

**MINUTES
WORKSHOP/SPECIAL MEETING
AUGUST 24, 2000
DOVER CITY COUNCIL
COUNCIL CHAMBERS
7:00 PM**

SPECIAL COUNCIL MEETING

1. ROLL CALL

Councilors Mayberry, Nossiff, Reese, Schmidt, Andrews-Parker, Mayor Pro-Tem Berry, Mayor Boc and Councilors Dunnington and Hindle present.

2. PUBLIC HEARING:

- A. Resolution RE: Fiscal Year 2001 Budget Amendment #3. Sponsored by Councilor Alexander G. Nossiff.

The Mayor opened the public hearing, asking if anyone wished to speak. Seeing no one, he closed the public hearing.

- B. Resolution RE: Amendment to City Charter Sections C3-4 and C4-4 Entitled "Qualifications of Council Members" and "Qualifications of Members" to Repeal Term Limits. Sponsored by Councilor Matt Mayberry and Councilor Peter Schmidt.

The Mayor opened the public hearing asking if anyone wished to speak. Seeing no one, he closed the public hearing.

- C. Resolution RE: Amendment to City Charter Adding Section C4-7"Election of School Board Chair". Sponsored by Councilor Matt Mayberry.

Berry stated they would be substituting as a whole a revised resolution. The Mayor opened the public hearing asking if anyone wished to speak and stating he has had communication from members of the School Board that would like to speak on this issue. Reese is not in favor of waiting for the School Board to arrive from a meeting they are currently in to let them speak, if they are not here when the resolution comes up for a vote. Berry feels the School Board has publicly taken care of this in the newspaper. Seeing no one wishing to speak, the Mayor closed the public hearing.

3. RESOLUTIONS:

- A. Resolution RE: Fiscal Year 2001 Budget Amendment #3. Sponsored by Councilor Alexander G. Nossiff.

Nossiff moved, seconded by Mayberry, to adopt. Nossiff explained his resolution. When the budget was approved two months ago, it was based on an educated guess as to what the unanticipated revenues would be, as we did not have the teacher contracts in yet. If the unanticipated revenues were in excess of \$1,000,000, he would have brought this item up then. We did not get pennies from heaven in terms of unanticipated revenues; we got a shower of dollar bills. He wants to take a look at this item with accurate numbers in front of us. We have a precedent established of using the unanticipated revenues before us and he wants to give back \$500,000 in the tax rate. Mayberry had a similar resolution, only for a lesser amount. He has a question for Mr. Beecher; we are currently paying money to borrow money to fund our own system. But he is looking for long term tax relief and what we need to attain this. Mr. Beecher

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comments on the historical perspective: 8 yrs ago when he came here, the city 's fund balance was \$4,000,000 in the red. Because we collect our taxes 6 months in arrears, we were borrowing \$6 million a year to cover us until our tax year starts in July. We had to borrow to cover expenses to pay salaries and the light bill, etc. We were \$4 million in the hole 8 yrs ago. Today we are \$4 million to the good. Economics have changed. We have not overtaxed people through property taxes. This is revenue that has come in from other sources; most of it is motor vehicle fees. In answer to Mayberry, Mr. Beecher stated, in order for us not to borrow, he would be comfortable with only having a 5 million dollar fund balance, based on the way the economy is now, or 6% of the operating budget. Last week, they spent over \$356,000 on the school contracts. Berry referred to the #1 goal adopted by a past city council, that the city shall maintain an adequate fund balance; this also enhances the cities bond rating. He wants to offer an amendment to change this resolution to \$168,389 and still maintain this policy in place. Andrews Parker seconds this motion.

Nossiff does not agree; he says this is still an arbitrary # of 6% of a \$30 million dollar budget, as manager Beecher says we are never going to not borrow. We should respect the taxpayers enough to give them back their own money. Mayberry wonders if the Mayor Pro-Tem would adjust the numbers by \$200,000, Berry wants to try his amendment and if it fails then Mayberry can offer his. He wants to honor the past goal and the policy that we have in place. The Mayor states his goal is to build the fund balance as high as we can. Our goal should be to go beyond what the fiscal committee recommended. Reese wants to move the question. The amendment passed on a 6-3 roll call vote; Nossiff, Reese and Hindle opposed. Nossiff cannot live with this decision, as we have done the taxpayers a tremendous disservice.

Andrews Parker states we are trying to be fiscally responsible. Nossiff says he is not accusing anyone of anything but this is a not for profit business, the Mayor asked that all comments be directed to the chair. Schmidt comments, saying that 6% is a figure recommended by the auditors. Main motion passed on a roll call vote of 6-3, Reese, Nossiff and Hindle opposed.

