



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, September 12, 2012**
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 Carrier, Councilor Cheney, Councilor Crago, Councilor Garrison, Councilor Hooper, Councilor Weeden, and Councilor Weston. Councilor Spuler arrived late.

Also Present: City Manager Joyal, General Legal Counselor Krans, and City Clerk Lavertu.

5. PROCLAMATIONS/AWARDS

Mayor Trefethen presented a proclamation to Thomas Makem.

6. APPROVAL OF AGENDA

Councilor Weeden moved to move Item 12.C.2. up on the Agenda to follow Citizen's Forum; seconded by Councilor Cheney.

Vote: 5/3; Passed. Mayor Trefethen, Councilors Garrison and Hooper were opposed.

Councilor Weeden moved to suspend the rules to allow non-citizens to speak during Citizen's Forum; seconded by Councilor Cheney.

Vote: 3/5; Failed. Councilors Cheney, Weeden and Weston voted in favor.

Deputy Mayor Carrier moved to approved the agenda as amended; seconded by Councilor Weston.

Vote: 8/0.

7. PUBLIC HEARINGS

A. APPROPRIATION AND COMMITMENT FOR MCCONNELL CENTER FITOUT PROJECT (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL) SPONSORED BY COUNCILOR CRAGO

Douglas DeDe, 143 Locust Street, McConnell Center Advisory Committee Member: He spoke in favor of the resolution.

Mayor Trefethen, seeing no one else wishing to speak, closed the Public Hearing.



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8. CITIZEN'S FORUM

Citizens are invited to speak on any issue pertaining to the business of the City of Dover. Statements shall be limited to five minutes.

Douglas DeDe, 143 Locust Street: He spoke against Agenda 21 and the Scenic Byway resolution. He encouraged the Council to vote against it.

David Martin, 10 Linda Avenue: He spoke against the Scenic Byway Corridor. He asked the Council to reconsider allowing non-citizens to speak.

Nancy Merritt, 5 Constitution Way: She spoke against the Scenic Byway resolution.

Brenda Cameron, 67 Fifth Street: She said she was opposed to the Scenic Byway.

John Kimball, 22 Isaac Lucas Circle: He spoke against the Scenic Byway resolution.

David Scott, 220 Back Road: He spoke against the Scenic Byway resolution. He requested that the Council vote no on this resolution.

Councilor Weeden moved to take a second vote on suspending the rules to allow non-citizens to speak during Citizen's Forum, because another Councilor is present and should participate in the vote; seconded by Councilor Cheney.

Council discussed this issue.

Councilor Crago called for a point of order. He said it was his understanding that only a Councilor from the winning side of a vote can ask for an issue to be reconsidered. Councilor Weeden was on the losing side of the vote.

Mayor Trefethen said Councilor Crago was correct, but he was willing to give some leeway. He asked Councilor Crago if he wished to challenge.

Councilor Crago said they had a majority to vote this down and was concerned about time management.

Councilor Garrison said he agreed with Councilor Crago and made a formal motion to challenge the Chairperson's ruling to allow a reconsideration from a Councilor on the losing side of a majority; seconded by Councilor Hooper.

Vote: 6/3; Passed.

Mayor Trefethen said that ends discussion on the previous motion to reconsider.

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

12.C.2.

Deputy Mayor Carrier moved to remove from the table; seconded by Councilor Garrison.

Roll Call Vote: 2/7; Failed. Councilors Garrison and Hooper voted in favor.



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9. CITY MANAGER'S REPORT

City Manager Joyal talked about paving projects that are being completed in the City. He asked Mr. Ray Bardwell to give the Council an update on the pedestrian bridge.

Mr. Ray Bardwell gave an overview of the pedestrian bridge project to the Council. He asked the Council to use the \$10,000 they are receiving from the Dickinson Project to support this project. Councilor Cheney asked for an estimate for what they still need.

Mr. Bardwell said they have budgeted \$160,700, and have received \$83,200 in donations. He said they will be having some fundraisers when they receive the permits.

