

CITY OF LACONIA - CITY COUNCIL MEETING

February 11, 2019

7:00 P.M.

2/11/2019 - Minutes

1. CALL TO ORDER

Mayor Engler called the meeting to order at the above date and time.

2. SALUTE TO THE FLAG

Councilor Bownes lead the Salute to the Flag.

3. RECORDING SECRETARY

Cheryl Hebert, City Clerk

4. ROLL CALL

City Clerk Hebert called the roll with the following Councilors in attendance: Bruce Cheney, David Bownes, Henry Lipman, Mark Haynes, Bob Hamel, and Andrew Hosmer

Mayor Engler noted all six (6) Councilors were in attendance and a quorum has been established.

5. STAFF IN ATTENDANCE

Scott Myers, City Manager

Glenn Smith, Finance Manager

6. COUNCIL PROCLAMATION

7. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

7.A. Regular meeting minutes of January 28, 2019

The regular meeting minutes of the January 28, 2019 meeting were distributed to the Council on Wednesday, January 30, 2019. With no corrections or changes submitted to the clerk, the minutes will be accepted as distributed.

8. CONSENT & ACTION ITEMS

9. CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA

No comments from the public were made.

10. INTERVIEWS

10.A. Linda Peary - Seeking reappointment as a regular member on the Putnam Fund for a five-year term expiring at the end of March, 2024

Linda Peary, Ward 6, was interviewed.

10.B. Aaron Bassett - Seeking reappointment as a regular member on the Library Board of Trustees for a three-year term expiring at the end of March, 2022

Aaron Bassett, Ward 4, was interviewed.

10.C. John Moriarty - Seeking reappointment as a regular member on the Library Board of Trustees for a three-year term expiring at the end of March, 2022

John Moriarty was interviewed.

10.D. Bruce Kneuer - Seeking reappointment as an alternate member on the Library Board of Trustees for a one-year term expiring at the end of March, 2020.

Bruce Kneuer was interviewed.

10.E. **Margaret (Peggy) Selig - Seeking reappointment as a regular member on the Trustees of the Trust Fund for a three-year term expiring at the end of March, 2022**

Margaret (Peggy) Selig, Ward 3, was interviewed.

10.F. **Dorothy Duffy - Seeking reappointment as a regular member on the Heritage Commission for a three-year term expiring at the end of March, 2022**

Dorothy Duffy was interviewed.

10.G. **Ryan Cardella - Seeking appointment as a regular member on the Weirs TIF District Advisory Board for a three-year term expiring at the end of June, 2022**

Ryan Cardella was interviewed. Lives in Gilford but owns businesses in the Weirs area.

10.H. **Rodney Roy - Seeking reappointment as a regular member on the Parks & Recreation Commission for a three-year term expiring at the end of March, 2022**

Rodney Roy, (Ward 5), was interviewed.

10.I. **Arthur Kirk - Seeking reappointment as a regular member on the Parks & Recreation Commission for a three-year term expiring at the end of March, 2022**

Arthur Kirk, (Ward 6), was interviewed.

11. **NOMINATIONS, APPOINTMENTS & ELECTIONS**

12. **COMMUNICATIONS**

13. **PUBLIC HEARINGS**

14. **PRESENTATIONS**

15. **MAYOR'S REPORT**

Mayor Engler expressed his gratitude to Kevin Dunleavy and wishes him well in his future endeavors.

Mayor Engler briefed the public on tonight's earlier meeting regarding the Colonial Theatre Project. Mayor Engler mentioned if the City Council agrees to what is being asked of them, the City will have invested approximately \$5 million in the Colonial Theatre Project as long as every thing comes together. In York, Maine, approximately 13,000 population, they built from start to finish a new 750 seat community auditorium. It is very similar to the Colonial Theatre project. The cost of their project was \$10.4 million. What the City of Laconia is getting is roughly the same thing for half of the cost.

Councilor Bownes wanted to make the citizens aware that what the City will have at the end of the Colonial Theatre project is worth three times the amount that is being put in to it.

