

**CITY OF LACONIA - CITY COUNCIL MEETING  
7:00 P.M.**

12/27/2022 - Minutes

**1. CALL TO ORDER**

Mayor Hosmer called the meeting to order at 7:00 PM

**2. SALUTE TO THE FLAG**

Councilor Felch led the salute to the flag

**3. RECORDING SECRETARY**

Katie Gargano, City Clerk

**4. ROLL CALL**

City Clerk Gargano called the roll of the City Council: Councilor Cheney, Councilor Soucy, Councilor Lipman, Councilor Haynes, and Councilor Felch.

Councilor Hamel- Absent

**5. STAFF IN ATTENDANCE**

Kirk Beattie, City Manager; Glenn Smith, Finance Director

**6. COUNCIL PROCLAMATION**

**7. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS**

**7.A. Regular City Council Meeting Minutes of December 12, 2022**

Minutes of the regular City Council meeting of December 12, 2022, were distributed to the City Council on December 22, 2022.

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**

Patrick Wood spoke to the City Council as a concerned citizen about St. Joseph's Church. He said there have been several recent newspaper articles and he wanted to clarify a few things that were stated. One is that the preservation society does not have the resources to maintain or fix the church, that was an assumption made by one person and he does not believe that to be true. He believes that there are funds available and there are people on the committee willing to make that commitment. The other is it's been over 3 years since this process began and the preservation society has been trying to work with the bishop to try to get permission to fix the problems with the church. he said there has been no response to date from the Bishop other than he said he thinks it is going to cost a lot of money. Mr. Wood said that if they had been working on it for the past 3 years, the renovations wouldn't cost nearly as much as they would today. He also stated there is a state statute; RSA 151:B that allows the City Council to take action to

protect a building and the Council can order the owner of the building to repair it. He'd like to request to make a formal presentation on RSA 151:B. to the City Council at a later date.

10. **INTERVIEWS**

11. **NOMINATIONS, APPOINTMENTS & ELECTIONS**

12. **COMMUNICATIONS**

13. **PUBLIC HEARINGS**

14. **PRESENTATIONS**

15. **MAYOR'S REPORT**

None

16. **COUNCIL COMMENTS**

Councilor Cheney said he was contacted by some constituents on Leighton Ave who had drainage issues on Friday from the storm. He passed around a photo to the Mayor and Council and he thanked the Laconia Fire Department for assisting with the clogged storm drain. The other item he discussed was the photo of the pick-up truck that was blocking the sidewalk that was emailed to the Council from a resident. He'd like to see the sidewalk widened to keep the sidewalk clear for pedestrians. He also discussed a letter he received about the City of Laconia being the only community on Lake Winnepesaukee that does not have a public boat launch.

Councilor Haynes acknowledged the Public Works Department, the Fire Department and the Police Department for all their assistance to the heavy damage that happened on Addison Street due to the storm this past Friday.

17. **COMMITTEE REPORTS**

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

Chairman Lipman noted the Finance Committee is meeting immediately following tonight's Council meeting.

17.A.i. **WOW Trail Funding**

17.A.ii. **Downtown TIF Financing**

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

17.C. **GOVERNMENT OPERATIONS & ORDINANCES (Soucy (Chair), Felch, Cheney)**

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

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

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

17.C.iv. **Regulation of Short Term Residential Rental Businesses**

- 17.C.v. **Proposed Historic Overlay District**
- 17.C.vi. **Scenic Road Motorcycle Noise Petition**
- 17.C.vii. **Use of public property by for-profit entities**
- 17.C.viii. **Short Term Rentals**
- 17.C.ix. **Naming privilege's to public areas**
- 17.D. **LAND & BUILDINGS (Hamel (Chair), Haynes, Felch)**
  - 17.D.i. **Downtown parking garage**
  - 17.D.ii. **Repair & maintenance of City buildings**
  - 17.D.iii. **Plan for the DPW Compound**
- 17.E. **PUBLIC WORKS (Haynes (Chair), Felch, Soucy)**
  - 17.E.i. **Retaining Wall Policy**
  - 17.E.ii. **Discussion for converting from a manual to an automated solid waste curbside collection service**
- 17.F. **APPOINTMENTS (Councilors Soucy (Chair), Cheney and Haynes)**

Chairman Soucy stated the Appointments Committee met earlier this evening and they'd like to recommend two names to be brought forward for three seats Robert Mora as a full member of the Planning Board, Wes Anderson as commissioner to the Lakes Region Planning Commission and Wes Anderson to the Lakes Region Planning Commission Transportation Advisory Committee.