Deputy Mayor Carrier commented on the Council spending \$10,000 fine the City is receiving from Dickinson. He said Dickinson is working diligently to get started on the waterfront development and they shouldn't depend on that money.

Councilor Hooper said other needs of the City are more important and she will not support using any taxpayer monies to support a decorative bridge.

Councilor Cheney asked about the delay in the permit.

Mr. Bardwell said they had received a verbal statement that the permit has been approved, but he isn't willing to do anything until he has it in writing.

Councilor Weeden said it was a penalty and not taxpayers' money.

Councilor Crago clarified that it wasn't a penalty, but an option to continue the contract.

City Manager Joyal agreed with Councilor Crago.

Mayor Trefethen said the \$10,000 is being asked for by many. He encouraged Mr. Bardwell to keep working.

City Manager Joyal referred to Page 25 of his report, and noted a typo for the Council.

Councilor Spuler commented on the Teen Center and Steve PapaJohn's work.

Deputy Mayor Carrier said the Teen Center received a grant of \$48,000 per year for the next four years.

City Manager Joyal asked Police Chief Colarusso to speak to the Council. He said the Police did receive a grant for the Teen Center, but asked the Chief to speak about the reward they received. Police Chief Colarusso said they were awarded for the second year in a row as one of the 100 Best Communities for Young People.

Councilor Weston asked about reconstruction on Broadway.

Community Services Director explained the water/sewer work on Broadway. He said they should be finished by next week.

Councilor Weston asked about the water pressure and what the increase will do to people's homes.

Community Services Director said they have sent out a letter to residents that discussed what they needed to do prepare for the increase in pressure.

Councilor Weston asked about the playground inspections and their results.

City Manager Joyal said they have not received a report at this time.

Councilor Weston asked about the Granite State Futures agreement and why Dover signed on.

City Manager Joyal gave an overview of this plan with the Council. He said they were asked by the Strafford Regional Planning to contribute to the process. He said he signed onto that effort since there were no strings attached. He said the Agenda 21 issue came forward afterwards, and he did verify that there were no obligations from the City.

Councilor Cheney asked for the contract and the confirmation that the City had no obligations.



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Deputy Mayor Carrier moved to accept the City Manager's Report; seconded by Councilor Weeden.

Vote: 9/0.

10. APPROVAL OF MINUTES

A. August 22, 2012 – Workshop

Deputy Mayor Carrier moved to approved the minutes; seconded by Councilor Spuler.

Vote: 9/0.

11. MAYOR'S REPORT

Mayor Trefethen said he introduced Senator Shaheen's at a Town Meeting forum in Dover. He said he and others met with her separately to discussed issues, and have already received follow up messages from her office. He said as Mayor he gets to appoint Dover's representative to the Skyhaven Airport, which is Jim Rogers of Berry Street.

Deputy Mayor Carrier moved to approve the Mayor's Report; seconded by Councilor Garrison.

Vote: 9/0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING – None

B. ORDINANCES IN THE 3rd READING – None

C. RESOLUTIONS

1. APPROPRIATION AND COMMITMENT FOR MCCONNELL CENTER FITOUT PROJECT (REQUIRES A 2/3 MAJORITY VOTE OF THE COUNCIL) SPONSORED BY COUNCILOR CRAGO

Councilor Crago moved for its adoption; seconded by Councilor Weeden.

Councilor Crago asked Recreation Director Gary Bannon to speak to the Council.

Director Bannon gave an overview of two possible fitout options for the McConnell Center.

Roll Call Vote: 8/1; Passed. Councilor Garrison was opposed.

2. APPROVAL OF SCENIC BYWAY APPLICATION (TO BE REMOVED FROM THE TABLE) SPONSORED BY MAYOR TREFETHEN BY REQUEST

This was moved up on the Agenda to after Citizen's Forum.