16. **COMMITTEE REPORTS**

16.A. **FINANCE (Lipman, Hamel, Cheney)**

16.A.i. **WOW Trail Funding**

16.A.ii. **Downtown TIF Financing**

16.B. **PUBLIC SAFETY (Bownes, Hosmer, Lipman)**

16.B.i. **Fair St/Court St traffic problems and accidents**

16.C. **GOVERNMENT OPERATIONS & ORDINANCES (Bownes, Hosmer, Cheney)**

16.C.i. **Review of Chapter 167, Noise and Chapter 161 Licensing as it pertains to outdoor sound equipment and loudspeakers**

16.C.ii. **Ordinance Amending Chapter 221, Vehicles and Traffic/Parking on Sublawns**

16.C.iii. **Procedural review of grant applications**

16.C.iv. **Second reading of a resolution relative to the adoption of RSA 31:95-b, Appropriation of funds made available during the year**

16.C.v. **Regulation of Short Term Residential Rental Businesses**

16.D. **LANDS & BUILDINGS (Hamel, Lipman, Haynes)**

16.D.i. **Downtown parking garage**

16.D.ii. **Repair & maintenance of City buildings**

16.D.iii. **Perley Pond Maintenance**

16.E. **PUBLIC WORKS (Bownes, Hosmer, Haynes)**

16.E.i. **Proposal to implement City Policies for designating emergency lanes**

16.E.ii. **Retaining Wall Policy**

17. **LIAISON REPORTS**

18. **CITIZENS REQUESTS TO COMMENT ON CURRENT AGENDA ITEMS**

Marc Burrell, 68 Warren Street - spoke in regards to Air Bnb. M. Burrell has been running an Air BnB for years at his residence. He rents a room out of his house. He is concerned that if the City starts regulating Air Bnb's then people will stop doing it. M. Burrell submitted to the Clerk a document regarding occupancy tax collection. He wants to make sure the Council is aware that the problems that happened on North Main Street are not the normal.

Mayor Engler stated the issue at the moment is there is currently an Ordinance regarding what can and can not take place in residential areas.

Marc Burrell feels it is discriminatory to allow some people to do Air Bnb and not allow others.

Councilor Bownes made it known the City is not out looking for Air Bnb's but if a complaint is brought forward to the Council then it is looked into.

Representative Charlie St. Clair - spoke in regards to the downtown parking and is in disagreement with the potential changes. Rep. St. Clair feels going down to one lane is not good for businesses. Mr. St. Clair would like to see a public hearing in regards to the potential parking changes.

Jose Dematos - 1192 Weirs Boulevard - spoke in regards of the wind fence on Weirs Beach. He said it has been there for years and it is broken, not doing its job, and ugly looking.

19. **CITY MANAGER'S REPORT**

19.A. **Financial and Operational Trends Report**

City Manager Myers clarified where the potential bump outs will be on Beacon Streets East and West. As of right now, there are no plans to add bump outs on Main Street.

City Manager Myers also spoke in regards to Senate Bill 69. This is a bill that will make changes to Short Term Rentals.

City Manager Myers reminded the public that our meetings are always recorded and usually uploaded to Youtube by the afternoon following a meeting.

City Manager Myers reviewed the report.

Councilor Hamel questioned if the amounts under Expendable Trust Balances are accurate. City Manager Myers noted those amounts were looked into and are accurate.

Councilor Hosmer asked what amount Anthem owes for the month of July. The City Manager will get those amounts to the Council.

20. NEW BUSINESS

20.A. Recommendation from the Weirs TIF to purchase new light bulbs for the Weirs Sign

Director of Parks and Recreation Kevin Dunleavy explained the reason for the request. Director Dunleavy also stated Robert Ames is in attendance tonight in case the Council had any questions.

Councilor Hamel is unsure if there is enough money to cover that amount. Councilor Hamel suggests taking the \$850 out of the general fund.

Mayor Engler questioned who owns the sign and the who is been taking on the roll of maintenance.

Director Dunleavy said the City owns the sign and the Weirs Action Committee has been maintaining it.

