

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

5/8/2023 - Minutes

1. CALL TO ORDER

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

2. SALUTE TO THE FLAG

City Manager Beattie 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.

Absent: Councilor Hamel

5. STAFF IN ATTENDANCE

Kirk Beattie, City Manager; Glenn Smith, Finance Director

6. COUNCIL PROCLAMATION

6.A. Proclamation - Mental Health Month - May, 2023

Mayor Hosmer read the following Proclamation:

PROCLAMATION Mental Health Month – May, 2023 WHEREAS, the area that someone lives in plays a significant role in their overall health and wellbeing; and

WHEREAS, surroundings can and DO impact how a person's needs are met, which in turn affects mental health; and

WHEREAS, having safe, stable, and healthy home conditions set the foundation for achieving and maintaining good mental health; and

WHEREAS, each business, school, government agency, health care provider, organization, and citizens share the consequences of mental health problems, have the responsibility to promote mental wellness, and to support prevention efforts.

NOW, THEREFORE, I, Andrew J. Hosmer, Mayor of the City of Laconia, New Hampshire, do hereby proclaim May 2023 as Mental Health Month in Laconia, New Hampshire. As the Mayor of Laconia, I also call upon the citizens, government agencies, public and private institutions, businesses and schools in Laconia to recommit our community to increasing awareness and understanding of mental health, the need for community education so that citizens can take steps to protect their mental health, and the need for appropriate and accessible services for all people with mental health

conditions.

Given under my hand and the seal of the City of Laconia, New Hampshire, this 1st day of May in the year of our Lord two thousand and twenty-three

Andrew J. Hosmer, Mayor

7. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

7.A. Regular City Council meeting minutes of April 24, 2023

Minutes of the regular City Council meeting of April 24, 2023 were distributed to the City Council on April 27, 2023.

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

8. CONSENT & ACTION ITEMS

9. CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA

Steven Bogert- 21 Spruce Street, resident of 20 years. Came to the Council to express his deepest concerns of the events that have occurred in his neighborhood. He knows the police are doing the best they can, but there needs to be an end game. In the last 2 weeks they have had 1 death, his propane tank was taken, his neighbors propane tank was taken. He is worried that if they are coming this close to people's homes and it is not only when they are going to come into the home. There has been homeless people fighting in the street, a woman got beat up in the woods this past weekend, a man on a bicycle was doing drugs in front of someone's home who has children. They have been putting up with this for 3 years. Today they have been seen.

Christina Boisvert, 15 Spruce Street- the number of people has quadrupled over the past spring. There is a lot of theft. She has a neighbor who walks to high school who is scared to walk down the road and she has helped her give her rides, there has been a fire, stoves, propane and there is large concern for a fire in the woods.

Carl Dodge, Baldwin Street- is concerned about encampment and is in full support of the Spruce Street neighborhood, he has an enclosed porch at his house, and he has had several incidents of unwelcomed guests.

Erica Gray, 41 Spruce Street- had recently experienced a total loss house fire, there is a lot of anxiety in her household because they are the closest to the woods and she knows there is fire in the woods. She'd like to see a shelter that may not have sobriety requirements but

Shaina Hughes, 35 Spruce Street- has 3 children and likes to play outside and feels this is an issue of people who do not want to seek help, there is a long list for housing, for residential sobriety housing.

Christine Steuer, 31 Edwards Street- has lived there for 20 years, she thought it was the American dream, and now it is turning into a nightmare. She cannot sit out on her porch, people are asking for things, its only going to get worse.

Rev. Judith Wright of the Universalist Church, she is not speaking on behalf of her congregation but speaking for herself as a citizen. She sits on the mental health board and the human relations committee. She knows that this is not a simple issue, and she is saddened to hear everyone's stories tonight. She feels the main problem of homelessness is the lack of housing, not due to mental health or drug-related issues, but they are factors that are part of it. She shared a few experiences she has had with people she has helped through her congregation.

