



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Wednesday, July 22, 2009**
Meeting Time: **7:00pm**

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

Councilor Weston led the Pledge of Allegiance.

3. ROLL CALL

Present: Mayor Myers, Deputy Mayor Trefethen, Councilors Callaghan, Carrier, Cheney, DeDe, Scott and Weston. Councilor McCusker arrived at 7:03 pm.

Also Present: City Manager Joyal, City Attorney Krans and City Clerk Lavertu.

4. PROCLAMATIONS – None

5. APPROVAL OF AGENDA

Councilor Weston asked to add a new Resolution under Item 12, New Business, regarding a Charter Amendment, and refer it to a public hearing on August 12, 2009; seconded by Councilor Scott.

Councilor Weston said she felt with the time constraints that she had to bring up this Resolution in this manner.

Deputy Mayor Trefethen said he didn't feel this Resolution should be rushed, because the wording is inaccurate and misleading. He said there is a process for this procedure. He said the last time a Resolution was passed too quickly, the Council spent many meetings trying to correct it.

Councilor DeDe said he was in agreement with Deputy Mayor Trefethen. He said he read the New Hampshire RSAs on the process, and several things need to be worked out. He said he didn't have a problem with the Resolution once it has been vetted and discussed as a Council. He said he wasn't in favor of adding it to the Agenda.

Councilor Cheney said she felt it should be placed on the ballot for the voters to decide, and the Attorney General's office will review this.

Councilor Scott said this was an opportunity to open up the way the City works. He said he has heard from many people that the City seems to be closing in, and there was not enough public participation. He said this Resolution will let the citizens feel that they have a voice. He said there is a time issue, because it has to be completed by early September.

Councilor Weston said she had reviewed the RSAs with the City Attorney, and the format is according to State laws. She said City Attorney Krans did approve and sign this Resolution for legal form.

Mayor Myers said this was a proposed Charter Amendment that the public has not been notified of. He said the Deputy Mayor has a problem with the wording of the Resolution. He said the Tax Cap Charter Amendment was approved by the Attorney General's office, and the Council spent several meetings going over the ambiguity and the poor wording of the amendment. He said he was not against putting anything to the voters. He said the Council could have a workshop and special meetings to get this completed in the timeframe. He said if this is accepted to go to public hearing, the wording stays as is, and the Council doesn't have an



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opportunity to clean up the language. He said he wasn't comfortable with putting this Resolution on the Agenda, even if it is just to refer to public hearing.

Councilor McCusker asked for a workshop on this Charter Amendment Resolution. He said it wasn't that he disagreed with the idea, but he wanted to learn more about it. He asked for an explanation on the process.

Mayor Myers said it would be posted to a public hearing, the public would be able to talk about it early on in the meeting, and the Council would discuss it later on in the Agenda and move it to the ballot as a Charter question. He said minor changes could be made, but any substantive changes would need to be reposted for another public hearing.

Councilor McCusker said it would be more efficient to have a workshop, put it together, and then put it forward to the public. He asked if Councilor Scott's comment about the time constraints was accurate.

Mayor Myers said the Council could have a special meeting.

Deputy Mayor Trefethen said a workshop would be very useful, and he would be agreeable to have a special meeting after the workshop or have a public hearing at the second regular meeting of the month. He said he had an issue with the language, and he felt it was substantial.

Mayor Myers said if it doesn't make the Agenda tonight, he would recommend it go on the Agenda for the July 29th Workshop.

Vote: 4/5; Failed. Councilors Callaghan, Cheney, Scott, and Weston voted in favor.

Councilor DeDe made a motion to accept the Agenda; seconded by Deputy Mayor Trefethen and Councilor McCusker.

Vote: 9/0.

6. CITIZEN'S FORUM

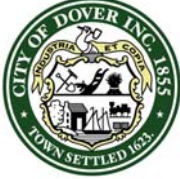
Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.

Councilor Scott made a motion to suspend the Council rules to have a non-resident guest speak for three minutes; seconded by Councilor Callaghan.

Roll Call Vote: 4/5; Failed. Councilors Callaghan, Cheney, Scott, and Weston voted in favor.

Harvey J. Lynch, 26B Lincoln Street: He said the Council was being unfair to the gentleman who came to speak to the Council. He asked again about the tree and bench that were removed. He asked if it was a favor done for the owner. He asked if other owners could extend their businesses to the curb in the same way. He said he will keep bringing this issue up until he gets an answer. He said it will be election time soon. He said he was sure with all the things that weren't done before that, the Councilors will be out making promises that can't be kept.