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13. NEW BUSINESS

A. CONSENT CALENDAR

1. **RAFFLE – Amy’s Treat**
 2. **RAFFLE – First Parish Church**
 3. **RAFFLE – Sons of American Legion Post 8**
 4. **RAFFLE – Zebra Crossings**
 5. **ROAD RACE – Horne Street School PTG**
 6. **ROAD RACE – Saint Mary Academy**
 7. **TAG – Boy Scout Troop 173**
 8. **TAG – Dover Little Green Cheerleading**
 9. **TAG – Seacoast Titans**
10. **RESOLUTION: B10033 AWARD OF ADDITIONAL SCOPE OF WORK TOLEND ROAD AND WATSON ROAD ENGINEERING SERVICES**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
11. **RESOLUTION: B12038 SAFE ROUTES TO SCHOOL – ENGINEERING SERVICES, WOODMAN PARK SIDEWALK IMPROVEMENTS**
SPONSORED BY MAYOR TREFETHEN BY REQUEST
12. **RESOLUTION: B13002 HOUSEHOLD HAZARDOUS WASTE CLEAN UP DAY**
SPONSORED BY MAYOR TREFETHEN BY REQUEST

COMMITTEE REPORTS

- | | |
|--|---|
| 1. School Board | 7. Solid Waste Advisory Commission |
| 2. Planning Board | 8. Transportation Advisory Commission |
| 3. Appointments Committee | 9. Joint Building Committee – Horne Street School |
| 4. Recreation Advisory Board | 10. Legislative Liaison |
| 5. McConnell Center Advisory Committee | 11. Pool Advisory Committee |
| 6. Arts Commission | 12. Parking Commission |

Deputy Mayor Carrier moved for the approval of the Consent Calendar; seconded by Councilor Cheney.

Mayor Trefethen asked the Council if they had any items they would like to pull for further discussion.

Councilor Cheney asked to pull Items 13.A.10 and 13.A.12.

Councilor Weeden said he knows there isn't a School Board Report, but wished to talk about a School Board issue.

Mayor Trefethen said there wasn't a School Board Report to pull, and asked Councilor Weeden to speak on it during Councilor Matters of Interest.

Mayor Trefethen asked for a vote on the remaining items of the Consent Calendar.

Roll Call Vote: 9/0.



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Deputy Mayor Carrier moved for the adoption of Item 13.A.10.; seconded by Councilor Cheney. Councilor Cheney asked for a brief explanation on the status of this project. City Manager Joyal said the project is moving forward. He said they have resolved the right of way issues. He said the additional scope of work is for the engineers to prepare the bid specifications.

Roll Call Vote: 9/0.

Deputy Mayor Carrier moved for the adoption of Item 13.A.12.; seconded by Councilor Cheney. Councilor Cheney just wanted to confirm that it was September 22, 2012. Councilor Weston asked about the other communities involvement in this and the expense that Dover incurs.

City Manager Joyal said by making this a joint effort they receive grant money from the State. He said the overage is addressed by each community.

Roll Call Vote: 9/0.

B. RESOLUTIONS

1. DEPARTMENT OF HEALTH AND HUMAN SERVICES LEASE AMENDMENT SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Hooper. Director Bannon gave an overview of the lease agreement with the Council.
Vote: 9/0.

2. B13007 REPLACEMENT OF PUBLIC SAFETY DISPATCH CONSOLE SYSTEM SPONSORED BY MAYOR TREFETHEN BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor Weeden.
Roll Call Vote: 9/0.

3. LEGISLATIVE POLICIES SPONSORED BY COUNCILOR GARRISON

Councilor Garrison moved for its adoption; seconded by Councilor Hooper. Councilor Garrison moved to substitute the resolution as a whole; seconded by Councilor Hooper.

Vote: 9/0.

Councilor Weeden recused himself because as a State Representative he didn't want to be bound by this resolution.

Mayor Trefethen said he didn't feel that was an issue. He felt Councilor Weeden held two separate positions.

Councilor Weeden said he understood the Mayor's comment, and said he will support the resolution.

Vote: 9/0.



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C. ORDINANCES IN 1ST READING

1. CHAPTER 3 – ADMINISTRATIVE CODE (TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 26, 2012) SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN

Councilor Crago moved to refer to a public hearing on September 26, 2012; seconded by Councilor Cheney.

