

**MINUTES
SPECIAL MEETING/ WORKSHOP
DOVER CITY COUNCIL
CITY COUNCIL CHAMBERS
WEDNESDAY
AUGUST 17, 2005
7:00 P.M.**

SPECIAL MEETING:

- 1. Pledge of Allegiance**
- 2. Roll Call**

Members Present: Councilors Dean Trefethen, Darlene Colwell Ellis, Doug DeDe, Mayor Pro Tem Jason Hindle, Councilors Robert Keays, Matt Mayberry, Mayor Scott Myers, Councilors Otis Perry and Councilor Bob Lewis. Also Present: City Manager Mike Joyal.

3. PUBLIC HEARING:

A. Resolution RE: Approval of Lease for the Children's Museum Use of the Butterfield Memorial Building. Sponsored by Mayor Scott Myers, by Request.

Jack Buckley stated he is here wearing different hats; he is serving on Dover Main Street Board of Directors, the Coheco Waterfront Advisory Board and he cares deeply about Dover, he is also here in support of the Children's Museum as it will bring 1000's of people to our area, it will also serve as a link from the downtown businesses to the waterfront, it will also build on Dover's family orientation. After years of Portsmouth ignoring the museum's needs, there is no reason to delay; he urged them to complete the deal tonight.

Malcolm MacNeill stated he operates a business at 185 Locust Street in a converted municipal building also. He is here to support the proposed lease success story. It is his belief that government should facilitate and not frustrate change.

In the past we chose to extend infrastructure into the 6th Street area and Liberty. With regards to the downtown it has been enhanced to attract restaurants and there is the excitement of waterfront development that the museum will contribute to. In addition you have strong civic groups that will be committed to the waterfront and downtown he urged them to seize this opportunity.

Greg Walker President of Wentworth Douglass Hospital takes a few minutes to explain about how he recruits for the hospital's 1500 employees; he continued we look at housing, job opportunities, the public and private school systems are second to none but cultural development has been lacking. He believes this will create a destination for families. The hospital has a child care center with 100 to 125 children in attendance everyday at the center and this will enhance the programming opportunities they can bring to the children. Thirdly the local benefit for people involved with pediatrics and children with chronic diseases that they draw children from a wide area to offer sub special work. This will enable parents to tie the children's visit to the hospital to the museum and have a positive impact on everyone. He urged them to support the relocation of the Children's Museum.

Janet Perry is a resident at 37 Arch Street and a Co-owner of Nicole's Gift Shop; she also serves on the Dover Chamber of Commerce and is an active member of Dover Main Street program. She sees this as an opportunity for the children as well as the citizens. She has a vision of children having picnics on the grass at Henry Law Park. She sees nothing but good things; we know that every dollar spent on tourism brings eight dollars back to the community. She urged them to vote for it.

Mark Speidel stated he runs Edmund Jones Investments at 464 Central Avenue and is a resident of Dover. There is no better place in the state to raise a family than the City of Dover. He has been a coach in several sports programs for eight years. He mentioned the article on the City Charter on the front page

of the Foster's tonight. He believes the council bringing the Children's Museum will help make this a better place to live.

Aaron Wensley of Hartswood Road is here to express his enthusiasm for the Children's Museum coming to Dover. He told a story about when he was in the 8th grade and he did not seize an opportunity to date the best looking girl in school and how he blew his chance. He thinks the Children's Museum is the best looking girl in the class and we should seize the opportunity now.

Thad Mansager, Director of Family Services at the Seymour Osman Community Center stated that he serves as their representative and he wants to express his support for the Children's Museum new location as it will add tremendous support to the City.

Kurt Shuman of 30 Cushing Street, downtown business community wears many hats; he is active in Dover Main Street, and by having the Children's Museum in the Butterfield Gym everything will fall into line if this happens. Lastly being a lifelong Dover resident his wife and he just bought a home in Dover and feels it is a great opportunity and a great use to turn heads across the region

Karen Drapinopoulos stated she is here representing Dover Main Street, this is the right entity, right location, and don't delay.

Gayle Moore of 30 Silver Street stated congrats to all of you who are creative enough, smart enough, to put this together. It will give a jump start to us here in Dover; this is just one more thing and we cannot send a more positive message than to get it done now.

Amy Criswell of 15 Wedgewood Road stated she is the mother of an energetic 7 year old son. Her son does not get to the museum nearly enough; her son said we could now walk. Her son said on Friday night's if the Children's Museum were here they could be in the Children's Museum while she was at the concerts. There are 6 families who have gotten together for several years and every year, to go to Portland, also to Boston for children's events but if it was here in Dover and they would all be coming to spend the day here; she urged them to support this and move on it as quickly as possible.

Jerry Lynch of 26 Lincoln Street is not against the museum, he just wants them to be cautious of a 60 year lease though. He asked the council how much did the city lose on the hospital. He thanked them for their time.

Peter Schmidt of Dover is a State Representative in the House for Wards 1 and 2 but is here tonight as a private citizen and to urge them to vote for the museum.