Kirt Schuman, 30 Cushing Street, Executive Director for the Dover Chamber of Commerce, and the Past Chair for the Parking Facility Ad-Hoc Finance Committee: He spoke about the Resolution on the Pay and Display Parking Meters. He said the Chamber of Commerce has been a steadfast advocate of a long term and comprehensive solution to the City's parking management system. He said they endorse and support the recommendations



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made by the Parking Facility Ad-Hoc Finance Committee. He urged the Council to approve the Resolution.

Mayor Myers, seeing no one else wishing to speak, closed the Citizens Forum.

7. PUBLIC HEARINGS – None

8. CITY MANAGER'S REPORT

City Manager Joyal said he would like to have Economic Development Director Dan Barufaldi, on behalf of the Dover Business and Industrial Development Authority (DBIDA), give the Council an update on the activities of DBIDA, and what he has done as the Economic Development Director.

Mr. Barufaldi said he has been with the City for 20 weeks. He said in that time they began by setting out the day-to-day management and administration guidelines between the DBIDA board and the City Manager. He said he reports to the City Manager much like a department on day-to-day management. He will be speaking to the Council on a quarterly basis, and has been sending monthly reports to the Council within the City Manager's Report. He said he wanted to give an overview of his activities in five sectors: business retention, industrial parks, outreach activities, tourism, and unemployment statistics. He said in the area of business retention he has been advocating the new stimulus ARC loan package for small businesses. He also spoke about the new Economic Revitalization Zone (ERZ) districts, which the Council and State have approved, and said the City currently has nine businesses taking part in the program. He said he has been helping businesses adjust their business models, which will help them to be more survivable. He said he has been helping smaller business with financing and looking at lease changes that can be made. He said he has done a lot of downtown small business assistance, including the Mills. He spoke about the industrial parks. He said they had a complete clean up of public areas and landscaping maintenance has been arranged in Enterprise Park. He said they have a purchase order out for signage. He said there are two companies negotiating to purchase land and build new buildings in Enterprise Park. He said a third company had to back out to conserve cash in this tight economy, but will probably come back in two to three years. He said one company is currently leasing a building and is now arranging to buy it within a few months. He said Enterprise Park has been a financial success, adding \$921,000 over the last 14 years to the tax funds in excess of the bonding debt, and that \$264,000 had happened in 2008. He said the debt bond will mature in 2010 and 2011, placing all the tax funds in the General Fund, which is approximately \$440,000 to \$450,000 per year. He said there are still five parcels left, varying from 1 to 12 acres. He said there are approximately 450 jobs in Enterprise Park. He said the City Attorney has drafted a set of by-laws for a park/tenant association, so that the public areas are maintained by the people there, rather than by DBIDA or the City. He said the first organizational meeting will be held this fall. He referred to the other industrial park areas, Progress Drive and Industrial Park Drive, and said there was a lot of building rehabilitation and business retention activities ongoing, with expanding and relocating businesses. He said they are working with regional commercial real estate firms and developers with some success. He said with outreach activities he has been very active with Seacoast alliance advertising in the Business Review Services Guide. He said he had been to



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a lot of real estate group meetings with Weichert Commercial Group of Portsmouth, Cyber Seacoast, Cyber New Hampshire, and a leads networking group that has been very fruitful in exposing companies that are thinking of moving to New Hampshire. He said there was an RFP and Purchase Order left for a Dover Economic Development Resource Guide, which is for client attraction and presentation, and will give information all about Dover that companies need to know about. He said he has had two meetings with George Bald, Commissioner of the New Hampshire Department of Resources and Economic Development (DRED). He said the communications with DRED have improved markedly, and Dover is getting a lot more information and help. He referred to the tourism project, a Dover discount book for restaurants, hotels, and museums which is almost complete, and will be distributed at highway welcome centers all over the region, and on Amtrak trains going from Portland to Boston. He said he is meeting with Amtrak about doing split tickets, where someone going from Portland to Boston can stop at Dover and spend an hour, afternoon or overnight, and then continue on the train with no ticket penalty in the price. He said he currently has an intern working on the tourism project, Devin Merullo, a junior at the University of New Hampshire (UNH) studying business. He said he'll be holding a stakeholders breakfast in the fall for the tourism project and to initiate the ambassador program. He said this was a program that he successfully used in Jamestown, New York. They would have a monthly meeting with a speaker, do an orientation on Dover for all of the people involved, and contact companies that might be interested in moving to Dover. He said Jamestown, New York had 200 ambassadors and 50 on a waiting list, bringing companies in from as far away as Sweden. He said he has already put an RFP out for lapel pins that will identify the ambassadors. He said they have a quality approach, working with the Planning Board's Quality of Life Committee, Chamber of Commerce, Main Street, Children's Museum, the Arts Alliance, and the Events Coordination Committee for Dover, creating an event calendar that doesn't get in each other's way, combine the events that will work well together, and publicize them properly. He said he has also contacted the American Bus Association to bring bus tours to Dover with hospitality packages. He said his monthly Economic Development report contains statistics on unemployment in the United States, New England, New Hampshire, Massachusetts, Maine, Rhode Island, Vermont, and the surrounding towns and cities for comparison to Dover. He said Dover is now at 5.6%, which is the lowest rate in the State, with the exception of Portsmouth's 5.4%. He said part of that has to do with the City's healthcare density, and that Dover is close to UNH and the highly educated and talented people. He said it was also a tribute to the vitality and vibrant activity here, with all the volunteers that make Dover what it is. He said that was unique to Dover and a great help to him. He said his monthly report also shows the activity levels of various economic sectors that make up Dover and the regional economy.

