

CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, October 28, 2015**
Meeting Time: **7:00 pm**

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

Councilor O'Connor led the Pledge of Allegiance.

4. ROLL CALL ATTENDANCE

Present: Mayor Weston, Deputy Mayor Carrier, Councilor Cheney, Councilor Gagnon, Councilor Garrison, Councilor Hooper, Councilor McManus, Councilor O'Connor, and Councilor Thibodeaux.

Also Present: City Manager Joyal, General Legal Counsel Blenkinsop, and City Clerk Lavertu.

5. PROCLAMATIONS/AWARDS

6. APPROVAL OF AGENDA

Deputy Mayor Carrier moved to substitute as a whole Item #13.C.8, and to add an Appointments Committee Report.

Councilor Cheney moved to add a letter from her, dated October 22, 2015, as Councilor Correspondence.

Deputy Mayor Carrier moved to add a permit as item #13.A.7.

Deputy Mayor Carrier moved to accept the Agenda as amended; seconded by Councilor Garrison.

Vote: 9/0.

7. PUBLIC HEARINGS

A. ORDINANCE – CHAPTER 5 BOARDS, COMMISSIONS AND COMMITTEES SECTION 5-25 – HERITAGE COMMISSION SPONSORED BY COUNCILOR GARRISON

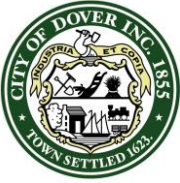
Jack Mettee, 56 Rutland Street: He spoke in favor of the Ordinance

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

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.

Margaret Jalbert, 10 Arch Street: She spoke about the snowplow knocking down her fence every year and the City not paying for the damages.



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Jeffrey Brissette, 11 Fieldstone Drive: He spoke about the purchasing procedures in the Dover City Code. He spoke his findings from his 91-A requests. He read the Mayor's letters to the School Board Chairperson regarding the adequacy aid, and a warrant article request. He spoke about how the vote on the High School should have gone to a vote.

David Martin, 10 Linda Avenue: He spoke about the need to be civil in what they say because society needs it to survive. He spoke about the School Board Ballot question, and said the majority would like them passed. He urged people to get out and vote.

Wendy Alley, 28 Cataract Avenue: She said the Democrats do not want the Ballot questions passed. She spoke against the Ballot questions. She spoke about people finding papers and speaking in innuendos, and thanked the Council for working and doing their due diligence.

Jack Mettee, 56 Rutland Street: He asked the Council to vote for Item #13.B.2.

Donald Medbery, 3 Covered Bridge Lane: He said there was nothing in the law to prevent the Council from answering a citizen's questions. He spoke about negative comments he heard about himself. He said he speaks the truth. He spoke the citizens not being able to get a second chance to refute comments made after Citizen's Forum. He spoke about his credibility. He read several sections of the Dover City Charter about the powers of the Municipal and School District.

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

9. CITY MANAGER'S REPORT

City Manager Joyal said he submitted his report in writing. In informed the Council and public that the Planning Board will be holding a public listening session on Monday, November 2, 2015 regarding the Transportation MasterPlan.

Deputy Mayor Carrier asked about the tree cutting on Dover Point Road.

City Manager Joyal said it was the power company removing the trees away from the wires.

Councilor Hooper asked about Citizen's Forum comments regarding the fallen fence and why the City isn't responsible for the repairs.

City Manager Joyal said the fence was put in the right of way. He said they will work with the homeowner the first time and not multiple times.

Councilor McManus asked for a status on Watson Road.

City Manager Joyal said there were a few small items to be completed by the contractor.

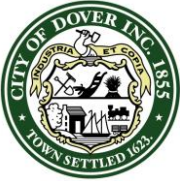
Councilor Cheney asked about the iron at Tolend Landfill.

City Manager Joyal talked about the iron in the groundwater and pumping it into the treatment system. He said the City is still working on how it needs to be maintained.

Councilor Cheney said something should be done for the Jalbert property. She asked if there was a sidewalk.

City Manager Joyal said he believed it was the sidewalk plow that was hitting the fence. He said he will talk with the resident.

Councilor Thibodeaux asked for an update on the visit from DES and EPA to the wastewater treatment plant.



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City Manager Joyal said the City met with members of DES and EPA to show them the improvements to the wastewater treatment plant and the City's success in reducing nitrogen levels.

