

# CITY OF LACONIA - CITY COUNCIL MEETING

December 27, 2018

7:00 P.M.

12/27/2018 - Minutes

## 1. CALL TO ORDER

Mayor Engler called the meeting to order at the above date and time.

## 2. SALUTE TO THE FLAG

Councilor Hamel lead the salute to the Flag.

## 3. RECORDING SECRETARY

Cheryl Hebert, City Clerk

## 4. ROLL CALL

City Clerk Hebert took the roll with the following Councilors in attendance: Bruce Cheney, David Bownes, Henry Lipman, Mark Haynes, and Bob Hamel

Not present: Andrew Hosmer

Mayor Engler noted five (5) Councilors were in attendance and a quorum has been established.

## 5. STAFF IN ATTENDANCE

Scott Myers, City Manager

## 6. COUNCIL PROCLAMATION

## 7. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

### 7.A. Regular meeting minutes of December 10, 2018

Minutes of the meeting were distributed to the City Council on Thursday, December 13, 2018. 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

No comments from the public were made

## 10. INTERVIEWS

## 11. NOMINATIONS, APPOINTMENTS & ELECTIONS

### 11.A. Joan Leroux - Seeking reappointment to a regular member position on the Personnel Advisory Board for a three-year term expiring at the end of October, 2021

Councilor Hamel moved to reappoint Joan Leroux to a regular member position on the Personnel Advisory Board for a three-year term expiring at the end of October, 2021, seconded by Councilor Bownes; the *motion passed with all in favor.*

### 11.B. Wesley Bates - Seeking appointment to a regular member position on the Conservation Commission for a three-year term expiring at the end of August, 2021

Councilor Haynes moved to appoint Wesley Bates to a regular member position on the Conservation Commission for a three-year term expiring at the end of August, 2021, seconded by Councilor Lipman; the *motion passed with all in favor.*

### 11.C. B. Randy Haas - Seeking appointment to a regular member position on the Trustees of the Trust Fund for a three-year term expiring at the end of March, 2021

Councilor Lipman moved to appoint B. Randy Haas to a regular member position on the Trustees of the Trust Fund for a three-year term expiring at the end of March, 2021, seconded by Councilor Haynes; the ***motion passed with all in favor.***

12. **COMMUNICATIONS**

13. **PUBLIC HEARINGS**

13.A. **Public Hearing for Resolution 2018-35, relative to the First Responders-Comprehensive Addiction and Recovery Act Grant**

Notice of this public hearing was made available in the December 12, 2018 edition of the Laconia Daily Sun, posted at City Hall, Laconia Public Library, Community Center, and SAU.

Mayor Engler opened the public hearing at 7:07 pm.

Hearing no comments for the public, Mayor Engler closed the public hearing at 7:08 pm.

14. **PRESENTATIONS**

15. **MAYOR'S REPORT**

Mayor Engler and Councilor Hamel have been attending weekly meetings regarding the Colonial Theater project and they hope to be able to present to the City Council a comprehensive report in regards to where this project stands at the Council Meeting scheduled for January 14, 2019.

16. **COMMITTEE REPORTS**

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

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

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

16.B. **PUBLIC SAFETY (Bownes, Hosmer, Lipman)**

16.B.i. **Fair St/Court St traffic problems and accidents**

16.C. **GOVERNMENT OPERATIONS & ORDINANCES (Bownes, Hosmer, Cheney)**

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

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

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

16.C.iv. **Second reading of a resolution relative to the adoption of RSA 31:95-b, Appropriation of funds made available during the year**

16.D. **LANDS & BUILDINGS (Hamel, Lipman, Haynes)**

16.D.i. **Downtown parking garage**

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

16.E. **PUBLIC WORKS (Bownes, Hosmer, Haynes)**

16.E.i. **Retaining Wall Policy**

17. **LIAISON REPORTS**

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

No comments from the public were made.

19. **CITY MANAGER'S REPORT**

19.A. **Project Updates Report**

City Manager Myers reviewed the report.

City Manager Myers hopes to have updates in regards to the parking garage in the next couple of weeks.

Councilor Hamel asked for an update in regards to Court Street and what amount of money is left going forward. DPW Director Wes Anderson stated \$838,000 has been spent to date and roughly \$1.8 million remaining with a total of \$5 million to complete Fair St. to Main St., Union Ave to Main St. to Gilford Ave, and Union Ave to Stark.

Councilor Cheney is concerned with Perley Pond because it is not protected by the shoreline. The Perley family has expressed concern that the City has not maintained it properly. Councilor Cheney would like to speak with the Conservation Commission in regards to Perley Pond. The family would like to see it cut back to the shoreline.

City Manager Myers stated that Parks and Recreation Director Dunleavy has reached out to DES in regards to Perley Pond and what the allowable cut backs are. City Manager Myers stated the Conservation Commission has expressed interest in this topic and suggested scheduling a Land and Buildings Subcommittee and inviting the Conservation Commission in order to get everyone on the same page.

Councilor Cheney moved to add an item to the Land and Buildings Subcommittee being called Item DIII, Perley Pond Maintenance, seconded by Councilor Haynes, the ***motion passed with all in favor.***

Councilor Haynes moved to schedule a Land and Buildings Subcommittee meeting to discuss Item DIII, Perley Pond Maintenance, on Monday, January 28, 2019 at 6 pm, seconded by Councilor Haynes, the ***motion passed with all in favor.***

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

City Manager Myers reviewed the report.

