

# CITY OF LACONIA - CITY COUNCIL MEETING

March 11, 2019

7:00 P.M.

3/11/2019 - Minutes

## 1. CALL TO ORDER

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

## 2. SALUTE TO THE FLAG

Councilor Haynes lead the Salute to the Flag.

## 3. RECORDING SECRETARY

Cheryl Hebert, City Clerk

## 4. ROLL CALL

City Clerk Hebert took the roll call 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 and Glenn Smith, Finance Director

## 6. COUNCIL PROCLAMATION

## 7. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

### 7.A. Regular meeting minutes of February 25, 2019

Minutes of the February 25, 2019 meeting were distributed to the City Council on Tuesday, February 26, 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

## 11. NOMINATIONS, APPOINTMENTS & ELECTIONS

### 11.A. Appointment of Dean Trefethen, Planning, Zoning and Code Enforcement Director, as a member of the Highway Safety Commission, to a three year term expiring at the end of March, 2022

Councilor Hosmer moved to appoint Dean Trefethen, Planning, Zoning, and Code Enforcement Director, as a member of the Highway Safety Commission, to a three year term expiring at the end of March, 2022, seconded by Councilor Hamel; the *motion passed with all in favor.*

## 12. COMMUNICATIONS

## 13. PUBLIC HEARINGS

## 14. PRESENTATIONS

## 15. MAYOR'S REPORT

Mayor Engler spoke in regards to the Human Relations Committee. It is the Mayors duty to appoint members to this committee.

He appointed: Carol Pierce, David Stamps, Christopher Adams, Janet Simmon, Judith Wright, Matthew Canfield, Carrie Chandler, David Osman, Kathy James, Ali Hassan, Dennis Bothamley, and Kate Bruchacova. Their term will expire at the end of March, 2020.

Mayor Engler also spoke in regards to the Short-Term Rentals. He presented to the Council and one for the record an outline of a proposal to change Zoning Regulations regarding Short-Term Rentals. He hopes to send this to the Planning Board for review. Under this proposal there would be a fee (to be determined) charged to apply and renewed on a yearly basis.

## 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

Discussion was had in regards to the proposed changes to the Zoning Regulations that Mayor Engler handed out earlier. A copy of the proposed changes has been submitted into the record.

Councilor Bownes suggested expediting this issue and would like to have everyone's input be heard.

Councilor Lipman doesn't like the idea of expediting this issue for the simple reason that some people may already have bookings.

Councilor Cheney would like to see some sort of inspection done as well as a capacity regulation set.

Mayor Engler noted that if anyone has any suggestions to add or remove from the proposed changes they should submit them before the meeting.

Councilor Hosmer moved to refer this item, Regulation of Short Term Residential Rental Businesses, Zoning Regulation, to Government Operations and Ordinances, Item number V, seconded by Councilor Haynes; the *motion passed with all in favor*.

Councilor Bownes moved to schedule a meeting of the Government Operations and Ordinances, Item number V at 6 pm on March 25, 2019, seconded by Councilor Hosmer; the *motion passed with all in favor*.

### 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**

Councilor Bownes spoke of the Master Plan meeting. At the last Planning Board meeting there was a proposal of a Performance Zoning and designated certain areas of downtown, from the Belmont town line up to a point on Messer Street. **The Planning Board scheduled a public hearing at the next scheduled meeting in April in regards to the proposed Performance Zoning with a possible second public hearing in May. Any recommendations would come before Council.**

Councilor Hamel spoke in regards to the Annual Meeting for Lakes Region Public Access TV. On March 27, 2019 there will be the annual meeting from 5:00 pm - 6:30 pm in the Armand A. Bolduc City Council Chamber.

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

No comments from the public were made.

## 19. **CITY MANAGER'S REPORT**

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

City Manager Myers reviewed the report. A more in depth discussion was had in regards to the EMS Billing.

## 20. **NEW BUSINESS**

### 20.A. **Snow Removal Procedure**

DPW Director Wes Anderson reviewed the snow removal procedure at the Councils request. He reviewed a PowerPoint presentation and submitted one into the record.

Councilor Cheney asked to get pricing for contracting an outside company to deal with just the snow removal process.

Discussion was had in regards to vehicles being parked on sidewalks and what enforcement is being done. City Manager Myers noted that employees have been reporting issues to necessary parties and will continue to do so. Discussion was also had in regards to the ice build up on the sidewalks and the safety concern with that.

It is the consensus of the Council to have the City Manager and DPW Director Anderson do some research into looking to contract out for the snow removal process.

### 20.B. **Request for the Land and Buildings Committee to develop a plan for the DPW Compound**

City Manager Myers gave a briefing on this topic.

Councilor Cheney moved to refer this matter to the Land and Buildings Subcommittee for further review and to make this item number IV under Land and Buildings, seconded by Councilor Bownes; the ***motion passed with all in favor.***

### 20.C. **Introduction of Ordinance 2019-119-13-02, amending Chapter 119, Building Construction, Article II, Adoption of Standards, § 119-13, and request to schedule a Public Hearing on March 25, 2019 during the regular City Council meeting to gather input prior to adoption**

Planning Director Dean Trefethen explained the reasons for this request.