These appointments were tabled at a previous City Council Meeting.

Councilor Soucy made a motion to take off the table. Seconded by Councilor Cheney. **Discussion:** None. The *motion passed with all in favor.*

Councilor Soucy made a motion to appoint Robert Mora as a full member of the Planning Board with a term until June 2025, Wes Anderson as Commissioner to the Lakes Region Planning Commission with a term until June 2025 and Wes Anderson to the Lakes Region Planning Commission Transportation Advisory Committee with a term until June 2025. Seconded by Councilor Cheney. **Discussion:** None. The *motion passed with all in favor.*

18. **LIAISON REPORTS**

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

Scott Everett from 51 Elm Street presented several photos to the Council on his projects in Lakeport and spoke briefly about coming up with an idea to work with the City on making the on street parking spaces exclusive to the businesses in his building during regular business hours. He also noted that inside 51 Elm Street there is a 2-story parking garage. The first level will be open all the time to the public, this will allow for more parking for people who are coming to Lakeport for Dinner or a show at the Opera House. The second story of the parking garage will be gated and only accessible by a pass key for the tenants in the units above the businesses.

Councilor Lipman noted that historically the previous businesses that had parking to serve their customers. He thinks that what Mr. Everett is talking about is securing those spaces during business hours, but those spaces would be available to anyone outside of business hours. Mr. Everett confirmed that was correct.

## 20. CITY MANAGER'S REPORT

### 20.A. Project Updates Report

Manager Beattie went over the project updates report. Highlights include:

#### LACONIA ROAD PROJECTS PROPOSED FOR 2022

Current: The City's Road program contract has expired. The request for bids for the calendar year 2023 program will go out to bid in January. Public Works has developed the paving schedule for calendar year 2023. The paving plan will be updated depending on the impact of winter on the roads and the program's budget for FY 2023.

Previous: The road construction projects on Massachusetts Avenue, Jefferson Street, North Street, Van Buren, Franklin Street, Addison Street and Durkee Street, have been completed. The contractor is working on correcting all items on the "punch list". Those not completed before winter will be completed in the spring of 2023.

#### WINNIPESAUKEE RIVER BASIN PROJECT

Current: Representatives of the Winnepesaukee River Basin Project briefed the City Council on November 28, 2022 regarding their proposed budget for FY 2023/2024. The State's team that prepares the Governor's budget has not made any changes to the Program's proposed 26% budget increase. Laconia's share of the budget increase is \$707,000 which resulted in the Department and its consultant adjusting a proposed increase in sewer rates to pay for the Program's short notice rate increase.

Previous: The Department of Environmental Services' Water Division Director and WRBP Administrator will brief the Council on the program's FY 2024 budget increase at the Council's November 28, 2022 meeting.

**Discussion:** Councilor Lipman stated he would like the City Manager to meet with the Planning Director to make sure we budget for enough technical expertise to support the state school project.

### 20.B. Monthly Economic Development Report

Manager Beattie went over the Monthly Economic Development Report including Laconia's Unemployment Rate and the CPI-U 12 Month Percent Change, which should annualize out at 8%.

Manager Beattie also gave the Council an update on the expression of interest for the Downtown parking garage. He stated that all the legal questions have been answered. They are drafting it up now and it should be ready by the next Council Meeting.

## 21. NEW BUSINESS

### 21.A. Discussion to explore parking options requested by Scott Everett for his property in Lakeport at 51 Elm Street

Developer Scott Everett, Paugus Properties, LLC, has requested that the City Council explore parking options in connection with his development at 51 Elm Street in Lakeport. The project, scheduled to open in the spring of 2023, will consist of a 40,000 plus sq.ft. building which will feature covered parking, condominiums and first floor retail shops as well as co-working spaces. The City

Manager provided additional information at the meeting about a meeting he had with Mr. Everett discussing the parking needs for the future businesses at his property located at 51 Elm Street. Manager Beattie said there were questions posed to the City Attorney about the options the City has regarding leasing or selling the spaces and which spaces are in question. There was a memo that was shared on the answers prior to the meeting.

Mayor Hosmer said that he feels this is an important discussion to have with the property owner after his significant investments into Lakeport. There have been a couple of thoughts that Councilors have, and he'd like them to share them.