- B. Resolution RE: Amendment to City Charter Sections C3-4 and C4-4 Entitled "Qualifications of Council Members" and "Qualifications of Members" to Repeal Term Limits. Sponsored by Councilor Matt Mayberry and Councilor Peter Schmidt.**

Mayberry moved, seconded by Schmidt, for adoption. Schmidt is supporting this resolution because people get off the council and then just go on the school board, so the reality is we are not getting new blood. Also, people have the opportunity to exercise term limits every two years at election time. This will allow the people to put individuals out that are not serving well. We should not be the ones to decide if people are forced to retire. Reese will support this and for voters' information, this item will go before the voters this November on the ballot. He referred to Jim McAdams and his long tenure with all his experience. He agrees with Schmidt that it should be the voters' decision. Dunnington commented that he is fiercely opposed to term limits. This is not national politics, but there should be national term limits. We are very close to our constituents and we respond to them and it is also very hard to get good people to run and he feels people should be able to serve as long as they want. Passed on a roll call vote 9-0.

- C. Resolution RE: Amendment to City Charter Adding Section C4-7"Election of School Board Chair". Sponsored by Councilor Matt Mayberry.**

Mayberry moved, seconded by Hindle. Mayberry stated he went to the school board meeting on Monday to apologize to them for not consulting them on this issue. But it does not change his opinion of the resolution. Mayberry stated that by electing the chair directly, it's prompting the conversation of where we want our education to go. He went on to say this person has control of the school policies and has great

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decisions to make. This position raises the school board chair stature. The Mayor motioned to have the school board speak, seconded by Andrews Parker to let the School Board speak to this resolution. Motion passed on a roll call vote of 9-0.

Marc Vaillancourt asked, where does the school board chair get his direction, but from the parents and community at large. He says this is a tough job but he does it for the city; there may only be one person that will run. He feels the seven members running for election will know who is most qualified to do the job. Ultimately, the seven members will know who should be put in that position. He asks that this be voted down.

Kevin Quigley appreciates the opportunity to speak. The way in which the school board functions, an elected chair would not work. He currently holds the at large position and he may want to run again but he may not want to run at large. They were late tonight because they were looking at goals and to put a person in this new position could bring the system down very quickly. They have a large budget but they do not have autonomy, as they have to report to the council. He does not feel it will improve the child's education and he's against it.

Nick Skaltsis on a purely political perspective, does not have a lot of argument with the suggestion but he feels the council is comparing the mayoral position with the school board chair. He feels the school board should be an advocate of the student, and not an advocate of the citizens at large. When the school board comes before you, he comes as chair of the school board. He also believes the job is twice that of mayor and a three-year commitment to that job will significantly reduce the number of applicants for the job; there probably won't be as much of a selection. If we had contested races throughout all the wards, there might be some merit for this position. The Mayor disagrees with his three friends on the school board and feels the school board does answer to the taxpayers, not only to the council. He has served on the school board and when a board is elected they used to have to decide who would be the chair. The voice of authority should be the school board chairman.

Schmidt comments on his position, stating the election at large is where an at large person can get more votes than someone running for mayor. We have a system that works and he does not agree with the resolution. Dunnington agrees with Schmidt and historically the numbers of people running for school board are always lower than those running for council. If good quality people are running for the same position, then one of them will not get to serve if this position is elected by the people. Also, he is bothered by the fact that none of the school board wants this passed. Hindle commented this issue is going to the November ballot for the people to decide. Berry stated it would provide a better chance for the people to elect them. He feels we should let the citizens decide in November. Mayberry thinks we will have to let the public know that when they vote for a member at large they would be voting for the School Board chair. Berry says point of order as there is supposed to be a substitution of a whole resolution to correct wording on 3C. Berry moved, seconded by Mayberry to substitute as a whole. All in favor of the substitution. Reese moves the question. Main motion fails on a 4-5 roll call vote, Nossiff, Reese, Schmidt, Andrews Parker, Dunnington opposed.

- D.** Resolution RE: Additional Appropriations for FY01 Capital Improvements Program and Authorization for Bonding – Public Works Facility. Sponsored by Mayor The Mayor Boc, by Request.

Berry moved, seconded by Schmidt and Mayberry, to adopt. Berry moved, seconded by Schmidt and Mayberry, to amend to reduce this item from \$1.8 million to \$1.2 million dollars by eliminating the recycling center. Schmidt comments, this has always been intended to be a two-part decision by the council and

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that the committee wanted to offer a choice by adding the recycling center or not. But every day we put off this resolution puts us later into the construction schedule; we need to move immediately on the major construction. Schmidt will be in favor of the amendment. Nossiff asks for clarification on what we are voting on. Amendment passes 7-2, Reese and Nossiff are opposed to the amendment.