20. **NEW BUSINESS**

20.A. **First reading of Resolution 2019-01, relative to the Comcast Proposal for Competitive Cable TV Franchise in Laconia**

Attorney Katherine Miller from Donahue, Tucker, & Ciandella, PLLC has joined the Council in regards to the proposal from Comcast. Attorney Miller explained that if the Council chooses to deny the proposal, Comcast would most likely take their resources to another community. Attorney Miller also explained that Comcast does not have the capability to allow emergency City Officials to override the service to get out alerts. Councilor Cheney expressed his concern with this and would like that to be included in the proposal. Councilor Hamel noted there are major differences between Atlantic Broadband and Comcast.

Councilor Haynes moved to waive reading of Resolution 2019-01 in its entirety and to read by title only, seconded by Councilor Lipman; the ***motion passed with all in favor.***

Councilor Bownes moved the first reading of Resolution 2019-01, relative to authorizing the City Manager to sign any documents on behalf of the City relative to the Comcast Proposal for Competitive Cable TV Franchise in Laconia, seconded by Councilor Hamel; the ***motion passed with all in favor.***

Councilor Haynes moved to schedule a public hearing on January 14, 2019, during the regular City Council meeting to gather public input, seconded by Councilor Bownes;

Councilor Lipman would like Comcast to make a presentation during the public hearing and to have Atlantic Broadband in attendance,

Mayor Engler called the question; the ***motion passed with all in favor.***

Councilor Lipman moved to file with the City Clerk the proposed franchise agreement for the Comcast franchise, so that it is available to the public for review before the public hearing, seconded by Councilor Hamel; the ***motion passed with all in favor.***

20.B. **Tentative agreement for the Laconia Administrative and Technical Employees, Chapter 69, SEIU of NH Local 1984**

Mayor Engler reminded the public and Council that this is a matter of a collecting bargaining unit and because of Labor Laws the terms of this agreement can not be discussed until it is passed.

City Manager Myers explained the Council has been briefed of the terms of this contract.

Councilor Bownes moved that the City Council approve the tentative agreement for the Laconia Administrative and Technical Employees, Chapter 69, SEIU of NH Local 1984 for the period from July, 1, 2018 through June 30, 2021, seconded by Councilor Hamel; the ***motion passed with all in favor.***

City Manager Myers briefed the public on the terms of this contract.

20.C. **Council acceptance of Capital Improvement Program proposals**

Councilor Hamel explained the process in which the CIP works. Councilor Bownes made note that the Planning Board voted uncontested that the Council approve this proposal.

Councilor Hamel moved that the City Council accept the Capital Improvement Program proposals as presented, seconded by Councilor Bownes; the ***motion passed with all in favor.***

20.D. **Request for the sale of tax deeded property for less than charges due the City**

Councilor Lipman moved to remarket the property ( Map/Lot number 371/106/49) and offer it for sale, through sealed bid, in accordance with Section 183-3, seconded by Councilor Bownes; the ***motion passed with all in favor.***

20.E. **Correcting 4G LTE Cell Service Coverage Maps in the Lakes Region - FCC MF-II Challenge**

City Manager Myers explained the need for this item.

Councilor Lipman moved to authorize Edward Engler, Mayor of Laconia, to sign the document in regards to correcting 4G LTE Cell Service Coverage Maps in the Lakes Region - FCC MF-II Challenge, on behalf of the City of Laconia, seconded by Councilor Cheney; the ***motion passed with all in favor.***

20.F. **Discussion of City Manager's Compensation**

Councilor Hamel moved to raise the base salary for the City Manager for calendar year 2019 from \$130,000 to \$135,000 and to increase the percent of the salary for retirement from 13% to 13.5%, seconded by Councilor Cheney, the ***motion passed with all in favor.***

21. **UNFINISHED BUSINESS**

21.A. **Second reading of Resolution RES-2018-35, relative to the First Responders-Comprehensive Addiction and Recovery Act Grant in the amount of \$15,952.24**

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

Councilor Cheney moved the second reading of Resolution 2018-35, relative to authorizing the City Manager to accept and expend a grant on behalf of the City in the amount of \$15,952.24 per year for a period not to exceed three years, relative to the First Responders-Comprehensive Addiction and Recovery Act Grant, seconded by Councilor Bownes;

Councilor Lipman asked for an explanation in regards to no fiscal impact. The City Manager explained this adds to the departments capacity by taking it off of one person and spreading it among three people. 4

Mayor Engler called the question; the ***motion passed with all in favor.***

Councilor Cheney moved to approve Resolution 2018-35, relative to authorizing the City Manager to accept and expend a grant on behalf of the City in the amount of \$15,952.24 relative to the First Responders-Comprehensive Addiction and Recovery Act Grant, seconded by Councilor Bownes; the ***motion passed with all in favor.***

**21.B. Proposed Sewer Rate Increase for FY 2020 and FY 2021**

City Manager Myers explained the proposed sewer rate increases for FY 2020 and FY 2021 would be 3.5% increase beginning February 1, 2020 and another 3.5% increase beginning February 1, 2021. The amount of the proposed reserve was reduced at the Council's suggestion. City Manager Myers is asking the Council to conceptually approve this in order for it to be brought to a public hearing.

Councilor Lipman asked to get a breakdown of the impact fees and the City Manager will look into that. Councilor Lipman would like to see the length of Bonds looked at to better suit finances.

Councilor Lipman moved to approve the conceptual Sewer Rate increases in Fiscal Years 2020 and 2021 enabling Public Works to draft the proposed changes to the Sanitary Sewer ordinances in the City Code and for the City residents to prepare for budget increases in the future and to schedule a public hearing on proposed rate increases on January 14, 2019, seconded by Councilor Bownes, the ***motion passed with all in favor.***

**22. COUNCIL COMMENTS**

**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**

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

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

**26. ADJOURNMENT**

With no further business to come before the Council and hearing no objection, Mayor Engler adjourned the meeting at 8:26 pm.

Respectfully submitted,

Cheryl Hebert, City Clerk