

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

2/27/2023 - Minutes

1. CALL TO ORDER

Mayor Hosmer called the meeting to order at 7:03 PM

2. SALUTE TO THE FLAG

Mayor Hosmer 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 via zoom, Councilor Lipman, Councilor Haynes, Councilor Felch.

Absent: Councilor Hamel

Mayor Hosmer stated that 5 members of the Council were present, and a quorum was established.

Mayor Hosmer asked Councilor Soucy why he was not in attendance in person tonight and who was in the room with him. Councilor Soucy stated that he was away on business out of state and that he was in the room alone, because Councilor Soucy is participating via zoom, all votes must be done by roll call vote.

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 February 13, 2023

Minutes of the regular City Council meeting of February 13, 2023 were distributed to the City Council on February 17, 2023.

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

8. CONSENT & ACTION ITEMS

8.A. Recommendation for appointments to Boards and Commissions

The Appointments Subcommittee met on February 23, 2023 and

interviewed several candidates for appointment or reappointment to the City's Boards

and Commissions.

The Appointments Subcommittee strongly recommends the appointment of the following individuals for the terms shown:

Jim Rogato – Reappointment as a regular member of the Licensing Board to a term expiring at the end of March, 2026.

John Perley – Reappointment as a regular member of the Library Board of Trustees to a term expiring at the end of March, 2026.

Marie Bradley – Reappointment as a regular member of the Library Board of Trustees to a term expiring at the end of March, 2026.

Bruce Kneuer – Reappointment as an alternate member of the Library Board of Trustees to a term expiring at the end of March, 2024.

Sally Sessler – Appointment as a regular member of the Library Board of Trustees to a term expiring at the end of March, 2024.

Mitch Hamel – Reappointment as a regular member of the Parks and Recreation Commission to a term expiring at the end of March, 2026.

Nate Guerette, Assistant Public Works Director – Appointment as an alternate on the Lakes Region Planning Commission Transportation Advisory Committee to a term expiring at the end of June, 2025.

Councilor Haynes made a motion to approve the appointment or reappointment of candidates to the City's Boards and Commissions as presented and as recommended by the Appointments Subcommittee. Seconded by Councilor Felch. **Discussion: None.**

By Roll Call Vote:

Councilor Cheney: Yes

Councilor Soucy: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Hamel: ABS

Councilor Felch: Yes

The *motion passed with all in favor.*

8.B. Adopt Ordinance 2023-97, adding a new Chapter - Ward Lines - in the City of Laconia Code

At the November 2, 2021 Municipal Election, the voters voted in favor (1,837 Yes, 618 No) to remove the ward lines from the City Charter and place them into the City of Laconia Code allowing the City Council to adjust the ward boundary lines for redistricting purposes. The City is required to review and adjust its ward boundaries, if needed, after the release of the 10-year Federal Census data. Adoption of the attached Ordinance 2023-97 is the final piece to this action.

On November 22, 2021 the Mayor signed the Charter change reflecting the election results. At the December 13, 2021 City Council meeting, the Council held a public hearing and subsequently approved the new redistricting map.

The new Ordinance to include the ward descriptions in the City of Laconia Code was not completed, and was discovered in the fall of 2022 when the City Clerk was working on the State elections.

Staff recommends that the City Council authorizes the Mayor to sign Ordinance 2023-97 since the changes reflected in the Ordinance were already approved by the voters on November 2, 2021 and by the City Council on December 13, 2021.

Councilor Cheney made a motion that the City Council authorizes the Mayor to sign the attached Ordinance 2023-97, Ward Lines, as presented. Seconded by Councilor Haynes. **Discussion: None**

By Roll Call Vote:

Councilor Cheney: Yes

Councilor Soucy: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Hamel: ABS

Councilor Felch: Yes

The *motion passed with all in favor.*

9. CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA

None

10. **INTERVIEWS**

11. **NOMINATIONS, APPOINTMENTS & ELECTIONS**

12. **COMMUNICATIONS**

13. **PUBLIC HEARINGS**

13.A. **Public Hearing - Resolution 2023-02 - Request to submit a grant application to, and accept grant funding from, the Clean Water State Revolving Fund (CWSRF) for wastewater and stormwater asset management**

Notice of this Public Hearing was made available in the February 15, 2023 edition of the Laconia Daily Sun, and posted at Laconia City Hall, Laconia Community Center, Laconia Public Library and the offices of the SAU.

