

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

1/9/2023 - Minutes

1. CALL TO ORDER

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

2. SALUTE TO THE FLAG

Councilor Lipman led the salute to the flag.

3. RECORDING SECRETARY

Katie Gargano, City Clerk

4. ROLL CALL

City Clerk Gargano called the roll of the following councilors: Councilor Cheney, Councilor Soucy, Councilor Lipman, Councilor Haynes, Councilor Felch and Mayor Hosmer.

Mayor Hosmer confirmed five councilors were in attendance and a quorum was established.

Absent: Councilor Hamel

5. STAFF IN ATTENDANCE

City Manager Kirk Beattie, Finance Director Glenn Smith

6. COUNCIL PROCLAMATION

7. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

7.A. Regular City Council meeting minutes of December 27, 2022

Minutes of the regular City Council meeting of December 27, 2022 were distributed to the City Council on January 5, 2023.

With no corrections or changes submitted to the Clerk, the minutes were accepted as distributed.

8. CONSENT & ACTION ITEMS

8.A. Request from Lakes Region Sled Dog Club to waive license, vendor and loudspeaker fees for the February 17 - 19, 2023 Sled Dog event

This is a recurring request with no changes from prior year approvals. A letter of request and additional information received from the Lakes Region Sled Dog Club is attached to the agenda. The Special Events Review Committee will include the event on their February agenda.

Councilor Soucy made a motion to approve the request from Lakes Region Sled Dog Club to waive license, vendor and loudspeaker fees for the February 17 – 19, 2023 Sled Dog event, pending approval from the Special Events Review Committee. Seconded by Councilor Haynes **Discussion:**

None. The *motion passed with all in favor.*

9. **CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA**

Pat Wood from Shore Dr. is on the Laconia human relations committee this Sunday from 2-5pm there will be a program at the Belknap mill on Martin Luther King, there is also an art display that will be up until January 31, 2023. There is also a zoom event Saturday evening on Judaism and Martin Luther King Jr.

Dianna Sack from Gale Ave. is seeking relief from Air B & B's particularly one at 65 Gale Ave. They are not in the residential resort zone. This property is advertised for 14 people, there are up to 7-8 cars parked on the sidewalk. This home is causing a lot of disruption to the neighbors, and she feels the City needs to address it. Mayor Hosmer asked Manager Beattie to lay out the timeline for permitting Air B & B's within the City. Manager Beattie said that they would go through the Planning Department, this area the property would need to be owner occupied and this property in particular does not have a permit. Director Trefethen addressed the Council, he stated his department has investigated this property and it does not qualify for an Air B & B permit. The next steps the City would have through is to go to court to address the fines and he noted it is not a short process.

Kelly Dionne from Winnicoash Street said that it seems like the area is being over run with short term rentals, she feels that it is hard to enforce the rules and there needs to be a short-term rental employee or enforcer. She's like to suggest that the employee be funded by short term rental fees and perhaps the employee could work for multiple communities like Gilford and Meredith that also have a lot of Air B & B rentals in their communities.

Billy Smith of Winnicoash Street said he has written to the Planning Board a while ago stating that he had concerns about air B & B, he abuts 65 Gale Ave, and this is affecting his quality of life with the loud noise that goes late into the night. He said that he was never notified, but didn't know that the current owner is not permitted. He fears that the continuous parking on the street is going to cause a serious accident.

Kevin Morrissette of Shore Dr. spoke to the Council about Eastman Shore North, there are 34 homes on the street, he told the Council the total assessed value of the street and the amount of property taxes being collected from that street, he owns a home at 224 Eastman Shore North and he'd like to see the roads maintained better than it is by the Department of Public Works, he said that every year they go out and grade the road and it would be nice if they cleaned out the ditch on the opposite side of the lake and put ledge pack down instead of gravel. Councilor Lipman said told Mr. Morrissette that they met with the Consultant that works on Assessing, and they looked at the averages, they plan on looking into the changes in deeper depth. Mayor Hosmer asked Mr. Morrissette how his project at the Holy Trinity Property was going, he said he just sold the holy trinity property last week to the same owner as the property behind CVS. He is finishing the renovations on the property. There are 14 units total and 5 are already rented.

