

**CITY OF DOVER**

## CITY COUNCIL -MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: Wednesday, January 23, 2008  
Meeting Time: **7:00 pm**

1. **MOMENT OF SILENCE**
2. **PLEDGE OF ALLEGIANCE**-Led by Councilor Weston
3. **ROLL CALL**:-Councilors: Callaghan, Cheney, DeDe, McCusker, and Mayor Myers, Councilors: Scott, Trefethen and Weston. Also present were City Manager Joyal and City Attorney Krans and City Clerk Lavertu
4. **PROCLAMATIONS – AWARDS**
5. **SUMMARY OF AGENDA**-Light agenda with 1 Ordinance to be referred to Public Hearing. With Deputy Mayor still undecided Councilor Trefethen will be filling in this rotation

6. **CITIZEN'S FORUM**

*Citizens are invited to speak to items that pertain to the business and/or interests of Dover, NH. Statements shall be limited to five minutes.*

Richard Hughes-51 New Market. Saturday Fosters headline concerned Dover tax cut. Concerned that the right decisions be made fro services,

Ron Hubbard-199 Mast Rd. Article in paper on audit committee. Concerned that ordinance excludes former employees of City, family and those who worked on committees and vendors. Very restrictive. There is not any other committee that restrictive. I did not know if I would apply but now I am disqualified. Mayor advised there will be another opportunity to comment at public hearing on 2/13/08

Bill Garrison-4 West Congress St. Chair of Good for Dover. Invites all citizens to Feb 7th meeting at 6:00 pm in the McConnell Center room 3. Meeting is on Bringing people together and facilitation.

Tom Fargo-Chair Dover Conservation and delegate to the Statehouse. Invites all citizens 2/7/08 meeting at 7:00 pm in Council Chambers regarding RSA 483 Shoreland Protection Act Amendments. Establishes a new permit at the State level. Amendments now apply to the Bellamy River area within 250 feet. Strafford regional Planning, Dept of Environmental Services, and Dover Conservation Commission members can be contacted to learn more

Eric Hughes-26 Hemlock Forest. Energy Advisory Committee –handed out Peak Oil packet which has information with articles and frequently asked questions. There is a DVD available of the workshop that was held in September with Dr. Carroll of UNH as the speaker. Work shop was a success and 50 people attended. This is of interest to our citiznes and there were 3 articles in Fosters last week along with an editorial. Peak Oil supply is usually a bell shaped curve and we are at the peak. Supply in going down and demand is increasing. Prices will only go up with potential for shortages. 7 States last year saw shortages. California supplies vast majority of our food 3000 miles away which requires a lot of fuel.

Marilyn Follansbee-welcomes newcomers. North End Fire Station has been discussed many years. She is glad that it was agreed on and her Councilor voted for it. We as citizens make rushed decisions. We only spent 6 months on the tax cap. Now it is in the Charter and we must live with it. Too bad. The County does not have a tax cap. Mr. Trefethen said something that bothered me. County and State taxes must be paid. I suggest: stop plowing cemetaries, turn off streetlights at 2 am, and stop littering.



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Keep up maintenance. If it is cut back too much then future Councilors will have to pay. I looked at budget and Councilors need to work with City Manager –best for the City and citizens.

Christopher Cheney- 94 Knox Marsh. Street lights need to be reviewed. It is difficult to drive and walk. Serious safety concerns. City sidewalks getting dangerous-some are plowed some are not and some are in disrepair.

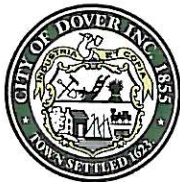
Gary Lynch-Lincoln St. Questions how much money the City is bringing in-States even his accountant can not understand the financial statement. We need an audit and should spend only what we need.

Edward Blier 28 Isaac Circle. Regarding the audit proposal. Councilors are the committee and they are elected to do a job. They should not palm this off. The new Finance Director should have had an audit when he started -he failed his duty.