Action on this item may be taken up under Unfinished Business.

Mayor Hosmer opened the Public Hearing at 7:10 PM

No one spoke on this item.

Mayor Hosmer closed the Public Hearing at 7:10 PM

13.B. **Public Hearing - Resolution 2023-03 - Relative to the acceptance of the NH Department of Safety Homeland Security & Emergency Management Grant in the amount of \$20,948.28**

Notice of this Public Hearing was made available in the February 15, 2023 edition of the Laconia Daily Sun, and posted at Laconia City Hall, Laconia Community Center, Laconia Public Library and the offices of the SAU.

Action on this item may be taken up under Unfinished Business.

Mayor Hosmer opened the Public Hearing at 7:11 PM

No one spoke on this item.

Mayor Hosmer closed the Public Hearing at 7:11 PM

14. **PRESENTATIONS**

15. **MAYOR'S REPORT**

Mayor Hosmer gave two updates. We have 2 outstanding teams this year at the high school. The Girls Basketball team is 14-4 and he wished them luck as they enter the tournament. The boys' team is currently at 17-1, there is a home game this Friday and he encourages everyone to go watch.

He'd like to bring to the attention to the Council, a surplus property appraisal report he passed out to the Councilors. Mayor Hosmer asked Manager Beattie to post this on the website. This land is located along Union Ave and Paugus Bay. There is an abandoned section of railroad tracks that touches 5 parcels of land. Segment 4 is of interest to the City because that is where the intake of City water is kept. After discussions with Mayor Hosmer, City Manager Beattie, Water Superintendent Crawford and Councilor Soucy it has been made apparent the need to protect the inflow of the city water at this segment. If it became available from the state, he thinks the city should seriously consider purchasing this parcel to build

a larger buffer to protect that inflow. It is not a buildable lot by any means. Once the land goes through a surplus property process at the state level, he said that the City will have the first right of refusal from the state of NH. \$272,500.00 is the appraisal of this property. The water department can apply for a grant in the amount of \$90,000, and is listed in segment 5. Segment 5 is valued at 55,000.00. There are 3 individual private parties that are interested in the other parcels. If the city were to consider purchasing all of the parcels. There is an opportunity for the private parties us to make an offer to offset the costs. He'd like to send this to the Finance Committee for further review.

Councilor Cheney made a motion that the Mayor can send an expression of interest letter to the State, letting them know the City is interested. Seconded by Councilor Haynes. **Further Discussion: None**

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Hamel: ABS	Councilor Felch: Yes

The ***motion passed with all in favor.***

Councilor Felch made a motion to schedule a public hearing on March 27, 2023 at the regular 2nd by Councilor Cheney. **Discussion: None.**

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Hamel: ABS	Councilor Felch: Yes

The ***motion passed with all in favor.***

16. COUNCIL COMMENTS

Councilor Felch wanted to let everyone know about the 15th annual Robbie mills memorial pool tournament on March 4, 2023. This is to benefit the Boys and Girls Club and the Children's Auction.

Councilor Cheney asked the Mayor to instruct the City Manager to review the short-term rental ordinance and for him to come back to the Council with some proposed changes if needed after received several concerns by constituents. He'd like the manager to prepare a report of places for improvement, then send it to the Government operations and ordinances subcommittee. He is also wondering what the status is of the parking proposal for the Elm Street School. Manager Beattie provided an update, stating it was being worked on and the land was being surveyed. Weather has delayed the surveying. It will be closer to spring before it is completely organized and ready to go. Councilor Cheney is also looking for an update on the Historic District expansion. Specifically, where it stands of the assigning parameters of down town. Councilor Haynes said they have a meeting tomorrow and that item is on the agenda.

