

CITY OF LACONIA - CITY COUNCIL MEETING

February 26, 2018

7:00 P.M.

2/26/2018 - Minutes

1. CALL TO ORDER

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

2. SALUTE TO THE FLAG

Councilor Bolduc lead the Salute to the Flag.

3. RECORDING SECRETARY

Cheryl Hebert, City Clerk

4. ROLL CALL

City Clerk Hebert called the roll with the following Councilors in attendance: Bruce Cheney, David Bownes, Mark Haynes, Bob Hamel, Armand Bolduc.

Absent during roll call: Henry Lipman

Mayor Engler noted that five (5) Councilors are in attendance and a quorum is established.

5. STAFF IN ATTENDANCE

City Manager Scott Myers, Finance Director Donna Woodaman

Councilor Bolduc made a brief statement regarding his hospital stay and he wanted the public to know that he is remaining on the Council and will still take phone calls and questions. He is taking it day by day. He also would like to extend his gratitude for all of the well wishes and help that he has received.

Mayor Engler called for a brief recess at 7:03 pm to allow for a group picture to be taken and to allow for Councilor Bolduc to leave the meeting.

Mayor Engler called the meeting back to order at 7:06 pm.

6. COUNCIL PROCLAMATION

7. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

7.A. Regular meeting minutes of February 12, 2018

Minutes of the February 12, 2018 were distributed on Thursday, February 15, 2018. With one correction submitted to the Clerk, the minutes were redistributed on Friday, February 23, 2018 and hearing no other corrections the minutes were accepted as distributed.

Mayor Engler noted that Councilor Lipman is now present at the meeting.

8. CONSENT & ACTION ITEMS

9. CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA

Representative Charlie St. Clair, expressed his concerns with the roads in the City and would like to see the City try to use a steel frame and concrete, even if it is a test strip.

10. INTERVIEWS

11. NOMINATIONS, APPOINTMENTS & ELECTIONS

11.A. Aaron Bassett - Seeking appointment to a regular member position on the Library Board of

Trustees for a three-year term expiring at the end of March, 2021

Councilor Haynes moves to approve Aaron Bassett to a regular member position on the Library Board of Trustees for a three-year term expiring at the end of March, 2021, seconded by Councilor Bownes; the ***motion passed with all in favor.***

11.B. Bruce Kneuer - Seeking reappointment to an alternate member position on the Library Board of Trustees for a one-year term expiring at the end of March, 2019.

Councilor Lipman moves to reappoint Bruce Kneuer to an alternate member position on the Library Board of Trustees for a one-year term expiring at the end of March, 2019, seconded by Councilor Hamel; the ***motion passed with all in favor.***

11.C. James "Olie" Anderson - Seeking reappointment to a regular member position on the Library Board of Trustees for a three-year term expiring at the end of March, 2021

Councilor Lipman moves to reappoint James "Olie" Anderson to a regular member position on the Library Board of Trustees for a three-year term expiring at the end of March, 2021, seconded by Councilor Cheney; the ***motion passed with all in favor.***

11.D. Kimberly Danosi - Seeking reappointment to a regular member position on the Library Board of Trustees for a three-year term expiring at the end of March, 2021

Councilor Bownes moves to reappoint Kimberly Danosi to a regular member position on the Library Board of Trustees for a three-year term expiring at the end of March, 2021, seconded by Councilor Cheney; the ***motion passed with all in favor.***

11.E. Catherine Tokarz - Seeking reappointment to an alternate member position on the Heritage Commission for a three-year term expiring at the end of March, 2021

Councilor Haynes moves to reappoint Catherine Tokarz to an alternate member position on the Heritage Commission for a three-year term expiring at the end of March, 2021, seconded by Councilor Hamel; the ***motion passed with all in favor.***

11.F. Deanna Guyer - Seeking reappointment to a regular member position on the Parks and Recreation Commission for a three-year term expiring at the end of March, 2021

Councilor Hamel moves to reappoint Deanna Guyer to a regular member position on the Parks and REcreation Commission for a three-year term expiring at the end of March, 2021, seconded by Councilor Bownes; the ***motion passed with all in favor.***

11.G. Guy Pederzani - Seeking reappointment to a regular member position on the Parks and Recreation Commission for a three-year term expiring at the end of March, 2021

Councilor Hamel moves to reappoint Guy Pederzani to a regular member position on the Parks and Recreation Commission for a three-year term expiring at the end of March, 2021, seconded by Councilor Lipman; the ***motion passed with all in favor.***

11.H. Richard Landry - Seeking reappointment to a regular member position on the Putnam Fund for a five-year term expiring at the end of March, 2023