Robert Ames stated the Weirs Action Committee has been putting money in to maintaining the sign but the City paid for the refurbishment. Mr. Ames stated Ava Doyle suggested having the money come from the Weirs TIF Fund.

City Manager Myers did make it known that the City does pay for the electrical bill which is roughly \$5,000.00 per year.

Mayor Engler suggested that the Weirs Action Committee purchase the bulbs.

Mr. Ames explained the quote for the bulbs is for a better quality bulb.

Councilor Lipman moved to not approve the recommendation by the Weirs TIF Advisory Board to designate funds from the Weirs TIF District to purchase better quality light bulbs for the Weirs Beach Sign for no more than \$850.00, seconded by Councilor Haynes; the ***motion passed with all in favor.***

20.B. First Reading of Resolution 2019-2, relative to the NH DES Exotic Aquatic Plant Program Grant

City Manager Myers explained the grant approval request.

Councilor Hosmer moved to waive reading of Resolution 2019-02 in its entirety to to read by title only, seconded by Councilor Hamel; the ***motion passed with all in favor.***

Councilor Hosmer moved the first reading of Resolution 2019-02, relative to authorizing the City Manager to sign all documents necessary for the NH DES, Exotic Aquatic Plant Grant in the amount of \$14,618.00, seconded by Councilor Hamel; the ***motion passed with all in favor.***

Councilor Hosmer moved to schedule a public hearing on February 25, 2019, during the regular City Council meeting to gather public input, seconded by Councilor Hamel; the ***motion passed with all in favor.***

20.C. Downtown Parking Modifications

City Manager Myers explained why this is being brought to the Council. If the Council wishes to move forward with this request there would be a net increase of 44 parking spaces and the changes would start in the Spring when construction could happen.

There was discussion on safety concerns on Beacon Street West, with no easy access to a crosswalk, traffic back ups, and the safety of cars backing out into traffic. There was also a concern with the bump outs by the mill, maybe removing the left side bump out due to the safety of traffic merging into one lane. Another concern that was brought up was the speed limit on both streets.

DPW Director Anderson stated the reason for the location of the bump outs and crosswalk on Beacon Street West is because of the drainage system and underground utilities.

Councilor Bownes also mentioned the letter of concern from Bre Henderson. This letter was submitted into the record.

Councilor Lipman would like to get public input before moving forward. He also suggest trying a few angled spots temporarily to see how it works out.

City Manager Myers suggested doing a trial on Beacon Street East with the bump outs and either angled parking or keep the parallel parking spaces.

Councilor Haynes stated the constituents that have contacted him have been more concerned with being able to cross by the apartment buildings not with the parking spaces. He also has concern with the traffic coming from South Main Street to North Main Street. He would like to sees parallel parking be brought back on Main Street. Councilor Haynes suggested referring this to the Public Safety Committee.

Councilor Bownes moved to schedule a public hearing on this matter at the next available meeting, seconded by Councilor Hosmer, the ***motion passed with all in favor.***

20.D. **Grant agreement between Laconia Municipal Airport and the New Hampshire Department of Transportation, Bureau of Aeronautics**

Mayor Engler explained the agreement.

Councilor Lipman moved to authorize Mayor Edward Engler to sign the agreement between Laconia Municipal Airport and the New Hampshire Department of Transportation, Bureau of Aeronautics, seconded by Councilor Haynes; the ***motion passed with five (5) in favor.***

Councilor Hosmer was absent for this vote.

21. **UNFINISHED BUSINESS**

21.A. **Weirs Beach Restoration Project Update**

Director Kevin Dunleavy reviewed the PowerPoint that he presented and handed out to the Council and submitted a copy of the PowerPoint into the record. Director Dunleavy said there is growing concerns about the erosion of the beach. In May of 2010, representatives from the City, the Weirs Action Committee, and representatives from NH DES met to discuss options for the restoration of the beach. It was decided that beach nourishment consisting of 7300-9000 cubic yards of beach compatible sediment be added. This would widen the beach from 60 to 75 feet in width. Alternatives would be sand fencing, a jetty extension, or a manual back passing program on an as needed bases. NH DES rules stipulate that to compensate for the loss of wetland areas or surface waters, projects with impacts greater than 10,000 square feet require mitigation of this loss. Director Dunleavy showed on a slide where the proposed wetland concept could be. This wouldn't interfere with the docks.