Councilor Lipman mentioned the property appraisals, the ability to show comparable data. Where people could find the information. He is looking to find a way to have a spot on the city website where people can find the value and sales amount of properties. Manager Beattie says that is something that can be worked on and he is working with the assessing department on getting information readily available earlier for their own viewing.

Councilor Haynes thanked the Finance Committee and Councilor Lipman on the sewer charges due to the large increase from the Winnepesaukee River Basin.

17. COMMITTEE REPORTS

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

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. **Project Updates Report**

Manager Beattie presented the project updates report to the Council, updates are light this time of year, they are waiting for bids to come in for the upcoming road projects.

The Winnepesaukee River Basin Program is moving forward.

Councilor Lipman asked about an update on the Weirs Beach Restoration, he feels its been stalled for quite some time. Manager Beattie will be able to give an update soon to see where that stands.

20.B. **Monthly Economic Development Report**

Manager Beattie presented the monthly economic development report to the Council. The unemployment rate is staying at 2.8%. Manager Beattie noted this is the 7th month in a row that the CPI-U average year to date percentage has gone down to 6.4%.

21. **NEW BUSINESS**

21.A. **Resolution 2023-04, relative to the acceptance of the US Department of Homeland Security Assistance to Firefighters Grant in the amount of \$28,571.42 for the purchase of battery-powered ventilation fans**

The Laconia Fire Department applied for a grant from the US Department of Homeland Security for replacement of the current ventilation fans on their staffed apparatus. The existing fans are, at a minimum, 15 years old and are in need of replacement. These ventilation fans help to remove smoke and other gases from a building.

This grant was included in the FY22-23 anticipated grants resolution, RES 2022- 08. A public hearing was held for grants listed in this Resolution on June 13, 2022.

There is a local match required from the Fire Department budget in the amount of \$1,428.58.

Councilor Cheney made a motion to approve Resolution 2023-04 relative to the acceptance of the US Department of Homeland Security Assistance to Firefighters grant in the amount of \$28,571.42 for the purchase of battery powered ventilation fans, and to authorize the City Manager to sign all documents related to this grant. Seconded by Councilor Felch. **Discussion: Councilor Lipman had a question about the existing fans, will they be taken out of service and sold? Manager Beattie said he did not believe they would have any monetary value and would be scrapped.**

By Roll Call Vote:

Councilor Cheney: Yes

Councilor Soucy: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Hamel: ABS

Councilor Felch: Yes

The *motion passed with all in favor.*

21.B. **Resolution 2023-05, relative to the acceptance of grant funds in the amount of \$43,000 for a full scale active shooter exercise**

The Laconia Police Department applied for a grant from the NH Department of Safety Homeland Security to cover payroll and related expenses for a table top training exercise to be held March 15, 2023. This table top training exercise is in preparation for a full-scale active shooter exercise scheduled to take place at Pleasant Street School on April 15, 2023. Laconia Fire Department, as well as several other local agencies, will also be involved in this exercise.

This grant was included in the FY22-23 anticipated grants resolution, RES 2022- 08. A public hearing was held for grants listed in this Resolution on June 13, 2022.

Councilor Cheney made a motion to approve Resolution 2023-05 relative to the acceptance of the NH Department of Safety Homeland Security Grant in the amount of \$43,000.00 for a full-scale active shooter exercise as presented, and to authorize the City Manager to sign all documents related to this grant. Seconded by Councilor Haynes. **Discussion: None.**

By Roll Call Vote:

Councilor Cheney: Yes

Councilor Soucy: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Hamel: ABS

Councilor Felch: Yes

The *motion passed with all in favor.*

21.C. **Acceptance of a 2023 NH Department of Environmental Services (NHDES) Exotic Aquatic Plant Control Grant**

The NHDES Exotic Species Program has notified us that the City of Laconia has been awarded a grant to fund 50% of project costs for aquatic plant control remediation. This project has been awarded in the past. NHDES works with City departments to identify locations for plant control to be completed, hires contractors to complete work, and returns for post remediation testing.

