

CITY OF LACONIA - CITY COUNCIL MEETING
May 13, 2019
7:00 P.M.

5/13/2019 - 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 took 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 was established.

5. STAFF IN ATTENDANCE

Scott Myers, City Manager

Glenn Smith, Finance Director

6. COUNCIL PROCLAMATION

7. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

7.A. Regular meeting minutes of April 22, 2019

Minutes of the April 22, 2019 meeting were distributed on Tuesday, April 23, 2019. With no corrections or changes submitted to the Clerk, the minutes will be accepted as distributed.

8. CONSENT & ACTION ITEMS

8.A. Temporary Traffic Order 2019-6, Laconia Motorcycle Week

Councilor Hosmer moved to approve Temporary Traffic Order 2019-6 for Laconia Motorcycle Week, seconded by Councilor Hamel;

Councilor Bownes questioned that he thought there were going to be changes to the traffic order.

Representative St. Clair addressed the Council in regards to the Traffic Order for Motorcycle Week. Representative St. Clair discussed the one way traffic and motorcycle parking on Lakeside Avenue and removing access to four-wheeled traffic. Concern was expressed with the busses coming in for the Mt. Washington Boat. Representative St. Clair did say the busses could be accommodated like the school busses are. He also stated delivery vehicles are allowed in between the hours of 6 am and 10 am every day. Representative St. Clair also stated DPW would be able to save money by only having to set up barriers once rather than doing the different set ups multiple times.

Councilor Lipman questioned if this item can be deferred until the next meeting without causing any

issues. Representative St. Clair responded by hoping this would be approved sooner rather than later.

Councilor Cheney, after speaking with Chief Canfield, stated the first weekend of Motorcycle Week tends to be busier than the last weekend.

Councilor Cheney moved to amend the traffic order to eliminate the second section of page one of the traffic order and to read Friday, June 7, 2019 through Sunday, June 16, 2019 on the first section on page two, seconded by Councilor Hamel;

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

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

8.B. Temporary Traffic Order 2019-8, Laconia Multicultural Festival

Councilor Hamel moved to approve Temporary Traffic Order 2019-8 as presented for the Laconia Multicultural Festival and to waive all City fees associated with the event, seconded by Councilor Haynes; the ***motion passed with all in favor.***

9. CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA

Representative Charlie St. Clair - Spoke in regards to the Wake the Lake and felt everything went very smooth and wishes to thank the Council and City Employees.

10. INTERVIEWS

10.A. Michael DellaVecchia - Seeking reappointment as a regular member of the Planning Board for a three-year term expiring at the end of June, 2022

Michael DellaVecchia was interviewed.

10.B. Peter Stewart - Seeking reappointment as a regular member of the Lakeport TIF District Advisory Board for a three-year term expiring at the end of June, 2022

Peter Stewart was interviewed.

11. NOMINATIONS, APPOINTMENTS & ELECTIONS

12. COMMUNICATIONS

13. PUBLIC HEARINGS

13.A. Public Hearing for Resolution 2019-04, relative to the acceptance of personal property donated to towns and village districts per NH RSA 31:95-e

Notice of this public hearing was made available in the April 24, 2019 edition of the Laconia Daily Sun, posted at Laconia City Hall, Laconia Public Library, Community Center, and SAU.

Mayor Engler opened the public hearing at 7:28 pm

Hearing no comment from the public, Mayor Engler closed the public hearing at 7:30 pm.

13.B. Public Hearing for Resolution 2019-05, relative to the acceptance of unanticipated revenue in an amount of less than \$10,000, outside of the adoption process of the City's annual budget, per NH RSA 31:95-b

Notice of this public hearing was made available in the April 24, 2019 edition of the Laconia Daily Sun, posted at Laconia City Hall, Laconia Public Library, Community Center, and SAU.

Mayor Engler opened the public hearing at 7:31 pm

Attorney Walter Mitchell spoke in regards to 31:95-b and the criticism that was in the letter to the editor section of the Laconia Daily Sun. The focus of the letter was that towns or village districts may adopt the authority of unanticipated funds. Attorney Mitchell stated according to NH RSA 47.1 which allows cities to adopt any of the authority exercised by towns. Attorney Mitchell read a decision made by the Superior Court that involved the writer of the letter and the City of Laconia. Attorney Mitchell's office as well as the Attorney Generals Office has reviewed this and they are on board with this Resolution.

City Manager Myers will give the Council a schedule for amending the charter.

