

We will never bring disgrace on this our City by an act of dishonesty or cowardice. We will fight for the ideals and Sacred Things of the City both alone and with many. We will revere and obey the City's laws, and will do our best to incite a like reverence and respect in those above us who are prone to annul them or set them at naught. We will strive increasingly to quicken the public's sense of civic duty. Thus in all these ways we will transmit this City, not only not less, but greater and more beautiful than it was transmitted to us.

# City Council Organizational Meeting and Orientation

## Charter 3-2:

“The Councilors so chosen shall meet in their capacity as the City Council on the first Monday of January next following their election for the purpose of taking their respective oaths of office, and adopting rules for the transaction of business required by law or ordinance to be transacted at such meeting. The City Clerk shall act as the Clerk of the Council. In the event that the first Monday of January is a holiday, the organization meeting shall take place on the Tuesday immediately following the first Monday of January.

The City Council shall establish by ordinance an orientation program for the newly elected City Council. The orientation program shall inform members on their role, appropriate ethics and the responsibilities of the City Council. The program shall provide an understanding of the budgetary process as well as the City Charter, city ordinances, and relevant state law. The program shall be conducted prior to the organizational meeting.”

# School Board Organizational Meeting

## Charter 4-3 Meetings; Regulations; Officers.

A. The members of the School Board shall meet on the first Monday of January following their election for the purpose of newly elected members taking their oaths, organizing for the ensuing year and adopting rules and regulations for the transaction of business.

B. A copy of such rules and regulations and any amendments thereto shall be filed in the office of the City Clerk and the office of the School Superintendent.

C. The School Board shall elect by ballot from their own number a Chair, a Vice Chair, and a Secretary. The Treasurer of the City of Dover shall be the Treasurer of the School Board, and all checks authorized by the School Board shall be issued by the Treasurer upon warrant certified by the School Board and countersigned by such member of the School Board as may be officially designated.

# Dover Orientation Ordinance

## City Code Chapter 13 (excerpts):

### § 13-2 Preparation and presentation of program.

The City Manager, or designee(s), shall prepare and present an orientation program for City Councilors. The program shall include, but not be limited to, written materials, as amended from time to time, available to the Councilors after their election. The orientation program shall include a review and vote of the existing Council.

### § 13-3 Content of program.

The content of the orientation program shall include, but not be limited to, information on the role of City Councilors, general responsibilities, ethics, budget preparation and adoption procedures, the City Charter, City ordinances, and state law. The program shall include consultations with City staff and a tour of City buildings and facilities.

### § 13-4 Conduct of program.

The orientation program shall be conducted prior to the organizational meeting conducted pursuant to § C3-2 of the Dover City Charter.

# OUR OBJECTIVES TODAY

- Importance of local leadership team
- Linking policy-making, planning and operations
- Legal framework of local government
- Sound decision making and transparency
- Open communications/citizen involvement
- Promote ethical culture
- Strengthen Council-School Board relationship
- Financial and administrative organization

# Congratulations and Welcome!

- ▣ Who are we?
- ▣ Why/How did we come to reside in Dover?
- ▣ What do we hope to achieve?

# LEADING OUR COMMUNITY: THE CHALLENGES

"You've got to think about big things while you're doing the small things, so that all the small things go in the right direction." - Alvin Toffler

# LEADING OUR COMMUNITY: LEADERSHIP TEAM

"Coming together is a beginning.  
Keeping together is progress. Working  
together is success." - Henry Ford

# POLICY MAKING AND STRATEGIC PLANNING

I get up every morning determined to both change the world and have one hell of a good time. Sometimes this makes planning the day difficult.

– E. B. White

# CITY OF DOVER VISION STATEMENT

“To be a city with an emerging urban vibrancy guided by a small town sense of community”

# CITY OF DOVER MISSION STATEMENT

“To provide affordable high quality municipal services and responsive and accessible local governance ensuring all persons the opportunity to enjoy contributing to and being part of the Dover Community”

# LEADERSHIP: THE BIGGER PICTURE

The greatest danger for most of us is not that our aim is too high and we miss it, but that it is too low and we reach it.

– Michelangelo

# COMMUNICATING WITH THE PUBLIC

Openness and Transparency

# Right to Know

Part I, Article 8 of the State Constitution:

“Government, therefore, should be open, accessible, accountable and responsive. To that end, the public’s right of access to governmental proceedings and records shall not be unreasonably restricted.”

Constitution is the paramount right/authority. To effectuate the constitution, the legislature has enacted NH RSA chapter 91-A.