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

Vote: 9/0.

10. APPROVAL OF MINUTES

A. October 7, 2015 – Joint Workshop with Planning Board

B. October 14, 2015 – Regular Meeting

Deputy Mayor Carrier noted that the Planning Board has approved the October 7, 2015 minutes.

Deputy Mayor Carrier moved to approve the minutes; seconded by Councilor O'Connor.

Vote: 8/0. Councilor McManus abstained from the vote.

11. MAYOR'S REPORT

Mayor Weston said she attended the Government Affairs Committee meeting. She spoke about the attendance for the Candidates Forum nights. She said she attended the court hearing for the City versus the State of New Hampshire, and said the State conceded that the cap for adequacy aid was unconstitutional and a huge win for the City.

Councilor Gagnon thanked the Mayor for her work on the adequacy aid funding.

Mayor Weston also thanked the School Department.

Deputy Mayor Carrier moved to accept the Mayor's Report; seconded by Councilor Thibodeaux.

Vote: 9/0.

12. UNFINISHED BUSINESS

A. ORDINANCES IN THE 2nd READING

1. ORDINANCE – CHAPTER 5 BOARDS, COMMISSIONS AND COMMITTEES SECTION 5-25 – HERITAGE COMMISSION SPONSORED BY COUNCILOR GARRISON

Councilor Garrison moved for its adoption; seconded by Councilor McManus.

Councilor Garrison gave an overview of the ordinance to the Council.

Assistant City Manager Parker clarified how decisions will be made by the Heritage Commission.

Roll Call Vote: 9/0.

B. ORDINANCES IN THE 3rd READING



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C. RESOLUTIONS

- 1. ACCEPTANCE OF OLIVE MEADOW LANE AS A PUBLIC WAY
(TO BE REMOVED FROM THE TABLE)**
SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to remove from the table; seconded by Councilor Gagnon.
Roll Call Vote: 9/0.
Councilor Cheney asked if it met all the requirements for a public road.
City Manager Joyal said the road meets all the City's requirements and they have received the maintenance guarantee.
Roll Call Vote: 9/0.

13. NEW BUSINESS

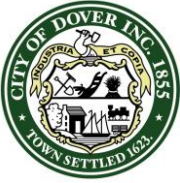
A. CONSENT CALENDAR

- 1. RAFFLE – Dover Police Mounted Patrol**
- 2. RAFFLE – First Parish Church Congregation United Church of Christ**
- 3. RAFFLE – Wentworth-Douglass Foundation**
- 4. B14031 WWTP PHASE I UPGRADE AND MLE CONVERSION, APEX
CONSTRUCTION ADDITIONAL SCOPE OF WORK**
SPONSORED BY MAYOR WESTON BY REQUEST
- 5. B16015 SNOW PLOWING AND HAULING SERVICES**
SPONSORED BY MAYOR WESTON BY REQUEST
- 6. AUTHORIZATION TO EXECUTE GRANT AGREEMENT FOR EMERGENCY
OPERATIONS CENTER (EOC) EQUIPMENT FUNDING FOR CITY OF DOVER
POLICE DEPARTMENT**
SPONSORED BY MAYOR WESTON BY REQUEST

7. ROAD RACE – Strafford County

COMMITTEE REPORTS

1. School Board
2. Planning Board
- 3. Appointments Committee**
4. Recreation Advisory Board
5. McConnell Center Advisory Committee
6. Arts Commission
7. Solid Waste Advisory Commission
8. Transportation Advisory Commission
9. Legislative Liaison
10. Pool Advisory Committee
11. Parking Commission
12. Ordinance Committee
13. Police and Parking Facility Building Committee
14. Joint Building Committee – Dover High School and Regional CTC
15. Dover Main Street
16. Library Board of Trustees



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

Mayor Weston asked the Council if they had items they would like pulled for further discussion.

Councilor Cheney pulled item #13.A.6.

Councilor Gagnon pulled Item #13.A.5.

Deputy Mayor Carrier pulled the Appointments Committee Report.

Mayor Weston asked for a roll call vote on the remaining items of the Consent Calendar.

Roll Call Vote: 9/0.

Deputy Mayor Carrier moved for the adoption of Item #13.A.5.; seconded by Councilor O'Connor.