Hearing no other comments from the public, Mayor Engler closed the public hearing at 7:38 pm.

14. **PRESENTATIONS**

15. **MAYOR'S REPORT**

Mayor Engler apologized for not being at the last meeting and thanked Councilor/Mayor Pro Tem Hamel for filling in for his absence.

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**

Councilor Bownes moved to remove this item from the Government Operations and Ordinances Committee, seconded by Hosmer; the *motion passed with all in favor*.

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

Councilor Bownes explained the Planning Department is waiting on legal for the correct wording in regards to short term residential rental businesses criteria, then the Planning Board, and finally it will come to the Council.

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.D.iv. **Plan for the DPW Compound**

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**

16.E.iii. **Proposed criteria to accept these roads "as-is"**

17. **LIAISON REPORTS**

Councilor Bownes stated there will be a second public hearing scheduled in June in regards to Performance Zoning issues. The Urban Commercial was approved by the Planning Board and will be coming before the Council at the next meeting.

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

Reverend Paula Gile - partnering with the VFW to do a field of flags totaling 3,936 which represents all of the names of the Veterans at Veterans Square. In order for the flags to be viewed during the parade, they are requesting a change of route.

19. **CITY MANAGER'S REPORT**

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

City Manager Myers reviewed the report.

Councilor Haynes expressed concern with some trees that were removed at Wyatt Park. City Manager Myers will look in to this and get feedback to the Council.

Discussion was had in regards to the slow paying insurance company and the status.

20. **NEW BUSINESS**

20.A. **Introduction of Ordinance 2019-119-10(A)(3), amending Chapter 119, Building Construction, Article II, Adoption of Standards**

Planning and Zoning Director Trefethen explained the reason for this request. It has been discovered that one section of the Adoption of Standards was not adopted properly in 2009.

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 Hamel moved the first reading of Ordinance 2019-119-10(A)(3), amending Chapter 119, Building Construction, Article II, Adoption of Standards, seconded by Councilor Hosmer; the ***motion passed with all in favor.***

Councilor Bownes moved to schedule a public hearing on May 28, 2019 during the regular City Council meeting to gather input prior to adoption, seconded by Councilor Hamel; the ***motion passed with all in favor.***

20.B. **Request by Anthony Santagate for the Laconia Blues Festival to be held on**

September 21, 2019 from 7:00 am to 12:00 am on City park property

City Manager Myers gave a brief background to the Council of this request and what the Parks and Recreation Commission approved. The concern is that this event is for profit and is requesting the use of the entire Weirs Beach and parking lot. The fees for a non-profit group to rent a City park is \$240. With this being a for profit, staff feels the fees need adjusting. The City could also lose potential parking meter revenue due to no access to the parking lot.

Representative St. Clair spoke to Special Events and will be going to the Licensing Department to get the necessary permits.

Councilor Hosmer moved to approve the request by Anthony Santagate for the Laconia Blues Festival to be held on September 21, 2019 from 7:00 am to 12:00 am for an event at the Weirs Beach and Weirs Beach Parking Lot pending the conditions set forth by Laconia Parks and Recreation Department and the Special Events Committee are met plus pending the conditions set forth by the Council with a \$1500 refundable deposit for clean up and a \$260 revenue replacement fee, seconded by Councilor Cheney; the ***motion passed with all in favor.***

20.C. Paid Parking Proposal for Downtown

City Manager Myers worked with the Police Department, Finance, and Public Works to discuss what work would need to be involved in changing the logistics of parking in the downtown area. Mayor Engler and Councilor Bownes also worked with City Manager Myers in regards to the proposal. It is recommended to pass the proposal along to the necessary committee for further discussion and review. This proposal is an attempt to address the all day parking issue in the downtown area. One of the components would be to hire one full time year round employee for parking enforcement. This added hire would begin at a cost of \$55,000 per year which includes insurance. City Manager Myers noted this doesn't have to be decided on by July 1, 2019, but placeholders, as far as expenditures and revenue, could be put into place for the upcoming budget year.

Councilor Bownes has been an advocate for some sort of parking fee in the downtown area for sometime. This proposal has a long way to go but it does bring an idea to move forward with.

Councilor Hamel expressed he is in favor with some of the proposal. He stated that if this was another part of the town businesses are responsible for providing parking for their employees, this hasn't been the case in the downtown area. Councilor Hamel wants people that shop downtown to be able to do so with out any inconvenience.