### 7. PUBLIC HEARINGS -NONE

### 8. CITY MANAGER'S REPORT-

1. Snow removal. Last storm we exceeded the snow budget. Next months City Manager report will have the figures. Managing the budget we will look for savings to cover the overage in snow removal and make the best effort to cover the appropriation however we may have difficulties later in spring.
2. Information sent out on notice from Department of Environmental Services. Gravel operator on Mast Rd has applied for a water removal permit to take water from Bellamy River for bottled water. We have 30 days to review this.
3. Informed today that year end audit is completed. Waiting for Comprehensive Annual report to be produced. Will schedule a work shop for auditor to come to address any questions the Councilors may have.
4. Butterfield building- difficulty with project. Considerable amount of debris and pilings meeting resistance. Company doing hand digging which is expensive and we may have cost issues. There were problems when the State built the Armory in 1930's and City Council chose not to address the problem back then. Cost then was reported at \$3,000 and now is significantly more.
5. Planning Board solicited competitive bids on recreation portion of Master Plan-6 responses. Low bidder is Norm Fracassa, a member of the CWDAC. Was legitimate low bidder but since member of DHA committee wanted to advise council and therefore public so it would be understood that the award of bid was part of a competitive bidding process in which he was low bid.
6. Preliminary numbers for tax cap: December to December equals 4.1% and Calendar year average is 2.8% with an estimated 45 Million dollars for building permit value estimated. Will have a work shop next week to discuss several unresolved issues: which CPI number to use and how county and state school taxes will be split up. This is ultimately a Council decision. Once decision is made recommend establishing the



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policy with an Ordinance. This will help to limit arbitrary changes from year to year as it will be set as City policy. Motion to accept report by DeDe seconded by Weston passes 8/0.

### 9. MINUTES

A. **COUNCIL ORIENTATION-DECEMBER 10, 2007**

B. **COUNCIL ORIENTATION-DECEMBER 17, 2007**

C. **COUNCIL ORGANIZATIONAL MEETING-JANUARY 14, 2008**-motion by Trefethen seconded by Weston. On 1/14 minutes pg 4 insert 'and city clerk'. Cheney would have liked to have seen the 1/7 minutes first however the mayor explained the City Clerks office was tied up with elections. Cheney requested that 1/14 minutes reflect that her initial amendment to have Councilor Keays sworn in was added to by other Councilors to have it be the next day and for the press to attend. Discussion then centered on the adoption of rules at the organizational meetings and whether the 2006-2007 rules were adopted with 1 amendment. Councilors wanted to be clear on whether changes in rules could still occur with simple majority. It was agreed that the minutes would need to be seen. Minutes accepted with changes 8/0.

### 10. MAYOR'S REPORT-Reviewed tentative council schedule

1/30 is a tax cap workshop with a special meeting to refer to CIP to Public Hearing

2/6 is a workshop for review of audit report and updates on CIP

2/13 is public hearing on CIP

2/20 is special meeting on CIP with discussion and adoption

2/20 is a workshop with special meeting on CIP with discussion and adoption

2/27 is a regular meeting

2/2 at 8:30 am is a goal setting session at Mast Rd. facility

2/9 is a facilities tour

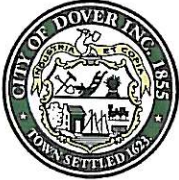
Mayor attended several ribbon cuttings. There will be a county budget public hearing at the County Courthouse. Friday will be attending a mayor roundtable in Concord with 13 Mayors to discuss common issues. Cheney brought up that the Local government Center training is on 2/9 so it was decided to reschedule the Facilities tour. Motion by Trefethen seconded by Cheney to accept report passed 8/0

### 11. UNFINISHED BUSINESS

A. **ORDINANCES IN THE 2<sup>ND</sup> READING - NONE**

B. **ORDINANCES IN THE 3<sup>RD</sup> READING - NONE**

C. **RESOLUTIONS -NONE**



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### 12. New Business:

#### A. CONSENT CALENDAR

##### 1. TAG PERMITS-GIRL SCOUTS OF SWIFT WATER CONCIL TROOP 466

Motion by Trefethen seconded by Cheney passed 8/0 to accept consent calendar

#### COMMITTEE REPORTS

- |                             |                                       |
|-----------------------------|---------------------------------------|
| 1. Appointments Committee   | 6. McConnell Center                   |
| 2. Arena Committee          | 7. Planning Board                     |
| 3. Arts Commission          | 8. Recreation Advisory Board          |
| 4. COAST Bus                | 9. Class VI Roadway Committee         |
| 5. Joint Building Committee | 10. Transportation Advisory Committee |