The City's share of the grant is \$42,530 which is 50% of the total. \$40,000 of the total has been approved in the FY23 budget. The remainder of the match will come from the Administration Non-Departmental budget.

Manager Beattie updated the Council that it would be non-departmental. There are no new monies to cover the cities portion of the cost.

Councilor Haynes made a motion to waive a reading of Resolution 2023-06 in its entirety and to read by title only. Seconded by Councilor Cheney. **Discussion: None.**

By Roll Call Vote:

Councilor Cheney: Yes

Councilor Soucy: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Hamel: ABS

Councilor Felch: Yes

The *motion passed with all in favor.*

Councilor Felch made a motion to move a first reading of Resolution 2023-06, relative to the acceptance of a 2023 NH Department of Environmental Services (NHDES) Exotic Aquatic Plant Control Grant in the amount of \$42,530.00. Seconded by Councilor Cheney. **Discussion: None.**

By Roll Call Vote:

Councilor Cheney: Yes Councilor Soucy: Yes Councilor Lipman: Yes
Councilor Haynes: Yes Councilor Hamel: ABS Councilor Felch: Yes

The ***motion passed with all in favor.***

Councilor Cheney made a motion to schedule a public hearing on March 13, 2023 during the regular Council meeting to gather public input prior to adoption of Resolution 2023-06. Seconded by Councilor Felch. **Discussion: None.**

By Roll Call Vote:

Councilor Cheney: Yes Councilor Soucy: Yes Councilor Lipman: Yes
Councilor Haynes: Yes Councilor Hamel: ABS Councilor Felch: Yes

The ***motion passed with all in favor.***

22. UNFINISHED BUSINESS

22.A. Resolution 2023-02 - Request to submit a grant application to, and accept grant funding from, the Clean Water State Revolving Fund (CWSRF) for wastewater and stormwater asset management

The American Rescue Plan Act ("ARPA") provides \$350 billion in additional funding for state and local governments. The New Hampshire Department of Environmental Services is making ARPA funds available for Planning, Asset Management, and Energy Audit Measure Implementation projects identified on their 2022 Clean Water State Revolving Fund (CWSRF) Project Priority List (PPL). Laconia is listed as programs 9 and 10 on the Asset Management Programs.

On March 20, 2022, a pre-application was submitted to NHDES to create an Asset Management plan of our wastewater and stormwater systems. The wastewater program will include both horizontal assets (gravity mains, force mains, siphons, manholes, vents) and vertical assets (pump stations). The data and analyses will become an integral part of the capital planning process and Capacity, Management, Operations and Maintenance (CMOM) program. The Asset Management program will include an update of the City's current asset inventory, a condition assessment, a determination of Level of Service goals, a criticality assessment and resulting prioritization, a cost and funding strategy, and an implementation and communication plan.

The City of Laconia has been granted \$60,000 for Wastewater Asset Management and \$30,000 for Stormwater Asset Management. If implemented, we plan to start work on May 8, 2023 and complete work by August 7, 2023. There is no match required for this grant.

At the February 13, 2023 City Council meeting a motion was approved to schedule a Public Hearing on this matter; that Public Hearing was held earlier in this evening's agenda.

City Manager Beattie gave a brief synopsis of the information above. No questions were asked.

