



CITY OF DOVER

CITY COUNCIL MINUTES

Meeting Type: Non-public session
Meeting Location: City Manager's Office 288 Central Avenue Dover NH
Meeting Date: February 6, 2013
Meeting Time: 8:46 PM

NON-PUBLIC SESSION

Present: Mayor Dean Trefethen, Deputy Mayor Robert Carrier, Karen Weston, Dorothea Hooper, Catherine Cheney, Edward Spuler and Michael Crago. Councilors Weeden and Garrison were absent. A quorum was present.

Others present: Michael Joyal, Allan Krans, Christopher Parker, Daniel Barufaldi.

The City Manager presented introductory remarks stating the session was called to discuss the sale of the parcel involved in the waterfront development project. The City Manager provided a review of the efforts of councilors to perform due diligence in the past several weeks to learn about the Dickinson proposal seeking an extension of the Land Disposition Agreement (LDA). The City Manager informed the councilors of a meeting earlier in the day among Councilors Cheney, Crago and Weston with the developer, Mark Dickinson and his attorney. Also present at the meeting was City Manager Joyal, Planning Director Parker and Attorney Krans. This meeting was held to review proprietary financial information from Dickinson Development.

Councilor Michael Crago stated he seeks a solution allowing the waterfront development to obtain financing and to succeed. He stated he was in favor of providing an extension of the agreement if the extension had the following components:

- Payment of \$25,000 by Dickinson
- Release of the \$100,000 by Dickinson
- Extension of 15 months to allow an equity investor to become involved with Mr. Dickinson followed by a 24 month permitting period during which \$10,000 per month would be paid by the Developer
- Doubling of the number of apartment units along the river replacing the single family units to make the project more likely to attract financing with a possibility of previous potential investors reconsidering the project due to the change in design

Councilor Crago stated he acknowledges the key role of the Cochecho Waterfront Development Advisory Committee (CWDAC) in approving changes to the design of the project especially the replacement of single family residential units along the river with more apartments. He stated Dickinson will be obligated to return to CWDAC.

Councilor Crago stated he reviewed in detail the expenditures of Dickinson Development in the amount of \$1,059,000.00 at a meeting today by reviewing not only the summary of expenditures, but also the general accounting ledger of Dickinson Development showing the checks written to various architects, engineers, legal advisors, the City of Dover/DHA and others. Councilor Crago stated he thought Dickinson had been truthful with the disclosures.



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Deputy Mayor Robert Carrier stated he thought the councilors had performed due diligence and that he supported the extension along the same lines as Councilor Crago.

Councilor Cheney asked questions about whether Tax Increment Financing (TIF) is planned by Dickinson for the waterfront as part of the Dickinson plan and whether Dickinson has requested waivers of fees normally associated with Planning Board approval. The City Manager responded Dickinson Development has neither requested a TIF nor the waiver of fees. Councilor Cheney stated she reviewed the financial ledgers of Dickinson Development during the meeting earlier in the day.

A general discussion among the councilors ensued about the quality of the apartments proposed by Dickinson Development. Mayor Trefethen responded there is no indication any residential unit on the waterfront will be the subject of Section 8 rent payments. The Mayor stated he has heard the rumor and there is no truth to the rumor.

Councilor Weston stated she has informed by Mr. Dickinson the apartments along the river will be renting in the vicinity of \$2,000 per month.

Councilor Crago stated he was informed by Dickinson the first occupancy if everything goes well may be in the Summer of 2016.

A general discussion among the councilors ensued regarding the necessity of Dickinson returning to seek the approval of CWDAC for design changes.

A general discussion among the councilors ensued regarding the sponsorship of a resolution to extend the provisions of the Land Disposition Agreement. A consensus formed indicating additional sponsors may be added in the event other sponsors want to join in a resolution. Councilors Crago, Weston and Spuler indicated they will be the initial sponsors of a resolution supporting an extension of time for Dickinson Development.

Councilor Hooper stated she is in favor of extending the LDA to allow Dickinson Development to continue the search for an additional equity investor.

Councilors Weston stated she met with Mr. Dickinson and his attorney today and several weeks ago to learn more about the project and the extension proposal. She stated she was encouraged by the meetings with Mr. Dickinson. She stated the City Manager and Attorney Krans were also present. Councilor Crago stated he also attended several weeks ago.



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Mayor Trefethen stated he was satisfied with the due diligence performed by the councilors in this matter. He stated he favors an extension and wants an opportunity for all councilors who desire to be able to co-sponsor a resolution for extension.

The City Manager provided some statements about the process for amending the LDA, including the statement the design changes should be returned to CWDAC for consideration.

A discussion ensued regarding sealing the minutes. The City Manager recommended not sealing the minutes since the resolution for extension will appear on the next agenda tomorrow.

Upon motion (Hooper) and second (Crago), the Council unanimously adjourned the non-public session to return to the public meeting. The meeting adjourned at 9:58 PM.

Allan B. Krans
General Legal Counsel
2/7/13