

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE –led by Councilor Weston

3. ROLL CALL –Present Councilors: Callaghan, Cheney, DeDe, McCusker, And Mayor Myers, Councilors: Scott, Trefethen and Weston. Also present were City Manager Joyal, City Attorney Krans and City Clerk Lavertu

4. PROCLAMATIONS – AWARDS -NONE

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.

Christy Thomas-9 Ironwood Drive- Some Councilors have stated that they would not consider overriding the tax cap. This should be based on the needs of the City. Only 21% of the citizens voted and 16% voted against. This is not a landslide. The cuts mentioned by the School are disturbing and the cuts from the City will be even worse.

Ed Bliel-Isaac Lucas Circle-Came back because of the stunt 4 of you pulled. Mayor states he is a consensus builder-some consensus. I suggest 2.7 number be used. As a builder the City has choices on how to build me for perpetuity. Pick a figure and stick with it. If the December to December number is used then some year it might be zero. It is the job of the City council to do this. Give the figure to the City Manager and have him come back with money to be spent then work on the CIP. Tolend Rd needs to be done. Doug Steele needs money for streets. Consider cutting the horses, Community Services extra help; School could eliminate some extra management (not teachers). Don’t consider CIP until you know how much money you have. Myers reminded everyone that there will be a public hearing on tax cap.

Don Medbury-3 Coverbridge- Difficult job and decisions. Make sure we pay off credit card before we make any other promises and incur more debt.

_____ -attended Planning Board meeting and it was discussed that you need to make improvements. CIP is tied to master plan. We need to survive as a community

Glen Grasso- 1 Pebblewood- Chair of TAC. EJ and I agree (rare day). Roads are in terrible shape. Patching only lasts short time. I encourage voting for all street repairs.

Joyce-----Support for 12B-leverage is a good opportunity.

7. PUBLIC HEARINGS –only 1 Public Hearing tonight. Follow-up of Council workshop to clarify unclear language and put it into resolution form.

A. RESOLUTION RE: NONE

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

SPONSORED BY MAYOR MYERS

Ron Hubble-199 Ash-Tax cap discusses 2 different figures. Social Security and military went up 2.3%. 2.8% is 0.5% more then they got and is sufficient and best way to go. Ballot did not identify whether County and State tax included. Watched School Board meeting and City Council would probably cut any way.

Don Medbury-3 CoverBridge –Budget limitation amendment does not include language to include County taxes. City Council has no governance over County/State taxes and City acts as a collector of taxes.

John O’Connor-Superintendent of Schools- I have had no opportunity to discuss with the City Attorney however I propose some language changes. Language on ballot was vague.

D. word may indicates choice- amendment does not give that ability

G. Appropriation is submitted by School Department. The way it appears now it sounds as if City Manager could change school budget. – not allowed by law.

H. Comes from DRA

- I. On 3/15 the School Board budget goes to the City Manager. The School Board should have the ability to adjust budget based on final numbers.

Carol Mebert-254 Dover point Rd and School Board member. Once again- 4.1 is more reasonable figure to use. It's a reflection of what is happening in economy and gives us more flexibility. From 1977-1987 December – December would have been the better number.

Joyce Alcarie-This was a charter amendment. Can you tweak this or does it go back to voters-maybe need a legal opinion.

Carol Mebert- wants to clarify what was meant by better number-it was the lower figure-fewer tax dollars. (as Mebert began to speak Myers stated that he will only allow 30 seconds)

Glen Grasso-Question came up about Statute suggesting that you can't tweak this and that is incorrect. With no ill will to Dr. Oconnor and Dr. Mebert how does this work in worse case scenario? I am not speaking in official capacity. What does budgeting to rule mean? Public service has propensity to take from own pockets and do more with less. I encourage this Council to work to rule. See how people like pot holes and decreases in services. Take as low a figure as possible and see its effects. After a few years residents won't tolerate this.

Brett Schuman-Cushing St and member of School Board-here as a resident. Disappointed with follow-through Councilors who sponsored this and their absence. They will find a way to blame the City Manager. Would like to see the December to December number as it is a better predictor. The School and City budget will not be fun and we need the true cost of tax cap.

