

MINUTES
SPECIAL MEETING/WORKSHOP
DOVER CITY COUNCIL
CITY COUNCIL CHAMBERS
MARCH 5, 2003
6:00 PM

SPECIAL MEETING:

1. ROLL CALL

Councilors Keays, Tweedie, Whitmore, Christenbury, Hindle and Mayor Nossiff were present. Councilor Quigley and Mayor Pro Tem Dunnington were absent and Councilor Mayberry arrived at 6:30 pm.

2. Resolution RE: Appointments Committee Recommendations to various Boards and Commissions. Sponsored by Councilor Parks Christenbury, Councilor Ray Tweedie and Councilor Brenda Whitmore.

Tweedie moved to make the appointments seconded by Whitmore. Christenbury explained and read the new appointments. He said that he wished those not appointed would keep their applications on file. All 5 were in favor of the appointments.

Keays commented on the revised agenda, he does not feel it is appropriate to change the agenda with last minute additions such as the prior resolution after the agenda has been posted. The Mayor told him we would try to avoid that in the future.

3. ADJOURN

Tweedie moved seconded by Whitmore to adjourn, all in favor.

WORKSHOP:

1. DEPARTMENTAL OVERVIEWS

A. POLICE DEPARTMENT

Chief Fenniman proceeds to explain his budget. (see power point presentation in 3/5/2003 council folder).

Hindle commented this is his 4th yr on the council and this is the best presentation he has seen. He has been critical of the horse patrol in year's past, he continued about a personal observation he and his wife have made in Keene. Lastly, with the recent development of the homeland security and the spending of federal dollars, he hopes both fire and police work hard to get all grants that are available to them. He hopes people will take a second look at this presentation as the Chief has brought the department a long ways.

Whitmore asked about the number of grant positions in the budget. The Chief says there are nine grant positions currently. Whitmore then asked how many positions were grants, and when the grants expired and if the people are now hired full time. The Chief stated, two were hired in the Clinton era and two more will expire this year. There is one grant position that will expire that they will not be adding into their budget. Most grants are recurring. For 2004 they have two police officers that will expire and they have been put into the budget. Whitmore asked about the administrative personal in the Police budget and the amount of \$170,000, she asked what percentage of an increase is that over last year. The Chief says it is a decrease of .9%. She

asked a further question on crime numbers and how many of them remain unsolved. The Chief will get that information for her.

Keays stated he read in the news reports that the Dare program is not working now throughout the country, why are they still doing this if it is not working. The Chief says it is working in Dover, it has been completely re-rigged and it is done with a grant. The Chief continued the new curriculum is very effective; and to do nothing is to fail. Also Keays wants to know what do captains, sergeants and lieutenants make for salaries. The Chief stated he will have to pull the contract as that info is in the contracts.

Tweedie asked in relation to the resource officer at Dover Middle School and Dover High School, who is paying for the other half of this position and is the school department paying for half. The Chief stated he saw it in their budget plan "B" so he has budgeted for the entire officer in his next budget.

On page 5, field operations, Tweedie asked about the nine individuals on three shifts. The Chief explained that is the assigned personal including the three sworn officers assigned to the downtown.

Mayberry stated this was an excellent presentation. Under the coalition coordinator, where are we in this grant. The Chief says we are in the second year of this grant program. Mayberry asked how much does this grant bring into the city. The Chief will look this information up and forward it to him.

Christenbury understands how important this department is. He commented on the budget as presented to the City Manager. He then explained what the possible tax rate might be. He continued we (the City Council) have to set policy. We are already at \$1.60 or \$1.70 with the county @ .50 and the school @ .70 and the police so far @ .60; it is just a fact that we cannot pass a \$2.00 or \$2.50 tax increase but that is the direction that we are headed.

OTHER BUSINESS

Christenbury asked about the Paul Street issue and could we meet at 6:30 pm next Wednesday in non public session on this issue, the vote was unanimous to do that.

Keays brings up the rubbish situation in Dover as he has noticed since the first of January rubbish is not being collected on the same day. He has had to wait two days some weeks to have his picked up. Tweedie also wonders if we could have them (Waste Management) come to a meeting to update us on their situation. The City Manager will have them come next week under his report.

The Mayor disagrees, saying between now and June we will be backed up with budget issues and we won't have time. Christenbury states he just wants a copy of the log being kept. The City Manager will provide this.

