

CITY OF LACONIA - CITY COUNCIL MEETING

January 28, 2019

7:00 P.M.

1/28/2019 - Minutes

1. **CALL TO ORDER**

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

2. **SALUTE TO THE FLAG**

Councilor Cheney 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, Bob Hamel, and Andrew Hosmer

Mayor Engler noted all six (6) Councilors were in attendance and a quorum has been established.

5. **STAFF IN ATTENDANCE**

Scott Myers, City Manager and Glenn Smith, Finance Director

6. **COUNCIL PROCLAMATION**

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

7.A. **Regular meeting minutes of January 14, 2019**

Minutes of the meeting were distributed to the City Council on Thursday, January 17, 2019. With no corrections or changes submitted to the Clerk, the minutes will be accepted as distributed.

8. **CONSENT & ACTION ITEMS**

8.A. **Temporary Traffic Order 2019-2, Laconia Little League Parade**

Councilor Hamel moved to approve Temporary Traffic Order 2019-2, Laconia Little League Parade, to be held on April 20, 2019 from 7:30 AM to 9:30 AM, seconded by Councilor Haynes; the *motion passed with all in favor.*

8.B. **Request from Lakes Region Sled Dog Club to waive license, vendor and loudspeaker fees for the February 15 - 17, 2019 Sled Dog Event**

Councilor Hamel moved to approve the request from Lakes Region Sled Dog Club to waive license, vendor and loudspeaker fees for the February 15-17, 2019 Sled Dog Event, seconded by Councilor Cheney; the *motion passed with all in favor.*

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

No comments from the public were made.

10. **INTERVIEWS**

11. **NOMINATIONS, APPOINTMENTS & ELECTIONS**

12. **COMMUNICATIONS**

13. **PUBLIC HEARINGS**

14. **PRESENTATIONS**

15. **MAYOR'S REPORT**

Mayor Engler would like to congratulate everyone who played a role in the Ballin for Big Bob event on Saturday, January 19, 2019. Over \$25,000 was raised during this one day event.

Mayor Engler has been alarmed recently, in various forms, regarding the Colonial Theatre, Opioid Crisis, Air Bnb, etc. that the City has taken numerous negative hits in regards to those items which portrays Laconia as a bad place to live. If the fundraiser for the Dassati family shows how quick the City can come together in such a short amount of time to support one of their own, then the City is not a bad place to live.

Mayor Engler would like to also mention the regulation of the Air Bnb industry. Mayor Engler would like to stress the fact that when this issue was first brought to the Council last year, the City chose not to regulate it. What happened was neighbors in the North Main Street made numerous complaints and asked the Council to do something about it. When the Council looked into it, there was an ordinance that was passed years ago in regards to this. Therefore, the Council is following such Ordinance. The Zoning Board is highly regulated by State Law and must follow those laws precisely.

Councilor Bownes would like to emphasize that when the Air BnB issue arose, the City responded to citizen complaints.

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)

Councilor Hamel would like to suggest that Air Bnb's register through the City.

City Manager Myers spoke in regards to the NH Municipal Association and short term rentals. This Wednesday, January 30, 2019 at 10:15 AM Senate Bill 69 will be brought forward.

Councilor Hamel moved to add under Government Operations & Ordinances, Item C.v., Regulation of Short Term Residential Rental Business, seconded by Councilor Bownes, the *motion passed with all in favor.*

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.D.iii. Perley Pond Maintenance

The Land and Buildings Subcommittee met earlier this evening regarding Perley Pond. It is the suggestion of the Land and Buildings Subcommittee that a line item be added in the the Parks and Recreation Budget to do maintenance on the Perley Pond area. Also suggested was to meet in the Spring time with an arborist and landscape professional, K. Dunleavy, D. Anson, and the Perley family in order for every²one to be on the same page and present their findings to the Council.

