



CITY OF DOVER

CITY COUNCIL - AGENDA

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, October 24, 2007**
Meeting Time: **7:00pm**

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE-led by Councilor Cheney

3. ROLL CALL –Present Councilors:

Keays, Scott, Trefethen, Turner, Cheney, Cioitti, DeDe, Mayor Myers, Deputy Mayor Hindle, City Manager Joyal and City Attorney Krans

4. PROCLAMATIONS – AWARDS

5. APPROVAL OF AGENDA

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.

Sharon Reynolds-Court St-book sale at the Public Library 10/27 -11/7 during library hours.
Friends of the Public Library

Marilyn Follansbee-Court St- Encourages everyone to vote, thanks everyone for their time and service. Some running on expectation of decreasing taxes. Mother nature has damaged the roads. Everyone wants lower taxes but at what cost. Has spoken to friends in Laconia and mixed reviews about tax cap. Worried about infrastructure if cap passes. Please keep parks clean and think carefully before voting. Also, never realized the time commitment made by the Councilors.

Ethan Mack-Glenwood Ave- Doug Steel sent letter of confirmation. Work is scheduled for October 29th. City Manager sent letter and 1 item is already complete. 1 item remaining and hope that I do not have to return to Council again.

Bill Garrison- West Concord St- Speaking for Good for Dover- Posting Tax Forums on their website www.goodfordover.com so that citizens can be informed.

Brett Schumann-Dover Main Street – reminds every one of 10/27 volunteer clean up day-bring equipment. Rain or Shine.

Marcia Colbath-Open Lands Committee- Removed no trespassing signs from Watson Rd trail Head- read from press release about extending trail and stocking fish in river. Working with NH Fish and Game.

Yonna Elka- running for Ward 3. Is upset that the tax cap sessions were pulled and not set to air. He is hearing that it is out of fairness to him however if that is true put them on the air.

Rick Hubbard-DUC- concerning the LaBlanc issue- Thanks Councilors Turner and Cheney for bringing this up. \$50,000 in damages from water main break. Initially had \$15,000 outstanding after insurance. The Main let go and this is a City responsibility. The DUC made



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a unanimous decision to approve request- this was later reviewed and \$9600 was recommended as some of the \$15,000 was for improvements. The City attorney and City Manager subverted the DUC recommendations.

Kim Schumann-Concerned about broadcast of tax forums- not everyone could attend and be informed. Surprised Councilor Cheney made an objection. Please rebroadcast.

Mary Hubbard- Councilor at Large- thought there was supposed to be a public hearing on Hornes Court tonight. Why is it not happening? Mayor responded that it was withdrawn from the agenda at the 10/10 meeting, and it was stated that a new date would be chosen and publicized. Mary stated that she has some issues with the vehicle replacement –while it sounds like a good thing- need to find out the true cost and if they can handle the usage required.

Gary Green –DUC- All in agreement at the DUC that there is sympathy for the Leblanc's. DUC members know they can not take action but can only make recommendations to the Council-

7. PUBLIC HEARINGS

A. **RESOLUTION RE: NONE**

B. **ORDINANCES – ORDINANCE RE: TAX CAP BUDGET ORDINANCE.**

SPONSORED BY MAYOR MYERS

8. CITY MANAGER'S REPORT

Will be brief- awaiting official certification from the Dept of Revenue; however we are looking at \$19.63 which is a 4.9% increase. Tax bills will be printed when we receive the official word from DRA. Taxed due 12/3. Also, Dover received a Community Heath Award for Youth to Youth which is run by the Police Department in an educational role. Citizens Fire festival also recognized. It had been asked prior about the swim schedule and there will be a full schedule as of Monday. Foundation work still needs to be done in the future. Keays asked about the settlement to Shaheen. Joyal responded it had been discussed downstairs in executive session. Krans informed him that it was for a personal injury claim that was covered by insurance. This insurance covers the claim and defense costs.

Handle asked about the channel 22 concerns. Joyal responded that the 2 forums were videotaped to be viewed on channel 22 and there is a policy about use. It was an administrative decision to play it that could be appealed. Halted broadcast until appeal discussed. Myers responded that he would recuse himself from discussion as he was part of the forums. Motion to accept City Manager report Hindle; Seconded by Keays passed 9/0.

Motion to suspend rules by Turner Seconded by Ciotti with Myers and Scott recusing – Cheney offered that she should recuse herself as well as she is a candidate for reelection. Handle replied that he would deny the request as all except myself and Turner would then be recused.-passed on a roll call vote 7/0.

DeDe questioned the City Attorney about the discussions in the City Managers report that stated it would be broadcast and that report was accepted as part to the meeting that day.



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Krans replied that the issue deserves Council review. DeDe stated that the intent of the Council was clear. Objective of Channel 22 is to educate Citizens. Motion made to authorize viewing as first discussed seconded by Trefethen. Trefethen stated this is simple- the citizens want to see this and intent was to have this broadcast- this is an important issue. Keays replied that he had read agreement and we cant run the forums based on the rules.

Joyal responded that he was requested to attend the forums but was unavailable so he had the Finance Director attend to answer questions. He was asked to be available to answer questions for voters to decide and he will address questions with facts- this was not a debate.