Councilor Gagnon recused himself from the vote.

Roll Call Vote: 8/0. Councilor Gagnon recused.

Deputy Mayor Carrier moved for the adoption of Item #13.A.6.; seconded by Councilor Cheney.

Councilor Cheney said she was pleased to see this brought forward.

Roll Call Vote: 9/0.

Deputy Mayor Carrier moved to approve Item #13.A.7.; seconded by Councilor Garrison.

Vote: 9/0.

Deputy Mayor Carrier gave an overview of the Appointments Committee Report and recommended the following appointments:

Denyse Anderson – McConnell Center Advisory Board regular member

Robert Lucier – Cemetery Board alternate member, and Open Lands Committee regular member

Deputy Mayor Carrier moved to appoint these two people; seconded by Councilor Thibodeaux.

Councilor Thibodeaux said she met Mr. Lucier and also recommended his appointment.

Vote: 9/0.

Deputy Mayor Carrier said the Appointments Committee recommended the following to serve another term:

James Brennan – Trustees of the Trust Fund

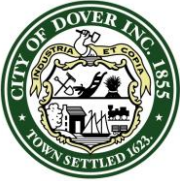
Dennis Munson – Arena Commission and Transportation Advisory Commission

Otis Perry – Zoning Board of Adjustment

Deputy Mayor Carrier moved to approve these appointments; seconded by Councilor Thibodeaux.

Vote: 9/0.

Deputy Mayor Carrier listed the current openings on Boards and Commissions.



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B. RESOLUTIONS

1. LAND AND WATER CONSERVATION FUND (LWCF) GRANT FOR COCHECHO RIVER PARK PROJECT

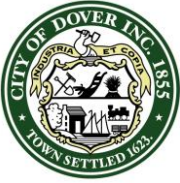
SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor O'Connor.
Mayor Weston gave an overview of the resolution to the Council.
City Manager Joyal clarified how this grant helps pay for the next resolution.
Councilor Cheney asked how much of the land is portioned for this project.
Recreation Director Bannon gave an overview of the project to the Council.
Roll Call Vote: 9/0.

2. B15060 DESIGN SERVICE FOR WATERFRONT DEVELOPMENT

SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved for its adoption; seconded by Councilor O'Connor.
Mayor Weston gave an overview of the resolution to the Council.
Councilor McManus expressed his concern about receiving a draft contract and the final contract being under the City Manager's control. He was also concerned that there was no bid information.
City Manager Joyal said it was a qualifications based bidding process. He gave an overview of the process for this project.
Councilor Garrison asked about the soil remediation.
City Manager Joyal explained the process.
Councilor Cheney said she also had concerns about the draft contract, and asked why it couldn't wait. She moved to table the resolution until November 4, 2015; seconded by Councilor McManus.
Mayor Weston asked if it was possible to get a final contract by November 4, 2015.
City Manager Joyal said he didn't anticipate that it would be ready by November 4, 2015, but they are just making possible administrative language changes and nothing substantive.
Mayor Weston asked for a vote on the motion.
Vote: 1/8; Failed. Councilor Cheney voted in favor.
Councilor Garrison moved to require the City Manager to come back to the Council if there were any substantial changes in the contract; seconded by Councilor Gagnon.
Vote: 8/1; Passed. Councilor McManus was opposed.
Mayor Weston asked for a vote on the resolution as amended.
Roll Call Vote: 8/1; Passed. Councilor Cheney was opposed.



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- 3. REPROGRAM AUTHORIZATIONS FOR WASHINGTON STREET RAILROAD BRIDGE PROJECT TO COMMUNITY MULTI USE TRAIL NEWINGTON DOVER BRANCH (REQUIRES OF 2/3 MAJORITY VOTE OF THE CITY COUNCIL.) (TO BE REFERRED TO A PUBLIC HEARING ON DECEMBER 9, 2015.)**
SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to refer to a public hearing on December 9, 2015; seconded by Councilor Garrison.
Vote: 9/0

C. ORDINANCES IN 1ST READING

- 1. CHAPTER 166, SECTION 19 – WINTER PARKING**
(TO BE REFERRED TO A PUBLIC HEARING ON DECEMBER 9, 2015)
SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to refer to a public hearing on December 9, 2015; seconded by Councilor O'Connor.
Vote: 9/0

