

**MINUTES  
WORKSHOP  
DOVER CITY COUNCIL  
WEDNESDAY  
DECEMBER 21, 2005  
COUNCIL CHAMBERS  
5:00 p.m.**

**1. PLEDGE OF ALLEGIANCE**

Those present: Mayor Myers, Councilors DeDe, Trefethen, Lewis, Keays and City Attorney Allan Krans and City Manager Mike Joyal along with the City Clerk. Those absent: Deputy Mayor Hindle, Councilor Mayberry, and Councilor Perry. Councilor Colwell Ellis arrived at 5:30 pm.

**2. CITY MANAGER EVALUATION**

The Mayor opened the meeting at 5:17 pm asking the city manager to touch base and update them on a few items. City Manager Joyal stated they had all received the Comprehensive Financial Report, also yesterday they had met with the auditors and received a management letter and the auditors will be here on January 4<sup>th</sup> in a workshop session to give their report. He continued they have issued an opinion and the reports produced represent the financial picture for the City clearly.

He explained the City Councilor had requested on their behalf a review of the first item and they discovered there was a continued use of the former City Manager's blackberry; this was not realized by the city at the time. He then reimbursed the city but it did create a problem with the way accountability was made. The auditors will be auditing the cell phone bills as well. Also there was an oversight in the City managers budget on the membership dues with an over budget of \$1200. Also there will be three items brought to their attention, the first the school federal grants are not recognized in the city accounts, second- consider the impact of GASBY 45 regarding the balance sheet and unfunded liability in recurrent costs. The City should have an actuary for this single project for an amount of \$10,000 – \$15,000. And third fraud prevention should be addressed with the employees. He is also having classes in ethics for employees. Lastly there is the question of the student activity accounts from the school department.

Those are the six areas of concern that he discussed this morning with the auditors; they will have the full report on January 4<sup>th</sup>.

Lewis asked with regards to the health insurance, don't we currently have a policy on vacations and sick time, what are we doing about this and the retirement. The City Manager stated this is a liability that the city pays when a person retires.

The Mayor explained the process used to come to tonight's evaluation, first this is to improve communication between the manager and council. It also puts problems into focus. And it will clarify what direction we want him to go in. He explained we adopted formal goals in August. We are doing this in December as it should have been done within 45 days.

The Mayor noted they had to agree who will be involved with the city manager evaluation; they decided on the format to evaluate and rank the city manager and adopted the "Handbook for Evaluating City Manager". The packet went out to each of them previously and also the City Manager was asked for a self assessment. They decided to have it in a public setting with the city manager present.

Lewis thanked the Mayor for reviewing these outlines and purpose for the evaluation. We had put this responsibility on hold while we reflect on our own support and directing the city.

**MINUTES  
WORKSHOP  
DOVER CITY COUNCIL  
DECEMBER 21, 2005  
PAGE 2**

Lewis says lastly we must look at the different sources of information that we have. He mentioned the toughness of the various evaluations. He is glad we are doing this.

The Mayor stated the comments are public and in the end he will write up a final analysis. He started with the staff effectiveness session and went around the room for comments from each of the councilors in each of the assorted categories.

DeDe state he had his own commentary as it is evident to him with the new council there is a lot of sugar and spice; it is a guide line used to judge performance. They have charged the city manager to prepare a 3% budget for 2007 but we are not there yet.

Lewis interrupted point of order as he objects to receiving DeDe's document as there has been no time to prepare for this. Lewis says this is hyperbolic. The Mayor agrees we were all given the same criteria to go by for evaluating the city manager. DeDe stated he will leave a copy of his evaluation with them as his evaluation stands as is. Discussion ensued. (See addendum at the end of 12/21/2005 minutes folder transcribed by Councilor Doug DeDe) The Mayor continued noting the manager gets high points for his handling of the waterfront and plans with behind the scenes efforts to bring the children's museum to Dover. He wants to look at the teen center and then listed areas of concern and included business assistance as an area that needs work. They went around the room with each one noting how they had graded the city manager.

Colwell Ellis feels he is lacking in providing complete estimates such as the Back Road situation but he has made good efforts with regards to re-organization. Joyal stated this is an opportunity for him to improve staff effectiveness even though he thinks there are already very professional department heads but there are always areas to improve. He holds them to very high standards and he expects this will continue. There was a comment about disconnect with employees not always being on board with goals below the department head level but he will be working on that. There are times when they will make mistakes, and there are places in the organization where they certainly can make things better and he will be addressing this with his department heads. Also we need to address some areas such as the arena; he is very concerned with this operation. The city manager has challenged the staff to hold the contractors accountable. On the Economic Development front he is working on these areas but there are instances where businesses have left town and we are just becoming aware of this information. This is a long term process; he is making changes to make it more effective.