10. **INTERVIEWS**

11. **NOMINATIONS, APPOINTMENTS & ELECTIONS**

12. **COMMUNICATIONS**

13. **PUBLIC HEARINGS**

13.A. **Public Hearing - Relative to acceptance of an award in the amount of \$82,500 from the Homeland Security Grant Program for cybersecurity equipment**

Notice of this Public Hearing was made available in the April 26, 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.

Mayor Hosmer opened the Public Hearing at 7:31 PM

No one from the public spoke on this item.

Mayor Hosmer closed the Public Hearing at 7:32 PM

14. **PRESENTATIONS**

15. **MAYOR'S REPORT**

Mayor Hosmer addressed the encampment on Spruce Street, he expressed his sincerest apology to everyone who lives in that area who cannot enjoy their homes, feel safe and be able to relax in their homes. The encampment is growing, and he has been working with the City Manager, Police Chief, Community Action of Belknap and Merrimack Counties and the Director at DHHS to develop a plan to address the issues on Spruce Street. Starting on the evening of May 17th or morning of May 18th there will be a 30-yard dumpster that will be dropped off at the end of Spruce Street. They have teams of people who will be going in and cleaning out the encampment. They will make efforts and continue to make efforts to ensure that personal identification and mementos will not be thrown away. On the 21st all people will be moved out of the area. He acknowledged this was a very difficult decision and a very difficult process. He doesn't believe that all the people that are there are bad, but they are on public land and that is not allowed. We need to realize that when they move from that area they will most likely move to another part of the city. They are trying to reach out to community services to help people get help who may need help. He has visited the site several times to see who they are, how they got there and where they need to go and what obstacles they are encountering. This is a very complex situation, that demands several different solutions. The neighbors to this encampment have dealt with this long enough and they deserve to feel safe and be able to rest comfortably in their homes. Those who are using the WOW trail also have a right to use the trail and feel safe.

16. **COUNCIL COMMENTS**

Councilor Haynes pointed out that Opechee Cove has been cleaned out and all raked, 3 trees were planted on Arbor Day, and it looks absolutely Beautiful.

Councilor Felch wanted to speak about the agenda item "Paper Street" there is another he knows of, and he'd like to see the paper streets be given to the property owners and get the streets back on the tax rolls.

Councilor Cheney wants to learn the status of Leighton Ave North. There are a few catch basins and culverts that need repair and he's waiting for answers from the Public Works Director. It is his intent to offer an amendment to the short-term rental ordinance. There is a residency requirement of 150 days and he wants to see it increased to 220 days. He'd also like to suggest that the planning department application

includes the signature that they are signing is under the penalties of perjury. Councilor Lipman thinks we should look into the Court decision that just came out in Conway before we propose any changes. Councilor Cheney would also like an update on Sewer Inspection issues, and an update on the Elm Street School project.

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**

No one from the public wished to speak.

20. **CITY MANAGER'S REPORT**

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

Manager Beattie went over the financial and operations trends report. Highlights include new building values at 4 million for the month, welfare assistance, police activities, property taxes, motor vehicle registration, overtime, parks and rec, grievances, impact fees, no code statistics for this month, boat taxes are down a little bit but not too far off, general fund and expenditures are in a good place, EMS billing is identical to where they were last year.

Councilor Haynes asked about the Code issues on Country Club Rd. He wonders if there is someone who does a regular patrol around the city to see these items.

21. **NEW BUSINESS**

21.A. **Discontinuance of paper street - Jefferson Street**

The Town of Gilford accepted Jefferson Street (see the attached map) prior to the creation of Laconia. The section of Jefferson Street shown in the blue box, although accepted by the Town of Gilford, was never constructed.

A request has been received from Paugus Properties, LLC (please see the attached letter) that the City of Laconia discontinue this section of Jefferson Street.