Councilor Scott thanked Mr. Barufaldi for his thorough report. He asked what the reduced price is for warehouse space being leased in Dover.

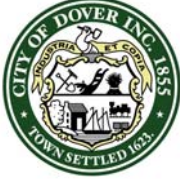
Mr. Barufaldi said it varies depending on location, but it can be as low as the cost of mortgage insurance and interest.

Councilor Scott asked what that was per square foot per year.

Mr. Barufaldi said it would depend on the building.

Councilor Scott asked for a range.

Mr. Barufaldi said anywhere from \$2.00 to \$6.00 per square foot.



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Councilor Cheney said she was very impressed with the reports the Council has been getting every month. She asked about the nine ERZ applications, and mentioned that he said he passed out nine applications.

Mr. Barufaldi said they had nine businesses represented at the forum, each of which was individually responsible for putting in their application, and to the best of his knowledge each one of them has done that.

Councilor Cheney asked if there were many more who could get those applications.

Mr. Barufaldi said yes, a lot more.

Councilor Cheney referred to the two tenants that are leaving the Mill space, and asked who they were, and if they were moving to another space in Dover.

Mr. Barufaldi said yes, they have. He said he would rather not state who they were.

Councilor Cheney asked if they were moving to one of the bigger parks where there is parking.

Mr. Barufaldi said a few of them are moving to the Goss building.

Councilor Cheney said she feels that he is managing all of the different facets of his position well. She was also thankful for all of the volunteers.

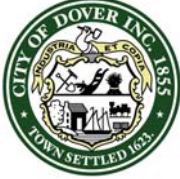
Mayor Myers thanked Mr. Barufaldi for his report.

City Manager Joyal wanted to answer the gentleman who spoke at the Citizen's Forum, which he had addressed previously, but he said again that the tree on Central Avenue was removed because it was damaged and diseased. He said there are other examples of that happening throughout the City. He said there are some trees in the City that are ornamental, and should be maintained and replaced regularly. He said Dover hasn't maintained these trees regularly and as a result salt from the roads causes damage to the tree's roots and they have to be removed. He said removing the park bench was a budgetary decision and not as a result of a favor to anyone. He said there were two benches in that area: the one adjacent to the bus stop was completely damaged and removed, and the City chose to take the second existing bench and move it approximately 15-20 feet to coincide with the bus stop. He said it was brought to his attention that chairs were being provided by Café on the Corner to patrons. He said he felt it was a win/win situation for the business, the City, the bus stop, and the pedestrians.

Councilor Weston said she used to frequent that bench a lot when she lived in the Downtown, and asked if there was any possibility of putting it back or replacing it, because there have been a lot of people who have spoken about it. She said a lot of citizens walk from corner to corner and need to sit and rest. She said citizens couldn't use the chairs from the Café on the Corner just to sit and rest.

City Manager Joyal said it was possible to have the bench replaced. He said the bench that was moved was placed about 15 to 20 feet from where the other bench was located. He said the bench was moved to the corner of Third Street. He said he felt the City should encourage chairs and tables on the sidewalks from businesses, provided it does not block or impede pedestrian traffic on the sidewalk. He said the Police Department has addressed that with several businesses in the City.

