

CITY OF LACONIA - CITY COUNCIL MEETING

7:00 P.M.

October 26, 2020

10/26/2020 - Minutes

1. CALL TO ORDER

Mayor Hosmer 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 a roll call vote with the following Councilors in attendance: Bruce Cheney, Bob Soucy, Henry Lipman, Mark Haynes, Bob Hamel, and Tony Felch.

Mayor Hosmer noted all six Councilors were in attendance and 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 October 13, 2020

Minutes of the meeting were distributed to the Council on Friday, October 16, 2020. With no changes or corrections 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. Dean Anson, II - Seeking reappointment as a regular member of the Conservation Commission to a three-year term expiring at the end of August, 2023

Councilor Hamel moved to reappoint Dean Anson, II as a regular member of the Conservation Commission to a three-year term expiring at the end of August, 2023, seconded by Councilor Felch; the *motion passed with all in favor*.

11.B. Dean Anson, II - Seeking reappointment as a regular member of the Lakes Region Planning Commission to a four-year term expiring at the end of June, 2024

Councilor Felch moved to reappoint Dean Anson, II as a regular member of the Lakes Region Planning Commission to a four-year term expiring at the end of August, 2024, seconded by Councilor Haynes; the *motion passed with all in favor*.

11.C. Bradley Fitzgerald - Seeking appointment as a regular general public member of the Building Code Board of Appeals to a five-year term expiring at the end of March, 2025

Councilor Hamel moved to appoint Bradley Fitzgerald as a regular general public member of the Building Code Board of Appeals to a five-year term expiring at the end of August, 2025, seconded by Councilor Felch; the ***motion passed with all in favor.***

11.D. **Joseph Driscoll, III - Seeking reappointment as a regular member of the Weirs TIF District Advisory Board to a three-year term expiring at the end of June, 2023**

Councilor Felch moved to reappoint Joseph Driscoll, III as a regular member of the Weirs TIF District Advisory Board to a three-year term expiring at the end of August, 2023, seconded by Councilor Cheney; the ***motion passed with all in favor.***

11.E. **Michael DellaVecchia - Seeking appointment as a regular member of the Zoning Board of Adjustment to fill the remainder of a term expiring at the end of August, 2022**

Councilor Felch moved to appoint Michael DellaVecchia as a regular member of the Zoning Board of Adjustment to fill the remainder of a term expiring at the end of August, 2022, seconded by Councilor Hamel; the ***motion passed with all in favor.***

11.F. **Kimon Koulet - Seeking reappointment as a regular member of the Highway Safety Commission to a three-year term expiring at the end of March, 2023**

Councilor Soucy moved to reappoint Kimon Koulet as a regular member of the Zoning Board of Adjustment to fill the remainder term expiring at the end of August, 2022, seconded by Councilor Felch; the ***motion passed with all in favor.***

12. **COMMUNICATIONS**

13. **PUBLIC HEARINGS**

13.A. **Public hearing for Ordinance 2020-194, Refuse and Household Waste Collection and Ordinance 2020-194-24, Dump and Disposal Fees**

Notice of this public hearing was made available in the October 15, 2020 edition of the Laconia Daily Sun, and posted at Laconia City Hall, Laconia Public Library, Community Center, and SAU.

Mayor Hosmer opened the public hearing at 7:10 pm.

Hearing no comments from the public, Mayor Hosmer closed the public hearing at 7:11 pm.

13.B. **Public hearing for Resolution 2020-17, relative to the Lakeport area drainage, roadway, and sidewalk upgrades**

Notice of this public hearing was made available in the October 15, 2020 edition of the Laconia Daily Sun, and posted at Laconia City Hall, Laconia Public Library, Community Center, and SAU.

Mayor Hosmer opened the public hearing at 7:12 pm.

Hearing no comments from the public, Mayor Hosmer closed the public hearing at 7:13 pm.