Councilor Bownes moved to refer the Paid Parking Proposal for Downtown item to the Government Operations and Ordinances Sub-committee for further study and public input as item number VI, seconded by Councilor Hosmer; the ***motion passed with all in favor.***

20.D. Request for a building permit on an unaccepted/private road for 12 Thompson Avenue

Councilor Hosmer moved to approve the building permit for 12 Thompson Avenue as requested contingent upon receiving all permits required by the City, seconded by Councilor Haynes; the ***motion passed with all in favor.***

20.E. Belknap Mill request in connection with "Arts in the Park"

Councilor Hosmer moved to approve the request of the Belknap Mill to allow a food vendor to occupy the three parking spaces on Beacon Street East as presented in connection with the annual "Arts in the Park" events, and also to allow the serving of wine and beer on the patio and grass area adjacent to the Mill during those performances and to waive all associated City vendor fees, seconded by Councilor Hamel; the ***motion passed with all in favor.***

20.F. Temporary Traffic Order 2019-7, Memorial Day Parade

Councilor Bownes moved to approve Temporary Traffic Order 2019-7 as presented for the Memorial Day Parade, seconded by Councilor Hosmer; the ***motion passed with all in favor.***

21. UNFINISHED BUSINESS

21.A. **Second reading and approval of Resolution 2019-04, relative to the acceptance of personal property donated to towns and village districts per NH RSA 31:95-e**

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

Councilor Hosmer moved the second reading of Resolution 2019-04, acceptance of personal property donated to towns and village districts per NH RSA 31:95-e, seconded by Councilor Bownes; the ***motion passed with all in favor.***

Councilor Hosmer moved to approve Resolution 2019-04, acceptance of personal property donated to towns and village districts per NH RSA 31:95-e, seconded by Councilor Hamel; the ***motion passed with all in favor.***

21.B. **Second reading and approval of Resolution 2019-05, relative to the acceptance of unanticipated revenue in an amount of less than \$10,000, outside of the adoption process of the City's annual budget, per NH RSA 31:95-b**

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

Councilor Hosmer moved the second reading of Resolution 2019-05, acceptance of unanticipated revenue per NH RSA 31:95-b, seconded by Councilor Cheney; the ***motion passed with all in favor.***

Councilor Hosmer moved to approve Resolution 2019-05, related to the acceptance of unanticipated revenue per NH RSA 31:95-b and add a Charter Amendment ballot question in November, 2019 City Election, seconded by Councilor Cheney; the ***motion passed with all in favor.***

21.C. **Acceptance of 75 Bicycle Helmets**

Councilor Cheney moved to approve the request to accept 75 bicycle helmets and other bicycle safety items received through a grant from Children's Hospital at Dartmouth and Kohls Department Stores, seconded by Councilor Hosmer; the ***motion passed with all in favor.***

21.D. **Proposed criteria to accept these roads "as-is"**

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

Councilor Cheney recused himself from voting on the acceptance of the adopting of the "as-is" streets as he lives on one of the streets on the list.

Councilor Hamel asked for an explanation on some of the criteria.

Councilor Bownes moved that we adopt the proposed criteria for accepting "unaccepted" streets "as-is," seconded by Councilor Haynes; the ***motion passed with all in favor.***

Councilor Hosmer moved to adopt the presented list of "unaccepted" streets as "as-is" streets, seconded by Councilor Bownes; the ***motion passed with five (5) in favor and one (1) recused abstention by Councilor Cheney.***

21.E. **Request to make the guard rail side of Clinton Street in the vicinity of 96 Clinton Street a no parking area**

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

Councilor Bownes moved to amend the main motion to read no parking zone on the north side of Clinton Street from the west boundary of 88 Clinton Street to the east end of the intersection of Clinton and Prospect Streets, seconded by Councilor Hosmer; the ***motion passed with all in favor.***

Councilor Bownes moved to the approval of a no parking zone of the north side of Clinton Street from the west boundary of 88 Clinton Street to the east end of the intersection of Clinton and Prospect Streets, seconded by Councilor Hosmer; the ***motion passed with all in favor.***

22. **COUNCIL COMMENTS**

Councilor Hosmer spoke of the sale of the St. Joseph's Church and would like to express his sadness to hear that the Church is to be razed. Councilor Haynes agrees with Councilor Hosmer. Councilors Haynes and Bownes agree with Councilor Hosmer's sentiments.

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, Mayor Engler adjourned the meeting at 8:58 pm.

Respectfully submitted

Cheryl Hebert, City Clerk