Mayor Myers said the bench was damaged over the winter and two orange cones were covering the metal posts from the bench into the spring. He said he was asked by the owner of Café on the Corner if the bench was going to be replaced. He said he asked Community Services Director Doug Steele and the City Manager if it was going to be replaced, and was told that due to budgetary constraints that it wasn't going to be replaced. He said when he explained the



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situation to Café on the Corner, they responded by asking if the other bench could be moved so people had a place to sit while waiting for the Coast bus, and not sitting at their tables. He said he asked Mr. Steele if this could be done, satisfying the needs of the public and the business owner, who could put another table on the sidewalk without blocking pedestrian traffic. He said to replace the bench would require using another bench from somebody else's location in the City. He said there is still a public bench no more than 30 feet from the original location. Councilor Cheney said Mr. Lynch asked about this two weeks ago and had to wait for an answer. She said it does impact the City. She said she knew the Council can't be totally informed, but there are things like this that happen and it would have been nice to know about. Deputy Mayor Trefethen moved to accept the City Manager's Report; seconded by Councilor Weston.

Vote: 9/0.

9. MINUTES

A. July 8, 2009

Deputy Mayor Trefethen moved for their approval; seconded by Councilor DeDe.

Vote: 9/0.

10. MAYOR'S REPORT

Mayor Myers said he attended a party for families who adopted children from St. Petersburg, Russia, who were being met by the Russian official who oversaw the adoptions. He said it was an emotional and enjoyable event. He said the Dover Children's Home will be hosting the Music and Arts Festival on Saturday, July 25th, Noon to 9:00 pm, at Henry Law Park. He told the Councilors they all should have the City Manager's evaluation packets, and asked that they be returned to him by July 31st, so he can compile the scoring for the August 5th Workshop. He reminded the Council that they will be going into Executive Session immediately following the Regular Meeting to discuss labor negotiations. He said on a personal note, he was sharing with the Council that his son, Glen, was celebrating his 18th birthday.

Deputy Mayor Trefethen moved to accept the Mayor's Report; seconded by Councilor Carrier.

Vote: 9/0.

11. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2ND READING – None

B. RESOLUTIONS - None



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12. NEW BUSINESS

A. CONSENT CALENDAR

1. **PARADE – American Cancer Society**
2. **PARADE – Cochecho Valley Humane**

3. **RESOLUTION: B09092 NATURAL GAS**
SPONSORED BY MAYOR MYERS BY REQUEST

COMMITTEE REPORTS

- | | |
|---|--|
| 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 | 12. Legislative Liaison |
| 6. Cable Franchise Negotiations Committee | 13. Coast Bus |
| 7. School Board Liaison | |

Mayor Myers asked the Council if there were items that they wish to pull for further discussion. Councilor Scott asked to pull Item 12.A.3. Mayor Myers asked for a vote on the remaining items on the Consent Calendar. Vote: 9/0.

Deputy Mayor Trefethen moved for the approval of Item 12.A.3.; seconded by Councilor McCusker. Councilor Scott said this Resolution was asking for the appropriation of \$430,000, and he felt it should not be on the Consent Calendar. Mayor Myers asked if there was anything else. Councilor Scott asked if this was the price for a full 12 months. City Manager Joyal said it was a price that would be locked in for the period of August 1, 2009 to July 31, 2010. Councilor Scott said the City got burned last year when we locked in for the price of our fuels at what was the peak of the market. He felt it was a mistake to tie in for a full 12 months, and would like to see a quarterly review of prices. Councilor Cheney said she noticed on the background materials that this is combining with the School, Housing Authority and St. Thomas Aquinas, and asked if they all agreed to join in on this as a group effort. Mayor Myers said the background material shows separate prices for a group effort and singular. He said the City has chosen the singular prices, which are most advantageous for the City. He said this Resolution is to award the City as a standalone, and the School as a standalone at the advantageous price. Roll Call Vote: 8/1; Passed. Councilor Scott was opposed.