- 2. CHAPTER 166, SECTION 21 – RESIDENT PARKING PERMIT**
(TO BE REFERRED TO A PUBLIC HEARING ON DECEMBER 9, 2015)
SPONSORED BY MAYOR WESTON BY REQUEST

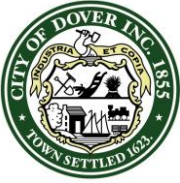
Deputy Mayor Carrier moved to refer to a public hearing on December 9, 2015; seconded by Councilor O'Connor.
Vote: 9/0

- 3. CHAPTER 166, SECTION 38 – UNLAWFUL ACTS; SEPARATE VIOLATIONS**
(TO BE REFERRED TO A PUBLIC HEARING ON DECEMBER 9, 2015)
SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to refer to a public hearing on December 9, 2015; seconded by Councilor Gagnon.
Vote: 9/0

- 4. CHAPTER 166, SECTION 50 – STOP SIGNS AT FOURTH AND GROVE STREET**
(TO BE REFERRED TO A PUBLIC HEARING ON DECEMBER 9, 2015)
SPONSORED BY MAYOR WESTON BY REQUEST

Deputy Mayor Carrier moved to refer to a public hearing on December 9, 2015; seconded by Councilor O'Connor.
Vote: 9/0



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**5. CHAPTER 166, SECTION 50 – STOP SIGNS AT EMERALD LANE AND
SUSANNAH'S CROSSING
(TO BE REFERRED TO A PUBLIC HEARING ON DECEMBER 9, 2015)
SPONSORED BY MAYOR WESTON BY REQUEST**

Deputy Mayor Carrier moved to refer to a public hearing on December 9, 2015; seconded by Councilor Garrison.

Vote: 9/0

**6. CHAPTER 166, SECTION 56 – NO PARKING ANYTIME ON BRICK ROAD
(TO BE REFERRED TO A PUBLIC HEARING ON DECEMBER 9, 2015)
SPONSORED BY MAYOR WESTON BY REQUEST**

Deputy Mayor Carrier moved to refer to a public hearing on December 9, 2015; seconded by Councilor Hooper.

Vote: 9/0

**7. CHAPTER 166, SECTION 56 – NO PARKING ANYTIME PORTLAND AVENUE
(TO BE REFERRED TO A PUBLIC HEARING ON DECEMBER 9, 2015)
SPONSORED BY MAYOR WESTON BY REQUEST**

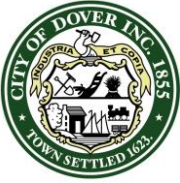
Deputy Mayor Carrier moved to refer to a public hearing on December 9, 2015; seconded by Councilor Cheney.

Vote: 9/0

**8. CHAPTER 166, SECTIONS 16, 57, AND 59 – POSTED PARKING SPACES
(TO BE REFERRED TO A PUBLIC HEARING ON DECEMBER 9, 2015)
SPONSORED BY MAYOR WESTON BY REQUEST**

Deputy Mayor Carrier moved to refer to a public hearing on December 9, 2015; seconded by Councilor Gagnon.

Vote: 9/0



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14. COUNCIL CORRESPONDENCE

A. Letter from Councilor Cheney, dated October 22, 2015.

Deputy Mayor Carrier moved to place on file; seconded by Councilor Cheney.

Councilor O'Connor said he found the letter very offensive. He read the portion of the letter that refer to the Council not signing the petitions for the ballot questions. He felt it was not accurate and took offense that Councilor Cheney would write this about the Council. He asked her who she was to tell him how to vote. He said he didn't speak on this issue until the

...

(Mayor interjected to say conversations with the candidates)

... because he didn't want to taint the public with his feelings on this matter. He said he took offense to this letter and would not support it being placed on file.

Councilor McManus said his opinions were the same as Councilor O'Connor. He said he had the right to oppose something that is going to be on the ballot in the same degree that Councilor Cheney had the right to support it. He said he doesn't need to be lectured by a fellow Councilor because he happened to disagree with her position. He said the letter and comments were uncalled for.

Councilor Cheney referred to the letter and said she said that she was disappointed the City's elected officials...

Councilor O'Connor said he knew how to read.