10. **INTERVIEWS**

11. **NOMINATIONS, APPOINTMENTS & ELECTIONS**

12. **COMMUNICATIONS**

13. **PUBLIC HEARINGS**

13.A. **Public Hearing - Ordinance 2022-161-25 (01) amending Chapter 161-25, Alcoholic Beverages**

Notice of this Public Hearing was made available in the December 15, 2022 edition of the Laconia Daily Sun, and posted at Laconia City Hall, Laconia Community Center, Laconia Public Library and the offices of the SAU.

Mayor Hosmer opened the Public Hearing at 7:23 PM

Steven Bogert, 21 Spruce Street thinks that this is a good step in the right direction. He comes from Ft. Lauderdale where the bars close at 4am. He said this is important to people who work 2nd shift to be able to have a life and go out after work.

Mayor Hosmer closed the Public Hearing at 7:25 PM

13.B. **Public Hearing - Exploring parking options requested by Scott Everett for his property in Lakeport at 51 Elm Street**

Notice of this Public Hearing was made available in the December 30, 2022 edition of the Laconia Daily Sun, and posted at Laconia City Hall, Laconia Community Center, Laconia Public Library and the offices of the SAU.

Mayor Hosmer opened the Public Hearing at 7:25PM

Pat Wood from Shore Dr. said he is concerned about any agreement to limit parking on a public street, he understands there is a difference about parking lot parking versus on street parking, he thought that the on-street parking looked like pull pass back in spots and he's concerned about motorists being able to maneuver into those spots on this busy street.

Steven Bogert from Spruce Street thinks that redevelopment and development is very important. He thinks it's important that the residents in the City have full use of the on-street parking because it is owned by the citizens of Laconia, and it should not be controlled by one entity.

Rick Hassler owner of the old Surf Coaster property, spoke about the renovation of the Opera House, and all the good he thinks that the developer has done for the City. He sees all the new jobs in retail that are being created for local people. He doesn't think these parking spaces are going to affect the City in any way and the City needs to work with the developer because he is really committed to our community.

Lisa Morin from 42 Valley Street feels that you do need to work with businessmen but they are not always the best for the area, it has not always been a two way street and the City keeps giving things away. She thinks there is a pattern developing here, between the demolition of the Hathaway House, the Lakeport Fire Station, and the project that Scott Everett presented. She thinks the Opera House is beautiful, she's glad Sanborn Park was saved. She doesn't want to see us get stung in the end by a developer.

Mayor Hosmer closed the Public Hearing at 7:34 PM

14. **PRESENTATIONS**

15. **MAYOR'S REPORT**

Mayor Hosmer provided some updates on the City has completed 7 homeless forums in the City, they have held meetings in every ward with the partnership of public health and JSI, they are still waiting to have a meeting with people who have lived experiences of homelessness first hand. They hope to have a document of what transpired with lots of ideas and experiences. He said hopefully it will be available in the next month.

He also gave an update on the Laconia state school property, they are in a period of due diligence, they have met with the developer and the initial conversations have been positive. They will do their best to keep the City aware of what is going on.

16. **COUNCIL COMMENTS**

Councilor Cheney commented about how obtaining roads should be an easier process, the Isiah Café and following up with the Fire Marshall to ensure the neighbors are being treated fairly.

Councilor Haynes mentioned to the City Manager that the police logs said there was some activity noted about issues at the library. He'd like to make sure the trustees know that the police are monitoring it after the concerns they noted last year during their budget presentation.

17. COMMITTEE REPORTS

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

Chairman Lipman said that the finance committee met earlier this evening on two matters, first was sewer rates and he thinks they have come to a plan on how to address this, they are trying to come up with a plan to capital investments and bonding to help spread the benefit over time. A formal proposal will be submitted to the Council for the next meeting addressing a rate increase to cover the costs and a capital project plan to bond the items over time.

Councilor Cheney said that the plan Chairman Lipman and the City Staff have worked hard on coming up with an alternative proposal to try to help the rate payers and he fully supports the committee and looks forward to seeing it at the next meeting.