Director Dunleavy said there is already sand fencing in the area but it hasn't worked as well as he hoped.

Councilor Bownes questioned what would happen if nothing was done.

Director Dunleavy said the erosion would keep happening and in the future there would be bigger problems.

Councilor Hosmer would like to keep the citizens involved in any decisions when it comes to this area.

Councilor Hosmer moved to have City Manager Myers reach out to NH DES, seconded by Councilor Bownes;

Councilor Lipman is ready to go forward with this project and suggested we go with Land Preservation as we already have the funds for that. He said after all the work that was done to Lakeside, that the beach should be brought to pristine condition as well.

City Manager Myers has concerns with the stipulations from NH DES that the City has to create ~~5~~ wetland in order to bring the beach back to where it originally was.

Councilor Bownes expressed he is not in favor of spending a lot of money creating a wetland that never existed. Councilor Bownes does not want to get into the position of having to build a new wetland.

Mayor Engler questioned what is the exact problem that we are trying to fix. Director Dunleavy stated the erosion of the beach and restoring the beach to its original size.

Councilor Lipman states the beach is less attractive to attracting tourism as the beach disappears.

Councilor Bownes doesn't understand why we can't just drag sand up to restore the beach.

Councilor Lipman would like to stop prolonging this process.

Director Dunleavy stated we need to come to a point on what direction the City needs to go.

City Manager Myers stated the next step of the plan is to finalize the litigation between the parties.

Councilor Bownes stated as long as the City is not purchasing land for no good purchase and it has good conservation value. He is all for giving the State an answer that we are ready to move forward. The City has conservation money to purchase conservation land that will serve the City's purpose down the road.

Councilor Lipman said we have a Conservation Commission that can make a recommendation on what land to purchase.

Mayor Engler requested this item be added to the next agenda as an active item.

Councilor Hosmer moved to approve the City Manager to meet with NH DES representatives to clarify what the next logical steps the City needs to take in order to start this project, seconded by Councilor Bownes;

Councilor Lipman suggests adding the language to the motion "the City is ready to move forward with this project and authorizes the City Manager...."

The amended motion made by Councilor Hosmer reads: The City is ready to move forward with this project and authorizes the City Manager to meet with the right representatives from NH DES to clarify what the next logical steps need to be taken by the City in order to move forward with this project, seconded by Councilor Bownes;

Councilor Hamel stated that Parks and Recreation hired many companies to come out and research the beach erosion problems for many years and they came up with a solution. In the presentation, it was stated that DES requires that the problem needs to be fixed before sand can be added.

Mayor Engler called the question; the ***motion passed with all in favor.***

Director Dunleavy said it was a difficult decision for him to leave the City and appreciates all of the support he has received from the Council and the City. He takes a great deal of pride of what has been accomplished in his years here. He will still be a member of the community and would still like to be involved.

Councilor Haynes moved to extend the meeting to 10:15 pm, seconded by Councilor Hamel; the ***motion passed with all in favor.***

Councilor Cheney complimented Kevin Dunleavy on his professionalism.

21.B. **Colonial Theatre Project Update**

Mayor Engler noted there is not an update as of right now but this item will be on the next agenda as an active item.

22. **COUNCIL COMMENTS**

23. **FUTURE AGENDA ITEMS**

23.A. **Master Plan**

23.B. **Milfoil Treatment funding requests**

23.C. **Sewer & Water Master Plan**

23.D. **Single Stream Recycling/Concord Co-op/Solid Waste disposal cost reductions**

23.E. **Strategic Planning/Goal Setting**

23.F. **WOW Trail**

24. **Any other business that may come before the Council**

25. **NON-PUBLIC SESSION (According to RSA 91-A:3, II)**

26. **ADJOURNMENT**

With no further business to come before the Council and hearing no objection, Mayor Engler adjourned the meeting at 9:59 PM.

Respectfully submitted by,

Cheryl Hebert, City Clerk

DRAFT