Shawn O'Connor, Director of the Board for the Children's Museum and has worked here. He thanked both Steve Stancel and Beth Thompson as they have been looking for a long time to expand their home; they are more than thrilled from the reception they have received so far here in Dover. This is an opportunity and they will do it. He urged them to vote for it, this will be first class for New England and beyond.

Seeing no one else, the Mayor closed the public hearing.

4. Resolutions:

A. Resolution RE: Approval of Lease for the Children's Museum Use of the Butterfield Memorial Building. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Perry to adopt.

DeDe says the addition of this resource expands the educational and cultural resources in the area. The museum will be a magnet and successfully compete with less desirable alternative that many young people face today. He read a prepared statement. He continued there is train service and an excellent highway, with dredging we will even have a water link from Dover to the City of Portsmouth. The

desirability of this has been echoed throughout the community since we started talking about it. He indicated there is a strong positive feeling. There is a nuts and bolts issue though; the terms of the lease were not just dreamed up last week. Joyal stated in working with his staff, the casual short term lease might be more desirable; the reality is the Children's Museum has proven itself time and time again. He continued explaining about his thinking on the lease. After much consideration, they meet the requirements and they are a non profit organization and that is what must be in that building.

Hindle believes in this and he looks forward to working with the city manager, even though he is not prepared to vote on this tonight. On August 3rd he asked the City Manager to put together a lease; he was hoping for a copy of the lease before this. The actual lease agreement can be viewed on the city website. He wants the council to postpone the vote and give them the opportunity for another public hearing and meeting on next Tuesday at 7 PM this will provide ample time; we have heard wonderful comments from people here but he wants his constituents to also have the opportunity to speak. The community should be given due respect to provide continued feedback to us on this issue.

Perry will respectfully disagree with the Mayor Pro-Tem's problem, he will not postpone the decision. He says this is the second public hearing that people have had and they have heard nothing but support and urges them to make this happen. He thinks delaying is not in the interest of the city and will cast a shadow on the negotiations of the lease.

Mayberry has two questions; one is on the trust and transferring the Air National guard building to the museum. Joyal says he has asked the Attorney General's office to review the language it to make sure that the building can be used for a public use. Also for the ability for the lease to go into effect because it would not be able to continue if there was any issue with the trust. Public input and public access is something we strive for everyday, the amount of community spirit in four months has complimented this community on moving this forward. The city council has elected to be stewards of not only the financial interest of the City. He only received this lease at 7 PM this evening, why wasn't he told about this earlier, he will not commit the city to 60 years without reading this lease. His commitment is not wavering at all. He just wants to read the lease to make an informed decision. He asked Joyal if and who our attorneys are that have reviewed this lease, Joyal said Wattendorf and Nary have reviewed it.

Colwell Ellis agrees with many of the sentiments that Perry was speaking about earlier, she feels it is an honor and feels it is important that we do not delay this decision; it is important to the plans for the water front and downtown. She will support the motion.

Lewis says he too received this quite late, but he has read the lease thoroughly and it has sufficient boiler plate reading. There are ways of getting out of it one way or another. Personally he is just getting out of the mode of thinking of Dover as the industrial town it used to be; the new generation is sweeping that away. He thinks this is what the people in Dover want. We have never liked these types of things happening and in spite of Hindle's point of taking some time for such a big decision he will support it.

Trefethen says we have seen this lease before in closed door session, he understands the sentiments of allowing the public more time but there are times when we have to use our best judgment for what we feel is best for Dover in the long run and when we look out at what could be, the synergy of connecting the current downtown is incredible and this Butterfield building is in the middle of that. It is beyond coincidence that it is all coming together like this. He does not want to miss the dance and we should do this tonight.

Keays has listened to all the councilors and he got his lease at 4 pm and he has read it but he is just a layman and there are questions he would like to ask the city manager in his office and he is sure the City of Portsmouth is so sincere if we delay this for 5 or 6 days he don't think it will upset the applecart much. He will go along with Hindle to delay this for the public to get a view of this on the computer or at the library and whoever turns out next Tuesday will tell the tale, he does support it 100%. Mayberry moved to table this until August 23rd at 6 PM vote to table failed on a 3-6 vote with Mayberry, Keays and Hindle in favor.

Hindle respects the comments made this evening but he still has several reservations and his prior comments stand.

Mayberry feels this a major step forward and he wants to send a strong message that this council speaks with one voice so he will reluctantly vote in favor. Lewis apologized stating he did not mean Mayberry

was delinquent in reading his information; and the Mayor is strongly in favor of them taking action tonight we all know this building needs to be used for public use. When Dana Lynch came before them 6 months ago and said we need to look at the progress on the waterfront, we realized we needed to look at the gateway coming in and there needs to be a segway coming into Dover. They have hit a homerun with this opportunity. The length of the lease is not a problem for him, this brings quality to family life in Dover as well as educational opportunities. He has no doubt that for a one dollar a year lease the City will see through our merchants a trickle down effect. He thanked the Children's Museum he can't imagine sitting at that meeting with a 14 body member, their vote was unanimous. He has been pleased with the direction this has taken.

Motion passed on roll call vote of 7-2, with Hindle and Keays opposed.

