

**MINUTES
SPECIAL MEETING
DOVER CITY COUNCIL
COUNCIL CHAMBERS
THURSDAY
AUGUST 23, 2001
7:00 P.M.**

The Mayor explained that we would proceed tonight with a presentation first and then the public hearing.

1. ROLL CALL

Members Present: Councilor Reese, Councilor Schmidt, Mayor Pro Tem Berry, Mayor Boc, Councilor Dunnington, Councilor Hindle, Councilor Mayberry, and Councilor Nossiff.

Councilor Andrews Parker absent.

PRESENTATION:

The Mayor turned the meeting over to Reese, a member of the redistricting committee. He stated the Administrative and Planning Departments were very involved to make these serious recommendations and substantial changes.

Stancel explained the creation of the wards and how the six wards came into being. He stated, the last time the ward map was amended was 1972. This time, the standards are more restrictive in that all wards must be within a 1% + or – deviation, i.e., within 45 people. This is difficult to accomplish. In terms of adjustments, what does this mean? Ward 3 must be reduced by 850 people and Ward 6 reduced by 200 people. Other wards need additional people to meet the threshold. Ward 4 needs 400 people; Wards 1 and 2 need 238 and 279 people, respectively. Wards are generally established by shifting census blocks. These census blocks are established using existing neighborhoods bounded by roads or other natural features. The committee originally tried to affect the least number of households. He explained the committee's original shift. This plan works but there were concerns expressed at the last open forum, so the Planning Department became involved. There is a domino effect that occurs, so this was not an easy task; and when they were done, what the first 2 plans don't take into account is the concept of commonality issues. Stancel stated if we are truly going to buy into the idea of a representative form of government with chosen councilors representing wards, it makes sense to establish wards geographically. The current ward map established in 1970 has no commonality for today.

Stancel stated they decided to throw out the old and start from scratch. They went by natural boundaries such as the rivers and turnpike and the commonality of issues always with an eye on these issues. They started from the outside and went to the center going clockwise around the city. Finally, they were at Ward 1; this was mostly

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the urban core. He feels these changes affect everyone equally. Ward 2, for example, follows the Cocheco River and includes the waterfront district and this dovetails in with the common issues of space in the downtown. There are also several common traffic issues that will be developing in the next 5-10 years. Ward 3 has the Dover Point Road common issues, river front issues of the Bellamy River and Piscataqua River, as well as the fact that the WasteWater Treatment Plant is in this ward. The Ward 4 line is shifted over the Bellamy River. The commonality of Ward 4 is the school, recreational river issues and traffic issues. Ward 5 has Route 155 and Route 9 together for traffic issues. Tolend Road has truck issues; there will be future zoning issues in this Ward in the next 10 years. Ward 6 has Exit 10, Exit 9 upgrades, Sixth Street, sewer extension development and future residential development, as well as the county services. Last, but not least, is Ward 1 and the urban core; traffic on Central Avenue and parking, the train station expansion, Central Avenue widening and potential zoning changes in Ward 1. Hopefully, each ward will develop in equal fashion.

The Mayor asked why half the people on Arch Street are in Ward 5 and half in Ward 2 as this is a very close knit neighborhood. Bruce Woodruff steps in and says you can't split census blocks. He explained there were not enough people on one side of the street. The Mayor says the line used to make sense. Bruce Woodruff says he must stay within the block lines, it was the only way with the block lines.

Berry asked about the Sawyer Mill complex, saying that it solves their issue. Berry also asked about the chart in with the resolution (see Special Meeting folder 8/23/2001). Stancel says the top chart is what he worked with.

Schmidt stated he may be trying to think outside of the box; but with the exception of Ward 1, the others are all similar in size. He realizes population is what is important, and all the other wards have large areas and Ward 1 does not, he wonders how this proposal could last for another 10, 15 or 20 years. Stancel stated he feels that will occur naturally. It is quite possible that you will see an expansion in Ward 1 due to triplexes and duplexes, etc. Schmidt asks did you address the specific point he raised about how small Ward 1 is, area-wise. Stancel says one of the things you need to do to prevent urban sprawl. Schmidt stated he sees he is out of his ward. He wants to hear what the community has to say.

