

## MINUTES

### 2005 DOVER CHARTER COMMISSION

FEBRUARY 14, 2005

CITY HALL AUDITORIUM

6:00 P.M.

Chairman Allan Krans opened the meeting.

1. Moment of Silence
2. Pledge of Allegiance
3. Roll Call

Members Present: Allan Krans, Phyllis Woods, David Landry, Chuck Mone, Charles Reynolds, Tom Dunnington, Wil Boc, David Bibber. Gary Gilmore arrived at 6:40 p.m.

4. Public Hearing

Chairman Krans reviewed the timetable that the Commission is working under per State RSA with the first report due by mid-July, the final report due by the end of August and any recommended changes to the Charter to appear on the November 8, 2005 Municipal ballot.

He has included on the back of the agenda a copy of the City of Manchester Charter question and explained that this demonstrates how the question will appear on the Dover Municipal ballot. The question "Shall the municipality approve the charter revision recommended by the charter commission"? is a yes or no vote. The summary of suggested revisions are all listed and may encompass a variety of subjects, but there is only one question to vote on.

He further explained that in the past Dover has used the "amendment procedure" which did not have a Charter Commission, and therefore, the questions were separate.

He asked that all speakers sign in and if possible, submit their comments to the Commission in writing. There is a 5 minute time limit according to the Commission rules. He explained that they welcome all public input at the meetings, or citizens may contact them via e-mail through the city website, letters addressed to the Commission via the City Clerk's Office, or individually by phone. Minutes will be posted on the City website and as many meetings as possible will be televised.

He opened the public hearing and asked that anyone speaking should be a Dover resident, property owner or business owner in the City of Dover. He would like all comments directed to the Chair and explained that commissioners may ask questions of the speaker for clarification.

**Ron Huml, 99 Mast Road**, would like the Commission to have 2 alternate members so that there will always be a full quorum. He would also like the rules revised to allow for a simple majority vote instead of the super majority. He discussed COLA and long term debt. Lastly, he

discussed the School budget stating he would like to see it presented in two sections; the amount needed to provide "adequate" education and then everything else. He stated that when the State came through with the education property tax it was to provide "adequate" education, but doesn't know what that is because no one will tell him what that is.

**David Scott, 220 Back Road**, would also like the rules to include a simple majority because he feels that a super majority will block changes. He would like a preamble added to the charter establishing a bill of rights. Secondly, he would like to see a 4 year term of office for continuity with elections held every two years for ½ of the wards. Finally, accountability of those on public payrolls as the citizens have a right to know how much is being spent. He is requesting the gross pay of all employees for 2004 as soon as possible.

**John Scruton, 99 Sixth Street**, stated his taxes have doubled in the last 4 years and feels that there has been complete indifference and that we rely too much on taxes in this City. He stated that the Council has to deal with employee contracts every 2-3 years and feels that it is time to draw the line and consider a property tax cap. He would like the voters to be able to vote on the budget and referred to Section C6-15, Debt Limit. He would like to see the City attorney and Finance Director hired by the City Council and answer to the City Council to eliminate any potential conflict of interest. Finally, he would like the City Council to have line item authority.

**Richard Dolbec, 480 Sixth Street**, would like the School Board compensation reviewed as they work very long hours especially during budget time. Secondly, he referred to Article II, Elections stating that we may want to consider looking at the City of Portsmouth because they elect all Councilors at-large. The "Mayor Pro Tem" he would like to see changed to Deputy Mayor or Vice Mayor because many people don't know the term "Mayor Pro Tem". He would like to see the Mayor Pro Tem be determined by the most votes as opposed to chosen by the Council. He also agrees that the City Attorney should report to the City Council as well as the Financial Manager because we don't have a Finance committee. He concluded by stating that a good City Manager is critical to the operations of the City as long as they have the good of the citizens at heart. He also likes the previously suggested bill of rights preamble and also suggested a paragraph be added that allows recall.

**Ron Huml**, 2<sup>nd</sup> time – stated he also would recommend a Finance Committee formed of people with financial backgrounds who can report to the Council as some of them may not have financial backgrounds.

**Don Medbury, Covered Bridge Lane**, supports all suggestions stated so far. He discussed the assessment/appraisal process in the City and feels that there are great disparities and would like to see a professional appraisal service hired to do the appraisals. He supports changing the rules to a simple majority to reflect the will of the taxpayers. He would like complete disclosure of contracts, bids and cost overages. He concluded by discussing the abatement process which he has just gone through and appealed.

Marilyn Follansbee, 25 Dover Pt. Rd., agrees with most everything said so far including changing the rules to simple majority and 4 year Council terms. She feels strongly that the City Council needs to know as much as the City Manager and have access to the same information and that any money spent by the City should be approved by the City Council. She asked that the people at home watching let the Commission know how they feel.

**David Scott**, 2<sup>nd</sup> time – discussed the bonding issue and reviewed the history of the debt liability.

Krans asked Mr. Scott if he has looked at the debt liabilities of surrounding communities for comparison.

Mr. Scott stated no, but he feels it is important to understand that it is the same mentality as using a credit card and shifts the debt to our future generations to pay for.

**Don Medbury**, 2<sup>nd</sup> time – urged the people at home to go to the Assessor's office and ask for an abatement form and offered his assistance in the process.