The City Manager now asked to have Marc Broth, the union negotiator for the City come forward to answer any questions.

Christenbury asked how we are being billed, he continued personnel costs are a big portion of this year's budget and they would like to ask some general questions. Christenbury asked about possibly having unions re-negotiate their contracts in regards to benefits. He asked can the City bring these unions back to re-negotiate. Broth says none of the City unions currently have a clause for re-negotiating so it would have to be by agreement with each union. The unions would need to know the limit of scope of what the council would like to open negotiations for.

Christenbury asked what would be the process to ask them back to the table. Broth says it would be up to the City Manager to make the request. Tweedie asked a follow-up, if we the council would direct the City Manager to approach the unions, how would we do that, what would be the strategy. Broth stated under RSA 91-a-2, in non-meeting form we would develop non-meeting strategies. Broth says under the 91a-2 this is a non-public session. The council can meet with no posting. Whitmore asked if we were to go into such a meeting and discuss strategy options, could we use this meeting as a strategy option. Broth said even though you are not currently in

negotiations you could hold that non-meeting at any time. Broth stated this would be no different than preparing for the next round of negotiation sessions. The City Manager asked Broth how to call a non-meeting; Broth says RSA 91a is silent on the question. Normally they are done by some consensus. The difference is a non-meeting is not posted. Mayberry asked Broth if three councilors were to hold a non-meeting, could they direct the City Manager to do an action. Broth says he is not sure they would have that authority with a lack of quorum. Whitmore says after reading 91a today, she confirmed, the real difference of an executive session is that it has to be posted but a non-meeting does not need posting. Broth agreed saying also the minutes of an executive session could be used in litigation. Tweedie asked if we requested an attorney, would we would need five people. Christenbury clarifies that 91a is simply a Right to Know Law; we have the City Charter and council rules that dictate us. The City manager will do nothing with only three people. If we get to the point that we want to take any action, and if five of them go in and ask, the City manager would take action and call a meeting, as a matter of fact we are doing it next week at 6:30 pm to discuss legal issues. The Mayor wants to just take the vote tonight and if we have five votes we will go downstairs. The Mayor asked if Broth would be doing the negotiating or is it the City manager. Broth says historically they have used the City Manager, Assistant City Manager and the services of Divine, Milliment's employee, Bill Wardwell. The City Manager is the overseer of these matters. The Mayor pointed out when Christenbury was on the council previously in the early 90's they had already done this and therefore set a precedent by re-opening negotiations. Christenbury says it may have been in the late 80's. The City Manager has no knowledge of this as he came in 1992. The Mayor says it is going on all around us anyway, privately as well as in the public sector. Mayberry asks if we should wait until we get the City Manager's budget first. Tweedie agrees and feels we should give the City Manager a chance to present his budget as they are only policy makers. Tweedie continues, we should not attempt to re-negotiate these contracts. Christenbury stated he is willing to go downstairs to talk about a couple of options while Attorney Broth is here. The Mayor reminded everyone how slow these wheels turn when dealing with the unions and we may not have time in this budget session. He continued; let's assume we have five votes for opening a discussion with the unions. We are here to listen to see if they volunteer to come to us and maybe they will offer to leave a few crumbs on the table. We don't want to rush into having employees lose their job. Whitmore asked the City Manager about the COLA budget baseline increase and what impact does he predict. The City Manager stated he would not reduce the patrol officers or firefighters, he might recommend closing the library or shutting down the recreation programs to make up the difference but from 0-3%increase, there is very little margin. Christenbury says the only action we can take is to direct the City Manager to tell the unions my door is open if you want to come in. Mayberry asked if any of the union heads have approached him. Christenbury clarified the unions cannot come to them, as they are saying no one has said a word to us. Tweedie states, we are teetering on the line right now.

2. ADJOURNMENT

Christenbury moved seconded by all and all in favor at 7:55pm.

FOLLOWING COUNCIL WORKSHOP:

The City Council may be meeting in closed session to discuss personnel matters.

Christenbury moved seconded by all to go into non-public session. Motion passed on a roll call vote of 4-2 to go downstairs, Keays and Mayberry opposed.

NOTE: This session is considered a NON-MEETING IN ACCORDANCE WITH RSA: 91-a.

Judy Gaouette
CITY CLERK