Reese is opposed to the location, as we are taking a great risk with the city wells. Why can't this go on the land we presently own on Venture Drive, as he feels there is a substantial amount of land up there and it should go in that location. Berry commented on the costs of protecting the wellheads. Berry feels we would be taking prime development site by using Venture Drive; also the trucks would have to be driving from one end of town to the other; whereas, Mast Road is a much shorter distance. These folks are working in shameful conditions at the current site. He does not want to delay this matter any further. Nossiff completely agrees with Reese even though the current facility needs to be addressed, he feels there is no emergency here. He commented on the placement of a transfer station. He stated, we are talking about taking chemicals and putting them within 2000 feet of the well, and this is a problem. Schmidt makes a point of order about Nossiff's comments.

Nossiff wants to slow the process down by looking at other areas and he feels they should not take a risk with the public drinking water. He suggests, why not look at the State of NH garage, as they also want to move their facility. We should not have an atmosphere of emergency. Hindle agrees with Nossiff and Reese and feels the drinking water is at risk, also. Andrews Parker stated she is not going to vote to put it on this site either; she suggested that we put it on Venture Drive as soon as possible. We owe it to the employees that work there and we could also put the recycling center at Venture Drive. She cannot take the risk with the water. The Mayor jumps in with the argument that every time you take a ride on an airplane you take a risk. He does not think the City Manager wants to contaminate the well. The Mayor tries to justify his position by saying he needs to rely on the experts on this issue and about the study on the wellhead in the area. He stated, we are two years out from developing on Venture Drive and we cannot prove a reasonable doubt. Mayberry says if we go to Venture Drive, we will lose \$203,000 in costs that have already been spent. To put a road in at Venture Drive would be \$500,000; we would lose property tax revenue from this land forever. He stated the numbers do not decrease because we are moving to Venture Drive. When companies want to move to Dover we will not have the space. The Mayor stated this land will be off the tax rolls forever; no new business will be able to be located there.

Berry reminded the council about the not in my backyard theory as they are moving this project over and over. No one wants to see this water polluted. The price tag will be more; Reese is not troubled by the fact we have spent \$203,000 now, because we have a couple of chunks of land that we have spent money on that we cannot use. Furthermore, when you tell him you are going to rely on the experts, he is in doubt. He goes back to the building of the wastewater treatment plant and how the experts assured us there would be no odors. But the residents could not go outside at certain times of year because of the odor. He will not be voting on this because the experts are not always right. Water is a much more precious commodity. He is willing to fund it if we put it someplace else. Berry asks if it is \$2 million more, will Reese vote for it. Reese interrupts; do you know this is \$2 or 3 million dollars more? Reese won't be funding a \$10 million garage. Nossiff comments about the 6 or 7-acre parcel near to the right hand side of Foster's Daily Democrat on Venture Drive. If we build near a well, there will ongoing issues on a daily basis such as the salt, etc. One last thing, he will not say tonight that he will fund a new site, as he cannot fund it dollar for dollar. Andrews Parker sees \$5.5 million right here and she is more than happy to approve that. She feels recycling can go on this site also. She stated bring it on to her ward. Hindle calls the question. The Mayor disagrees with him saying people should be allowed to speak on this hot issue. Mayberry thanked the councilors who have come forward. However it comes out, let's get on with it and find it a new home. The Mayor reminded everyone, we are talking 2 years from getting on

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Venture Drive with it. The City Manager clarified about the two parcels in Venture Park, stating we have committed to give the State of NH seven acres in Enterprise Park. There is not enough land to put the city's facility there also, unless we buy more land. One of the sites probably would hold us, but one would definitely not.

Schmidt stated there has been a lot of talk on environmental impact; but the current facility sits on the Cochecho River and the protection of the Cochecho means nothing, and that is a reality as that is where we are sitting right now. This new facility is an extremely well thought out site. Schmidt mentions the current potential threat to the wellhead from oil and gas storage at surrounding homes and Pruven Concrete. The proposed DPW site is a lesser hazard than those. He stated, Reese is advocating that we put the facility on a 22-acre site that we do not even know if this site is within a wellhead. If we vote this down now, we are pushing the process back for several weeks and possibly to next year. Based on the work the committee has done and considering all the alternatives, this site should be adopted. The Venture Drive site has the potential of bringing in \$100,000 in a property tax revenue source. The wells are not gone forever if they are polluted, as the Ireland well was brought back from contamination.