Jerry Lynch-Lincoln St.-I wasn't going to speak. With the tax cap we can get things under control. We are heading in the wrong direction and I would like to see a computer model.

8. CITY MANAGER'S REPORT

This report shows legal services. McCusker brought up an email correspondence that had gone out to all of the council. Based on orientation he thought there was a risk of it being construed as a meeting with council Ccd on it and the City Manager had warned of this. He requested input from City Manager. Joyal replied that an email was sent out with a proposal attached to all. His interpretation of intent was in was not intended to by pass the public meeting requirement however need to be careful when communicating with a quorum, Cautioned the Council because this was early in the term. To engender public trust this needs to be brought up publicly. The Mayor responded that other new business or Council matters of interest are good areas to bring this type of correspondence forward.

9. MINUTES

- A. MINUTES FROM – FEBRUARY 2,2008
- B. MINUTES FROM – FEBRUARY 6,2008
- C. MINUTES FROM-- FEBRUARY 11,2008
- D. MINUTES FROM- FEBRUARY 13,2008
- E. MINUTES FROM- JANUARY 30,2008

10. MAYOR'S REPORT

Myers stated that with acceptance of this report is appointment of DeDe to the McConnell Center Board. He was backing away from that however no one else stepped up. Callaghan stated he had no objections however wanted the language to be nominates and board accepts which was agreed to. Myers then discussed being elected to serve on the NH Municipal government to work on various committees. He had a meeting with Wentworth Douglas Hospital recently based on a request by Trefethen to look into in lieu of taxes. Kick off Dover reads occurred and the book is based on the Tuttle farm. Cheney and Joyal also in attendance. DBIDA adopted action plan. Dover High School had an inspection and drill review which was also attended by Cheney. The parking resolution will require 2 at large members of the public. Please contact Mayor, Councilors or City Manager if interested. The Cable Committee if passed also needs public participation.

11. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2ND READING

1. ORDINANCE RE: TAX CAP BUDGET ORDINANCE.

SPONSORED BY MAYOR MYERS

Clearing up ambiguous language so that School Board and City Manager can move forward with budget. **Trefethen offered amendment to make changes as suggested by Oconnor without J seconded by DeDe.** Clear that this language is more precise.

Weston stated that she would like to see I changes as ordinance 9-1 states School Board shall submit....

DeDe asked the procedural question if changes could be made without another public hearing. Mayor answered that if the changes were substantive would need another hearing however not for minor language changes. He then asked Krans to see if anything legal jumped out with these proposed language changes. Krans replied that Weston is correct with I. D and J address same issue. When School Board submits budget in mid March the construction number is not available from tax Assessor until April or May. Does the use of May or shall and the distinction should be made. J is spending money which is entirely different and may violate amendment. There is a requirement to submit budget within the specified time frame and j allows submission that is not within that limitation. G speaks to the City Manager and Finance Director. City Manager has an independent duty to submit budget within the amendment. For School Board to submit a budget over forces that City Manager to violate charter. H would not be recommended as there is no published school levy just the tax rate is published. To change the wording does not make sense. A blanket approval of changes is worrisome. Myers requested additional clarification on the second part of G. Krans went on that is speaks to same issue and forces City Manager to violate amendment. G speaks to the duty of City Manager and responsibility of Finance Director. If the Superintendents words were substituted there is a risk of violation of charter. Weston questioned if the School Board budget is submitted early and the amounts change why cant the School Board increase spending? Krans replied that he was not as worried about that aspect. The City Manager explained that there are 2 steps to the budget process. The City Manager brings budget to City Council and this budget includes the school portion. The City Council chooses whether to adopt the budget. There are time limitations when the City Manager has to have this done by. The City Manager went on to explain that the City Council as part of the deliberations could increase the presented budget. The 4/15 presented budget is the default budget if a budget is not adopted. Trefethen brought up discrepancies in the language of the ballot question. If School Department were to submit a budget greater than tax levy and CPI then they are in violation of Charter. Tax amendment states School Board cannot exceed tax rate-419.46 =CPI if you read words literally. It means tax levy.