Councilor Lipman moves to reappoint Richard Landry to a regular member position on the Putnam Fund for a five-year term expiring at the end of March, 2023, seconded by Councilor Bownes; the ***motion passed with all in favor.***

12. COMMUNICATIONS

13. PUBLIC HEARINGS

13.A. Public Hearing for Resolutions 2018-02 through 2018-10, in regards to the Public School Infrastructure Grants

This notice of the public hearing was made in the February 15, 2018 edition of the Laconia Daily Sun, the Laconia City Hall, Community Center, Laconia Public Library, and SAU

Mayor Engler opened the Public Hearing for Resolution 2018-02 at 7:14 pm

Hearing no comments from the public, Mayor Engler closed the Public Hearing at 7:15 pm

Mayor Engler opened the Public Hearing for Resolution 2018-03 at 7:15 pm

Hearing no comments from the public, Mayor Engler closed the Public Hearing at 7:16 pm

Mayor Engler opened the Public Hearing for Resolution 2018-04 at 7:16 pm

Hearing no comments from the Public, Mayor Engler closed the Public Hearing at 7:16 pm

Mayor Engler opened the Public Hearing for Resolution 2018-05 at 7:17 pm

Hearing no comments from the public, Mayor Engler closed the Public Hearing at 7:17 pm

Mayor Engler opened the Public hearing for Resolution 2018-06 at 7:18 pm

Hearing no comments from the public, Mayor Engler closed the Public Hearing at 7:18 pm

Mayor Engler opened the Public Hearing for Resolution 2018-07 at 7:18 pm

Hearing no comments from the public, Mayor Engler closed the public hearing at 7:18 pm

Mayor Engler opened the Public Hearing for Resolution 2018-08 at 7:18 pm

Hearing no comments from the public, Mayor Engler closed the public hearing at 7:18 pm

Mayor Engler opened the Public Hearing for Resolution 2018-09 at 7:19 pm

Hearing no comments from the public, Mayor Engler closed the public Hearing at 7:19 pm

Mayor Engler opened the Public Hearing for Resolution 2018-10 at 7:19 pm

Hearing no comments from the public, Mayor Engler closed the Public Hearing at 7:19 pm

13.B. Public Hearing for Resolution 2018-11, relative to Supplemental Appropriation

Notice of this public hearing was made in the February 15, 2018 edition of the Laconia Daily Sun, the Laconia City Hall, Community Center, Laconia Public Library, and SAU

Mayor Engler opened the public hearing for Resolution 2018-11 at 7:21 pm

Hearing no comments from the public, Mayor Engler closed the public hearing at 7:22 pm

13.C. Public Hearing for Resolution 2018-12, relative to Unanticipated Revenue in regards to the City receiving donations for use towards the restoration of the Native American Statue at Opechee Park

Notice of this public hearing was made available in the February 15, 2018 edition of the Laconia Daily Sun, Laconia City Hall, Community Center, Laconia Public Library, and SAU

Mayor Engler opened the public hearing for Resolution 2018-12 at 7:23 pm

Hearing no comments from the public, Mayor Engler closed the public hearing at 7:23 pm

14. PRESENTATIONS

15. MAYOR'S REPORT

15.A. Mayor's reappointment of Laconia Human Rights Committee members to one-year terms expiring at the end of March, 2019

Mayor Engler appointed Police Chief Matt Canfield, Carol Pierce, Kate Bruchacova, David Osman, Janet Simmon, Leonard Campbell, Carrie Chandler, Mary Jane Hoey, Rev. Judith E. Wright, David Stamps, Ali Hassan, Chris Adams, and Kathy James to the Laconia Human Rights Committee for a one-year term expiring at

the end of March, 2019

15.B. Mayor's appointments to the Highway Safety Committee

Mayor Engler reappointed Councilor Henry Lipman, representing the medical professional field and Chad Vaillancourt, representing the Fire Department to a three-year term, expiring at the end of March, 2021 to the Highway Safety Committee.

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, Bolduc, Lipman)

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

16.C. GOVERNMENT OPERATIONS & ORDINANCES (Bownes, Bolduc, 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.D. LANDS & BUILDINGS (Hamel, Lipman, Haynes)

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

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

16.E. PUBLIC WORKS (Hamel, Bownes, Haynes)

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

17. LIAISON REPORTS

The draft of the Land Use chapter and the Vision statement were presented to the Planning Board on January 9 and the documents are available on the City's website un Planning Department/Master Plan.

Councilor Bownes stated there will be a public hearing on the Land Use Chapter and Vision Statement on March 6, 2018.