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

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

16.E.ii. **Proposal to implement City Policies for designating emergency lanes**

17. **LIAISON REPORTS**

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

Dawn Nesbitt-Taylor, Clinton Street - would like to thank the Council for whoever suggested no on street parking on Clinton Street. There is an apartment building by her house that does not have enough parking spaces for the number of apartments. D. Nesbitt-Taylor provided a handout to the Council and for the record showing pictures of the corner on Clinton Street with an explanation. Ms. Nesbitt-Taylor would like to see the no parking continue during the winter months and possibly be lifted to one side of the street parking during the other three seasons.

Richard Nesbitt-Taylor, Clinton Street - Agrees there should be a time limit with on road parking to prevent long term parking.

Richard Homsy - 84 Summit Ave - Spoke in regards to the Woodvale Sewer Expansion. Mr. Homsy thinks it would add value to the properties in that area expanding the Sewer. He offers his support for the expansion and has offered to get signatures of residents who are in agreement.

Councilor Bownes asked Mr. Homsy his thoughts on the 50/50 cost share to the abutters.

Mr. Homsy said his opinion is one in which supports it and sees more positive than negative but understands everyone's finances are different.

Donald Whitagreen - Woodvale Drive - He is in support of the Woodvale Sewer Expansion. He would like the water tested that goes into the lake.

19. **CITY MANAGER'S REPORT**

19.A. **Project Updates Report**

City Manager Myers would like to remind the public that when the agenda is posted there are hyperlinks that include all supporting documentation for each agenda item.

City Manager Myers has reappointed Karen Mudgett for a three-year term, expiring at the end of March, 2022 to the Board of Assessors.

City Manager Myers reviewed the report.

Councilor Hamel spoke in regards to the Weirs TIF Fund asking for a reminder of what the Weirs TIF is responsible for paying in regards to the Lakeside Ave enhancement project. City Manager Myers will get that information to the Council.

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

City Manager Myers reviewed the report.

20. **NEW BUSINESS**

20.A. **Sanitary Sewer Expansion in the Woodvale Drive Area**

City Manager Myers reviewed the background of this project.

Assistant DPW Director Krista Larsen - presented to the Council a PowerPoint and handout to the Council and for the record. She reviewed the presentation.

Councilor Lipman questioned if the rates are accurate?

City Manager Myers explained that when the letters are sent out a range in rates will be presented so the abutters can get a better sense of how much.

Councilor Hamel questioned the increases every year.

City Manager Myers explained the break down of the annual increases. If nothing is done with Woodvale, the increases would be \$36.00 February, 2019, \$15.00, February, 2020, and \$16.00 the following year. If the Woodvale project gets approved, there would be a one time increase of \$5.00. So, no Woodvale Project: \$67.00, Woodvale Project: \$72.00.

Councilor Lipman moved to approve a 50/50 cost share between the sanitary sewer fund and the abutters, if a two-thirds favorable response is received from the abutters, subject to bond responses, seconded by Councilor Bownes; the ***motion passed with all in favor.***

20.B. Third reading of Resolution 2019-01, relative to the Comcast Proposal for a competitive Cable TV franchise in Laconia

City Manager Myers submitted into the record a letter from Comcast in regards to a one-time grant of \$10,000 for the purpose of supporting the City's cable related needs, including, but not limited to local emergency alert system considerations, within 120 days of the execution of the agreement. This will be considered the side letter.

Councilor Lipman moved to remove this item from the table, seconded by Councilor Haynes; the ***motion passed with all in favor.***

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

Councilor Bownes moved the third 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 Hosmer;

Councilor Cheney would like to thank the City Manager for his work on his request.

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

Councilor Cheney moved to approve 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 including the side letter dated January 28, 2019, seconded by Councilor Bownes;

Councilor Bownes stated this is good for the City and the residents;

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

20.C. WOW Trail organization request to widen the sidewalk on the south side of Elm Street from the WOW Trail to Doris Ray Court

Robert Champlain - Chair of the WOW Trail Organization - spoke in regards to widening the sidewalk on the south side of Elm Street from the WOW Trail to Doris Ray Court like the sidewalk is on Messer Street.