# Right to Know

Two big takeaways for today:

1. Requirements for meetings of public bodies;
2. Public access to municipal documents/records.

# Right to Know, cont'd

## Public Meetings

- ▣ Statutory requirements triggered by combination of two things: (i) a quorum (ii) discussing business
  
- ▣ Key Requirements:
  - 24-hour advance posting of meeting notice/location
  - Open to public to observe
  - Quorum of membership must be physically present
  - Minutes kept;
    - ▣ If a confidential meeting, must be sealed by motion or else become public

# Right to Know, cont'd

## Public Meetings (Cont'd)

- ▣ No deliberations outside properly noticed “meeting”
  - Email, text, other deliberations also prohibited!
- ▣ Meeting requirements apply to subcommittees too!
- ▣ Avoid discussing confidential/privileged information during public meetings
- ▣ City ordinance requires audio recording of all public meetings.

# Right to Know, cont'd

## Meeting Minutes

Minimum content per RSA 91-A:2, II:

“Minutes of all such meetings, including nonpublic sessions, shall include the names of members, persons appearing before the public bodies, and a brief description of the subject matter discussed and final decisions. The names of the members who made or seconded each motion shall be recorded in the minutes.”

Draft minutes must be posted within five business days of the meeting date (for non-sealed minutes).

# Right to Know, cont'd

## Nonpublic Meetings

- ❑ Nonpublic meetings can occur only for enumerated reasons;
- ❑ Require same public notice as public meetings, except meeting notice should cite statutory provision relied upon
- ❑ Examples (not exhaustive)
  - Personnel actions (hiring, discipline, etc.)
  - Reputational harm (to a non-member)
  - Considering pending claims or legal advice
  - Considering sale or lease of property
  - School board's consideration of a tuition contract

# Right to Know, cont'd

## Nonpublic Meetings (Cont'd)

- ❑ Same 91-A premeeting procedures apply (with some emergency exceptions)
- ❑ Must keep minutes (no need to post if sealed);
- ❑ City staff have prepared step-by-step procedural checklist to help guide members.

# Right to Know, cont'd

## Non-meetings (aka "Executive Sessions")

- ▣ RSA 91-A:2 excludes a very limited set of meetings from the normal procedural requirements, most commonly:
  - Consult an attorney;
  - Discuss labor bargaining or negotiations.

# Right to Know, cont'd

## Remote Meetings/Remote Participation

- ❑ Remote meetings, where a quorum is not physically present, are only used in case of “emergency”, defined narrowly;
- ❑ Remote attendance by individual members still occurs on occasion but is not generally encouraged;
- ❑ For any meeting involving a remote attendee, ensure:
  - Remote attendee states reason for remote attendance;
  - The meeting is audible on both ends;
  - Remote participant identifies “the persons present in the location from which the member is participating”
  - All votes taken must be by roll call vote.
- ❑ City has a procedural checklist for remote meetings.

# Right to Know, cont'd

## Documents for Inspection

- ▣ Assume all City records are public.
  - Email and preference for use of City-provided email
  
- ▣ Format is not determinative — text messages, social media posts, etc. could conceivably be public
  
- ▣ Examples of nonpublic (i.e., “exempt”) documents:
  - Written communication seeking/receiving legal advice
  - Student information/records
  - Personnel files
  - Utility billing (not tax billing)

# Right to Know, cont'd

## Resources:

- ▣ Office of City Attorney (OCA)
- ▣ NH AG memorandum (published 2015)
- ▣ NHMA and other publications.

# Right to Know, cont'd

## Compliance

- ▣ Penalties for violating 91-A can include:
  - Invalidation of public action
  - Costs and Attorney's fees
  - Civil penalties
  - Remedial training

# Right to Know, cont'd

## Other Compliance Considerations:

- ▣ Oath of office;
- ▣ Removal per RSA 42:1-a and/or RSA 49-C:13.

# CITIZEN ENGAGEMENT

I know of no safe depository of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion.

— Thomas Jefferson

# MEDIA RELATIONS

You can have brilliant ideas, but if you can't get them across, your ideas won't get anywhere.

— Lee Iacocca

# ETHICAL LEADERSHIP

It takes many good deeds to build a reputation and only one bad one to lose it.