13.C. **Public hearing for Resolution 2020-18, relative to water line work in the Lakeport area**

Notice of this public hearing was made available in the October 15, 2020 edition of the Laconia Daily Sun, and posted at Laconia City Hall, Laconia Public Library, Community Center, and SAU.

Mayor Hosmer opened the public hearing at 7:13 pm.

Hearing no comments from the public, Mayor Hosmer closed the public hearing at 7:14 pm.

14. **PRESENTATIONS**

14.A. **Assessing presentation of the old to new values - Steve Hamilton**

Steve Hamilton from Whitney Consultant Group presented the 2020 Assessment Valuation process. A copy of the PowerPoint was submitted into the record.

Mr. Hamilton explained that interior inspections are not happening at this time because of COVID-19 but questionnaires are being sent out to any new property owners and exterior inspections are still being done.

A discussion was had in regards to the resale value of a property and how the assessed value works.

Tax payers can call 527-1268 with any concerns about the old to new values. These values will be available on the City website by the end of this week. Information on how to file an abatement is available on the City website. Abatements can't be filed until after the final tax bill, and must be received by March 1, 2021.

City Manager Myers explained the valuation process and how it changed from being done every five years to being done throughout the years. This is done so the tax payers are not seeing a large jump in value all at once, but rather spread out in small increments. Steve also stated this helps to allow the tax payers to get to know the staff in the assessing office.

15. **MAYOR'S REPORT**

Mayor Hosmer spoke of the Busiel House and old Holy Trinity School and adjoining parking lot. The transaction was completed as of today. The idea is for the City to market the Busiel House and old Holy Trinity School buildings.

Councilor Lipman would like clarification, procedurally, if the property needs to be declared surplus before moving forward with any sales.

City Manager Myers will look into the proper steps before moving forward but believes that it can be concurrently. What was done with the old police station on Church Street was that an Expression of Intent that was put out to bid. City Manager Myers thinks the Busiel House would be a great candidate for office space as there are many rooms and bathrooms. The City is looking for a right fit for the two buildings.

Councilor Lipman wants to make sure it is not just the sale value that the City looks at but also the taxable value.

City Manager Myers also noted that within the Deed, there are items listed for acceptable uses for the Busiel property.

Councilor Soucy moved to authorize the City Manager to move forward with an RFP for a commercial broker for the Busiel House, seconded by Councilor Haynes;

Councilor Lipman suggested a friendly amendment by adding the wording "subject to moving forward with the proper procedures"

Councilor Soucy and Councilor Haynes both agreed with the friendly amendment to the motion.

Councilor Soucy asked if the boundary lines could be more defined.

City Manager Myers explained the boundary lines would be defined appropriately.

Mayor Hosmer called the question as amended;

the motion passed with all in favor.

Councilor Lipman moved to authorized the City Manager, on behalf of the City of Laconia, to submit a Request for Interest for the old Holy Trinity School Building with the proper procedures put in place, seconded by Councilor Haynes; the ***motion passed with all in favor.***

Mayor Hosmer appointed Councilor Cheney as a City Council member to the Planning Board and Councilor Soucy as an alternate to the Planning Board.

Mayor Hosmer reminded the public of the General Election on Tuesday, November 3, 2020. Absentee ballots will be accepted up until 5:00 pm on Election Day through the Clerk's office. The City is also asking all voters to wear a mask in the polling locations if you are choosing to vote in person.

16. **COMMITTEE REPORTS**

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

Councilor Lipman stated the Finance Committee is continuing their work with the Internal Control Policy and will continue that work on Monday, November 9th at 6:15 pm.