The answer to the Mayor's questions about Arch Street is, the block could not be moved. That census block involves 79 people. Stancel says we would have to massage the internal boundaries.

Dunnington wanted a point of clarification, is that not true for every street? Stancel says it is an impossibility to utilize natural boundaries for every ward.

Mayberry stated that there is news there are 200 new units coming into the city. Stancel stated if the state is going to stick to this 1% variance it will become increasingly difficult to stick to these numbers.

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The City Manager clarified; it does not matter how many people are in each ward. Reese says his personal sense of where he votes does not affect his neighborhood. He feels Arch Street will be strengthened by having the line go down the middle of the street as residents will have more than one representative. He does not buy into this concept.

Mayberry complimented the committee and their work on this issue. This will send an example statewide, because we are non-partisan.

Schmidt asked if this was recommended by the committee and was the committee vote unanimous. It was stated yes. He asks, if it is only 45 people or 1%, do they feel this is a realistic criterion. He wonders if Representative Gilmore would speak regarding this.

Gary Gilmore states the legislative districts are bound by the 5% rule. New Hampshire has great scrutiny by the whole country due to broken election laws of many years ago.

Hindle reminded his fellow councilors, they are not the ultimate decision-makers in this process and this should go to the people to be voted on in the November election.

After the presentation, the Mayor opened the public hearing.

2. PUBLIC HEARING

- A. Resolution RE: Amendment to City Charter – Section C1-3; Boundaries of Wards. Sponsored by Councilor Jerry Reese, Redistricting Committee Representative. **(THERE WILL BE A PROPOSED AMENDMENT DISTRIBUTED AT THE MEETING BASED ON THE REDISTRICTING COMMITTEE MEETING OF 08/16/01 (MINUTES AND MAP available at City Clerk's Office)**

Victor Bourre -16 Linda Avenue. Mr. Bourre has a minor problem with this process. He stated the problem is because the boundary of Dover is bound by the low water mark of the river and Great Bay. He has a mandate of the city requiring the city to be surveyed. The entire river is in Rockingham County. Mr. Bourre continued, with all his records proving we do not own the river. He stated according to RSA 22:2, he wants the ward boundaries drawn where they belong. If you go back to the 1800s you will see they were correct.

Parks Christenbury - 98 Cocheco Street. Mr. Christenbury thanked the committee and Steve Stancel's staff and the City Clerk staff for their work in this. He attended the second committee meeting. He explained what occurred at the committee

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meeting and that they worked on how the process is supposed to work. Mr. Christenbury stated he was shocked when he saw all the amendments, but after listening to Steve, it makes a lot of sense. He feels the capable Clerk's staff can educate the public. He also thanked Councilor Berry for his last 10 years of work on the Council and School Board.

Bob Callahan - 6 Barry Street. Mr. Callahan feels the committee did a good job. He hopes it passes 8-0. He wishes good luck to Bob Berry.

Brenda Whitmore -149 Henry Law Avenue. Ms. Whitmore thanked everyone at the committee meeting last Thursday. She stated, as a result of coming together on common ground, the Planning staff rose to the challenge. She proceeded with an example of her neighborhood and how they must move all the people in a block or none of the people should be moved. She feels this will allow the city to grow. Ms. Whitmore feels it does matter about all her neighborhood and how they vote. She requested that the proposed maps be hung at the polls this fall. This will educate the citizens of Dover.

Rick Hebbard - 97 Spruce Lane. Mr. Hebbard commended everyone for working on the committee and stated he has one issue. There is a typographical error in Ward 4. He thanked everyone for all their hard work.

Erik Sweetser – 2 Wallingford Street and President of the Save Dover Organization. Mr. Sweetser stated the committee should be commended for a well-developed plan. This plan allows his neighborhood to stay together. He hopes the council passes it.