– Benjamin Franklin

# Ethics Issues

## Various sources of authority:

- ❑ Dover Charter 10-2 (conflicts of interest)
- ❑ Dover Code Chapter 21
- ❑ NH RSA chapter 95
- ❑ RSA 673:13 (disqualification for local land use boards)
- ❑ RSA 669:7 (incompatibility of dual office)
- ❑ RSA 32:12 (removal for violation of municipal budget law)
- ❑ RSA 42:1 (removal for violation of oath); see also RSA 42:1-a (divulging information improperly)
- ❑ RSA 49-C:13 (removal of mayor or city councilors “for cause, including . . . prolonged absence from or other inattention to duties, crime, or misconduct in office”)

# Ethics, Cont'd

- ▣ Conflicts of interest principles:
  - Personal interest must be pecuniary and “immediate, definite, and capable of demonstration; not remote, uncertain, contingent and speculative.” *Atherton v. Concord*, 109 N.H. 164 (1968);
  - “The area of matters on which aldermen and other legislators must pass is of such a wide range that almost every legislator, whether he be in a private or public calling, or in neither, must inevitably have some interest which may conceivably be affected by some legislative proposal. It follows that, if every possibility of conflict, no matter how remote, uncertain, contingent, insubstantial or speculative, were cause for disqualification, many persons who are peculiarly suited for public office by the very reason of their commercial or professional experience would be prevented from contributing their services to the community.”

# Ethics, Cont'd

- ▣ Conflict provisions apply to decisions involving “family,” meaning “spouse, parent, grandparent, child, grandchild or sibling” as well as “all persons who are members of the same household” whether or not a blood relative (Dover Code 21-1)
- ▣ Timing: Ideally abstain prior to discussion taking place
- ▣ Distinction between legislative and quasi-judicial capacities
  - Rules more strict when acting in quasi-judicial setting;
  - “An act is judicial in nature if officials are bound to notify and hear the parties, and can only decide after weighing and considering such evidence and arguments as the parties chose to lay before them.” *Appeal of Keene*, 141 N.H. 797 (1997).

# Ethics, Cont'd

## ▣ Gifts

- \$25 per gift; \$100 total per calendar year per source “in business dealings with the City”;
- Dinners
- Favors
- Services

## ▣ Confidentiality

- Maintain confidential information and privileged information (discussed above in reference to RSA 91-A and the Right to Know law).

## Ethics, Cont'd

**RSA 95:1 Public Officials Barred From Certain Private Dealings.** – No person holding a public office, as such, in state or any political subdivision governmental service shall, by contract or otherwise, except by open competitive bidding, buy real estate, sell or buy goods, commodities, or other personal property of a value in excess of \$200 at any one sale to or from the state or political subdivision under which he holds his public office

## Ethics, Cont'd

- ▣ Ethics Committee pursuant to City Charter to investigate and adjudicate ethics violations
- ▣ Your decision
- ▣ When in doubt, disclose
- ▣ Do not be intimidated: you have a duty to sit and vote just as much as you do to recuse yourself, so weigh them accordingly;
- ▣ Violation could invalidate board action;

# Ethics, Cont'd

- ❑ Breaches of the peace may occur during your meetings.
- ❑ RSA 644:2 (Disorderly Conduct) generally makes it a crime to engage in disruptive behavior in a public place, including loud or unreasonable noises, or otherwise disrupting the orderly conduct of business.
- ❑ Try to calm the situation and bring meeting to order.
- ❑ If unsuccessful, contact police and/or consider adjourning the meeting temporarily (recess) or to another date and time if necessary.

# ETHICAL LEADERSHIP

When in Doubt...

Just ask yourself if your mother would be proud when she reads about it on the front page of the newspaper??!!

# MAKING MEETINGS WORK

Democracy must mean more than two  
wolves and a sheep voting on what to  
have for lunch.

– Benjamin Franklin

# Robert's Rules

- ❑ Drafted over a century ago by a US army officer, codifying centuries of evolving parliamentary procedure
- ❑ Addresses deliberation and action by a body
- ❑ Governs things such as speaking, being recognized, bringing motions
- ❑ In general, action is by motion, motions are seconded, followed by discussion/debate, then followed by vote
- ❑ One subject at a time
- ❑ Guide in materials

# Form of Government

Dover's City and School District joined together in one entity by our State-approved charter:

## **C4-1. District Established.**

The City of Dover shall constitute a single municipal corporation with powers for municipal and school purposes, including all the powers of a school district conferred by law.

## **C3-11. Powers and Duties.**

The City Council shall be the governing body of the City of Dover, shall set policies for city government and shall bear full responsibility for the implementation of said policies through the hiring and supervision of the City Manager. [Added 11-05-2005 by Municipal Election]

Except as herein otherwise provided, the City Council shall have all the powers and discharge all the duties conferred or imposed upon city councils, boards of mayor and aldermen and selectmen of towns by law. Except as otherwise provided in this Charter, all boards, commissions and committees shall be appointed by the Council.