Dunnington commented, we do not live in a risk free society. The question is can we live with the risk. He feels the technology is there to deal with the risk. His recollection is there are two wells and that they will be monitored on a daily basis. He cannot believe we cannot deal with this problem. We have been looking at this problem for years and years, it needs to be dealt with tonight. Motion fails on a roll call vote of 5-4, Nossiff, Reese, Andrews Parker and Hindle opposed. (A 2/3 thirds vote was needed for passage).

The Mayor reminded everyone he needed the City Manager's evaluation, as we will be discussing it at the next regular meeting. Motion to adjourn by Reese was seconded by all, and all are in favor.

WORKSHOP SESSION

DISCUSSION RE:

A. WENTWORTH-DOUGLASS HOSPITAL

The Mayor stated he was going to open the workshop session first this evening. Mr. Beecher turned the meeting over to Greg Walker, President of Wentworth-Douglass Hospital and Janet Perry, Chair of Board at the hospital. Mr. Walker gave his presentation and had a booklet he presented. (See meeting folder of 8/24/2000). He gave the hospital's mission statement, which is to help individuals achieve their highest level of health and well being. Then he asked Janet to comment on the Board and the Trustees. She mentioned the assorted hospital services and told the responsibilities of the Board. She stated she has worked for 5 years with these trustees, and they serve the community very well. Mr. Walker went on to say the hospital has 178 beds and is the Seacoast Cancer Center for this part of the state. He also mentioned Swampscott nursing and their connection to the hospital, and that they are also very focused on outpatient care.

The hospital has received accreditation. This is the highest award that can be earned, and only 13% of the hospitals in state have achieved this. They take great pride in their patient satisfaction; they are working to increase their scores. He went on to explain the Strafford Health Alliance and the medical connections to the other services that are owned by the hospital, including several physician corporations, and they are all fully accredited.

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Wentworth-Douglass is really focused on reducing cancer in the community. A large portion of the hospital handles cardiac care, as this disease has the highest incidence in the area. They have the most advanced cardiovascular, angioplasty, and pacemaker clinic, etc. Growth of services is another area and 556 studies have been done. They provide services to the tune of \$1.2 million to the indigent people in the area who cannot pay their bills. They offer a wide variety of low interest payment plans to people that do not have health insurance. He commented about the community needs and stated they had done an assessment of such. Janet stated they have taken a different approach and know there is a large percentage of people who do not have a health care program provided by their employer. They have done a survey, and in the process they see several individuals that come through the express care unit and they are studying this now to begin to decide how to cover individual needs. The board is very committed to this process.

Mr. Walker commented on the program with the UNH role models, and one of these is their hockey team that is trained to go into the schools and set up programs to promote good health care, such as no smoking, and give kids someone to look up to and admire. He went on to explain more programs. He also mentioned the growth of the hospital and the \$14 and a half million project that has been expanded to meet needs of their patients.

He asked if there were any questions. Mayberry asked about the article in the newspaper that stated there was a nursing shortage in the area. Mr. Walker replied, this is a constant issue and there is always a shortage but it is not as bad as some other health care facilities. The Mayor stated we are fortunate to have Wentworth-Douglass in the area. They are a good neighbor hospital and the quality of care is very good. Berry mentioned the Breakfast of Champions Program they hold every year and on a personal note, his father-in-law's illness and mother-in-law's stroke, as well as his own chest pains. He expressed his thanks to Mr. Walker for his responsible, professional staff. The Mayor commented on the best party in town, that is the ball at Wentworth-Douglass. Janet extended an invitation to all city councilors to come take a tour of the cancer unit.

B. HOME RULE

Mr. Beecher gave a brief synopsis of what home rule is. Andrews Parker stated the issue is coming up for a referendum vote this fall. The City Manager stated basically what home rule is, is for anything we need done in Dover, we must go back to the state to get permission to do what we need to do. The purpose of home rule is to allow the City to be able to do things the way we want that affect us, unless pre-empted by the State. There are a lot of issues that we do that we have to go back to the state to get permission for. He does not feel most folks realize this. The City Manager feels that most people don't know what this is about and he feels the council should get the word out. Mayberry asked for examples of home rule, Mr. Beecher stated we should be able to decide about our own home property taxes. Also bag and tag was an issue that we had to go to the state for. Andrews Parker stated just as a follow up, there is a checks and balance system in place; speed limits are a perfect example, as this will allow us to set the speed limit in certain areas of the City. These issues should not be decided by the state legislature. The Mayor asked if we should have a resolution. Mr. Beecher stated we will have it on the next agenda. Dunnington stated the final answer should lie with the voters and he would like some material to get out to the citizens. The Mayor stated Foster's will probably note it and comment on it when the resolution is passed.

JUDITH GAOUETTE
CITY CLERK