Chairman Lipman said that the second item was the parking request at 51 Elm Street, based off the comments heard during the public comment both for and against this idea, that the committee is trying to find the right balance between giving the public full access to those spaces and where time restrictions are assigned. The committee is not planning on acting on this tonight.

Councilor Felch would like to bring up the need to have a discussion on paid parking.

Mayor Hosmer said that there may be two different timelines for both the public and a developer. He'd like to see us deliberate and to move forward.

Councilor Cheney made a comment that the developer has been cordial and respectful, not making demands, he thinks he is just looking to work with the City.

Councilor Lipman made a motion to set a public hearing on the sewer fees ordinance on Monday January 23, 2023. Seconded by Councilor Felch. **Discussion:** None. The ***motion passed with all in favor.***

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)**
- 18. **LIAISON REPORTS**
- 19. **CITIZENS REQUESTS TO COMMENT ON CURRENT AGENDA ITEMS**

None
- 20. **CITY MANAGER'S REPORT**
 - 20.A. **Financial and Operational Trends Report**

Manager Beattie went over the Financial and Operational Trends Report, Highlights include:

Construction permits, Fire and EMS calls are up, Welfare costs are the highest due to federal funding that ended, they did a few more extensions, property tax collections is on par along with motor vehicle numbers, overtime numbers are where they were last year, there was a grievance with an SEA Member, the grievance was settled. Impact fees have no changes, boat tax is down a little bit, revenue and expenses are right where they should be. Mayor Hosmer would like to see a presentation on EMS Billing. Manger Beattie said they will have a presentation ready for the first meeting in February.
- 21. **NEW BUSINESS**
 - 21.A. **Request to schedule two public hearings for the Community Development Finance Authority**

Request to schedule two (2) public hearings on January 23, 2023, during the regular City Council Meeting regarding:

1. The progress of the renovation of the Laconia Housing and Redevelopment Authority's (LHRD) space at 17 Church Street, Laconia. The renovations are complete.

2. The changing of the proposed tenant in the LHRD renovated space at 17 Church Street, Laconia from the proposed tenant of Partnership for Public Health NH to Healthfirst. The majority of Healthfirst clients are of low and moderate income. Community Development Block Grant (CDBG) funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available for Economic Development Projects, up to \$500,000 for Housing Projects, up to \$500,000 for Public Facility Projects, up to \$500,000 in Emergency Funds, and up to \$25,000 per Planning Study grant. All projects must directly benefit a majority of low- and moderate-income persons.

Councilor Felch made a motion to schedule a Public Hearing on January 23, 2023, during the regular City Council meeting regarding the progress of the renovation of the Laconia Housing and Redevelopment Authority's (LHRD) space at 17 Church Street, Laconia. The renovations are complete. 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 regarding the changing of the proposed tenant in the LHRD renovated space at 17 Church Street, Laconia from the proposed tenant of Partnership for Public Health NH to Healthfirst. The majority of Healthfirst clients are of low and moderate income. Seconded by Councilor Cheney **Discussion:** None. The ***motion passed with all in favor.***

21.B. **Request to declare City property on Lafayette Street (Parcel #444-126-17) as surplus property**

The Water Department has requested that the City Council consider declaring City-owned property on Lafayette Street (Parcel #444-126-17) as surplus property. This site was formerly used as a water tank site up until the 1980s at which point the tank was relocated to Long Bay. Since then, the site was used as a stockpile area for our crews when working on that side of the City. In recent years, the Water Department has received many complaints from neighbors about the noise, piles of material, and overall aesthetic of the site. In early 2022 the decision was made to no longer use the site as a stockpile area, as it did not fit with the residential neighborhood in which it sat. The Water Department is requesting that this site be declared as surplus property in order to be able to pursue the sale of it to someone that would have intentions of adding one or more homes on the lot (the property can be subdivided up to three lots). In accordance with Chapter 183 of the Laconia City Ordinance, the property must first be declared as surplus in order to transfer the property to an interested buyer.