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B. RESOLUTIONS

1. **B09006 FINANCIAL MANAGEMENT SYSTEM** SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Cheney. Mayor Myers asked to have Councilor Cheney as a sponsor on this Resolution, because she sat on the Committee and did a lot of work on it. Councilor Cheney thanked the Mayor and said she would like to be a sponsor for the Resolution. She thanked everyone for giving her opportunity to serve on this committee. She said she wanted to work with a company that would grow and be flexible. She said it will encompass the City and School. She said she also wanted it to have a citizen's web portal for citizens to query data. She thanked the other people on the committee: Finance Director Daniel Lynch, School District Business Administrator Laura Verville, Purchasing Agent Ann Legere, City IT Director Annie Dove, School District IT Director Chris Roberge, Human Resources Director Sue Daudelin, City Clerk/Tax Collector Karen Lavertu, and Deputy Tax Collector Diane Bennett. She said they only received two bids, but this one had extensive support. Mayor Myers said that in the background materials there is a letter from the Superintendent of Schools stating that the School Board has voted to approve their portion unanimously, and he hoped that the Council will pass it as well. Roll Call Vote: 9/0.

2. **RESOLUTION: B09064 PAY AND DISPLAY PARKING METERS** SPONSORED BY MAYOR MYERS BY REQUEST

Deputy Mayor Trefethen moved for its approval; seconded by Councilor Weston. Councilor DeDe said the Parking Committee came to the Council and gave a very comprehensive report. He said it was decided that the City wasn't ready for a parking garage, but that parking was an issue within Dover. He said they created an inventory of parking that the City had and evaluated the charges that were being assessed for them. He said the parking meters were just another area to be addressed. He said the whole premise is to raise enough revenue to build a parking garage. He said it was the first step towards that goal, and he didn't know how long it was going to take. He hoped this Resolution had the unanimous support of the Council. Councilor Callaghan said he opposed the first resolution where the City paid \$100,000, and he opposed this Resolution spending another \$308,000, authorizing bonding over the next two years. He felt that the new Council should examine this and decide if it's in the best interest of the citizens to continue this program. He felt that until this program has been tested that the Council should not give automatic approval to buy 32 to 38 meters for the next two years. He said it should come back to the Council and the funds should be there to buy them. He referred to the parking garage to make clear his definition of no cost to the taxpayer. His definition is that the City doesn't lose money off the property. He said it should be built by a private contractor who then pays taxes on the property. He said if it isn't done that way, then it will become a cost to the taxpayers.



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He said he has spoken to some of the new members of the Parking Commission, and felt he had some agreement from them. He said he would not be supporting this Resolution, primarily because it is looking for the extra \$300,000 over the next two years.

Mayor Myers asked the City Manager to clarify the \$308,000, how this Resolution is not encumbering or authorizing a bond, and the Council is authorizing nothing more than the \$100,000 that was in the CIP.

City Manager Joyal said the Council appropriated \$100,000 as part of its Capital Improvements planning process, which was an expense being charged to the Parking Activity Fund, which is solely supported by the parking revenue with no crossover from the General Fund. He said this Resolution is nothing more than an authorization to enter into a purchase order with a vendor for the initial purchase of nine pay and display meters. He said he did see where it could be read in a portion of the Resolution that the City is going to go ahead with purchasing more than nine meters. He said that was not the intent of this Resolution, and he will not be able to do that. He said the Resolution did lock in the price if funding should be appropriated by the Council. He said the Resolution could be amended to take out: "...and 32 to 38 meters over the next two years," or change it to say: "lock in the ability to buy 32 to 38 meters within the next two years."

Councilor Callaghan asked where the money would come from to do this. He said there were two parts to this Resolution seeking authorization for spending money.

City Manager Joyal said the "whereas" does not provide any authority, but is an indication of getting more meters. He said it is attempting to say that once the initial nine meters have been completed, they will be coming back to the Council looking for an additional appropriation, provided the City chooses to go that path to purchase additional meters. He said the Parking Commission analysis said once the initial nine meters have been put in, it should generate sufficient funds to pay for the additional meters when that decision is made. He said it was providing an explanation for the longer-term potential of where this is going.

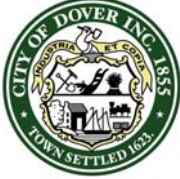
Councilor Cheney said the words "lock in" should not be used. She said the new Parking Commission will be meeting next week and the Council should let them deliberate on the direction to take. She said in 2005 the Mills were 50% vacant, and now we've learned that they are 57% vacant and two more businesses are leaving. She felt if the Council was going to wordsmith this Resolution, she felt it should just be for the nine meters, or have a workshop to discuss. She made a motion for the first change to the Resolution, the third whereas, put a period after "...and display parking meters." and delete the rest of the sentence; seconded to Councilor Scott.

Councilor DeDe asked if she meant the "Now, therefore," section.

Councilor Cheney said no, but she will be addressing that section also.

Mayor Myers said he would support that amendment, but wanted to make sure it said somewhere in the Resolution that the price is locked in if the Council chooses to purchase another 38. He asked for a vote on the amendment to the third whereas.

