



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Workshop Session**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, August 3, 2011**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor Cheney led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Trefethen, Deputy Mayor Weston, Councilor Carrier, Councilor Cheney, Councilor Garrison, Councilor Hooper, and Councilor Nedelka.

Absent: Councilor Cruikshank.

Also present: City Manager Joyal, General Legal Counsel Krans, and Deputy City Clerk Mistretta.

5. CHARTER AMENDMENT DISCUSSIONS

A. WARD BOUNDARIES

Christopher Parker, Director of Planning and Community Development, referred to his handout and spoke about the ward boundary changes that are being proposed in the Charter Amendment question. He said the City has received word that the proposed ward changes do comply with State statute and are able to be placed on the ballot should the Council choose to do so.

Mayor Trefethen asked if it was State or Federal law that required the City to change the ward boundaries.

Director Parker said the State tells the City that there needs to be a 1% variation between wards in regards to population; 4,873, and 5,123.

Mayor Trefethen asked what the next step is in the procedure.

Director Parker said the Council has to hold a public hearing to ask the public if they want it put on the ballot, the Council would make a decision based on public comments, and then it would be placed on the November ballot. He reminded the Council that should it pass it would not go into effect until June 1, 2012.

Mayor Trefethen asked the Council if they wished to have this Charter Amendment continue to proceed to a public hearing.

There was consensus.

B. TAX CAP

Allan Krans, General Legal Counsel, referred to his handout and spoke about the Tax Cap Charter question that is intended to be on the ballot in November. He said the three State officials have approved the Redistricting question and the Tax Cap Charter question. He went over the steps in the process with the Council: 1. Council declares that there is a need



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for a Charter amendment. 2. Submit the actual question to three State agencies for review and approval; Attorney General's Office, Secretary of State, and Department of Revenue. 3. Hold a public hearing with 7 days notice. 4. Council passes a resolution that says the question will go on the November 2012 ballot. 5. Provide public information to inform the citizens what the questions are all about. He said the State officials have decided that the tax cap language being proposed is consistent with State law. He discussed the reasoning behind the proposed changes in the Tax Cap Charter Amendment question, referring to RSA 49-C:33I. He said it was closely modeled with the new State legislation. He said if the Council chooses to change the language at this point that the State will want to review it again, stating that minor changes won't take the full 30 days for review.

Councilor Nedelka asked what dedicated funds were.

City Manager Joyal said dedicated funds are grants or trust funds where the funds are for a specific purpose.

Deputy Mayor Weston started a discussion on the CPIU index that the Council will use in figuring the tax cap. She spoke about using the Core inflation index versus the 100% inclusive index. She asked the Council to consider changing the language, and asked General Legal Counsel Krans if it would involve one or two Charter changes.

General Legal Counsel said the Council could just change 6.3.A.

Deputy Mayor Weston asked the Council if they would consider using the Core index, which excludes items with volatile price movements.

Mayor Trefethen spoke about spikes in fuel and needing to meet the budget, and if that wasn't figured in. He spoke about using the 36-month average to even out spikes and dips. He spoke about changing the CPIU index and asked the City Manager if that change would require it to be reviewed again.

City Manager Joyal said they would probably want to see it again.

Councilor Weston asked about using the calendar year.

Mayor Trefethen said it was an Ordinance, not in the Charter. He said which index is used and method of averaging is in the new language.

Councilor Cheney spoke about the original spending cap amendment. She felt the Council should continue to use the National CPI Urban versus the Boston CPI.

City Manager Joyal discussed his handouts, which included the National CPI – Urban, Northeast Regional CPI Urban, and Boston CPI with the Council.

Mayor Trefethen said the Boston CPI is being proposed in the new language. He said the Boston CPI is less than the national average. He spoke about putting the index in the Charter and making it impossible for the Council to change or pick the index that's most favorable without another Charter amendment question.

Councilor Nedelka asked for more in depth information about the indexes from the City Manager.

City Manager Joyal said he would get it to the Council.

Mayor Trefethen said the Council has to decide which index to use and the time period to average.

Councilor Cheney started a discussion regarding Manchester changing their tax cap because it was ruled illegal.

General Legal Counsel Krans said Manchester was seeking to amend their tax cap, just like Dover. He said the language before the Council is modeled after the new State law.



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Councilor Cheney said the same State authorities approved the previous Charter amendment.