Councilor Soucy made a motion to schedule a Public Hearing on January 23, 2023 during the regular City Council meeting regarding the declaration of City-owned property located on Lafayette Street (Parcel #444-126-17) as surplus property. Seconded by Councilor Haynes **Discussion:** Councilor Lipman asked about the basis of this being declared as surplus property. Ben Crawford Superintendent, said it has been used as a dumping ground, in 1951 when the property was acquired by the Laconia Water Company, in 1955 the City Purchased the Water Company, there was a bond taken out and in the time of paying the bond back it was fully paid for with all water revenues not taxpayer dollars. Superintendent Crawford told the Council he'd like to take the money to build a garage on their Stark Street property. Councilor Soucy asked the manager to contact a realtor to get the fair market value of the property. The ***motion passed with all in favor.***

21.C. **Approval of 2029 Elm Street Transportation Alternative Program Project Agreement**

On March 8, 2021, the City Council authorized the City Manager to sign and submit a grant application to NHDOT for the Elm Street pedestrian accessibility improvements project.

The City applied for and was approved for a Federal Transportation Alternative Program grant. The project includes reconstruction of 4,300 linear ft. of sidewalk on one side of Elm Street to bring it up to ADA standards and reconstruction of 4,300 linear ft. of sidewalk on the other side to create an ADA compliant 8-ft wide multi-use trail.

The goal of the federally-funded Transportation Alternatives Program (TAP) is to provide choices for non-motorized users that are safe, reliable, and convenient. Eligible projects include construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for non-drivers, including children, older adults, and individuals with disabilities to access daily needs.

The sidewalk improvements on Elm Street are in conjunction with a sewer, drain and roadway improvement project from Franklin Street to Hickory Stick Lane. The project includes constructing a multi-use trail in the same corridor as existing sidewalks and bringing the adjoining sidewalks up to ADA standards. The project will provide additional and improved pedestrian crossings at Leavitt Park and the Elm Street School by installing rectangular rapid flashing beacons (RRFB's).

November 30, 2022: NH Department of Transportation (DOT) has provided a draft of the agreement (attached) for City Council's consideration on the Elm Street Transportation Alternative Program Project.

Councilor Soucy made a motion that the City Council approve the project agreement and authorize the City Manager to sign the Elm St. Project Agreement (#43731) for the DOT's Transportation Alternative Program. Seconded by Councilor Felch. **Discussion:** None. The ***motion passed with all in favor.***

22. UNFINISHED BUSINESS

22.A. Ordinance 2022-161-25 (01) amending Chapter 161-25, Alcoholic Beverages

At their June 27, 2022 meeting the City Council approved an Ordinance adding a new section to Chapter 161 of the City's Code. The Ordinance allowed "...the sale of alcohol until 2:00 am according to State law, on Fridays, Saturdays and during Motorcycle Week through January 1, 2023 or until such time that the licensee violates State law and/or Liquor Enforcement rules or regulations." The timeframe of January 1, 2023 was included to allow the extension of sale of alcohol until 2:00 am to be in effect on a trial basis.

At their December 12, 2022 meeting the Council approved a first reading of a revised Ordinance, omitting the language that would limit extended sales until January 1, 2023. At that meeting a Public Hearing was scheduled for this evening.

Information obtained from Laconia Police Department shows that there had not been any issues related to the extension of time for the sale of alcohol since the original Ordinance was approved back in June. Recent information received from the Police Department for the period of December 19, 2022 through New Year's Day indicates that there were no calls for service at any of Anthony Santagate's various properties on Lakeside Avenue, or any calls tied directly to any of the bars in the Weirs.

The revised Ordinance, omitting the language that would limit extended sales until January 1, 2023, is attached for the Council's consideration.

Under State law, RSA 179:17, the Liquor Commission sets hours for alcohol sales as between 6:00 am and 1:00 am, 7 days a week. A licensee may sell alcohol until 2:00 am if the local legislative body (the City Council) adopts an Ordinance authorizing such sales.