DeDe stated he has things going on at home at 5:55 pm and left the meeting. Trefethen wants to be kept informed as matters unfold not after the fact. Lewis has a concern with receiving items late. Myers agrees sometimes things are not done in a timely manner but he likes that the city manager is often seeking direction from the council. Keays thinks the manager does a decent job in relaying information and a good job implementing policies. The city manager thinks this is a key goal and agrees with all their comments. Lewis stated he understands policies are a goal to do "X". The city manager expands on the concept of policy. Policy is what they want to do; it is his job to figure how to do it.

Lewis stated Joyal meets the being visible goal and he gives him a big score for patience. Colwell Ellis stated he is accessible to the citizens. Trefethen stated sometimes the city manager is in a no win situation but he does strive to copy them on most correspondence. Joyal stated he tries. When citizens have questions he expects his staff to answer people promptly and politely. He continued he made a statement at the last meeting and he stands behind it. A lot of information has gone out that is not accurately portrayed. He is seeking guidance from the council in this area.

The Mayor mentioned Liberty Mutual and the arena situation saying he hears positive remarks from community leaders. Colwell Ellis added he maintains trust as a community leader and has

**MINUTES  
WORKSHOP  
DOVER CITY COUNCIL  
DECEMBER 21, 2005  
PAGE 3**

worked hard to gain the trust of the council. Trefethen added he is very willing to accept responsibility. Lewis agrees with the others but the one area of strategic leadership is very important and he wants to see improvement on this as we lack the ability to really develop a strategic planning model that takes into account the financial dimensions of the strategic plan. We do have a Master Plan but until that is built there must be some cost alternatives built into this. He added Joyal has a good understanding of city documents.

Joyal stated strategic leadership is getting beyond the perception of being cast in the mold of the former city manager. At that time he was expected to comply with the city manager but he is now making changes. He struggles with some of these issues; the council is the policy setter and he wants to find ways to communicate better with them. He took a significant hit on the right to know issue and there are a lot of issues associated with that but he plans to move past that.

Keays would like to see a more active participation on communication with the people. The city manager would like another evaluation in six months to see how he is doing with the city council expectations.

The Mayor stated there are four statements in the organizational planning & management category: 1. Prepares clear effective understandable, budget, 2. manages the allocation of financial resources 3. Provides an accurate assessment of the fiscal condition of the community, 4. Provides timely information and recommendations in an understandable format.

Keays would like to see the budget broken down so the average citizen can read it. Trefethen agrees with this. Lewis too stated the budget is overly complicated; he wants the audit to be the basis for this. Myers too feels the budget is not an easy document to understand. The city manager stated presentation is most important; it is a complex document as it is what the city manager needs to implement. He is looking to produce a citizen's guide with staff to understand government easier. The council sets policy through adoption of the budget and he needs direction. He recommends that the city wean itself from debt. Also he will be more timely in anticipation of meetings with information distributed for them in the future; he will be hiring a human services director soon so he will be delegating that function to that person also with the hiring of the new city attorney will be taking on responsibilities he is currently doing. Trefethen thinks information should be clarified such as in the decision on employee's salary disclosure. Lewis would like to see more sense of humor with the city manager.

The Mayor stated the city manager sets the standards for the city but it is hard to please all the folks all the time. Trefethen asked him to speak up more loudly in public situations. All of the councilors agreed Mike Joyal has strong convictions committed to moving Dover forward. The city manager stated he sees it as his job to establish values to the staff. The final category is personal development through development and training. Keays stated Joyal always accepted and acted on any suggestions. Joyal stated he confers with other managers on a monthly basis and he has several certifications that he will add to the manager's report.

The Mayor then read Mayor Pro Tem Hindle's evaluation suggestions into the record. (See council folder of 12-21-2005). The Mayor explained he will compile the written evaluations and present one report for them with the individual ratings but will only publish their public comments and he will have it within the next two weeks. He then asked them to email him a simple critique of tonight's meeting; he will then do a summary and this will be helpful going forward. Trefethen agrees adding about alluding to the difficult time in the first six months of the year when we started a search for a city manager and the continual effort by some folks that Joyal stopped the search. It was the council itself that stopped the search. He urged people to get over it and move on.