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

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

16.B. **PUBLIC SAFETY (Cheney (Chair), Soucy, Lipman)**

16.B.i. **GOVERNMENT OPERATIONS & ORDINANCES (Soucy (Chair), Felch, Cheney)**

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

16.B.iii. **Ordinance Amending Chapter 221, Vehicles and Traffic/Parking on Sublawns**

16.B.iv. **Procedural review of grant applications**

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

16.B.vi. **Proposed Historic Overlay District**

16.B.vii. **Scenic Road Motorcycle Noise Petition**

16.C. **LANDS & BUILDINGS (Hamel (Chair), Haynes, Felch)**

16.C.i. **Downtown parking garage**

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

16.C.iii. **Perley Pond Maintenance**

16.C.iv. **Plan for the DPW Compound**

16.C.v. **Continuation of the discussion regarding parking in the Lakeport area**

16.D. **PUBLIC WORKS (Haynes (Chair), Felch, Soucy)**

16.D.i. **Retaining Wall Policy**

17. **LIAISON REPORTS**

Councilor Hamel updated the Council on the Colonial Theatre.

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

No comments from the public were made.

19. **CITY MANAGER'S REPORT**

19.A. **Project Updates Report**

City Manager Myers reappointed Patrick Wood to the Laconia Housing Authority.

City Manager Myers reviewed the report.

19.B. **Monthly Economic Development Report**

City Manager Myers reviewed the report.

Councilor Felch asked what can be done in regards to all of the "junk" in front of Martel Bait Shop.

City Manager Myers explained there has been communication with the property owner over the past several years, with the most recent letter being sent out this past July/August. There has not been a positive response from the property owner. A second letter was sent out at the end of September. A response was received back from the property owners attorney stating that the City is harassing and intimidating the property owner. They put

in a right to know request asking how many other marinas have received this same notice in the past. After doing some research, there was no other violations that went out to the marina's within the City. There is a draft letter that will be going out to the marina's attorney this week. The property owner thinks this is a retaliation from him speaking at a Parks meeting but City Manager Myers explained that this is not the case and the City will continue its efforts to make sure the property is cleaned up.

Councilor Haynes thanked the City Manager for cleaning up the property on Cottage Street. Councilor Haynes also asked if anything that can be done in the future with squatters when water and electricity is shut off to a building.

Councilor Lipman would like the City Manager to reach out to the property owner to make sure the owner is aware of the consequences of pipes bursting when there is no heat or electricity in a building and cold weather is coming.

City Manager Myers explained the City is not the owner of the Cottage Street property but did the clean out because of the hazardous materials were a public health hazard. The City is still waiting for compensation for the money spent on the clean up. City Manager Myers explained the rough cost of the clean up was around \$8,000.

20. NEW BUSINESS

20.A. **NH Aviation LLC for Notice of Assumption Assignment Assumption of Lease**

Councilor Felch moved to authorize the Mayor of Laconia, Andrew Hosmer, to sign the agreement and accompanying documents between the City of Laconia, Laconia Airport Authority, and NH Aviation, LLC, seconded by Councilor Haynes; the *motion passed with all in favor.*

20.B. **Request for City Council endorsement to include a proposed roundabout on Rt 106 (Parade Rd) in the 10-year State Highway Plan**

Councilor Cheney moved to have the City Council endorse the concept of a roundabout on Rt. 106 in front of the former State School property for inclusion in the 10-year State Highway Plan, seconded by Councilor Haynes;

Councilor Felch heard from quite a few people that are not in favor of this roundabout.

Councilor Cheney explained that as the State School property develops, the State would like to have this option available if it is needed. The roundabout would only be put in if there was a significant increase in traffic coming and going from this property.

Councilor Soucy has not seen any layouts for that property yet.

Councilor Cheney has attended numerous meetings and they have always asked for the City's thoughts and opinions during these meetings. Councilor Cheney urges the Council to support this idea.

Planning Director Dean Trefethen explained this proposal would only be needed if there was a significant increase in traffic coming from the State School property and lights are needed. Rather than adding another set of lights, a traffic circle would be better.

Councilor Lipman is in support of this.

Mayor Hosmer explained the City is well represented within the Lakes Region Redevelopment Authority.