Councilor Cheney said she didn't mean to anger anyone. She said in May the Council supported the question going on the ballot, but to support it they would have had to sign the petition.

Councilor O'Connor said it was his prerogative not to do so.

Councilor Cheney said it may not have been him that she heard saying that.

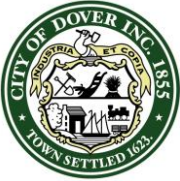
Councilor O'Connor said it was a blanket statement in the letter.

Mayor Weston interrupted the conversation and said Councilor O'Connor and Councilor Cheney were out of order. She asked them to direct their comments to her.

Councilor Cheney said she wrote the letter to the Council, it's not anonymous. It was not meant to disturb the Council Correspondence. She just wanted to put her feelings about this issue on the record.

Councilor Thibodeaux said she definitely understood Councilor O'Connor opinion regarding this letter, and added that she felt the same way. She said she believed in free speech, and coming from the Deep South she has seen it hindered and destroyed. Just because she believes that the citizens can speak and bring forth this amendment by petition, does not mean that she had to sign it. She supported their right to do this, and felt that is what most of the Councilors were saying when they said they agree with what happened. It was actually done by petition, the petitions were accepted, and thus it's on the ballot. She said she did not feel anyone can state what it is that she believes. She said being from the Deep South she has had this happened to her and takes deep offense to that. She clarified that she wasn't saying that she took offense with Councilor Cheney, but with anyone trying to tell her what she's supposed to be doing.

Councilor Gagnon said he disagreed with what has been said so far. He said Councilor



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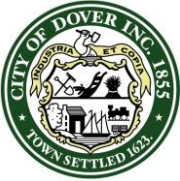
Cheney has every right to write down her opinion regarding how she feels about the process and submit it to the Council. He referred to the second to the last paragraph where it implied that the Council had broken Council Rules, and said he doesn't believe the Council has ever broken Council Rules. He voiced his concerns regarding admitting this correspondence into the record and that her allegation would be taken by some folks as fact, when it's just her opinion. He said he will not support adding this to the record for that reason, because he felt it was misleading and downright false. He addressed the comment that elected officials supported the questions going on the ballot, and said personally he does not support Question #2 and has not made that a secret. However, he did support the right of citizens to have a question on the ballot. He said the way the letter was written was very misleading, making it sound like the Council was lying, and speaking doublespeak.

Mayor Weston asked Councilor Gagnon to address his comments to her.

Councilor Gagnon said he was concerned, because of the misleading nature of the letter, that this was really reflective of a pattern throughout this whole process. He believed the entire Council received at least one email correspondence from a resident stating that they didn't support either of the ballot questions, and was told that signing the petition was simply to get a public hearing on the matter. He said there has been a lot of misinformation and mistruths spread about this whole issue, and it culminates in the next to last paragraph of this letter where it is implied that the Council broke Council Rules. He said by adding this letter to Council Correspondence the Council is condoning the mistruths up to this point, and he would not support it.

Councilor Hooper said she sympathized with Councilor O'Connor's anger. She felt a little bit of that herself. She certainly concurred with Councilor Gagnon. She will not be voting to include this into Council Correspondence. She said too many things have been inferred that are really not true. She said one of them involved her personally. Over six years ago when she was on the City Council [School Board] she supported the School Board Ward system. She didn't have any experience with At-Large elections at that time. She said what she said at the time was brought about with her dissatisfaction that the Council was interfering in what she felt was a School Board issue. She has since seen the advantages of having the At-Large system, and her feelings now were to stay with it. She said Councilor Cheney sat here that night in May and read her words from over six years ago inferring that she was either for the Ward system or she had changed her mind. She said she has changed her mind, but the inference has been she's for the Ward system. She said she also felt there have been other insinuations that are not true. She said she will vote no for this letter to be included in the record.