Mayor Engler stated that Councilor Lipman, Councilor Bownes, and himself are the representatives from the Council for this project. He would encourage the public to pay attention to this process. The master plan is the foundation for Zoning and changes to the Zoning Ordinance. The language is being drafted under a contract we have with Lakes Region Commission.

Councilor Bownes thanks the committee for all the hard work that is being put into this project.

18. CITIZENS REQUESTS TO COMMENT ON CURRENT AGENDA ITEMS

Charlie St. Clair expressed his concern regarding the Elm Street/Union Ave intersection and the parking spots. Expressed he feels it would be in poor judgement of the City to take away any parking spots.

Councilor Bownes would like every one to stop and think outside the box and how much congestion there is in that intersection and not just during rush hour. Councilor Bownes would like to find a resolution that

Mayor Engler would like clarification on which businesses taking away any parking spots would affect?

Tony, 744 Union Ave, Owner of Mustache Petes - expressed his concern that Lakeport needs parking and taking those spots would really affect his parking and he does not have any off street parking. There is two-hour parking but that is not enforced and that also effects my business

Dick Allen - Expressed his concern with the parking situation in Lakeport. He suggested the City should at the minimum, if they take away parking spots, they should provide municipal parking lot. The rooming house uses D. Allen's parking spots because it doesn't have there own parking spots. D. Allen suggests if the parking spots are taken away then the City should buy and demo a building to make it a municipal parking lot for the businesses. D. Allen suggests the white building on the corner across from Fratello's is an eye sore and should be demolished.

19. CITY MANAGER'S REPORT

19.A. Project Updates Report

City Manager Myers reviewed the report and reminded that tomorrow, February 27, 2018 there is a Special Election for State Representative. The polls are open from 7:00 am to 7:00 pm.

City Manager Myers discussed the Utility Evaluation and Pole Tax that has been brought to Legislation. City Manager Myers suggests the Council authorize the City Manager to contact our legislative delegation to kill the bill.

Councilor Bownes moves to authorize the City Manager to contact our legislative delegation relative to opposition of HB 1381 and to vote to kill the bill, Taxable Value of Utility Property, and support HB 324, seconded by Councilor Haynes;

Councilor Lipman moves to eliminate the specific reference to the amendment HB 324; seconded by Councilor Bownes; the ***motion passed with all in favor.***

Councilor Hamel stated that we need to let them know that we are firmly not in agreement with HB 1381 in any way.

Councilor Cheney stated that the place to deal with most of these bills would be in the Senate as the House is so big.

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

Mayor Engler questioned why the Downtown TIF last two meetings have been canceled and maybe we should look at why. City Manager Myers will look into this and let the Council know.

City Manager Myers present another bill that has been brought up; Property Tax bills that are over due HB 1673 regarding reducing the over due interest rate from 12% to 6%, has passed through the House and it is now in the Senates hands. This could cause a cash flow issue for municipalities where homeowners would be more likely to put off paying properties even longer with a lower interest late.

Councilor Hamel moves to authorize the City Manager to contact the legislative delegation regarding HB 1673 to express our reasoning behind our opposition; seconded by Councilor Cheney;

Councilor Lipman would like to invite our legislative delegation to talk with the Council,

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

Councilor Hamel suggests that someone from the City to be on-site during the Court Street construction. City Manager Myers stated there is a designated person that will be on-site during this process because of the complexity of this project. Some of the smaller projects do not necessarily have a full time designated person. Councilor Hamel also requests a time frame regarding the changing the crosswalk lights at Court Street and Main Street.

DPW Director Wes Anderson stated this is scheduled the Spring of 2019.

City Manager Myers wanted to remind the Council that these updates are not inexpensive and they need to be worked into the budget and the intersections need to be in full compliance with ADA.

Councilor Hamel would like the City to look into the crosswalk at Vista Foods with a similar solar charge light that is at the hospital. DPW Director Anderson noted that the solar charge light at LRGH is no longer federally approved. The City can run the current one for its useful life but new ones can not be added.

20. NEW BUSINESS

21. UNFINISHED BUSINESS

21.A. Resolution 2018-11 Supplemental Appropriations, in regards to the Public School Infrastructure Grants

Councilor Hamel moves to waive a second reading of Resolution 2018-11 in its entirety and to read by title only, seconded by Councilor Bownes; the *motion passed with all in favor*.

