wanted to remind people that the Former Mayor of Franklin and the current Mayor of Franklin as well as some people from Laconia will be in attendance at the informational meeting on October 9th.



CITY OF DOVER

CITY COUNCIL MINUTES

Meeting Type: **SPECIAL MEETING**
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, October 3, 2007**
Meeting Time: **7:00 p.m.**

DeDe stated that he feels that since the measure was introduced and spearheaded by Councilor Scott it would be disappointing if he were not able to answer the questions. He stated other towns don't bear a resemblance to our structure.

Keays disagrees and feels that Scott should bring in people who already have done this to let people know how it works. He stated he will be asking his own questions and hopes to get the answers.

Turner stated that Dover is not an island and we should *not* be reinventing the wheel. He feels it would be good to learn from others who have already done this and that the voters need the answers from someone who has already done this. He gave an analogy of the constitution and how other governments have drawn from our documents and that is how it is done.

Cheney stated that it was said by a speaker that you need commonsense to serve, but you also need commonsense to get information and bring the information to us by people with experience.

Scott read into the record a statement of support signed by 6 Councilors.

Trefethen stated that the statement sounds like he refused to signed but clarified that he was never asked.

Mayor Myers stated he was never asked either. He clarified that the meeting on October 9th is not a Council meeting and the Charter question on the ballot is beyond any Council action so he is unsure why having Councilors sign this statement would have been necessary. He stated he is concerned that this meeting will turn into a debate instead of a question/answer session. He stated this is an open meeting and is not restricted.

DeDe stated that Councilor Scott did come to his doorstep but did not present this statement to him but he stated that he wouldn't have signed it anyway.

Scott stated that DeDe told him "no" as soon as he went to his door.

Ciotti stated that he signed the statement with the caveat that this was David Scott's initiative and that David Scott would be in charge and answer most of the questions.

Keays stated he doesn't understand the big fuss over this meeting and feels it is for all people to come and understand the tax cap and is what democracy is all about. He stated they are looking for a way to control taxes in this city and he is tired of DeDe rolling his eyes at him.

5. **Adjourn into Workshop**

DeDe moved to adjourn into the workshop session, seconded by Ciotti. Motion passed on an 8-0 vote.