Councilor Cheney said she can only remember one other time, in her 10 years as Councilor, that the Council denied correspondence be put in the record. She said the Council disregarded State Statute and opinions that were brought forward to this body to state that the Council cannot disband a Joint Building Committee. She said those opinions remain dormant, and the Council would not let them on the record because they did not agree with them. She said the Council Rules do not state that they have to agree or think she's telling a truth or mistruth. She said the Council Rules states: "Written correspondence sent or otherwise submitted to the City Council shall be accepted and placed on file with the Council public meeting record. Unsigned communications shall not be introduced nor accepted by Council Members. Submissions by Council Members shall be considered Council Correspondence." She said the Council doesn't have to agree with what she says or think



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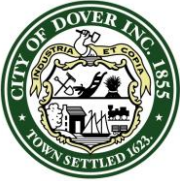
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that it's the truth. She said she did want to substantiate and again prove that the Council did break Council Rules. She referred to the rule under Agenda Setting – A.i.[C.i.]: "In being submitted for agenda setting, each resolution and ordinance shall first be approved as to form by the City Clerk, as to financing by the Finance Director, and as to legal compliance by the General Legal Counsel." She said when the two resolutions for the ballot questions came forward in May an outside attorney was hired because the City's General Legal Counsel felt a conflict, She said the resolution came to the Council unsigned. She said the Council should have overridden the Council Rules where it says "legal compliance by the General Legal Counsel" to get an outside legal opinion. She said when this Rule came forward in 2009 she argued against it. She said the Council Rules from 2009 had several rules that were fixed, but not this one: "the resolution/ordinance shall be deem legal by the General Legal Counsel." She still disagreed with it. She said the legality is determined by judges, and the City's Charter states specifically that the Ordinance so recorded shall be approved to form, the form, by the City Attorney. She said form meant if the Ordinance had the Dover Seal, had Whereas and Therefore. She still appealed to the Council that will be seated this year that they need to change this Rule, because it has gotten to the point – the Mayor and Deputy Mayor may remember – where the General Legal Counsel would not sign a resolution if he did not agree with the interpretation. She said there should never be a time that the Council cannot bring forward a resolution. She said he would not sign her resolution because it said in the background material that they had the right to assemble and petition. She said she was talking about a person assembling and petitioning, and he would not sign her resolution. She spoke about being mad to Councilor O'Connor, and how she was furious because her resolution came to the Council unsigned because of an interpretation of that meaning of assembly and petition. She said that issue should have come before the Counsel to waive Council Rules on legal compliance. She hopes this rule will change. Going back to the correspondence, she appealed to the Council to follow the rules. She said it will be in the minutes that the Council had this discussion, that you disagreed with it, but she said that you are above, whether the Council agrees or disagrees with, it the rules state you shall admit a signed document.

Councilor Gagnon said Councilor Cheney's speech was the genesis for Ballot Question #2, referring to her word furious. He said it was enlightening.

Councilor O'Connor apologized for getting emotional and said it wasn't personal against Councilor Cheney. He said he has a lot of respect for her, but he will not be supporting this. Councilor Cheney referred to Councilor Gagnon's comment and said it was the complete opposite. She said it showed the impetus for independent Council.

Councilor McManus said a reason there should be a "No" vote on Ballot Question #2 was what happened at the Superior Court on Monday, where the Attorney General of New Hampshire agreed that the adequacy aid cap was unconstitutional. He said Councilor Cheney has reminded the Council several times that the Attorney General is the highest legal official in the State of New Hampshire. He said the Speaker of the House and the President of the Senate turned around and said they were going to ignore everything that the Attorney General told them and hire their own lawyer at taxpayers' expense to continue this case and oppose the position. He said the legislature is in the same position as the Council. He said if the Attorney General was answerable to the legislature they would have fired him. He said if the City's General Legal Counsel was answerable to the City Council then the Council could fire him if they disagree with what he said. He said that was an intolerable situation. He said the



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legislature was costing the taxpayers of the State more money, and costing the taxpayers for the City of Dover more money by stretching this case out. He said he hoped Councilor Cheney opposed the Speaker of the House in hiring outside Counsel.

Mayor Weston said she agreed with just about everybody's statements. She added for the record that she absolutely disagreed that the Council had broken any Council Rules, and she absolutely disagreed that they had uncalled workshops. She said the workshop they had regarding the Charter Amendment for the Legal Officer gave her a lot of insight and understanding. She reread the Council Rules for correspondence and appealed to the Councilors that they must place the correspondence on file to avoid breaking the Council Rules. She said the minutes will be duly noted and people have stated that what was stated was not fact.