Cheney stated that section G does not belong. Discussion continued about language issues. **Trefethen withdrew amendment.**

DeDe asked if the City Attorney agrees with some of the changes. Callaghan then asked the City Manager what he thought it should be. Joyal responded that the City Charter was amended by the voters and we have an obligation to live up to it. Need to go back to intent presented to voters. It was stated many times that is should reflect what has happened in Laconia. Questions were answered at numerous meetings and the exploitation was based on our understanding of Laconia. Voters voted based on Laconia model. In Laconia the Council left it to the City Manager to fill in the grey areas. This is not palpable in Dover. The method should be clear, consistent and lasting. The intent of voters needs to be followed. This Ordinance addresses the grey areas. The School board is expected to provide a budget that follows limitations. Myers stated that the document was built with issues discussed at our workshop. Callaghan asked the City Manager if he would have a problem with 4.1% and County/State excluded. Joyal responded there was no debate whether County was included. It was presented in forums, video, handouts and the model of Laconia. In terms of the issue of percentage-pick 1 and stick with it.

Cheney remarked that the School Board brings us the budget –they are autonomous. Not all of the voters saw the material, they saw the ballot. Joyal explained that c6-3 and Chapter 9 address the budget functions. City Manger shall submit the budget and education is a function of the City. The funds of the School Board come under the City. The City of Dover as a corporation includes City departments and the school (which is controlled by an elected Board). They can only function with funds provided by the Council.

Myers asked the City Manager if the County tax is treated as a City expense. Motion to table by McCusker seconded by Scott passes 6/2 with Myers and DeDe opposed.

B. ORDINANCES IN THE 3RD READING-NONE

C. RESOLUTIONS-NONE

12. NEW BUSINESS Moved to accept by DeDe seconded By Cheney8/0

A. CONSENT CALENDAR

1. TAG PERMIT –DOVER BASEBALL
2. RAFFLE-ST THOMAS AQUINAS HIGH SCHOOL

3. RAFFLE –MAINE COAST RUNNERS FLYBALL TEAM
4. RESOLUTION RE:CHARLES D. AND ZENA L. BOULANGER
SCHOLARSHIP FUND
SPONSORED BY MAYOR MYERS BY REQUEST

COMMITTEE REPORTS Appointments committee-2 members to DBIDA: Maria Sawyer and Mark Weinstein. James Kelley to ZBA as regular Kim Shuman to Arts. Reappoint Lauren Hughes to Ethics. Passes 8/0.

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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 | |

B. RESOLUTIONS

- 1. RESOLUTION RE: ADOPTION OF COUNCIL OBJECTIVES AND GOALS.**
SPONSORED BY MAYOR MYERS Motion to table by trefethen seconded by DeDe passes 8/0
- 2. RESOLUTION RE: AUTHORIZATION OF EXPENDITURE OF CONSERVATION FUNDS BY CITY OF DOVER CONSERVATION COMMISSION**
SPONSORED BY MAYOR MYERS
- 3. RESOLUTION RE: PURCHASE OF EASEMENTS FOR B08042 LONG HILL ROAD/NH108 SIGNALIZATION AND 108 NEW ROCHESTER ROAD SIDEWALKS.**
SPONSORED BY MAYOR MYERS BY REQUEST
- 4. RESOLUTION RE: B08042 LONG HILL /NH 108 SIGNALIZATION AND 108 NEW ROCHESTER ROAD SIDEWALKS-GOVE CONSTRUCTION**
SPONSORED BY MAYOR MYERS BY REQUEST
- 5. RESOLUTION RE: CREATION OF AD HOC CABLE ACCESS COMMITTEE**
SPONSORED BY MAYOR MYERS motion to amend by Callaghan seconded by Scott that this becomes an appointments Committee recommendation. 5/3 with Myers, DeDe and McCusker opposed. Passed as amended 8/0

C. ORDINANCES IN 1ST READING-NONE

D. COUNCIL CORRESPONDENCE

13. COUNCIL MATTERS OF INTEREST

14. ADJOURN