B. Resolution RE: City Council Expectations for City Manager. Sponsored by Mayor Scott Myers, by Request.

Hindle moved seconded by Mayberry to adopt adding for the record this is by the entire city council.

The Mayor stated this was a culmination of all the ideas of their first week in July and puts them into a format and if we can agree and adopt it tonight that is great if not September is fine. DeDe then went through his proposed amendments saying there is no good reason where they disagree. However he wanted to re-write the expectations for the council's consideration. (See attachment) He would like these to be amendments to go with this; Hindle seconding the motion. Lewis thinks we are doing something here that identifies what we think the City Manager should try to achieve. These will not likely be completed very soon and the incoming council can amend them. This process reflects this council's responsibility and provides policy and guidance and to follow up and make it happen. Also he does not agree with the cost of living issue but he does agree with the dollar caps and this can be best addressed in the merit system. Also on item 1D he has a resolution that will come back to them on financial practices. And on item 1-G he is not in support of. Perry has a question on this amendment if we adopt this either amended or not amended would these would be our goals. The Mayor confirmed this. We can tweak it and bring it back.

Trefethen can agree with item C and D, C adds a good goal but is not mandatory but is certainly in the best interest of the city council and city manager to work towards. He can't go along with G; he sees no need for an office. DeDe wants to move item to separate the question for discussion on 1-C, Hindle seconds the motion. Perry is uncomfortable and will not support this one. DeDe again stated it is for the City Manager to recommend a policy.

Lewis does not disagree with DeDe's concern but it should be addressed in the merit plan or it will be in conflict and after that we could come to a better understanding.

Keays asked do department heads have contracts. Joyal confirmed they have an agreement with the City. Keays says but they only have one sheet of paper, and now each one has their own individual agreement. Joyal stated it is several pages. Keays stated this past year what was their increase in percentage. Joyal stated all the department heads with the exception of one are eligible for a COLA adjustment and they will also be eligible for a merit increase based on my review of their performance which will be a 0 to 4% increase. The contract that just passed, the Police Administrator's received 2.5% COLA and they could get a merit increase from 1-4%.

Trefethen thinks it is important to remember there are a number of ways of doing this and one is evaluation he thinks whoever is on the council and their collective thoughts will determine if the goals have been met.

The Mayor asked DeDe what position he is referring to with the 39% increase. DeDe stated the Community Services director's position. The Mayor will not agree to this; he feels it is micro-managing.

Vote on item 1-C failed on a 3-6 vote with Hindle, Trefethen and DeDe in favor.

On item 1-D DeDe moved seconded by Hindle to adopt. Lewis stated he will still bring a resolution to expand on this. All were in favor.

On 1-G DeDe moved seconded by Hindle. Trefethen says if this was to come to be when will we be able to access this room. Mayberry says anytime he has had a meeting with constituents, the City Clerk and City Manager have always allowed the use of their rooms. The Mayor agrees that it would be nice; he likes the intent but maybe if he could just use a computer for council use he would rather piggy back on something. Vote on item 1-G failed on a vote of 2-7 with Perry and DeDe in favor

Trefethen asks Joyal if he thinks 50% of these goals are objective enough to be obtainable. Joyal says yes there is enough information here for him to work with. Joyal says the real question is the quality satisfactory and does it meet the need it was intended for. The Mayor says it is a good working document that will give the manager direction. He would not expect to wait until next June to see where we are at. He is pleased that we have put this together on paper. This sets together a format to complete items.

Keays was reading these over and saying we have a City Manager who is very competent and if the Police go over on their overtime budget he is sure the City Manager will let them know. He thinks if there was a problem the City Manager would come forward and let them know. The Mayor says we are setting our expectations. Joyal appreciates Keays' comments and support and he then thanked the council for the list as it is general enough and gives him the flexibility to get things done. He sees it as a guideline to get things done. In the 14 years he has been with the city this is the most comprehensive list he has seen; it also gives him something to be evaluated on in 10 or 11 months.

Hindle pointed out these are the expectations of the 2004-2005 City Council. He does not want to penalize the City Manager for other goals that might be completed.

Vote on 8-1 Keays opposed.

C. Resolution RE: City Manager Performance Evaluation Criteria. Sponsored by Mayor Scott Myers, by Request.

Lewis moved seconded by Hindle to adopt. Lewis says the resolution and proposed handbook have been passed out sometime ago; this is the second half of the evaluation process and will focus the relationship between the city council and the city manager and the requirements to do the job and this is one of the important things to be identified. It will allow some of the categories in the document, and he listed some of them.

Hindle thanked Lewis for bringing it forward. He has one recommendation; after a year of transition in December or right after the election of the city council put some kind of written comment down on paper for the new council. Trefethen agrees with Hindle, Trefethen does not like the framework of how things are covered in this handbook. In spite of this he will vote for it. All were in favor of item 4-C.

5. OTHER

The Mayor thanked all of them for their efforts over the last 6 months by setting tangible goals, he thanked them all for their work.

6. ADJOURN

Hindle moved seconded by DeDe to adjourn at 8:38 PM with all in favor.

Judy Gaouette
City Clerk