Councilor Garrison thanked Councilor McManus for his analogy. He agreed with the Mayor that they have to support placing this correspondence on file to avoid breaking Council Rules. He said he did not agree with the letter's content. He felt it was misleading, had lies in it, and was twisted for the author's best interest. He said in order to exercise the right of free speech he didn't want to prevent this from being placed on file. He added that he felt it was inappropriate and unbecoming of a Councilor to submit this sort of thing. He said he didn't approve of it at all, but did support placing it on file.

Councilor Hooper wanted to make sure the minutes would reflect some of the information and disagreements with the letter's contents. She said if she had that assurance she would approve the correspondence to be placed on file.

Mayor Weston asked the City Clerk if the minutes will reflect the discourse of the Council.

City Clerk Lavertu said the minutes are usually brief, but she can broaden this section of the minutes.

Councilor Cheney called for a point of order. She said it's part of the Council Rules, Agenda, that the Council shall accept correspondence. She said she was not sure that the process required a vote on this was correct.

Mayor Weston agreed that it was definitely not clear in the Council Rules.

Deputy Mayor Carrier spoke about the whole election process and all the misinformation out there. He said the letter made him chuckle because of some the accusations. He said there is no "I" in Council, it's "we". So Councilor Cheney was a part of this. He said he will vote to move it forward to place on file as her freedom of speech, but added that he didn't agree with it. He said it was irritating and aggravating especially when you're true and blue, and working very hard for the City of Dover. He said there are things in the letter that are just hurtful. He said they should just move forward.

Councilor O'Connor asked if he can vote "Present".

Mayor Weston said he has to vote yes or no.

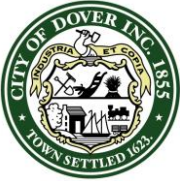
City Manager Joyal said they cannot be forced to vote.

Councilor Garrison moved to amend the motion to place the correspondence on file and to direct the City Clerk to have more detailed minutes for the Council Correspondence discussion; seconded by Councilor Hooper.

Vote: 9/0.

Mayor Weston asked for a vote to place correspondence on file with extensive minutes on the discussion.

Councilor Gagnon asked if it will be a transcript.



CITY OF DOVER

CITY COUNCIL – MINUTES

Meeting Type: **Regular Meeting**
Meeting Location: **Council Chambers, City Hall**
Meeting Date: **Wednesday, October 28, 2015**
Meeting Time: **7:00 pm**

Mayor Weston said it may be a generalized statement that a majority of the Council members felt that there were incorrect statements. In particular that the Council does not agree as a majority that they broke Council Rules or had uncalled workshops.

City Clerk Lavertu said she will send a draft out on Monday, and they can edit the wording with her.

Councilor Cheney said when she brought the letter forward and read it into the record, that the minutes just stated she read it into the record. She said again that the Council Rule should be changed.

Mayor Weston asked for a vote.

Vote: 8/0. Councilor O'Connor voted as present.

15. COUNCIL MATTERS OF INTEREST

Councilor O'Connor talked about the new LED lights at the Pool. He urged parents and drivers to be careful on Friday for Trick or Treating. He announced that he just found out he is going to be a grandparent in April.

Councilor McManus reminded the public that Tuesday, November 3, 2015 is Election Day. He urged people to make a real effort to vote.

Councilor Gagnon said regardless of what your position was he urged people to go vote. He said the Charter Amendments are not 2-year terms. He said it will affect Dover from this point forward.

Councilor Thibodeaux urged people to go vote. She asked neighbors to help each other and tell t to find out where the polling places are.

Councilor Cheney said she hoped people think about the questions when they vote. She urged people to get out and vote.

Mayor Weston addressed some of the items addressed during Citizen's Forum. She said when she became Mayor she said she would try to bridge the gap between the Council and the School Board. She said that would fall apart if she can't talk to the School Board about concerns. She spoke about the adequacy aid, and said once the State budget was passed the City's budget was amended. She spoke about the Warrant Article comment, and said it's illegal under the City's form of government. She said the comments that they don't follow Council Rules and the Charter violations regarding the bidding process were untrue, and explained that the City's Charter has 10 forms of bidding exceptions. She said the Council has followed those rules. She asked people who questioned this to contact her so she can show them where to find those rules. She told the Council they will be receiving the City Manager's evaluation information in their mailbox.

16. ADJOURNMENT

Deputy Mayor Carrier moved to adjourn; seconded by Councilor O'Connor.

Vote: 9/0.