If the City Council is interested in supporting Paugus Properties' request, City staff will begin the process necessary to discontinue the road under RSA 231:43. This process includes researching the form of street acceptance used by the Town of Gilford, and a public hearing with notification of the abutters a minimum of 16 days before the public hearing. All actions will be coordinated with the City Attorney to ensure proper procedures are being followed.

Councilor Cheney made a motion to table, seconded by Councilor Felch.

The *item was tabled*. 5-0

22. **UNFINISHED BUSINESS**

22.A. **Resolution 2023-12 - Relative to acceptance of an award in the amount of \$82,500 from the Homeland Security Grant Program for Cybersecurity Equipment**

In 2021 the City applied to the New Hampshire Department of Safety for grant funding to purchase equipment to enhance the City's cybersecurity footprint. The application was prospectively awarded in September 2022 and final approval was granted in December 2022. In early 2023 the grant award was modified to substitute additional firewall upgrades for previously requested MFA devices. This was done as the State intends to provide MFA devices to local communities under a separate grant program.

Acceptance of this award will enhance the City's cybersecurity footprint.

At the April 24, 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.

Councilor Cheney made a motion to waive a reading of Resolution 2023-12 in its entirety and to read by title only. Seconded by Councilor Haynes. **Discussion: None**

The ***Motion passed with all in favor.*** 5-0

Councilor Felch made a motion to move a second reading of Resolution 2023-12 relative to acceptance of an award in the amount of \$82,500 from the Homeland Security Grant Program for Cybersecurity Equipment. Seconded by Councilor Cheney. **Discussion: None**

The ***Motion passed with all in favor.*** 5-0

Councilor Cheney made a motion to approve Resolution 2023-12 relative to acceptance of an award in the amount of \$82,500 from the Homeland Security Grant Program for Cybersecurity Equipment as presented, and to authorize the City Manager to sign all documents related to this grant. Seconded by Councilor Haynes. **Discussion: None**

The ***Motion passed with all in favor.*** 5-0

22.B. **Lease Agreement between the City of Laconia/Laconia Airport Authority and Poppy's Choice, LLC, having a principal place of business at 15 Airport Road, Gilford, NH 03249**

Item

This is a new Lease. POPPY'S CHOICE, LLC is purchasing the building located at 15 Airport Road, Gilford, NH, on Laconia Municipal Airport property.

- The Lease Agreement duration is 40 years in length, to be reviewed in 20 years to negotiate a new rate. Note: This is a standard – “boiler plate” lease agreement. Unless requested by a tenant, the typical lease agreement is 40 years. Precisely at the midpoint, the agreement provides for a reassessment of the lease rate in the event that the amount has escalated unreasonably or is not in line with the market rate.

- The agreed rate is \$0.1499 per square foot per usable acre for the 2023-2024 FY with adjustments according to the December CPI-U each successive year.

This request was initially included in the Council's April 24, 2023 agenda packet. At that meeting members of the Council had questions regarding the duration of the lease and the time frame for negotiating a new rate of the lease. This revised Staff Report is being provided to address those concerns, and Airport Manager Marv Everson will be present at the meeting to answer any additional questions the Council may have. A motion was made at the April 24th meeting and approved to table this request to this evening's meeting.

At a meeting on Thursday, April 20, 2023, the Laconia Airport Authority authorized Andrew J. Hosmer to sign the agreement as its Chairman.

- The Laconia Airport Authority is seeking approval from the City Council for Andrew J. Hosmer as Mayor, or Kirk Beattie as City Manager to sign the agreement on behalf of the City of Laconia.

Councilor Felch made a motion to take this item off the table. Seconded by Councilor Haynes. **Discussion: None.**

The ***Motion passed with all in favor.*** 5-0

Councilor Felch made a motion to approve the authorization for Andrew J. Hosmer as Mayor, or Kirk Beattie as City Manager, to sign the Lease Agreement for Poppy's Choice, LLC, for the building

located at 15 Airport Road, Gilford, NH on Laconia Municipal Airport property, as presented. Seconded by Councilor Haynes. **Discussion: Councilor Lipman thinks the term of the lease is too long but will vote in support since this is the same model that has been done in the past.**

The **Motion passed with all in favor.** 5-0

taken out of order: this item was reviewed after item number 5.