Councilor Garrison said he felt the Boston CPIU index is more appropriate for the City, and the 3-year average makes the most sense. He spoke about the language of the proposed Charter amendment and the outcome of a vote. He said a “yes” vote would change the language and a “no” vote would leave the original tax cap as it is.

Mayor Trefethen asked for a show of hands for using the National CPI or Regional index.

Vote: National CPIU : 1, Councilor Cheney
Regional CPIU: 6.

Mayor Trefethen asked for a show of hands for using Regional indexes.

Vote: US City Average Index: 1, Councilor Cheney
Northeast Regional Urban: 0.
Greater Boston Average Index: 6.

Mayor Trefethen asked for a show of hands for using the Core Index or All inclusive index.

Vote: Core: 1, Councilor Weston.
All inclusive: 6.

Council discussed having a public hearing on August 24, 2011.

Mayor Trefethen said the only intention he has heard from the Council is setting the CPIU index.

Councilor Cheney spoke about changing the language to be closer to the existing Charter and the intent of the voters. She spoke about the Administration and Schools submitting their proposed budgets to the Council by following the provisions in the Charter. She asked the Council to direct the City to put the original Charter and what the Council would like to put on the ballot on the City’s homepage.

Mayor Trefethen said he didn’t see any reason why the staff couldn’t do that. He spoke about the State law regarding the City Manager’s powers, which hasn’t been changed. Deputy Mayor Weston asked to see the City of Manchester’s ballot question regarding their tax cap.

General Legal Counsel said he would get that to the Council when it became available.

Mayor Trefethen said the two resolutions will be on next week’s agenda, being referred to a public hearing on August 24, 2011.

6. ARENA PUBLIC/PRIVATE TRAINING FACILITY PARTNERSHIP PRESENTATION

Gary Bannon, Director of Recreation, gave an overview of the public/private partnership with the Leach Brothers Hockey Programs. He introduced Andrew Leach to the Council.

Mr. Leach discussed his plan to build a training facility at the Dover Ice Arena with the Council.

Deputy Mayor Weston asked how close the City was to signing a lease.

Mr. Bannon said they were very close. He discussed the two documents that needed to be completed: the Joint Development Agreement and the Commercial Lease Agreement. He said the time-line is around 6 to 9 months.

Councilor Trefethen started a discussion regarding the Arena’s self-sufficiency and how it is operating in the black. He spoke about his concerns that the City is in competition with itself.



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City Manager Joyal said this is a private business and the City is providing the space. He said he would provide details of the contract to the Council when they are completed.

7. ECONOMIC DEVELOPMENT ISSUES

Dan Barufaldi, Economic Development Director, discussed the economic developments in the City. He spoke about his retention success in saving a business that was fined for OSHA violations that they were able to mitigate. He spoke about the Dover Merchants Promotion Program, which was sponsored by Dover Business and Industrial Development Authority (DBIDA), the Parking Commission, Greater Dover Chamber of Commerce, and Dover Main Street. He said the merchants appreciate the help. He spoke about the progress at Tuttle Farm. He discussed his concerns with unemployment in Dover. He spoke about the four city parking lots RFPs that have been advertised. He discussed his work as liaison for the Skyhaven Airport, and working out an agreement with Dover Hotels to offer a shuttle service. He spoke about development projects that are in the early stages but look positive, and the Waterfront Development project which is still on track to break ground in May 2012. He said the Economic Action in Dover, 3rd edition, has been published. He spoke about the Tourism Stakeholders Group and the Ambassador Program. He said two new companies were moving to Industrial Park Drive: Patriot Steel and Sid Harvey Industries. Two other firms, who didn't want to be mentioned, were also moving in. He said F.W. Webb is expanding and moving to Knox Marsh Road from Summer Street, which is expected to bring additional jobs. He said they are trying to get an Alternative Energy company into an existing building in Dover. He spoke about the City having 5 ERZ-districts approved in Dover. He said he continues to consult for the Parking Commission on parking facilities and systems.

8. CITIZEN'S FORUM

Citizens are invited to speak on the subject matter of the Workshop. Statements shall be limited to five minutes.

Mayor Trefethen, seeing no one wishing to speak, closed the Citizen's Forum.

9. ADJOURNMENT

Deputy Mayor Weston moved to adjourn; seconded by Councilor Hooper.
Vote: 7/0.

All handouts have been archived with the Minutes.