**Bob Marston, Katie Lane**, discussed Article I, Section C1-3, Boundaries of Wards, stating that every ten years we are required per State RSA to review and adjust the ward boundaries to reflect the census and suggested that actual delineation of the boundaries be removed from the Charter and only the process be stated. He stated he doesn't know what would happen if the ward boundaries got voted down since they are required to be adjusted per the census.

**Nick Skaltsis, 6 Erik Drive**, reviewed his long history of volunteering for the city. He doesn't support the current form of government although he does support the City Manager form of government. He believes that official authority belongs with the City Council and feels that there has been confusion in the past five years as to who has line item authority of the budget, as it was different for 2002, 2003 and 2004. The confusion has to end and the taxpayers need to have accountability as to who is taking money out of their pockets. He discussed the previous discussion regarding tax assessments, etc belongs with the City Council and not with the Charter Commission. He feels the day to day running of the city belongs with the administration, but fiscal authority belongs with the Council. Next, he addressed the idea of School autonomy stating that this is regulated through RSA and the Charter Commission doesn't have the authority to change this.

He would like to see School Board members elected at-large as the school board members treat each school the same regardless of what ward it is in. There have been times when there were no candidates in certain wards and several in other wards. He also would like to see the section regarding organizational meeting changed to allow for an educational period between the time people are elected to the inauguration as there is a lot of time being wasted. He discussed the budget process of the School Board which requires them to submit a budget to the Council by March 15<sup>th</sup>, but the Council doesn't vote on it until June and it is only on the bottom line.

He explained that by State RSA the School Department must hire/fire for the following school year by April 15<sup>th</sup>, which is not plausible when the budget hasn't been set.

He suggests allowing the budget to be presented by March 15<sup>th</sup> and the Council to vote on it separately by April 15<sup>th</sup> so that it is a fiscal decision and not political.

Boc addressed comments regarding strengthening the Council's fiscal authority and stated that there have been past Councils who have been able to keep the tax increases down. He asked if there is any language out there outlining line item authority.

Skaltsis replied that there are many municipal law books out there that have been written by experts on the subject that could be used as references.

Woods asked if there is anything in the current Charter that prevents meeting prior to the organizational meeting. Skaltsis referred to Section C3-2.

**Don Medbury**, 3<sup>rd</sup> time, disagrees that the assessment and contract issues don't belong with the Charter Commission.

**Jason Hindle, 84 Silver Street, Apt. H**, suggests inviting the Mayor or City Clerk of Portsmouth to discuss their at-large system of Councilors. Currently if we have a vacancy, we have to hold a special election, or if it is within a year of an election, the Council selects the replacement. In the past, he felt uncomfortable as a Ward 5 Councilor choosing someone to represent Ward 2. The City of Portsmouth has not held a special election to fill vacancies because they offer the position to the next highest vote getter on the ballot of at-large candidates.

He would also like to see the top vote getter be the Mayor Pro Tem if a separate Mayor election is held and then fill the Mayor or Mayor Pro Tem vacancy again with the next top vote getters.

Secondly, he would like the salaries of both the Council and School board to be the same. The School Board receives less than the Council and they serve many more hours during budget season.

Krans asked if Hindle thinks putting a revision on the list that changes salaries would affect the whole package.

Hindle doesn't know, but feels that the salaries should be equal.

Boc stated that someone on the Council and/or School Board usually makes a motion during budget time to forgo the salary but are always told they can't because it is in the Charter and feels that it is a token amount and people don't serve for the money.

Hindle suggested that the Councilors/School Board members could get paid by the meeting as they do in Keene.

Woods asked for clarification if Hindle wants to have the Mayor run separately from the rest of the at-large candidates.

Hindle stated it could be either way, but when people elect the Mayor separately they feel they are selecting the figure head of the City,

**Dick Dolbec**, 2<sup>nd</sup> time, likes the all at-large idea, but would want the Mayor elected separately. In regards to the salary being a "token" amount, he feels that is a personal issue. He also likes the idea of being paid by the meetings attended. Finally, he would like to see an outside auditor report of the City every year.

Mr. Scott, 3<sup>rd</sup> time, agrees with the outside audit report. He feels that the current system is a

compilation only and feels that a "blue book" audit should be done which probes purchase orders and ensures accepting accounting procedures are being followed.

Seeing no one else wishing to speak, Chairman Krans closed the public hearing.

5 minute recess/reconvened.

#### 5. Old/New Business

Reynolds discussed several items in the recently adopted rules and regulations that have not been updated that are clear outlined in the minutes of the organizational meeting and asked that these be corrected.

Discussion ensued regarding minutes of the meetings and how much detail should be included. The minutes of 02/01/05 and 02/14/05 will be approved at the 02/17/05 meeting.

Krans reviewed the draft agenda for 02/17/05 and asked for comments.

Woods asked if reviewing Articles I – IV was too aggressive.

Krans explained that he would rather have too much on the agenda to fill the 3 hours than not enough. He asked Commissioners to submit their motions to him in writing ASAP for inclusion on the agenda. Scheduling of future meetings will also be addressed at the 02/17/05 meeting.

#### 6. Adjournment

Reynolds moved to adjourn, seconded and passed unanimously.

Respectfully submitted,

Valerie A. French

Recording Secretary

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