Councilor Crago gave an overview of all 12 ordinances to the Council. He moved that the Council refer them all to a public hearing; seconded by Councilor Cheney.

Mayor Trefethen had a couple issues before they vote to refer these ordinances to a public hearing. He asked the sponsoring Councilors if they were aware of NH State Law 49-C:21, which states that subsequent to an adoption to such an ordinance is done upon recommendation from the Chief Executive Officer, City Manager. He said for the Council to take any action on the Administrative Code it first must be proposed by the City Manager. He said it was his understanding that wasn't the procedure that was followed. He said it was also stated in the Dover City Charter C5-9.

Councilor Crago said he was aware of the law and charter. He said the changes to Chapter 3 were not compliant with State law. He said they were trying to avoid litigation. He said they should refer these to public hearing, allow the public to speak to these ordinances, and then discuss as a Council.

Mayor Trefethen said another option is to work with the City Manager and he'll construct an ordinance for the Council to work with.

Councilor Crago said the two Ordinances violated State law, and they were trying to correct the mistake.

Mayor Trefethen asked if this work was done privately or within the Ordinance Codification and Verification Committee.

Councilor Crago said these two ordinances were completed by him. He asked the City Manager to provide a list as well. He said he received an amendment of the two ordinances that were not compliant with the City Charter. He said the City Manager sent the Council the changes at 4:00 this afternoon, and the Council hasn't had a chance to review it.

Councilor Cheney said they presented the first two ordinances on August 2, 2012, and she felt they should vote to refer them all to public hearing on September 26, 2012.

Councilor Weeden said they should vote to refer these all to public hearing.

Councilor Hooper said she was surprised that Councilors that talk about transparency were not open and transparent with at least one member on the Ordinance Codification and Verification Committee. She said Councilor Weston and she are on the committee and they haven't even discussed Chapters 3 and 5. She said she felt it was premature. She said the City Manager would have a case against the City if these changes go forward.

Councilor Cheney asked to speak.

Councilor Garrison called for a point of order. He said there is an order for who gets to speak.



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Deputy Mayor Carrier said he questioned what made the three sponsoring Councilors proficient enough to make these changes, when the City Manager and General Legal Counselor have been out of the loop. He said if mistakes were made in 2010, why didn't Councilor Cheney mention it. He said he felt it created a conflict. He talked about the filtering process for resolutions and ordinances, and asked why none of the sponsoring Councilors contacted the Mayor regarding this. He said he finds some of this insulting. Councilor Crago said they were trying to be proactive when they realized the Administrative Code was noncompliant. He said he was told by the City Manager that he would recommend that these go forward if there was a consensus from the Council, and now the City Manager says he didn't understand what they meant.

Councilor Garrison said he didn't believe it was reasonable, open and transparent, or clear. He discussed what happened in 2010, and said the intent was clear and they were recommended by the City Manager. He said it is his understanding that the City Manager does not recommend these ordinance changes brought forward tonight. He felt it was getting pushed through.

Councilor Cheney said she did tell the Committee that Chapter 3 and 5 were being worked on, and that the Committee itself wouldn't be working on them. She said they want to refer these ordinances to a public hearing. She called the question to move these to a public hearing on September 26, 2012; seconded by Councilor Crago.

Mayor Trefethen asked the City Manager or General Legal Counselor if they could refer them all to a public hearing as one vote.

General Legal Counselor Krans said he believed if they vote to combined them that they can refer them all as one.

Councilor Cheney called the question to vote on referring all 12 ordinances to a public hearing.

Mayor Trefethen said they have a motion on the floor. He suggested that the Council act on the first motion, and then have a new motion to combine the rest of them to refer to a public hearing.

Councilor Cheney said she called the question on the first motion, to refer Item 13.C.1. to a public hearing; seconded by Councilor Weeden.

Vote: 5/4; Passed. Mayor Trefethen, Deputy Mayor Carrier, Councilors Garrison and Hooper were opposed.