Lewis says in his life as a teacher he has been through many studies, in terms of this evaluation it has gone quite well. Is this what we want to measure and can we reliably assess these items

**MINUTES  
WORKSHOP  
DOVER CITY COUNCIL  
DECEMBER 21, 2005  
PAGE 4**

on a scale. He proposes that we share our data and then rate the scale. Keays thinks if the people give him a chance he will be a great city manager. The Mayor thinks he already is a great city manager and it is a pleasure to work with Joyal. Joyal thanked all of them for taking the time to give him a midterm evaluation. He wished everyone a Merry Christmas and Happy New Year. Trefethen moved seconded by Colwell Ellis to adjourn with all in favor.

**JUDY GAQUETTE,  
CITY CLERK**

**COUNCILOR DOUG DEDE's TRANSCRIPTION OF ABOVE MINUTES UNTIL HE LEFT  
THE MEETING:**

Amendment to minutes 12/21/05 Meeting from when DeDe is called upon by Mayor Myers to initiate the evaluations.

DeDe: First I've got to make my own comments. We've had a lot of hyperbole about the City Manager's performance evaluation and as you go through the listing (refers to the HANDBOOK FOR EVALUATING THE CITY MANAGER) covered with everyone its obvious to me or at least it is evident to me that going forward with the new council I will seek to introduce a resolution to bring the City Manager's performance valuation to be a performance evaluation and as one looks through the various areas (HANDBOOK FOR EVALUATING THE CITY MANAGER), there's a lot of sugar and spice and everything nice. When it was passed out, it was used by myself to evaluate all of the performance criteria that had been established by this Council in order to judge performance, because that is what this is all about, it's about performance.

Recognizing that it has been a short time there are some items like No. 6, a 3% budget limit for the '07 budget, which has not yet arrived, I did not use it in my calculations.

But what I have done in the packet that was passed to all of the Council tonight, and to the Mayor and the press also has a copy, is an effective rating and, per se

Lewis Interjects: POINT OF ORDER

DeDe: stops talking

Lewis continues speaking, uninterrupted and in a critical manner: I object strenuously and strongly to receiving this kind of three page document at the last minute of a meeting that was well prepared, well planned for in which all of us had received material so I would like to say really to say please take this off the table, it's not fair unless you give us a lot of time, an appropriate amount of time to look at it, and evaluate it before we have to run into it now with your prepared statement with your point of view which I don't accept as a way of having a rational discussion about this kind of issue

DeDe attempts to speak: '...Quite to the contrary, it is rational ...

Lewis continues: well it's ulh, hyperbolic, uhh hyperbole as far as I'm concerned and ... I would like that document rejected

Myers comments: And I had echoed that to councilor DeDe before we started the meeting ...

DeDe now interjects:

**MINUTES  
WORKSHOP  
DOVER CITY COUNCIL  
DECEMBER 21, 2005  
PAGE 5**

Well, I'll tell you what then, you have my packet and you see what my evaluation of the performance is and –

Lewis: (now Shouting) interjects: You'll have your turn to evaluate it just like the rest of us going through the process! You coining in here with an additional piece is unacceptable!

Myers: COUNCILOR LEWIS....

DeDe responds: And I do have my evaluation and my evaluation stands.

Myers: And I understand that, but everybody else did not have it until five minutes before the meeting started ...

DeDe interjects This is the first time we have done one and so..

Myers interjects I understand that, so.. .

DeDe interjects: All these other issues (HANDBOOK FOR EVALUATING THE CITY MANAGER), and the approach that was recommended and adopted, I will seek to have that changed at the next council meeting.. .

Myers interjects: Well I understand that but this is the form that was adopted (HANDBOOK FOR EVALUATING THE CITY MANAGER),

DeDe Interjects I will introduce a motion and these management handbook issues are not the evaluation objectives.. .

Myers interjects:

Well I think if you read the comments in the letter I sent with the packet, I think the two of these can work together.

DeDe Replies I read it.

Myers continues: If you would like to be a part of this this evening.

DeDe states: I've submitted mine.

Judy.. .Also Insert.. .At 5:54 pm,

DeDe states: Your honor (walks to Mayor Myers) here is my evaluation. I have things going on at home and I will not stay for the rest of the meeting and DeDe leaves the meeting.