

MINUTES

2005 DOVER CHARTER COMMISSION

APRIL 19, 2005 (5:00 - 6:50 P.M.)

CITY COUNCIL CHAMBERS

Moment of Silence

Pledge of Allegiance

Roll Call; Approval of Agenda

Commissioners Present: Chairman Allan Krans, Vice Chair Phyllis Woods, David Landry, Chuck Mone, David Bibber and Wil Boc.

Commissioners Absent: Charles Reynolds, Gary Gilmore and Tom Dunnington

Boc moved to approve the agenda, seconded by Mone. Motion passed on a 6-0 vote.

Approval of Minutes - **NONE**

5. Discussion: Mike Joyal and Jeff Harrington

- * Long term debt/borrowing procedure
- * Finance Director reporting directly to Council
- * Finance Committee of private citizens
- * "Blue Book" audit
- * Purchasing policies

Acting City Manager Mike Joyal began by thanking the members for serving on the Commission.

Boc appreciates Joyal attending all of the meetings and asked how he feels the commission is doing so far and is there anything he would like to see addressed that hasn't been.

Joyal stated that there are some proposals coming forth that are fine, but he has reservations with 2 specific proposals. 1st regarding the City Attorney issue, if the amendment is done that requires the attorney to report to the Council he feels it will cause unnecessary bureaucracy and inefficiencies within the government. He explained various scenarios and duties of the City Attorney and stated that if the hiring of a new City Attorney is confirmed by the Council, then that would be fine.

Woods stated she is aware that in other City Charters the Council does appoint various positions such as the Attorney, City Clerk, Finance Director because people are concerned that the power/authority be given to the Council and asked if Joyal is opposed to that.

Joyal stated that the City Manager form of government is meant to have the City Manager be the only employee who is held accountable to the Council and doesn't agree that there are any cities in New Hampshire that have that type of system. Regarding the auditing issue, the City does have a full time auditing firm who reports yearly to the Council.

Discussion again ensued regarding various options for hiring attorneys, contracted, part-time, full time etc and the duties involved.

Woods clarified the Charter she was referring to was Keene and read the clause which referred to a City Treasurer.

Joyal clarified that a City Treasurer is not the same as a Finance Director and although our Finance Director is our City Treasurer, there is a difference.

Krans asked about the motion to change the default budget.

Joyal would want them to consider it differently and recognize that there are certain obligations that must be met including debt service, contracts and vendors etc. so the default should allow for those incremental increases. He also would want them to reconsider the motion to have a 2/3 majority over a certain amount. It is already the Council's responsibility to set fiscal policy and every expenditure over \$25,000 goes before the Council for approval.

Landry asked if there is an arbitration service available through the Municipal Assoc.

Joyal stated that labor arbitration is handled through the State.

Landry wonders if a mandatory 30 day arbitration period would be a way to handle a default situation.

Joyal would rather not have them approach the City Council/City Manager form of government as if there is going to be conflict.

Landry stated that his suggestion was that mediation/arbitration would protect the people of Dover from what may be going on and would be a quick means to an end.

Bibber stated it takes the courage of the Council to adopt a budget and doesn't want a stranger coming in to mediate. Over the years he feels that society has become too emotional and stated that as a former department head the Council would decide on the budget and the department heads would make due because that is their job.

Woods referred to some of the additional issues on the list for discussion including the formation of a Finance Committee consisting of private citizens.

Joyal explained that the Council already has the authority to form subcommittees and can appoint citizens as they see fit and doesn't understand why it would need to be added to the Charter..

Woods clarified that it is not the intention to have the Finance Committee be a Council subcommittee and stated that there are other things being considered by the Commission that the Council can do, but don't choose to do including training for Councilors.

Joyal stated that previously there were staggered terms, which was supposed to address the concern of

institutional knowledge.

Krans explained that the training motion is meant to be accelerated training to bring people up to speed early on in the process.

Joyal stated that is fine, but they have to put some teeth into it. Training has been provided over the years but it is difficult to make people show up.

Boc explained that as a former Mayor/Councilor he found the training to be available if people wanted it via tours of facilities, meeting with departments heads etc. and doesn't necessarily feel this needs to be in the Charter.

Next he addressed the Finance Advisory committee issue stating that this is more applicable to non city manager forms of government. He explained that there have been various outside financial advice over the years including the Bennett report which cost \$25,000 to have done and then none of the recommendations were followed because they would have cost more money. He stated that we have lost track of what powers the city council already had that they just need to implement.

Krans acknowledged that institutional knowledge can come from all different sources including staff, former councilors etc and wants a way to ensure that it is passed along.

Mone asked what would happen if they did put in a 60 day time frame for adopting the Merit Plan and budget.

Joyal stated these are 2 separate issues; if the budget isn't adopted it can cause a concern with financial backers. The Merit Plan is an administrative plan which covers only 12 employees with collective bargaining units covering the rest and clarified that the Merit Plan is a collection of policies and does not include wage structures and classifications.

Woods next addressed the "blue book" audit issue.

Joyal stated that this issue has confused him because we do contract with an independent agency who digs into the records and reports of the city to document the city's financial conditions. He does not know what a "blue book" audit is and clarified that a municipality is not a business. Our auditors probe into our internal controls and processes every year and ensure we do what is required by statute.

Finance Director Jeff Harrington then addressed the commission and explained the auditing process, purchasing policy and debt finance levels.

The Commission thanked Mr. Joyal and Mr. Harrington for attending.

6. Question: What specific motions need to be redrafted?

7. Discussion: Procedure for redrafting motions:

Step #1: Identify the specific motions that need to be redrafted

Step #2: Identify the specific areas on specific motions that need to be redrafted

Step #3: Submit specific written proposals for actual redrafts of specific areas

of specific motions

Krans stated that the process seems to work better when motions are submitted in writing prior to meetings and would prefer to continue with that, although he understands that this is not always possible.

8. New/Old Business

The upcoming schedule was discussed.

Adjourn

Mone moved to adjourn at 6:38 p.m., seconded by Boc and passed on a 6-0 vote.

Respectfully submitted,

Valerie A. French

Recording Secretary

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