Councilor Scott said he felt it was a mistake to lock in the price, because the price for this apparatus is something that goes down as it becomes more popular. He said this



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Resolution purchases nine meters for \$100,000, and asked if that meant it cost \$11,000 per meter.

Mayor Myers said no, it was up to \$100,000.

Councilor Scott asked how much each meter cost.

Mayor Myers said it was detailed in the background information.

City Manager Joyal said it was \$6,400 per meter, plus there are other things that the City will have to buy, such as receipt paper, and payment for shipping.

Councilor Scott asked if that added another 40%.

Mayor Myers said the price per meter was \$7,795.56 installed.

Councilor Scott asked if this program was similar to what Manchester has.

City Manager Joyal said it was exactly what Manchester has.

Councilor Scott said he supported the amendment.

Vote: 8/1; Passed. Councilor McCusker was opposed.

Deputy Mayor Trefethen said they wanted to preserve the price.

Councilor DeDe made a motion to change the "Now, therefore" section. The wording would remain the same up to the word "meters" and put a period there. Then the entire next sentence would be stricken and replaced by: "The City shall be entitled to exercise its option for 32 to 38 more meters at the rate stated on April 13, 2009 at the option of the City Council." He said the last sentence will stay. Councilor Carrier seconded the motion.

Mayor Myers said he supported the amendment.

Councilor McCusker said he wasn't in favor of these changes, because the City wasn't committed to buy any more than the initial nine meters.

Councilor Scott said he wanted to make a friendly amendment to change the amount to \$80,000, because he didn't see why the Council should approve 25% more than what it is going to cost the City.

Mayor Myers asked Councilor DeDe if he would accept the friendly amendment.

Councilor DeDe said he didn't see anything that needed to be taken out at this point.

Councilor Cheney said she agreed with the amendment, but asked if the two year provision was mentioned in this Resolution and if it should be mentioned.

Mayor Myers said it should be in there.

Councilor DeDe changed the amendment to: "Now, therefore" section. The wording would remain the same up to the word "meters" and put a period there. Then the entire next sentence would be stricken and replaced by: "The City shall be entitled to exercise its option for two years for 32 to 38 more meters at the rate stated on April 13, 2009 at the option of the City Council." He said the last sentence will stay.

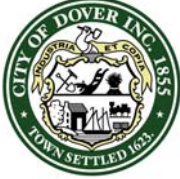
Mayor Myers said this friendly amendment has to have unanimous support.

Councilor Weston asked the City Manager if the vendor agreed to freeze the price for two years.

City Manager Joyal said the vendor will honor the price for two years if the City should decide to purchase more meters.

Mayor Myers said the representative from the Company has indicated he would like to speak to the Council.

Mr. Dan Kupferman, Representative for Parkeon: He said the price for the additional 32 to 38 is actually \$500 per meter lower, because it's a volume discount.



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Councilor Carrier asked City Attorney Krans if he was comfortable with the verbiage. City Attorney Krans used the analogy that it was like running on a treadmill; it was good exercise, but they were in the same place.

Mayor Myers asked for a vote on the amendment.

Vote: 8/1; Passed. Councilor McCusker was opposed.

Councilor Weston said she put forth a Charter Amendment that the Council wanted a workshop on to wordsmith. She felt that this Resolution had so many open holes and questions that needed to be answered. She said there is nothing in the Resolution about the location of the kiosks. She said she went to the two meetings about the kiosks and they mentioned four or five kiosks. She asked if there has been an analysis on the total necessary kiosks. She said she also had a hard time with the extra \$300,000 being in the CIP and felt that it did need to be separated. She talked about FastTrans and moving the parking of businesses and their employees to outside lots. She said she felt more comfortable with the original four or five kiosks for Henry Law Avenue. She said the map doesn't address what the color code means. She asked for further explanation on where the kiosks were going to be located. She said she was uncomfortable with voting for this Resolution.

Mayor Myers asked the City Manager to address some of Councilor Weston concerns.

City Manager Joyal said the nine kiosks include 5 along Henry Law Avenue, 2 in the Belknap lot, and 3 in the Orchard Street lot. He said the intent is to install the five on Henry Law Avenue more or less as a pilot for a new location that has high parking traffic volumes related to out-of-town transients for the Children's Museum. He said the City currently has coin-operated parking meters in the Orchard Street and Belknap Street lots. He said it made sense to upgrade and change the existing meter system where the existing meters are located, and the theory is that the City will expand the system.