Councilor Hamel moves to accept the Supplemental Appropriation in the amount of \$440,813.00 in Unanticipated Revenue for the use of the Public School Infrastructure Grants per RSA 198:15-y III. (d)., seconded by Councilor Haynes;

Councilor Hamel would like to mention

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

21.B. Resolution 2018-12, relative Unanticipated Revenue in regards to the Native American Statue at Opechee Park

Councilor Lipman moves to waive a second reading of RES-2018-12, and to read by title only, seconded by Councilor Haynes; the *motion passed with all in favor*.

Councilor Hamel moves to accept RES-2018-12, relative to authorizing the City Manager to accept and expend unanticipated revenue in regards to the City receiving donations for use towards the restoration of the Native American Statue at Opechee Park, seconded by Councilor Haynes;

Councilor Lipman asked when this will be fixed. City Manager Myers explained that there was a test happening on the statue and we are waiting on the results of that test.

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

21.C. Improvement of Union Ave/Elm Street intersection

DPW Director Wes Anderson presented at the February 12, 2018 meeting its recommendation for improvements at the intersection on Union Avenue and Elm Street. The Council requested the public provide input on the recommendation at tonight's meeting. The road improvement project is tentatively scheduled to begin in September of 2018. DPW, in December 2017, changed the traffic signal timing to minimize traffic backups and wait times. The changes have improved wait times at the intersection. Other traffic signal timing changes and physical changes to the intersection can provide additional improvements to safety, traffic flow and wait times. The consultant team proposed three options to correct safety issues and improve traffic flow.

Option 1: Combine the separate Elm Street and Clinton Street traffic signal phases into one phase.

Option 2: Change from a shared through/left turn lane and right turn only to a shared through/left turn and a shared through right turn.

Option 3: Add a lane and change from a shared through/left turn lane and right turn only to a dedicated left turn, dedicated through and a dedicated right turn lanes.

Public works suggest City Council approve recommend improvements "Combination of Alternatives 1 and 2" for the intersection.

Councilor Bownes suggests eliminating the six parking spots and moving the sidewalk back. Also would like to see something done with the parking on the East side of the street whether it be making those spots ten-minute parking or unloading or loading only.

Councilor Hamel does not like the idea of plan B by merging two lanes into one lane. Councilor Hamel expressed this is an intersection that not a lot could be done with. Concerned with the lack of parking enforcement as well.

Mayor Engler says the City has an obligation to correct this intersection and the traffic and safety issues.

DPW Director Anderson has adjusted the timing of the lights depending on the time of day and day of week.

Chief Canfield stated he will look into the lack of parking enforcement. Most of the parking enforcement comes from the college students in the summer time.

Councilor Bownes questioned if taking the parking spots away from in front of Sunrise Towers. DPW Director Anderson stated that it would widen the road and lengthen the left turn lane.

Councilor Hamel wants the City to look into maybe purchasing one of the larger buildings in that area and turning it into a parking lot. Also asked DPW Anderson if this intersection needs to be done at this time. DPW Anderson stated no but it will prolong correcting this situation at hand.

Councilor Bownes would like to put Options 1 and 2 on the table for the March 12 meeting, but being able to not execute it. Bid the entire planning and engineering cost but have the ability to pull it if need be. This would only lose the cost of the engineering planning cost. Councilor Haynes agrees with Councilor Bownes.

Councilor Bownes moves to table this item to the March 12, 2018 meeting to Unfinished business, seconded by Councilor Cheney; the ***motion passed with all in favor.***

21.D. **Resolutions 2018-02 through 2018-10, Authorization to allow the City Manager to accept and expend multiple grants on behalf of the Laconia School District in regards to the Public School Infrastructure Proposals relative to NH RSA 198:15-y III. (d).**

Councilor Bownes moves to waive a second reading of RES-2018-02 in its entirety and to read by title only, seconded by Councilor Cheney; ***the motion passed with all in favor.***

Councilor Lipman moves to approve the authorization to allow the City Manager to accept and expend \$110,119.00, RES-2018-02, Surveillance for the Public School Infrastructure Grant per RSA 198:15-y III. (d)., seconded by Councilor Cheney; the ***motion passed with all in favor.***

Councilor Hamel moves to waive a second reading of RES-2018-03 in its entirety and to read by title only, seconded by Councilor Haynes; the ***motion passed with all in favor.***

Councilor Haynes moves to approve the authorization to allow the City Manager to accept and expend \$11,443.00, RES-2018-03, Two-Way Radios, for the Public School Infrastructure Grant per RSA 198:15-y III. (d)., seconded by Councilor Hamel; the ***motion passed with all in favor.***

Councilor Cheney moves to waive a second reading of RES-2018-04 in its entirety and to read by title only, seconded by Councilor Bownes; the ***motion passed with all in favor.***