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

Councilor Cheney made a motion for a second reading of Ordinance 2022-161-25 (01). Seconded by Councilor Felch **Discussion:** None. The ***motion passed with all in favor.***

Councilor Soucy made a motion to approve Ordinance 2022-161-25 (01) as presented. Seconded by Councilor Cheney. **Discussion:** Councilor Lipman wanted to comment that if there was ever an issue in the future, this item can be revisited by the Council. The ***motion passed with all in favor.***

22.B. **Continued 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. Mr. Everett presented information regarding this development at the Council's December 27, 2022 meeting. At that meeting the Council approved a motion scheduling a public hearing for this evening's meeting to gather public input.

The City Manager will present additional information to the Council at this meeting.

Councilor Soucy made a motion to table. Seconded by Councilor Felch. The motion is non debatable. The item was ***tabled.***

22.C. **Continued discussion and approval of expression of interest regarding the downtown parking garage**

During previous discussions regarding the downtown parking garage, it was the consensus of the Council to instruct the City Manager to put out a request for expressions of interest with regard to the parking garage. A draft Expression of Interest is attached for the Council's consideration. If approved by the Council, it will be published.

Please note that the document as presented in the agenda can be adjusted, if needed, following the Council's deliberations. The attached document mirrors the one written for the Holy Trinity School property, with the difference that the school was a stand-alone building while the parking garage is tied into the mall. The Expression of Interest has received legal review, and adjustments were made based on their recommendations.

Councilor Felch made a motion to take this agenda item off the table. Seconded by Councilor Soucy, the item is now off the table.

Manager Beattie gave a brief history about how the expression of interest was successful for the holy trinity building, the parking garage is different being its not a single stand-alone parcel.

Councilor Soucy made a motion to approve the Expression of Interest for the downtown parking garage as presented and authorize the City Manager to move forward with publication of the document. Seconded by Councilor Cheney **Discussion:** Mayor Hosmer suggested add two additional dates for inspection wording to extend a couple weeks to inspections and until March 15th for return instead of March 1st. Councilor Cheney agrees, Councilor Soucy doesn't think it's going to make a difference. Mayor Hosmer also noted to the manager that he'd like to see this broadly advertised and not just in the Laconia Daily Sun, Manager Beattie confirmed he'd be working with the City's Purchasing Department to follow the same steps as they did for the Holy Trinity property. Mayor Hosmer asked for the Council's consensus on adding two additional inspection days and extending the submission deadline to March 15, 2023 instead of March 1, 2023. Councilor Felch stated that he is tired of this being kicked down the road. The Council agreed to add 2 additional dates for inspection and extending the submission deadline to March 15, 2023 instead of March 1, 2023. There was no further discussion. The ***motion passed with all in favor.***

22.D. Sale of unique property located at 20 Indian Path, Tax Map 180/516/15

The City acquired a parcel of land by tax deeding in 1994 which was referred to as Community Beach Lot, Map 150, Street 346, Lot 32A. The property identification was subsequently reclassified to be Tax Map 180/516/15. This is a deeded community beach lot for residents of Harglen Lane, Hillcroft Road, Bobby's Way and limited properties on Hilliard Road. These properties have created a new entity known as Paugus Bay Beach Association.

A Public Hearing on this matter was held at the September 12, 2022 City Council meeting. At that meeting a motion was approved to table this item to the October 11, 2022 Council meeting. At the October 11, 2022 meeting the consensus of the Council was to see both parties in this matter come to an agreement before approving the sale of the property.

There is no purpose for the City to retain ownership of the parcel because of the uniqueness of the circumstances regarding the deeded ownership by multiple properties in this area. The Paugus Bay Beach Association has expressed interest in buying the property.

Under Chapter 183-5 of the City Code, the City Manager may bring forward a written certification to the City Council that a specific property has certain characteristics and, that in the City Manager's opinion, because of these characteristics, the property should not be sold according to the procedures identified in Chapter 183-3 of the City Code. A copy of Chapter 183-5 is attached as background material.

Transfer of ownership of this parcel to the Association will allow the Association to care for and make whatever improvements to the community beach it desires, subject to any deed restrictions.

This staff report constitutes the written certification from the City Manager to the City Council.