#### B. RESOLUTIONS

- RESOLUTION RE: VEHICLE REPLACEMENT PROGRAM.** SPONSORED BY MAYOR MYERS BY REQUEST-PULLED FROM AGENDA
- RESOLUTION RE: STATE OF NEW HAMPSHIRE FUELING PROGRAM.** SPONSORED BY MAYOR MYERS BY REQUEST.-The mayor advised that this procedure has been in place for several years. Cheney wanted to know how much was spent and was informed by the City Manger that for ½ of the year 47% of the budgeted amount had been spent. An explanation of the State fuel system and tracking was given. Passed 8/0

#### C. ORDINANCES IN THEIR FIRST READING-

- ORDINANCE RE: CHAPTER 3, ADMINISTRATIVE CODE-CREATING NEW SECTION 3-74,"INDEPENDENT FINANCIAL AUDIT COMMITTEE"**. SPONSORED BY MAYOR MYERS TO BE MOVED TO PUBLIC HEARING ON 2/13

Trefethen moved to Public Hearing seconded by DeDe and passed 8/0.

Cheney made a motion to suspend rules to introduce a resolution Appointments to Woodman Oark School and SAU Joint Building committee seconded by DeDe. Cheney nominates Councilor Weston for the Joint Building Committee so that the City Council is fully represented. Trefethen brought up that at the last meeting the Mayor was going to check with the School Board to if they were changing the makeup up of the Board. Mayor realyed that he did check and they would match the City Council. It was asked of Councilor Cheney if the City Attorney had approved this resolution and she stated that she used the same format as before. It was asked by the Mayor if there could be any liability if the JBC made a decision and the City Attorney had not approved this



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resolution and it was decided that the City Attorney would review this resolution before the next JBC meeting on 2/7. Passed on roll call vote 8/0.

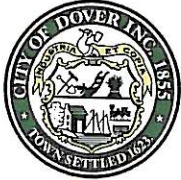
DeDe made a motion to suspend rules to introduce a resolution City of Dover, New Hampshire Urging Our Delegation To Oppose HB1344, H1364 and HB1515 seconded by Trefethen. Passed on roll call vote 8/0. There were 3 bills that were particularly troublesome. HB 1344 mandates binding arbitration for union contracts. This gives considerable power to unions. HB1364 allows groups of less than 10 to form a bargaining unit. This House bill came close to passing last year. DeDE requested that this information be passed along to other mayors and that the Council votes to take a position. The Mayor asked if the City Attorney had seen this resolution and he had. Scott supported this resolution. Callaghan had questions concerning any amendments that may become attached to the bills. If the position is on how it is currently written or amended. The mayor stated that the position is as it stands today. If amendments alter these bills the Councilor DeDe can report back to see if opinion changes. Callaghan asked if the wording should be changed to read as bill written today. The Mayor stated that it can be a convoluted process and timeliness can be lost. Trefethen stated he will support this and it would require a huge change for opinion to change. Passed 8/0.

### D. COUNCIL CORRESPONDENCE

13. Council Matters of Interest-Callaghan gave information on the last School Board meeting. School Board approved full time kindergarten pending funding. Custodial contract pulled back pending further discussion. Science curriculum approved pending funding. Tax cap and how it affect School Board budget discussed because of unknowns. Superintendent stressed that he needs tax cap information spelled out. The Mayor replied that the work shop will address this and then an Ordinance should be passed to have it in the City books.

Trefethen asked for Council support asking Wentworth Douglas hospital to pay in lieu of taxes. Mayor asked if that is because we supply services such as plowing and emergency services for County and hospitals and the answer was yes. Mayor asked for consensus to approach County and Hospital and it was agreed.

Cheney asked for procedure on appointment sign up for pending committee votes. Mayor replied that the audit committee is going to Public Hearing 2/13. The parking Committee will be on 2/13 agenda and does not need Public Hearing. The Parking Committee will be created for a specific purpose with appointments subject to Council approval. Citizens interested in serving on any committee should complete application in City Clerks office. The application stays on file for 1 year.



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Weston thanked the Superintendent for a tour of the schools and his educating the Council on budget and maintenance. It was also asked if the Council could have copies of Robert Rules book.

Cheney also has an issue with the new email system because it can not be set up to forward to a personal email address. City Manager advised that IT stated it is a function not allowed by the current software however Microsoft was being contacted to seek a work around solution. Cheney and Callaghan both expressed concern with not being able to back up, send batches and print. City Manager advised that the system does provide back-up and archiving however printing is done through local machine

14. **ADJOURN**-motion by Trefethen Seconded by Weston to adjourn passed 8/0.