Police Sergeant Marn Speidel corrected the City Manager about the placement of the meters: 5 on Henry Law Avenue, 1 in the Belknap Lot, and 3 in the Orchard Street Lot.

City Manager Joyal said typically one kiosk serves 20 to 22 spaces.

Mr. Kupferman said it was dependent on the number of feet, and if it's a parking lot or parallel parking. He said parallel parking is about 8 to 10 cars, with head-in parking it is about 13 to 17 cars. He said it is dependent on how many footsteps it takes to get from the car to the kiosk, and they recommend between 80 and 100 feet.

Councilor Weston said she wanted where the kiosks were going to be located inserted into the Resolution.

City Manager Joyal said as the City Manager he is telling the Council there are going to be five meters on Henry Law Avenue, one in the Belknap Lot, and 3 in the Orchard Street Lot. He said if the Council didn't trust him they can put it in the Resolution.

Councilor Weston asked where the Belknap Lot was located.

City Manager Joyal said it was by Central Point.

Councilor Cheney asked who was controlling the parking money. She asked if it would take a 2/3 vote of the Council to spend the money.

Mayor Myers said all those changes would have to come to the Council.

Councilor Cheney said she didn't feel that this should have to be subsidized by the taxpayers.



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Mayor Myers said these funds came out of the parking revenue account and not property tax dollars.

Councilor Callaghan asked if they knew how much it was going to cost to do all the signage.

City Manager Joyal said it was part of the installation that signage was included, and the cost for additional signage is negligible.

Councilor Cheney referred to Henry Law Avenue and asked if the Riverbend parking would be impacted.

City Manager Joyal said the parking does not extend beyond the Jersey barriers.

Mayor Myers asked for a Roll Call Vote on the Resolution with the two amendments.

Roll Call Vote: 9/0.

C. ORDINANCES IN 1ST READING – None

D. COUNCIL CORRESPONDENCE

13. COUNCIL MATTERS OF INTEREST

Councilor Callaghan made a motion to add any Charter amendment resolutions to the Workshop Agenda; seconded by Deputy Mayor Trefethen.

Deputy Mayor Trefethen said any potential charter amendments need to get on the table now.

Mayor Myers said the Councilors need to get copies of these Charter amendments to the Councilors as soon as possible.

Councilor DeDe said he wasn't voting for blank checks.

Councilor Weston asked about the procedure once they have a workshop on these amendments.

Mayor Myers said it would be on the agenda for the next regularly scheduled meeting, unless the Council chose to have a special meeting, and then it would be publicized for a public hearing.

Councilor Weston asked the City Attorney if everything had to be done by September 1st.

City Attorney Krans said it was 60 days before the election. He said it is in the Council Rules that public hearings can only be held during the first regular meeting of the month, and it would take a vote to waive that provision.

City Manager Joyal advised the Councilors to consult with the City Attorney on any potential Charter amendment. He also advised the Council to avoid getting bogged down in the details, and focus on the intent of what they want to accomplish, and have the City Attorney draft the language.

Councilor Weston if they would wordsmith on July 29th, and then according to Council Rules have the public hearings on August 12th?

Mayor Myers said they could have a quick special meeting on August 5th and give one week's notice, for the purpose of referring it to a public hearing on August 12th. Mayor Myers asked if that would meet the required time.

City Attorney Krans said no.

City Clerk Lavertu said she needed 10 days for a public notice.

Mayor Myers said it could go on the August 12th Agenda and the Council would have to waive the Council Rules to allow a public hearing on the second regular session of the month, August 26th.



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Deputy Mayor Trefethen said they could have a special meeting on August 5th, and refer to a special meeting on August 19th.

Mayor Myers asked for a vote on the motion to have any proposed Charter amendment discussed during the workshop on August 5th.

Vote: 6/3; Passed. Mayor Myers, Councilors DeDe and McCusker were opposed.

Councilor Callaghan referred to the handout he put on the Councilors' desks regarding DBIDA. He asked that it be put into the minutes.

Presented to City Council 5/13/2009 & 7/22/2009
Commentary and Request by Councilor Callaghan

RE: DBIDA

I want to make some comments in response questions raised by Councilor DeDe at the last regular meeting of 3/25/2009. (Follow up from 2/11/2009 and 2/25/2009)

First, I would like to thank Councilor DeDe for helping me keep this issue in the forefront.