Mayor Trefethen asked for a vote to refer to a public hearing.

Vote: 6/3; Passed. Deputy Mayor Trefethen, Councilors Garrison and Hooper were opposed.

Councilor Cheney moved to combine Items 13.C.2. through 13.C.12. as one vote to be referred to a public hearing on September 26, 2012; seconded by Councilor Weston.

Mayor Trefethen asked if they had to be twelve separate public hearings on September 26, 2012..

General Legal Counselor Krans said he will take that under advisement.

City Clerk Lavertu said she needed to know how to advertise the public hearings.

City Manager Joyal said they needed to have a separate first reading for each ordinance, and they shouldn't be combined.

Councilor Cheney withdrew her motion to combine. Councilor Weston withdrew her second.



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General Legal Counselor Krans clarified on Councilor Crago's comment that he approved all 12 ordinances, and corrected the statement by stating that he rejected the 10 amendments.

Councilor Crago said this information was new to him, because he was told otherwise by the City Clerk.

City Manager Joyal said he did advise Councilor Crago that the General Legal Counselor was likely not to approve these amendments.

Councilor Crago said this was why he met with the City Clerk after the agenda was created.

2. CHAPTER 5, BOARDS, COMMISSIONS AND COMMITTEES (TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 26, 2012) SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN

Deputy Mayor Carrier moved to refer to a public hearing on September 26, 2012; seconded by Councilor Cheney.

Mayor Trefethen spoke about these issues, and said the whole Council doesn't agree that it was a Charter violation. He didn't believe that this was the right approach. He is willing to refer this to a public hearing and hopes in the two weeks something will happen.

Councilor Spuler said they needed to do something about the electronic signature, and said he was shocked to get to this point and find out it was rejected by the General Legal Counselor. He spoke about the emails he received from the City Manager for a substitution as a whole. He feels like he's wasting his time.

City Manager Joyal said he agreed with Councilor Spuler. He said he has tried to talk with Councilors Crago, Cheney and Weeden about their proposed ordinances, and explain that they do not comply with State law. He said he also admitted that there were technical defects with the 2010 ordinances. He said there were legal opinions sought ----

Councilor Cheney called for a point of order, stating that she has heard the City Manager is seeking litigation in this matter, and asked if he should be recusing himself from this discussion.

City Manager Joyal asked who she heard that from – was it from him.

Councilor Cheney said no, she hadn't heard it from him.

City Manager Joyal said she didn't hear it from him.

Councilor Weeden said he personally heard it from the City Manager.

Mayor Trefethen banged the gavel and called for order. He said Councilors needed to be recognized by the Chair before speaking.

City Manager Joyal said he understood Councilor Spuler's frustration, but that was the circumstance he was left with. He said he had been attempting to work with these Councilors over the last month. He said he has only had one on one conversation with Councilor Crago, a brief conversation with Councilor Weeden, and absolutely no conversation with Councilor Cheney. He has been working diligently on these issues and trying to address these Councilors' concerns. He said he won't be forced into a corner by these Councilors and violate the law. He apologized in his email that he was sending this information to the Council so late.

Councilor Spuler again stated that it shouldn't have said it was recommended by the General Legal Counselor if he hasn't read through it, and if something is noncompliant



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when the agenda is already out to let them know at that point, and not on the day of the meeting.

City Manager Joyal said they will do that.

Councilor Weeden said they disagree on what's legal and what's not. He felt they should refer these to public hearings on September 26, 2012 and discuss their legality then.

Deputy Mayor Carrier moved to suspend the rules to continue the meeting past 10:30 pm to complete the agenda; seconded by Councilor Weeden.

Roll Call Vote: 8/1; Passed. Councilor Hooper was opposed.

Councilor Weston asked the General Legal Counselor what the difference was between approved as to legal form and approved as to legal compliance.

General Legal Counselor said they have two people who can put these into the system.

One was on vacation, and the other person used the old template. He said he has to verbally tell the person to take his signature off. He said these 11 ordinances are still not compliant to State law.