# Form of Government, cont'd

- ▣ City is a political subdivision of the State
- ▣ Exercise only those powers delegated by State
  - RSA chapter 49-B and 49-C (City charters)
  - RSA chapter 194 (School Districts)
  - RSA chapter 194-C (SAUs)
  - RSA chapter 189 (School Boards, Superintendents, Teachers, and Truant Officers)
  - RSA chapter 44 (Cities and Wards)
  - RSA chapter 47 (Powers of City Councils)
  - RSA chapter 31 (Powers and Duties of Towns)
    - ▣ largely applicable to cities, see RSA 44:2; RSA 47:1

# Form of Government, cont'd

- City Council & School Board handle policy matters
- Autonomy of schools
- School District proposes (bottom line) budget
- City Council approves City's annual budget, which for School District is a bottom-line approval.

# Form of Government, cont'd

## Executive Authority

- Pursuant to RSA 49-C:16, City Manager serves as the “chief administrative officer” for City administration (non-school divisions of the City)

**C5-1. City Manager.** [Amended 09-05-90, approved at 11-06-90 Election; Amended 11-05-2005 by Municipal Election]

The chief administrative officer of the city shall be the City Manager. The Council shall appoint a person especially qualified by experience and training, who received the votes of at least six members of the Council, to be the City Manager. The Council shall fix the Manager's salary and such other conditions of employment not inconsistent with this Charter. The City Manager shall serve for an indefinite term of office.

# Form of Government, cont'd

## Executive Authority (Cont'd)

- ▣ For public schools, superintendent services are defined in RSA 194-C:4 (see also RSA 189:31) and include:
  - Pupil achievement;
  - Financial matters;
  - Recruitment and supervision;
  - Compliance;
  - Etc.

# Form of Government, cont'd

## Joint Building Committees

- JBCs oversee construction/renovation of schools until control returned to school board at conclusion of project;
- JBCs formed in Dover are specific to each project/school;
- RSA chapter 199
  - “No schoolhouse shall be erected, altered, remodeled or changed in any city school district unless the plans have been previously submitted to the school board of that district and received its approval.

# Form of Government, cont'd

## Preemption

- ▣ In general terms, preemption means local government cannot make laws that conflict with laws promulgated by a higher authority (or in a field or subject matter already occupied by laws of that higher authority)
- ▣ State preemption--more common variety
- ▣ Federal preemption--more narrow and tends to apply to interstate commercial matters.

359,464	0.3%
8,632,724	7.7%
59,087	0.1%
13,963,095	12.4%
5,266,055	4.7%
10,323,178	9.2%
5,283,470	4.7%
4,330,582	3.8%
490,555	0.4%
12,036,658	10.7%
121,056	0.1%
4,162,809	3.7%
33,607,969	29.9%
1,987,731	1.8%
1,665,228	1.5%
5,014,932	4.5%
5,255,312	4.7%

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4,330,582	3.8%

# Dover's Budget Revealed

An Introduction to our Community's Finances and Budget Process

# Dover's Budget Revealed

1

How Government Finances Work

2

The Budget Development Cycle

3

Where The Money Comes From

4

Where The Money Goes



# Dover's Budget Revealed



## How Government Finances Work

- Open and Transparent
- Government Specific Accounting Standards
- Formal Budgeting Process
  - Support public priorities for services & infrastructure
  - Spending and taxing authority derived from budget



# Overall Financial Structure

## Governmental Funds

General Fund

Capital Projects

### Special Revenue

- State/Federal Grants
- Parking Activity
- Residential Solid Waste
- McConnell Center
- Recreation Programs