Councilor Hamel moves to approve the authorization to allow the City Manager to accept and expend \$10,909.00, RES-2018-04, S2 Upgrades for the Public School Infrastructure Grant per RSA 198:15-y III. (d)., seconded by Councilor Haynes; the ***motion passed with all in favor.***

Councilor Bownes moves to waive a second reading of RES-2018-05, seconded by Councilor Cheney; the ***motion passed with all in favor.***

Councilor Lipman moves to approve the authorization to allow the City Manager to accept and expend \$14,985.00, RES-2018-05, Hardware Control System for the Public School Infrastructure Grant per RSA 198:15-y III. (d)., seconded by Councilor Cheney; the ***motion passed with all in favor.***

Councilor Haynes moves to waive a second reading of RES-2018-06, seconded by Councilor Hamel; the ***motion passed with all in favor.***

Councilor Cheney moves to approve the authorization to allow the City Manager to accept and expend

\$18,556.00, RES-2018-06, Security Glass Film for the Public School Infrastructure Grant per RSA 198:15-y III. (d)., seconded by Councilor Bownes; the ***motion passed with all in favor.***

Councilor Haynes moves to waive a second reading of RES-2018-07 seconded by Councilor Bownes; the ***motion passed with all in favor.***

Councilor Bownes moves to approve the authorization to allow the City Manager to accept and expend \$171,222.00, RES-2018-07, Door Hardware for the Public School Infrastructure Grant per RSA 198:15-y III. (d)., seconded by Councilor Lipman; the ***motion passed with all in favor.***

Councilor Cheney moves to waive a second reading of RES-2018-08 seconded by Councilor Lipman; the ***motion passed with all in favor.***

Councilor Lipman moves to approve the authorization to allow the City Manager to accept and expend \$13,792.00, RES-2018-08, Panic Buttons for the Public School Infrastructure Grant per RSA 198:15-y II. (d)., seconded by Councilor Cheney; the ***motion passed with all in favor.***

Councilor Haynes moves to waive a second reading of RES-2018-09 seconded by Councilor Hamel; the ***motion passed with all in favor.***

Councilor Hamel moves to approve the authorization to allow the City Manager to accept and expend \$54,932.00, RES-2018-09, LAS Cameras for the Public School Infrastructure Grant per RSA 198:15-y II. (d)., seconded by Councilor Haynes; the ***motion passed with all in favor.***

Councilor Hamel moves to waive a second reading of RES-2018-10, seconded by Councilor Cheney; the ***motion passed with all in favor.***

Councilor Lipman moves to approve the authorization to allow the City Manager to accept and expend \$34,855.00, RES-2018-10, LMS Cameras for the Public School Infrastructure Grant per RSA 198:15-y III. (d)., seconded by Councilor Bownes; the ***motion passed with all in favor.***

22. **COUNCIL COMMENTS**

Councilor Bownes would like to know how the County Budget will impact the City.

23. **FUTURE AGENDA ITEMS**

- 23.A. **Ordinance amendment relative to Chapter 167, Noise and Chapter 161, Licensing as it pertains to outdoor sound equipment and loudspeakers**
- 23.B. **Second reading of a resolution relative to the adoption of RSA 31:95-b, Appropriation of funds made available during the year**
- 23.C. **Master Plan**
- 23.D. **Milfoil Treatment funding requests**
- 23.E. **Sewer & Water Master Plan**
- 23.F. **Single Stream Recycling/Concord Co-op/Solid Waste disposal cost reductions**
- 23.G. **Strategic Planning/Goal Setting**
- 23.H. **WOW Trail**
- 23.I. **Proposal to implement City Policies for designating emergency lanes**
- 23.J. **Resolution 2017-30 relative to authorizing the City Manager to apply to the State of NH DOT for a temporary use agreement in the City's name that will allow for the completion of a study concerning the different options and benefits of how to build Phase 3 of the WOW Trail and to sign all necessary documents**

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

25. **ADJOURNMENT**

Councilor Lipman moves to go into non-public meeting at , seconded by Councilor Hamel; the ***motion passed with all in favor.***

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

Not present: Armand Bolduc

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

Councilor Hamel moved to seal the non-public minutes for one year, seconded by Councilor Bownes, the ***motion passed with all in favor.***

Councilor Lipman moves to exit non-public meeting at 9:51 pm, seconded by Councilor Cheney, the ***motion passed with all in favor.***

With no further business to come before the Council and without objection, Mayor Engler closed the meeting at 9:53 pm.

Respectfully Submitted

Cheryl Hebert, City Clerk

Minutes of this meeting were approved on March 12 2018