Action to facilitate a sale to Paugus Bay Beach Association supersedes any prior action taken by the Laconia City Council.

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

Manager Beattie started off with saying they have been working on the sale of this beach up off of Hilliard Rd for quite a while and he said when this item was last tabled he was left with the direction that an agreement between both parties before they were to come back to the Council to ask for the sale to be finalized and that the City saw something in writing. He said he was expecting to see both attorney's tonight, but he sees Attorney Wood is here and Attorney Wood said he was going to be able to speak to that. Manager Beattie said there was a written agreement that he has seen and it has gone through our legal counsel, our legal counsel approved everything and there were a couple of adjustments that needed to be made and he believes those have already been made.

Attorney Ethan Wood with Normandin, Cheney & O'Neil who is representing the Paugus Bay Beach Association confirmed that he and Attorney O'Neil have had extensive conversations over the past week. As of today, they have reached an agreement and at 7:06 PM the City Manager was emailed the signed agreement between the Indian Path Beach Preservation Association and the Paugus Bay Beach Association. This agreement is fundamentally the same agreement that Councilor Cheney assisted with for several hours in December. Attorney Wood recognized Councilor Cheney for his efforts. There were some issues with the deed that he had pointed out and since they were ministerial rather than substantive and he anticipates having the revised deed returned to the City Council on by the end of the week or beginning part of next week for a signature by the City Manager.

Councilor Soucy asked procedurally if they should wait until the City Manager gives his OK on the document that was emailed to him while he was at the meeting. Or should the Council vote

contingent upon the documents still stating what they had originally.

Manager Beattie said that the agreement that he just received, he pulled it up on his phone and scanned it quickly. He asked if this was the same as the "red lined one"? Attorney Wood said that they do have some minor differences but for the most part it is the changing of some wording. Attorney Wood gave the example of the "red lined" agreement using the word boundary between two properties and that has been changed to clarify that they are not doing any type of a subdivision of the land, it is a line delineating easterly and westerly halves. This will assist when the new property survey gets done. He also stated there were some miscellaneous provisions in the agreement that were also modified and removed. The primary provisions are the same, paragraph 5 is where the changes were but all the other paragraphs remained the same.

Mayor Hosmer stated that we are at a trust but verify point in this process, and he wanted to thank Attorney Wood for all his efforts.

Henry Sacco from the Birch Haven Association asked the Mayor if he could ask a question, Mayor Hosmer said procedurally he should have addressed the Council during item number 19. Citizen comments about current agenda items. Mayor Hosmer allowed him to address the Council.

Mr. Sacco had a question about what the deed states in the 2021 proposed deed compared to what the new agreement and what the new deed is going to state. Attorney Wood spoke about the language of the deed was not changed but it does reference an agreement between the two associations. Mr. Sacco's association is an abutter to the beach but does not have beach rights. He explained concerns about potential buildings on the property in the future. Mayor Hosmer told Mr. Sacco that any new buildings would have to get approval by the Planning Board and he would need to address his concerns with them during that time. Councilor Cheney told Mr. Sacco that just because the City signs the deed over to them, that they'll be able to do whatever they want. Mr. Sacco stated he understood that.

Councilor Cheney made a motion to accept the written recommendation of the City Manager that Tax Map Lot 180/516/15 has unique characteristics and understand it will be the intent of the City to enter into a negotiated sale of the property with Paugus Bay Beach Association as a single, private purchaser for \$1. Seconded by Councilor Felch. **Discussion:** Councilor Lipman made a comment to the City Manager for him to take his time to look at the agreement that came through tonight and to make sure that the deed will be something that will be recorded by the City Council. Manager Beattie confirmed that there will be an adjustment in the one piece of delineation that is not currently there. Councilor Lipman told Manager Beattie if he is not ok with it or is concerned at any point that the agreement or deed don't reflect what Councilor Cheney stated, that he would come back to the Council and the deal would not be closed. Manager Beattie agreed, there was no further discussion. The ***motion passed with all in favor.***

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 8:44 PM

Respectfully Submitted,

Katie Gargano, City Clerk

DRAFT