## Proprietary Funds

### Enterprise

- Water
- Sewer

### Internal Service

- Fleet Services
- DoverNet
- Workers Compensation
- OPEB

## Fiduciary Funds

Trust

Agency

# Major Municipal Functions

General  
Government

Public Safety

Public Works

Culture &  
Recreation

Human  
Services

Education

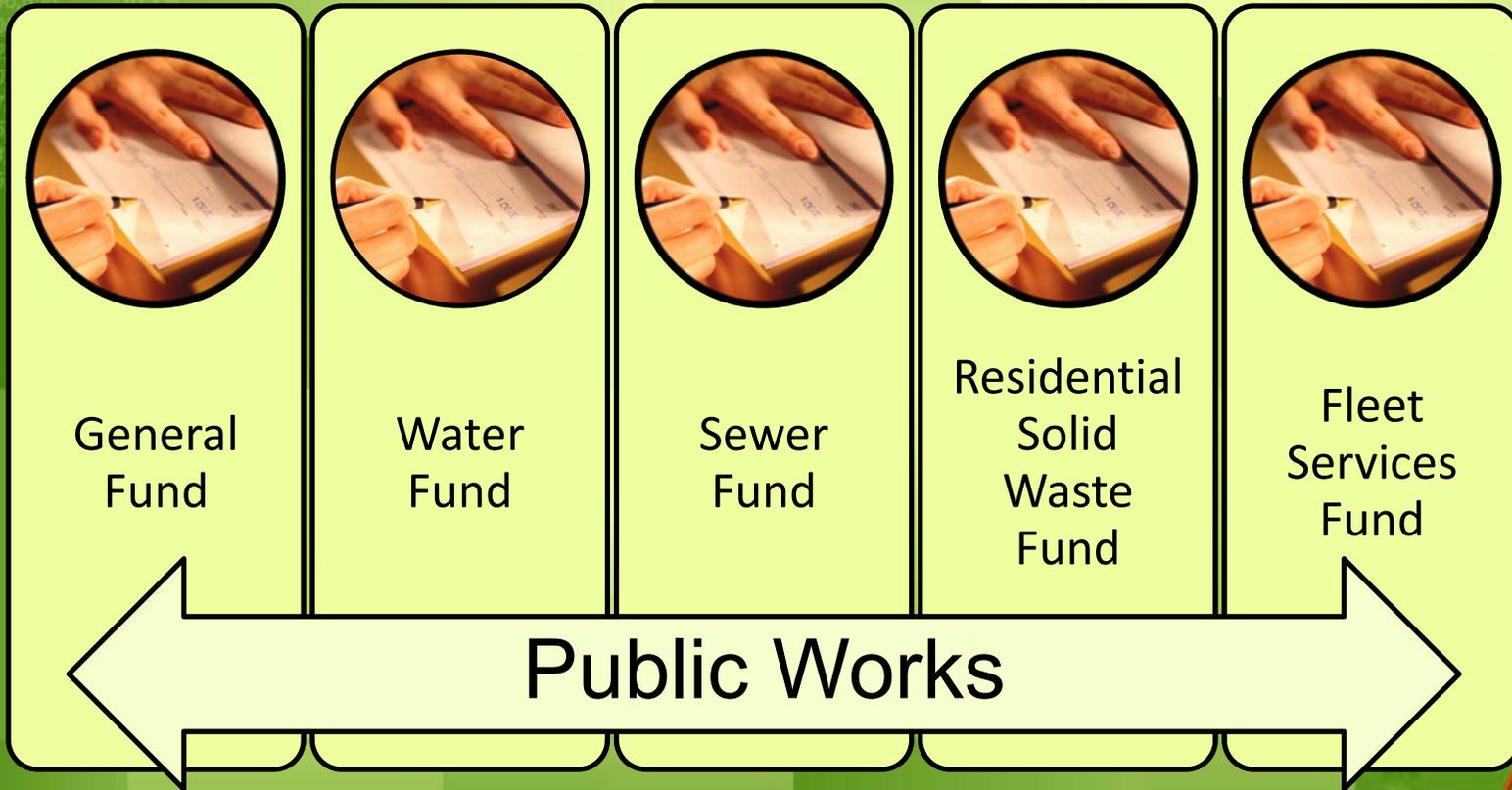
County

Debt Service

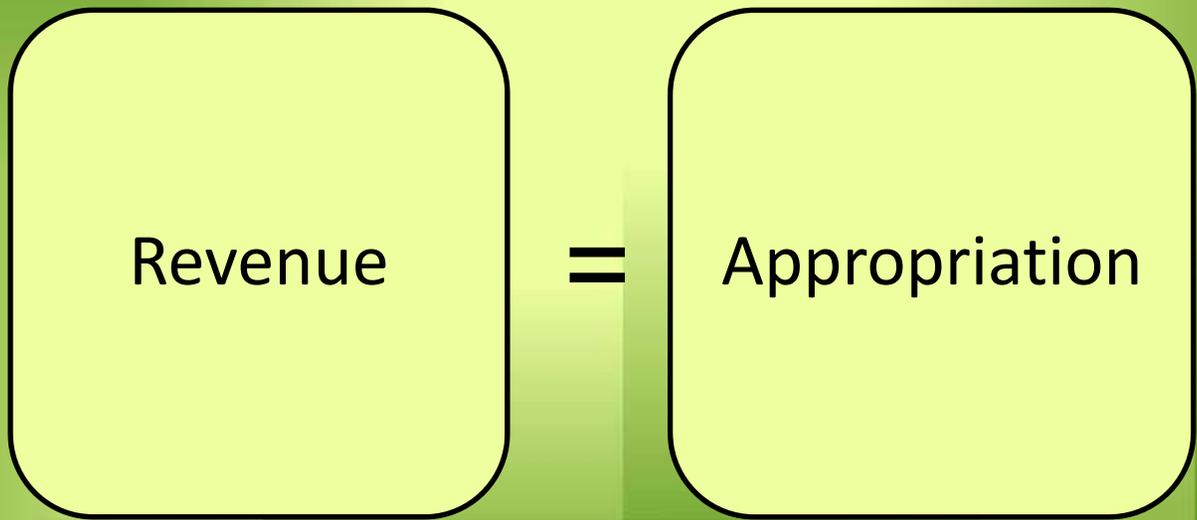
Other



# Overlap of Funds & Functions



# Budget Structural Balance



# Other Finance Terminology

- Fiscal Year Designation - July 1<sup>st</sup> to June 30<sup>th</sup>
  - Tax Rate versus Tax Levy
    - Changes in tax rates can be misinterpreted
  - Unassigned Fund Balance - Key finance measure
  - Chart of Accounts numbering schema
    - Fund, Entity, Department, Function, Object...Series
    - 1000.1.130.41320.4534.00000.00.000.000.300
- City Manager Postage