22.C. **Ordinance 2023-205-2, Naming Rights and Procedures for City-Owned Property**

Councilor Felch requested that the Governmental Operations & Ordinances Committee discuss naming privileges for public areas.

Pursuant to Councilor Felch's request, City Manager Beattie researched several New Hampshire cities to determine how they handle the naming of city buildings, fields and places (other than streets), and presented that information to the Government Operations & Ordinances Subcommittee at their March 27 and April 24, 2023 meetings. At the April 24 meeting the Subcommittee approved a motion to bring the proposed language to the full City Council for review and to schedule a Public Hearing.

Councilor Haynes made a motion to waive a reading of Ordinance 2023-205-2 relative to naming rights and procedures for City-owned property and to read by title only. Seconded by Councilor Cheney. **Discussion: None.**

The **Motion passed with all in favor.** 5-0

Councilor Felch made a motion a first reading of Ordinance 2023-205-2 relative to naming rights and procedures for City-owned property. Seconded by Councilor Cheney. **Discussion: None.**

The **Motion passed with all in favor.** 5-0

Councilor Felch made a motion to schedule a Public Hearing on May 22, 2023 during the regular City Council meeting to gather public input prior to any action being taken. Seconded by Councilor Soucy. **Discussion: None.**

The **Motion passed with all in favor.** 5-0

22.D. **Elm Street School walking path**

The Laconia School District and the City of Laconia are working in conjunction with each other to construct a walking path, from Elm Street School through the woods and connect with Washington Street. The path is planned to be built to road standards, to allow for future conversion from walking path to driving lane. The reason for the proposed project is to alleviate the traffic congestion on Elm Street during after-school child pickup, and to provide a safe way for students to walk from the school to Washington Street without being on Elm Street. The City Council is asked to schedule a Public Hearing to gather public input on this matter. The public hearing will describe the construction plan, as well as advising residents around Elm Street School of any proposed or potential impacts.

Manager Beattie began the discussion, Councilor Felch would like to see a plan that details what it looks like, Council Cheney agreed.

Councilor Cheney made a motion to schedule a Public Hearing on May 22, 2023 during the regular City Council meeting to gather public input on the Elm Street School walking path prior to any action being taken. Seconded by Councilor Felch. **Discussion: None.**

The *Motion passed with all in favor.* 5-0

22.E. **City of Laconia - Flag Policy**

Mayor Hosmer stated that this policy was just sent out to the Council this afternoon, he'd like to move this item to the next council meeting. All councilors were in agreement.

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)**

Mayor Hosmer noted there was a need to go into non-public session according to RSA 91-A:3, II (a) The dismissal, promotion or compensation of any public employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.

Councilor Soucy made the motion to go into nonpublic session according to RSA 91-A:11 (a), seconded by Councilor Felch.

By roll call vote:

Councilor Cheney- Yes

Councilor Soucy- Yes

Councilor Lipman- Yes

Councilor Haynes- Yes

Councilor Hamel- Abs

Councilor Felch- Yes

The City Council entered the nonpublic session at 8:07 PM

Councilor Felch made a motion to reconvene the public session of the meeting. 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 public portion of the meeting was reconvened at 8:15 pm.

Councilor Soucy made a motion to seal the minutes of the nonpublic session for a period of 30 days. Seconded by Councilor Cheney. **Discussion: None.**

The *motion passed with all in favor.* 5-0

26. **ADJOURNMENT**

Mayor Hosmer adjourned the meeting at 8:16 PM.

Respectfully Submitted,

Katie Gargano, City Clerk

DRAFT