Mayor Hosmer called the question.

the *motion passed with four (4) in favor and (2) opposed (Hamel and Felch).*

20.C. **Amend City Code Chapter 119 Building Construction and Chapter 135 Electrical Standards**

Planning Director Dean Trefethen explained the background to this request.

Councilor Cheney moved to waive a reading of these Ordinances in their entirety and to read by titles only, seconded by Councilor Haynes; the *motion passed with all in favor.*

1, Electrical Standards, seconded by Councilor Cheney; the ***motion passed with all in favor.***

Councilor Felch moved to schedule a public hearing on November 9, 2020 during the regular City Council meeting to gather public input prior to adoption, seconded by Councilor Haynes; the ***motion passed with all in favor.***

21. UNFINISHED BUSINESS

21.A. Colonial Theatre Management Company Contract

City Manager Myers explained there is a draft contract in place right now. There is some wordsmithing to do and hopefully it will be finalized for the next Council meeting.

21.B. Second reading and approval of Ordinance 2020-194 and Ordinance 2020-194-24 regarding changes to the City's solid waste

Councilor Cheney moved to waive a reading of these Ordinances in their entirety and to read by title only, seconded by Councilor Haynes; the ***motion passed with all in favor.***

Councilor Felch moved a second reading of Ordinances 2020-194, Refuse and Household Waste Collection, and Ordinance 2020-194-24 Dump and Disposal Fees, seconded by Councilor Soucy; the ***motion passed with all in favor.***

Councilor Felch moved to approve Ordinance 2020-194, Refuse and Household Waste Collection, and Ordinance 2020-194-24, Dump and Disposal Fees, seconded by Councilor Haynes; the ***motion passed with all in favor.***

21.C. Second reading and approval of Resolution 2020-17, relative to bonds for the Lakeport area drainage, roadway, and sidewalk upgrade project

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

Councilor Felch moved a second reading of Resolution 2020-17, a resolution relative to authorizing the City Manager to take any actions necessary to issue bonds for Lakeport Area Drainage, Roadway and Sidewalk Upgrade project in the amount of \$1,600,000, seconded by Councilor Hamel; the ***motion passed with all in favor.***

Councilor Felch moved to approve Resolution 2020-17, relative to authorizing the City Manager to take any actions necessary to issue bonds for Lakeport Area Drainage, Roadway and Sidewalk Upgrade project in the amount of \$1,600,000, seconded by Councilor Haynes; the ***motion passed with all in favor.***

21.D. Second reading and approval of Resolution 2020-18, relative to bonding water projects in the Lakeport area

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

Councilor Felch moved a second reading of Resolution 2020-18, a resolution relative to authorizing the City Manager and the Board of Water Commissioners to bond water projects in the Lakeport area in the amount of \$1,800,000, seconded by Councilor Hamel;

Councilor Hamel asked if the Water Department will be advertising for the bond. City Manager Myers stated yes they all are.

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

Councilor Felch moved approve Resolution 2020-18, , a resolution relative to authorizing the City Manager and the Board of Water Commissioners to bond water projects in the Lakeport area in the amount of \$1,800,000, seconded by Councilor Haynes; the ***motion passed with all in favor.***

21.E. Approval of an updated motion for the CDBG-CV application from the September 14, 2020 Council meeting

Councilor Felch moved to authorize the City Manager to sign and submit the CDBG-CV application that was approved for submittal at the September 14, 2020 Council meeting and upon approval of the CDBG application, authorize the City Manager to execute any documents which may be necessary to effectuate the CDBG contract

22. **COUNCIL COMMENTS**

Councilor Hamel would like to see the City send a certified letter to the owner of the Cottage Street property in regards to the electricity being turned off.

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**

23.H. **Fair St/Court St traffic problems and accidents**

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 comments from the Council and hearing no objection, Mayor Hosmer adjourned the meeting at 8:57 pm.

Respectfully submitted

Cheryl Hebert, City Clerk

DRAFT