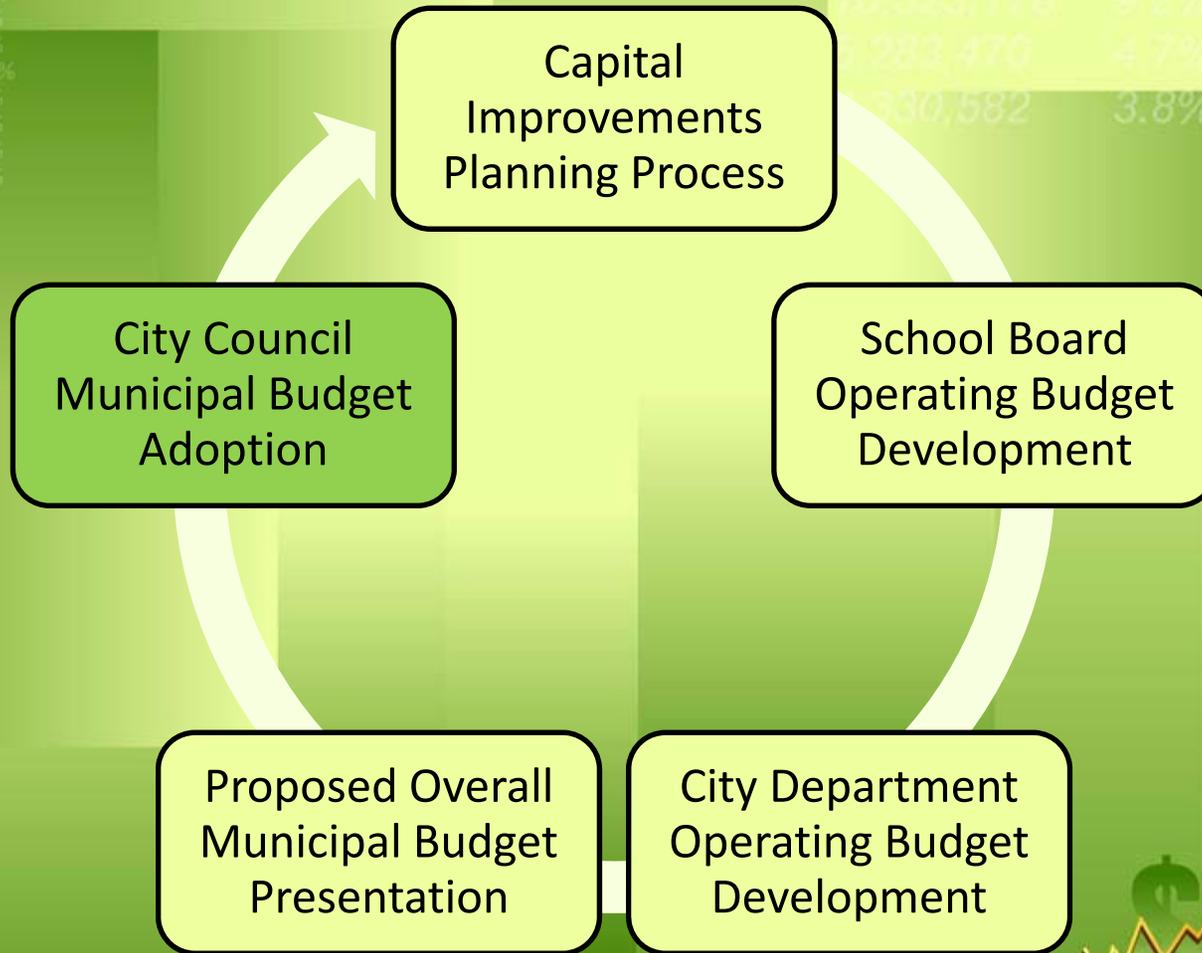
# Dover's Budget Revealed

2

## The Budget Development Cycle



# Budget Development Cycle



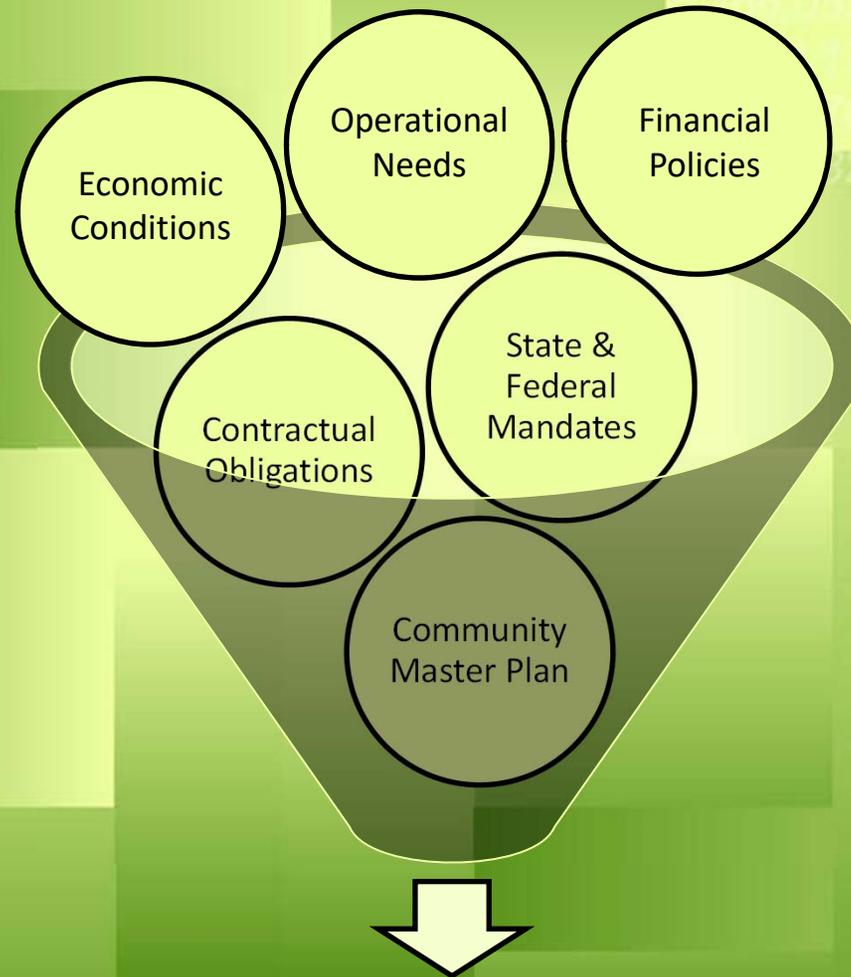
# Budget Development Factors



Proposed Budget



# Budget Development Factors



Proposed Budget



# The Budget Document

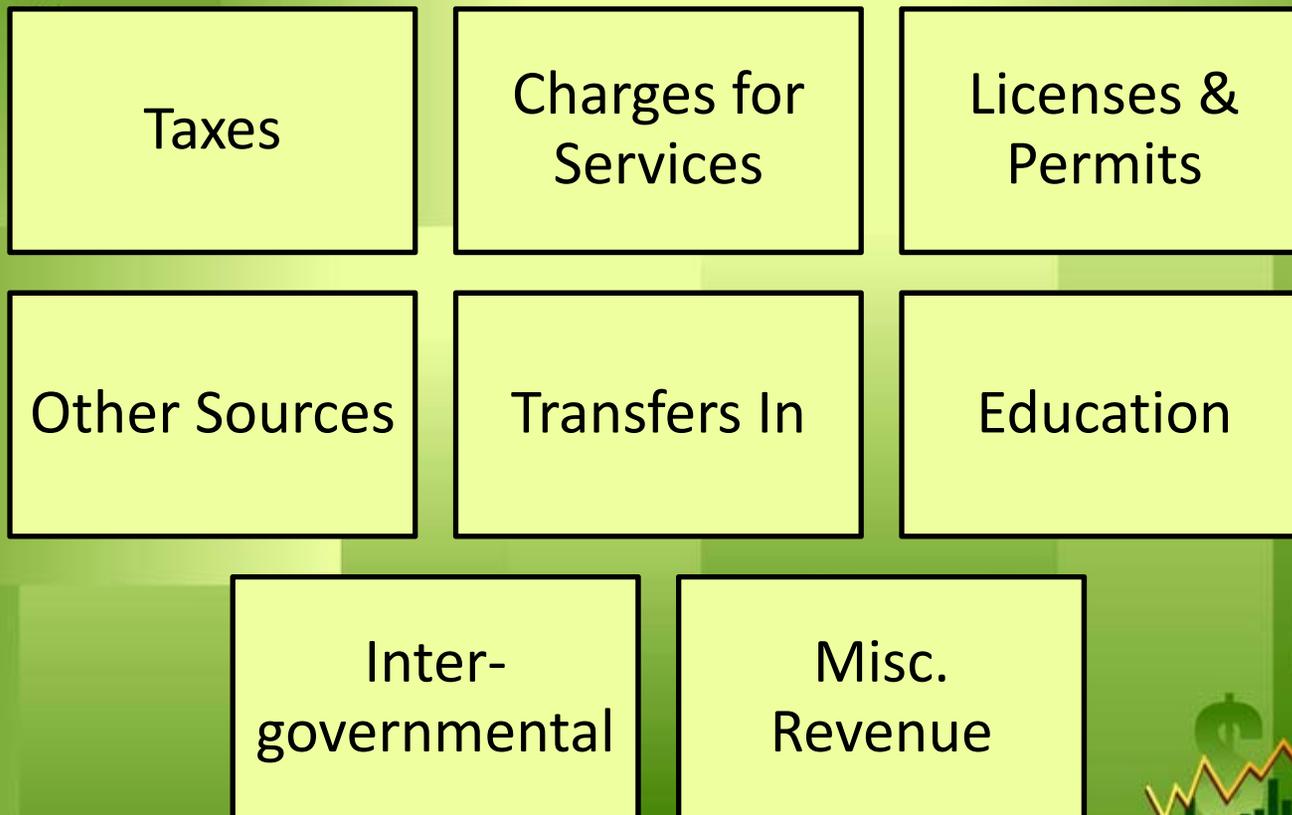
- Budget Summaries
- Budget Analysis
  - Economic & Budget Data
  - Appropriations Detail
  - Debt & CIP Information
  - Organizational Background





## Where The Money Comes From

# Sources of Funds – Revenue Types





## Where The Money Goes

# Uses of Funds – Expenditure Types

Personal Services

Purchased Services

Supplies

Capital Outlay

Other Expenses

Transfers Out

County

Debt Service



# Major Programs & Services

- Communication with citizens
- City Hall office hours
- Business retention and economic development
- Planning & community development
- Tax assessment & collection
- Motor vehicle registration