Gary Gilmore – Middle Road. Mr. Gilmore has a few comments. He thanked everyone that showed up at the meeting. He feels this will be a better blueprint for the future. Ward 1 is geographically smaller. He urged the council to pass this. He feels this plan does much less of destroying neighborhoods. Mr. Gilmore realizes the way the census bureau does this. It is very hard to fine-tune this.

Seeing no one else, the Mayor closed the public hearing.

- B. Resolution RE: Amendment to City Charter – Sections C2-2; Ward Officers, C3-4 Qualifications of Council Members, and C4-4; Qualifications of Members (School Board). Sponsored by Councilor Jerry Reese, Redistricting Committee Representative.

The Mayor opened the public hearing. He asked Reese to explain the resolution.

Mayberry states this is only for one term. Reese says that is correct.

Gary Gilmore points out this is certainly fair and this does occur in large cities.

The Mayor asked what happens if one resolution passes and not the other? Reese clarified that this will have to be all one question on the ballot, with both resolutions all rolled into one. The City Clerk confirmed this.

Schmidt wants to know what happens if the voters do not approve the resolution in November. The City Manager stated someone could file a suit against the city, saying there is not equal representation for the citizens.

Kathy Derby – 149 Henry Law Avenue. Ms. Derby hopes we do not have everyone running at large. She likes the idea of separate ward representation.

Dick Dolbec – 480 Sixth Street. Mr. Dolbec recommended that the resolutions go together; this would be a very honorable way to do this. To tie these two resolutions together is the key to making this happen. This will allow the councilors elected to serve out their terms.

Brenda Whitmore agrees that they need to be tied together. She stated people will be voting in their own wards for this election and people should feel confident that people, regardless of ward lines, will continue to serve them well.

Parks Christenbury has a quick point. He pointed out that councilors for Wards 1, 2, and 3 will serve for 1 year and councilors for Wards 4, 5, and 6 for 2 years.

Reese assured the audience that no one ever talked about at large seats. It never came up. They certainly plan to have 6 Ward councilors in the city.

Seeing no one else, the Mayor closed the public hearing.

3. RESOLUTIONS:

- A. Resolution RE: Amendment to City Charter – Section C1-3; Boundaries of Wards. Sponsored by Councilor Jerry Reese, Redistricting Committee Representative.

Reese moved to adopt, seconded by Mayberry. Berry moved to substitute as whole, 3.A. amendment with correction of Durham/Madbury, in the “Ward Four Section”, seconded by Reese. All in favor.

Berry thanked the group that worked on it stating they did a great job.

Schmidt does not imply that he is in favor of all wards being at large, if for no other reason than we go on record supporting 6 ward councilors. He feels it would be good to vote each resolution up or down on its own merit.

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Dunnington commends the committee for all the work that has gone into it. He has serious concerns about the process. We temporarily moved the polls for Ward 6 to

the Hellenic Center. He wants the council to make a serious commitment to make sure the voters know where they will have to go to vote.

The Mayor immediately appointed Dunnington head of this committee. Reese suggests holding neighborhood meetings in each ward.

Schmidt says we will be losing certain polling places. His current polling place is St. Mary's Church Hall; that will be in Ward 1 if this passes. Voters will be concerned where their polling place is.

Reese says they did talk about polling places briefly. Mayor Boc stated he does not want the Ward 6 voting poll at the Hellenic Center as it is a hard commute for the elderly.

Mayberry stated he wants one polling place for the whole city. The Mayor says by State statute, you must vote in the ward in which you live.

The Mayor wholeheartedly supports this resolution even though it will destroy his neighborhood.

The Mayor feels this resolution is necessary for the city.

The main motion, as amended, passed on a roll call vote of 8-0.

- B. Resolution RE: Amendment to City Charter – Sections C2-2; Ward Officers, C3-4 Qualifications of Council Members, and C4-4; Qualifications of Members (School Board). Sponsored by Councilor Jerry Reese, Redistricting Committee Representative.

Reese moved to adopt, seconded by Mayberry and Schmidt. Motion passed on a roll call vote of 8-0.

4. ADJOURNMENT

Reese moved to adjourn, seconded by Mayberry. All in favor.

Judy Gaouette
City Clerk