Councilor Hosmer moved to waive a reading of this Ordinance in its entirety and to read by title only, seconded by Councilor Haynes; the ***motion passed with all in favor.***

Councilor Haynes moved the first reading of Ordinance 2019-119-13-02, amending Chapter 119, Building Construction, Article II, Adoption of Standards, seconded by Councilor Bownes; the ***motion passed with all in favor.***

Councilor Haynes moved to schedule a Public Hearing on March 25, 2019 during the regular City Council meeting to gather input prior to adoption, seconded by Councilor Hosmer; the ***motion passed with all in favor.***

## 21. UNFINISHED BUSINESS

### 21.A. Request to change the speed limit on Daisy Gardner Road and Leighton Ave North

Councilor Hamel moved to remove this item from the table, seconded by Councilor Lipman; the ***motion passed with all in favor.***

Councilor Lipman moved the City Council approve establishing a speed limit of 30 mph on Daisy Gardner Road and Leighton Avenue North, seconded by Councilor Haynes;

Councilor Bownes questioned why the speed limit is only being lowered to 30 mph and not 25 mph. DPW Director Anderson explained 25 mph can be justified.

Councilor Bownes moved to amend the motion to read 25 mph rather than 30 mph; Councilors Lipman and Haynes are in agreement with the amendment.

Mayor Engler called the question with the amendment made by Councilor Bownes; the ***motion passed with all in favor.***

### 21.B. Proposed criteria to accept these roads "as-is"

City Manager Myers gave the background of this topic.

Councilor Bownes moved to refer this topic to the Public Works Committee as item number III, seconded by Councilor Hosmer; the ***motion passed with all in favor.***

### 21.C. Colonial Theatre Project Update

Mayor Engler read into the record proposed Resolution 2019-03

"A Resolution relative to the City's purchase of theater equipment for the Colonial Theater and details of the City's lease with Belknap Economic Development Council

Resolved by the City Council of the City of Laconia as follows:

WHEREAS, the Laconia City Council on May 26, 2015 committed financial support to the Belknap Economic Development Council's (BEDC, the Developer) plan to purchase and renovate the three Colonial Theater buildings in downtown Laconia, and

WHEREAS, the Laconia City Council amended and reconfirmed its financial commitment to the project on September 11, 2017, and

WHEREAS, the Laconia City Council remains committed to this project as being vital to the overall economic vitality of the City in general and the downtown area in particular, and

WHEREAS, New Hampshire RSA 33:3 expressly authorizes municipalities to issue bonds or notes for purposes of economic development, which shall include public-private partnerships involving capital improvements, loans and guarantees,

NOW, THEREFORE, BE IT RESOLVED that the Laconia City Council acknowledges the current construction budget of \$9.6 million is void of any allowance for theater equipment (rigging, lighting, and sound) and agrees independently to specify and pay for necessary theater equipment at an approximate cost of \$900,000 (including installation).

FURTHERMORE, BE IT ALSO RESOLVED that the Laconia City Council acknowledges the developer's

operating pro-forma for years two through seven of the project relies on income from the City's rental of the auditorium and related amenities at a rate not to be lower than \$12,000 per month (\$144,000 per year) and acknowledges that the rent could, from time to time, be higher. The rent shall be all including (gross) with exceptions that the City shall be responsible for paying the cost of electricity and heat/air conditioning for the relevant spaces, which shall be separately metered. The details of the City's lease with the developer for the auditorium and related space shall specify any income the developer receives during years two through seven for the sale or lease of the second and third floor of the Main Street building (one of three) shall go toward reducing the City's monthly rent obligation until the sum due reaches the \$12,000 per month (\$144,000 per year) mark.

This Resolution shall take effect after two readings and upon its passage."

Councilor Bownes moved the first reading of Resolution 2019-03, relative to the City's purchase of Theater equipment for the Colonial Theater and details of the City's lease with Belknap Economic Development Council, seconded by Councilor Haynes;

Mayor Engler noted that if this Resolution passes he will draft a letter to BEDC to be able to present to any potential investors.

Councilor Cheney will support this but would like to amend the words "approximate cost" and would like to see it state "not to exceed the \$900,000 mark. Mayor Engler would like Councilor Cheney to consider the amount of \$900,000 Councilor Cheney accepts Mayor Engler's explanation of the amount of \$900,000. Councilor Bownes

explained that research was done to come up with the \$900,000 amount. Councilor Hamel stated the list of equipment that is needed is being looked at by an objective party. Councilor Cheney is satisfied with that.

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

Councilor Hamel moved to schedule a Public Hearing and second reading on March 25, 2019 during the regular City Council meeting to gather public input prior to adoption, seconded by Councilor Haynes; the ***motion passed with all in favor.***

## 22. COUNCIL COMMENTS

Councilor Bownes as well as other Councilors commends this Council and the past Council for all of the hard work put in to the Colonial Theatre project.

The Council also thanked DPW Director Anderson for bringing light to the plowing situation.

## 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**

23.G. **Weirs Beach Restoration Project**

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, the Mayor adjourned the meeting at 8:47 pm.

Respectfully submitted by,

Cheryl Hebert, City Clerk

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