Councilor Lipman said as he previously mentioned a few minutes ago that if you look at the historic use of the parking spaces around the buildings that were previously there. They were accessed by customers of the businesses. In his opinion what is being proposed by Mr. Everett could be viewed in the same manner as it was in the past. He suggests that we limited the proposal to ordinary business hours. They would not be giving exclusive use to the parking spaces. They would be giving partial use of the parking spaces and there would be some type of an exchange for that arrangement is what he'd like to propose. He agrees with the Mayor that it is important to partner with people who are making significant investments in the City that otherwise wouldn't happen on their own.

Councilor Soucy asked a question if spaces in the parking garage are just for the units in the building. Mr. Everett confirmed that the 1<sup>st</sup> floor will be completely open to the public and the 2<sup>nd</sup> floor is gated to the tenants of the building. The first floor has 23 or 24 spaces. Councilor Soucy then asked in the evening hours if there was something going on over at the Opera House or Fratellos or the O, would these spaces be open if the other businesses are closed? Mr. Everett confirmed that those additional spaces would be open for public use all the time.

Councilor Lipman mentioned when they set up the Lakeport TIF District, one of the options that they set that up for was the rationale to find new parking capacity and he thinks that Mr. Everett is bringing additional parking to allow for the development around the TIF District and it is consistent with the original objectives to create a more economic heart of the Lakeport area.

The Mayor and City Manager had a brief conversation about the memo that was received by legal counsel answering questions to the City Manager about how this could be done and all the various options. Mayor Hosmer stated that he thought it was getting to confusing and they didn't need to reinvent the wheel for this. Manager Beattie confirmed that what is being proposed and asked of is very simple. He reached out to legal in case he was asked about selling or leasing the spaces. Mayor Hosmer said that he thinks we need to draw up a term lease for a nominal amount with an element of that lease being exclusive use of the parking spaces during normal business hours. Councilor Lipman agreed that seemed to be the direction he was also going toward when he presented his idea earlier.

Councilor Felch told the Council that he is against this idea, he thinks this should be kept as public parking.

Mayor Hosmer wants this to go to Legal Counsel tomorrow, and then will be sending it to the finance subcommittee meeting. He also asked Councilor Soucy to fill in on the Finance Subcommittee for Councilor Hamel.

Councilor Cheney made a motion to set a public hearing at the January 9, 2022 Council Meeting. Seconded by Councilor Soucy. **Discussion:** None. The ***motion passed with all in favor.***

## 21.B. **Granting an easement on City land**

The Planning Board approved a 90-unit apartment complex for property on Province Street, which requires a second driveway for safety access and to help spread out traffic volume away from Province Street. The proposed second access driveway would cross currently vacant City owned land. This land is between Spruce Street and Growth Road and includes the City's dog park. The

easement would allow construction of the second driveway, at the applicant's expense and future maintenance obligations, while still allowing access to the dog park. The apartment complex is proposed to be affordable housing, which is desperately needed in the city.

Councilor Lipman wants to make sure that the easement clearly states the requirements of how the road is to be built. It needs to be by the same standards the department of Public Works goes by.

Councilor Felch has no problem voting on this tonight if the restrictions are fully laid out.

Councilor Soucy wants to make sure there is proper lighting, drainage and curbing.

Councilor Lipman asked if they take one more meeting if it would delay the start to the project.

Director Trefethen said he'd be more concerned about Province Street being damaged by equipment over Growth Road. He does not believe there would be an impact on the start date of the project.

Councilor Cheney made a motion to waive a reading of this request for an Easement in its entirety and to read by title only. Seconded by Councilor Haynes **Discussion:** None. The ***motion passed with all in favor.***

Councilor Felch made a motion for a first reading of a request for an Easement on City land as presented. Seconded by Councilor Cheney **Discussion:** None. The ***motion passed with all in favor.***

Councilor Felch made a motion to schedule a Public Hearing on January 23, 2023, during the regular City Council meeting to gather input prior to any action being taken. Seconded by Councilor Cheney **Discussion:** None. The ***motion passed with all in favor.***

22. **UNFINISHED BUSINESS**

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

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

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

27. **ADJOURNMENT**

Mayor Hosmer adjourned the meeting at 8:06 PM.

Respectfully submitted,

Katie Gargano, City Clerk