Councilor Cheney made a motion to waive a reading of Resolution 2023-02 in its entirety and to read by title only. Seconded by Councilor Haynes. **Discussion: None.**

By Roll Call Vote:

Councilor Cheney: Yes Councilor Soucy: Yes Councilor Lipman: Yes
Councilor Haynes: Yes Councilor Hamel: ABS Councilor Felch: Yes

The ***motion passed with all in favor.***

Councilor Felch made a motion to move a second reading of Resolution 2023-02, relative to authorizing application and acceptance of \$90,000 grant funding from the Clean Water State Revolving Fund (CWSRF) for wastewater and stormwater asset management. Seconded by Councilor Haynes. **Discussion: None.**

By Roll Call Vote:

Councilor Cheney: Yes Councilor Soucy: Yes Councilor Lipman: Yes
Councilor Haynes: Yes Councilor Hamel: ABS Councilor Felch: Yes

The ***motion passed with all in favor.***

Councilor Felch made a motion to approve Resolution 2023-02 relative to authorizing application and acceptance of \$90,000 grant funding from the Clean Water State Revolving Fund (CWSRF) for wastewater and stormwater asset management, and to authorize the City Manager to sign all documents related to this grant. Seconded by Councilor Cheney. **Discussion: None.**

By Roll Call Vote:

Councilor Cheney: Yes Councilor Soucy: Yes Councilor Lipman: Yes
Councilor Haynes: Yes Councilor Hamel: ABS Councilor Felch: Yes

The ***motion passed with all in favor.***

22.B. **Resolution 2023-03, relative to the acceptance of the NH Department of Safety Homeland Security & Emergency Management Grant in the amount of \$20,948.28**

The New Hampshire Homeland Security and Emergency Management Grant in the amount of \$20,948.28 will fund the purchase of four sets of Night Vision Devices (NVDs) to be used in search and rescue operations by the Belknap County SWAT Team.

At the February 13, 2023 City Council meeting a motion was approved to schedule a Public Hearing on this matter; that Public Hearing was held earlier in this evening's agenda. There is no cost to the City.

Councilor Cheney made a motion to waive a reading of Resolution 2023-03 in its entirety and to read by title only. Seconded by Councilor Felch. **Discussion: None.**

By Roll Call Vote:

Councilor Cheney: Yes Councilor Soucy: Yes Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Hamel: ABS

Councilor Felch: Yes

The ***motion passed with all in favor.***

Councilor Cheney made a motion to move a second reading of Resolution 2023-03, relative to the acceptance of the New Hampshire Department of Safety Homeland Security Grant in the amount of \$20,948.28 to fund the purchase of four sets of Night Vision Devices to be used in search and rescue operations by the Belknap County SWAT Team. Seconded by Councilor Felch. **Discussion: None.**

By Roll Call Vote:

Councilor Cheney: Yes

Councilor Soucy: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Hamel: ABS

Councilor Felch: Yes

The ***motion passed with all in favor.***

Councilor Felch made a motion to approve Resolution 2023-03 relative to the acceptance of the New Hampshire Department of Safety Homeland Security Grant in the amount of \$20,948.28 to fund the purchase of four sets of Night Vision Devices to be used in search and rescue operations by the Belknap County SWAT Team, and to authorize the City Manager to sign all documents related to this grant. Seconded by Councilor Haynes. **Discussion: None.**

By Roll Call Vote:

Councilor Cheney: Yes

Councilor Soucy: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Hamel: ABS

Councilor Felch: Yes

The ***motion passed with all in favor.***

22.C. Granting an easement on City Land (Parcel #458-205-20)

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 also 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.

At the December 27, 2022 Council meeting, Councilors asked for additional language to be added to either the Planning Board's approvals and/or the easement. The Planning Board imposed additional conditions of approval at their January 10, 2023 meeting (see the attached Notice of Action). A public hearing on this matter was held at the Council's January 23, 2023 meeting and following discussion, the Council voted to table this item pending additional information.

Manager Beattie provided an update that this is still being worked on and is not ready for tonight's meeting. They are working with the State on how to grant the easement based off the funds the land was originally purchased with.

This agenda item was not taken off the table.

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

Mayor Hosmer adjourned the meeting at 7:51 PM

Respectfully submitted,

Katie Gargano, City Clerk