City Manager Joyal said the languages in the ordinances were produced by the Council Sponsors, and not the Legal Department.

Councilor Crago talked about lost ordinances that weren't posted to the Administrative Code. He spoke about the City Manager saying he would recommend the ordinances if there was Council consensus. He said the City Manager admitted he knew the ordinances weren't compliance in 2010, but it was so much work and they took the path of least resistance. He said he had no reason to make this up.

City Manager Joyal said Councilor Crago misunderstood what he said. He said he would consider specific changes in the Code to help address the administrative structure of the City. He talked about the process to address the issue. He said he was misunderstood that he would agree to this presentation.

Councilor Crago said that it is possible. He talked about Chapter 5 being put back into Chapter 3, and felt it should be the Council's decision to delete Chapter 5. He felt it was the power of the Council. He asked why the City Manager was being so objectionable about this process.

City Manager Joyal said Councilor Crago had asked him to make a list of his concerns. The collection of ordinances, other than the first one, was not presented until late last week, and he had a number of concerns with reverting back to the old Administrative Code. He explained his administrative duties as conducted by State Law. He said it is proposed by the City Manager and then approved by the City Council. He said the changes made in 2010 was a comprehensive rewrite of the Administrative Code to address a number of deficiencies, conflicts in State Law and conflicts with the City Charter, provisions in the purchasing code that were no longer relevant, and terms that confused the procedures. He said his concerns were: if they revert back to the 2010 Code there are departments that no longer exist, there are titles for department heads that do not conform to the Merit Plan, there are functional responsibilities that were assigned to certain departments that have changed, budgetary changes, and conflicts with the classification plan, merit plan. He spoke about comments that there are legality issues with the Administrative Code, which is the first he's heard that, he wants them brought



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forward. He said he isn't aware of anything in the Administrative Code that doesn't comply with State law.

Councilor Weeden said by voting for all these ordinance changes they will be reverting back to 2010 and making all the same changes as we have today, but it will have been done in compliance.

Councilor Weeden called the question; seconded by Councilor Cheney.

Vote: 6/3; Passed. Mayor Trefethen, Councilors Garrison and Hooper were opposed.

Roll Call Vote: 6/3; Passed. Mayor Trefethen, Councilors Garrison and Hooper were opposed.

3. CHAPTER 3 – ADMINISTRATIVE CODE – N0 (TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 26, 2012) SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN

Deputy Mayor Carrier moved to refer to a public hearing on September 26, 2012; seconded by Councilor Cheney.

Councilor Weeden called the question; seconded by Councilor Hooper.

Mayor Trefethen said they don't even know if anyone wants to discuss it.

Councilor Weeden withdrew his motion.

Councilor Weston asked to speak.

Councilor Hooper did not withdraw her second, and asked for a vote.

Roll Call Vote: 7/2; Passed. Councilors Garrison and Hooper were opposed.

4. CHAPTER 3 – ADMINISTRATIVE CODE – N1 (TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 26, 2012) SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN

Deputy Mayor Carrier moved to refer to a public hearing on September 26, 2012; seconded by Councilor Cheney.

Councilor Weston asked if the handout the Council received tonight was the same document the sponsoring Councilors received on September 1, 2012.

City Manager Joyal said he was trying to work with the sponsoring Councilors to come up with acceptable solutions.

Councilor Weston said she was present when the City Manager told Councilor Crago that he would recommend the changes.

City Manager Joyal said he was talking about Boards and Commissions. He said he did not say he would recommend changes to the Administrative Code.

Councilor Weston said maybe the City Manager didn't say it clear enough. She said she was tired of everything being blamed on the sponsoring Councilors.

Roll Call Vote: 7/2; Passed. Councilors Garrison and Hooper were opposed.



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**5. CHAPTER 3 – ADMINISTRATIVE CODE – N2
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 26, 2012)
SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN**

Deputy Mayor Trefethen moved to refer to a public hearing on September 26, 2012; seconded by Councilor Cheney.

Roll Call Vote: 7/2; Passed. Councilors Garrison and Hooper were opposed.