As you know I am trying to understand why DBIDA should be operating so autonomously from the City Council. My concern is that Chapter 79, City Property, allows DBIDA, a volunteer, council appointed group, to sell Commercial land that belongs to the citizens of Dover without any oversight by the elected legislative body (City Council).

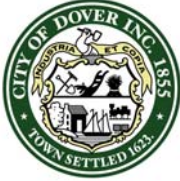
I believe the document Council DeDe referred is the one I found in my mailbox that contained information about Enterprise Park Tenants. I think this was right after the meeting of 3/11/2009.

The document contained columns for:

- Company Name
- Building Sq Ft
- Total Acreage
- Date of Original Purchase
- Assessment FY08
- Employees
- Purchase Price
- Cost per Building Sq Ft

What I have been asking for since 2/11/2009 is:

- Assessed value before the sale of the property
- Appraised value before the sale of the property
- Assessed value after the sale of the property
- Purchase and Sales Agreement
- Sale Price



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The Enterprise Park Tennant document does provide some interesting statistics but does not affirm to me that DBIDA should be operating autonomously. In fact, due to many inconsistencies in the relationship between the data, I now feel I need further documentation, to include:

- Appraisal Summary Sheets
- DBIDA By-Laws referenced in the Strategic Action Plan
- Bid Award for RFP #B07077 Marketing and Commercial Real Estate Services For Land at Enterprise Park in Dover, NH.
- Assessment History for the past five (5) years for all Enterprise Park Tenants
- All records/documents that specify how the sale price was determined
- All records/documents that specify what body and names of participants determined the sale price
- Incorporations documents referred to in the Strategic Action Plan when referring to RSA 292:1
- Method used to determine the appraised values previously noted.

Councilor Callaghan asked to direct the City Manager to get this information.

Mayor Myers asked for a consensus.

Vote: 3/5; Failed. Councilors Callaghan, Cheney and Scott voted in favor. Councilor Weston did not vote.

Councilor Weston asked why Councilor Callaghan wanted this information.

Councilor Callaghan said he did some research with the Strafford County Registry of Deeds and the Dover Assessing Office, and noticed there was a tremendous difference in value per acre for many of these lots. He said some lots may have wetlands or are landlocked, and the appraisals will show him that. He said there was one instance where the land was sold for considerably less than what it was assessed for. He said there is some land that has been sold and not developed. Deputy Mayor Trefethen said he had three issues he wished to speak about: 1. He said at the last meeting he was accused of disregarding the City's volunteers by the same Councilor who is now saying we should disregard our volunteers. He asked why the Council doesn't disregard the Zoning Board, and make them explain every time they grant a variance. He asked if the Council should have the Conservation Commission come to the Council every time they tell someone what they can do on their land. He said it doesn't work that way. He said there are a whole host of issues that Councilor Callaghan has a complete philosophical difference about concerning Enterprise Park, and he wasn't serving the citizens of Ward 6 by going on this goose chase. 2. He didn't allow the non-citizen to speak during Citizen's Forum because this was the same document that the Council received a week ago in an email, and it has absolutely nothing to do with the City Council and the citizens of Dover. He said the Council has this rule precisely to keep people who are on a crusade away from the podium. 3. He referred to the Consent Calendar, and told Councilor Scott that it was explained last time that it was Council Policy. He told Councilor Scott if he wants to change Council Policy then to put a Resolution forward to change it. Councilor Cheney said she felt it was a bigger issue. She said this request dates back to February, and the Council used to get information quickly. She said now it needs to get Council consent. She said this was public information.



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Mayor Myers said he strongly objected. He said the Council gets the information we need. He said sometimes there are requests that are very specific and the format is different, and extensive requests are different. He said it was a waste of staff time.

Councilor Scott said the Council cannot overrule the Right to Know Act. He said the City Manager has refused his requests, and he has sued the City to get the information. He said the City must respond to reasonable requests. He said it was part of the Council's job to know where the money went, and to vote for it.

City Manager Joyal referred to Councilor Scott's request, before he became a Councilor, in which he asked for the name and wages of the City's employees. He said it was the policy of the City at the time not to associate the names and their wages, but list by position title and the wage amount paid. He said that wasn't clear when there were five truck drivers. He said the Court was correct in their ruling and that information was provided to Councilor Scott.

Councilor Callaghan wanted to make sure his handout made it into the minutes, because it didn't the last time.

14. ADJOURN

Councilor Weston made a motion to adjourn to Executive Session; seconded by Councilor DeDe. Vote: 9/0.

DRAFT