Councilor Hamel commented that it is nice to see Mr. Champlain back and active in the community.

Councilor Bownes commends how well the City and the WOW Trail Organization work together.

Councilor Hosmer moved to approve the request from the WOW Trail Organization to widen the sidewalk on the south side of Elm Street from the WOW Trail to Doris Ray Court, as presented, seconded by Councilor Lipman; the ***motion passed with all in favor.***

20.D. Sale of Lots #6 and #7 in Lakes Business Park

Councilor Lipman moved to approve the vote of the Lakes Business Park Commission for the Sale of Lots #6 and #7 in Lakes Business Park in the amount of \$180,000 and to authorize the City Manager to sign the required documents in connection with the sale, seconded by Councilor Hamel; the ***motion passed with all in favor.***

21. UNFINISHED BUSINESS

21.A. Request to approve no parking on Clinton Street

Councilor moved to remove this item from the table, seconded by Councilor Bownes; the ***motion passed with all in favor.***

DPW Director Wes Anderson explained the reasons for the request.

Councilor Bownes asked if there was a way to accommodate a 15-minute to 30-minute parking space on the guardrail side.

Councilor Hamel thinks adding time frames will be an enforcement nightmare.

Councilor Bownes stated this is a very dangerous road with on road parking, even in the summer time.

Mayor Engler stated having markers with an explanation of what days, months, and times one can park is way too complicated.

Councilor Lipman reminded everyone that there is an ordinance for winter parking and maybe we need to try something.

City Manager Myers stated the winter parking ban runs from November 1 through April 30 but with the recommendation from the police chief and Public Works director the ban can be lifted up to two weeks early.

Councilor Bownes is in favor of a year round parking ban but is willing to try just a winter parking and when it is not winter you can park against the guardrail. But would like to come back and review this.

Michael Feeney - Clinton Street - Just wanted to mention by stating 87 and 88 will be the difference of which side of the road.

Councilor Bownes moved the City Council to approve a no parking zone on the right hand side (non guardrail) of Clinton Street from the west boundary of 87 Clinton Street to the east end of the intersection of Clinton and Prospect Streets and the continuation of no parking on the left hand side of 88 Clinton Street to the east end of the intersection of Clinton and Prospect Streets through the end of this Winter, in conjunction with the winter parking ban, seconded by Councilor Hosmer; the ***motion passed with all in favor.***

21.B. Colonial Theatre Project Update

Mayor Engler stated from a procedural stand point, there was an active Resolution passed in September 2017. During the first meeting in February Mayor Engler will provide the two resolutions pertaining to the Colonial Theatre. He will also provide the proposed changes at the next meeting.

Mayor Engler has been aware of the comments being made regarding the Colonial and the lack of understanding within the community with the City's commitment to this project. To date the City has loaned the Belknap Economic Development Council \$1.4 million that was used in 2015 to purchase the building. This is a performing loan as an asset and they are paying around \$4000 a month in interest on that loan. The City is committed by the Resolution for a total of \$4.2 million into the project but the City has not done so as of yet. What everyone is working towards is a construction loan closing date. The funding is complicated and if all ten (10) funding sources come together at closing it will happen, but if one (1) funding source does not show up then the closing doesn't happen and our \$4.2 million doesn't happen.

Councilor Cheney requests to sit down with the Mayor to get more details of this project.

Councilor Cheney moved to approve to schedule a meeting at 6 pm on February 11, 2019 for a presentation on the City's involvement on the Colonial Theatre Project, seconded by Councilor Bownes, the ***motion passed with all in favor.***

Councilor Haynes stated once the public has been explained the situation they tend to understand it better and are in favor of it.

22. COUNCIL COMMENTS

Councilor Cheney would like the status of the progress of emergency lanes.

City Manager Myers

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 9:14 pm.

Respectfully submitted,

Cheryl Hebert, City Clerk

MINUTES OF THIS MEETING WERE APPROVED BY COUNCIL ON FEBRUARY 11, 2019