Turner explained that he had told citizens that there would be plenty of time for education on this matter and that the camera was there for a reason. He had a concern with employees speaking and citizens may not have known they were employees. However, they do have the right to speak.

Cheney explained she could not make either forum and had wanted to watch this-however when she saw an email about a possible violation from the Deputy Mayor - could not see where it is written we can air this. There should be a review Committee to look at this. Education was fundamental objective however these forums did not meet the guidelines it is has some things listed under restrictions. Format also changed which gave it les equality. DeDe sated it has been called a debate however that was never the intention. Purpose was to allow for questions.

Discussion continued about format and channel 22 policies.

Hindle explained that in bringing the appeal forward he had hoped it would be reviewed and responded to. The Channel 22 Committee can meet within 48 hours as policy states. This policy should have been reviewed before promises were made to air it. This was not City Council sponsored event and the right to appeal still exists. This debate should have occurred weeks ago.

DeDe motioned to move seconded by Cioitti passed on a 5/2 roll call vote with Keays and Hindle opposed. Joyal stated that he will have these begin to air

9. MINUTES

- A. MINUTES FROM –SEPTEMBER 26,2007
- B. MINUTES FROM –OCTOBER 3, 2007-WS
- C. MINUTES FROM-- OCTOBER 3, 2007 SM

Motion by Hindle Seconded by Cioitti. Turner requested a typo be fixed in the 10/3 minutes. Passed 9/0

10. MAYOR'S REPORT

Mayor attended ribbon cuttings for new businesses. Attended a volunteer appreciation night for Dover Main St. Had coffee with the Mayor last Saturday.

Move to accept the report by Hindle, seconded by Trefethen passed 9/0

11. UNFINISHED BUSINESS

- A. ORDINANCES IN THE 2ND READING-NONE



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- B. ORDINANCES IN THE 3RD READING-NONE
- C. RESOLUTIONS-NONE

12. NEW BUSINESS

A. CONSENT CALENDAR

1. TAG PERMIT –PRIME TIME ALL STARS
2. RAFFLE-FIRST PARISH CHURCH
3. PARADE-MOMS ON THE RUN-5K
4. RESOLUTION RE:ROLLINSFORD FIRE DEPT DISPATCH
SPONSORED BY MAYOR MYERS BY REQUEST

COMMITTEE REPORTS

- | | |
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| 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 | |

Motion by Hindle seconded by Ciotti. Scott pulled 12a-4 turner pulled 12a1

Remaining passed 9/0

12a-1 tag was not marked off-passed 9/0

12a-4 motion by Hindle seconded by Trefethen

Scott wants to ensure that we charge towns the total cost. \$2000.00 seems unreasonably low. The Police Chief replied that the County would do it for less. Approximately 204 calls a year. Have done this for many years without a formal agreement. This does not affect personnel numbers . Passed on a roll call vote 9/0

B. RESOLUTIONS

1. RESOLUTION RE: COOLECTIVE BARGAINING AGREEMENT BETWEEN THE DOVER SCHOOL BOARD AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES LOCAL 2932/COUNCIL 93/AFL-CIO

SPONSORED BY MAYOR MYERS BY REUQUEST

motion by Hindle, Seconded by Cioitti. Turner stated that it seems to be policy that we get them immediately before we vote. I would like to see this paperwork 1 week in advance. I am given 90 pages of paperwork to decide on. The Council should be cautious of the 35 increase mentioned and I think it could end up being more-careful about how it was presented in closed session. Scott sated he felt the same as turner. Not time to read. Personnel costs are 80 % of budget and the Council is asked to decide quickly DeDe stated that the resolution was part of the agenda packet that went out last Friday.

Turner stated that the rest of the information was not available- just the cost. Myers replied that the cost is usually what we consider. He had the opportunity to speak with the Superintendent because he know this was coming up. Passed on a roll call vote of 6/3 with Keays, Scott andTrefethen opposed.



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2. RESOLUTION RE: VEHICLE REPLACEMENT PROGRAM-TO BE REFERRED TO PUBLIC HEARING 11/14/2007

SPONSORED BY MAYOR MYERS

- C. ORDINANCES IN 1ST READING-NONE
- D. COUNCIL CORRESPONDENCE

13. COUNCIL MATTERS OF INTEREST

Trefethen stated that the vehicle replacement had been extensively discussed during budget process. This is worth giving a try however cautioned against ongoing expenses.

Cheney again addressed the Channel 22 issue and conflict of interest in voting. Feels it is an infraction of policy without further review from committee. Also stated she attended a High School cadet ball and it was a wonderful night

Keays had concerns about the political signs around Dover, especially on City property and felt that something needs to be done; asked the City Manager to take action. Joyal responded that he shares concern however there was a change in State law. Signs may be placed in ROW with permission of property owner which is usually to the center of the road. Notify all candidates that they can not impede traffic and give warning of requirements. They are tracking the time required to remove signs

Handle urged everyone to vote and wished all candidates luck

Motion by handle seconded by Ciotti to adjourn

14. ADJOURN