**6. CHAPTER 3 – ADMINISTRATIVE CODE – N3
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 26, 2012)
SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN**

Deputy Mayor Trefethen moved to refer to a public hearing on September 26, 2012; seconded by Councilor Cheney.

Roll Call Vote: 7/2; Passed. Councilors Garrison and Hooper were opposed.

**7. CHAPTER 3 – ADMINISTRATIVE CODE – N4
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 26, 2012)
SPONSORED BY COUNCILORS CRAGO AND CHENEY**

Deputy Mayor Trefethen moved to refer to a public hearing on September 26, 2012; seconded by Councilor Cheney.

Roll Call Vote: 7/2; Passed. Councilors Garrison and Hooper were opposed.

**8. CHAPTER 3 – ADMINISTRATIVE CODE – N5
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 26, 2012)
SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN**

Deputy Mayor Trefethen moved to refer to a public hearing on September 26, 2012; seconded by Councilor Cheney.

Roll Call Vote: 7/2; Passed. Councilors Garrison and Hooper were opposed.

**9. CHAPTER 3 – ADMINISTRATIVE CODE – N6
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 26, 2012)
SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN**

Deputy Mayor Trefethen moved to refer to a public hearing on September 26, 2012; seconded by Councilor Cheney.

Roll Call Vote: 7/2; Passed. Councilors Garrison and Hooper were opposed.



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Meeting Time: **7:00 pm**

**10. CHAPTER 3 – ADMINISTRATIVE CODE – N7
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 26, 2012)
SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN**

Deputy Mayor Trefethen moved to refer to a public hearing on September 26, 2012; seconded by Councilor Cheney.

Roll Call Vote: 7/2; Passed. Councilors Garrison and Hooper were opposed.

**11. CHAPTER 3 – ADMINISTRATIVE CODE – N8
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 26, 2012)
SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN**

Deputy Mayor Trefethen moved to refer to a public hearing on September 26, 2012; seconded by Councilor Cheney.

Roll Call Vote: 7/2; Passed. Councilors Garrison and Hooper were opposed.

**12. CHAPTER 3 – ADMINISTRATIVE CODE – N9
(TO BE REFERRED TO A PUBLIC HEARING ON SEPTEMBER 26, 2012)
SPONSORED BY COUNCILORS CRAGO, CHENEY, AND WEEDEN**

Deputy Mayor Trefethen moved to refer to a public hearing on September 26, 2012; seconded by Councilor Cheney.

Roll Call Vote: 7/2; Passed. Councilors Garrison and Hooper were opposed.

14. COUNCIL CORRESPONDENCE – None

15. COUNCIL MATTERS OF INTEREST

Councilor Weeden spoke about the School Board's budget and the surplus being put into capital reserve accounts. He asked why this wasn't brought forward during the budget process, since they knew about the surplus in April.

Councilor Hooper asked for the Council to give the Superintendent a chance to respond to this. Mayor Trefethen said he will contact the Superintendent.

Councilor Weston referred to the Ordinance Codification and Verification Committee and said they decided to omit Chapter 3 & 5 because the sponsoring Councilors were reviewing that. She said the Committee knew they were doing something with those Chapters, just not what. She said the City Manager was included, but she wasn't sure the Mayor was included.

Councilor Spuler thanked the City Council for approving the Arts Commission Installation.

Mayor Trefethen made a motion to release the option of the General Legal Counselor, dated August 30, 2012; seconded by Councilor Garrison.

Councilor Weston said that had to be done through a resolution.

Mayor Trefethen withdrew his motion.

Councilor Garrison withdrew his second.

Councilor Cheney said she will reserve her comments regarding the School Board's budget until after she hears from the Superintendent. She thanked all the poll workers at the Election.



CITY OF DOVER

CITY COUNCIL - MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, September 12, 2012**
Meeting Time: **7:00 pm**

16. ADJOURNMENT

Councilor Weeden moved to adjourn; seconded by Councilor Weston.
Vote: 9/0.

The Granite State Future Project information was received from the City Manager, and has been archived with the minutes.