- Public records retention
- Elections
- Financial reporting

## General Government



# Major Programs & Services

- Youth drug & alcohol prevention
- Community oriented policing
- School resource officer
- Traffic related police patrols
- Assistance for crime victims
- Emergency police, fire and EMS response
- Fire & life safety public education
- Animal control
- Health and building code enforcement

## Public Safety



# Major Programs & Services

- Municipal building maintenance
- Street, sidewalk & curb maintenance
- Water, sewer and storm water system maintenance
- Street & sidewalk snowplowing
- Recycling Center hours
- Curbside solid waste & recycling pick-up
- Parks & playground maintenance

## Public Works



# Major Programs & Services

- Athletic playing fields
- Youth camp programs
- Indoor/Outdoor pools
- Ice Arena
- Rec sports programs
- Rec fitness center & programs
- Teen center
- Senior center
- Community events
- Library hours & materials
- Library children's room
- Public computers

## Culture & Recreation



# Major Programs & Services

## Human Services

- Programs for low income families
- Public welfare
- Public transportation



# Major Programs & Services

## Education

- K-12 Public Education
- Career Technical Education
- Alternative High School
- Extracurricular Activities
- Student Transportation



# Other Programs & Services

- City & School debt payments
- Transfers to reserves
- County Nursing Home
- County Jail
- Registry of Deeds
- County Attorney
- County Sheriff
- County Commission
- Community Action Program  
– Low Income Assistance

**Debt Service**

**Other**

**County**



# ADMINISTRATIVE ORGANIZATION

# LABOR RELATIONS

NH Public Employee Labor Relations Law

Collective Bargaining Units

Labor Negotiations

Contract Ratification

# THE LEARNING LEADER

An investment in knowledge pays the  
best interest.

– Benjamin Franklin