

# CITY OF LACONIA - CITY COUNCIL MEETING

April 9, 2018

7:00 P.M.

4/9/2018 - Minutes

## 1. CALL TO ORDER

Prior to the meeting coming to an official start, the Council, Mayor, Staff, and Clerk rested a white rose on former Councilor Bolduc's seat and then held a moment of silence.

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

## 2. SALUTE TO THE FLAG

Councilor Bownes 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, Henry Lipman, Mark Haynes, and Bob Hamel.

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

## 5. STAFF IN ATTENDANCE

City Manager Scott Myers, Finance Director Donna Woodaman

## 6. COUNCIL PROCLAMATION

## 7. PRESENTATIONS

### 7.A. Sanitary Sewer Expansion Presentation

Assistant DPW Director Krista Larsen presented a PowerPoint presentation regarding the Sanitary Sewer Expansion. A copy of the PowerPoint was distributed to the Council and is an official attachment to the minutes. The purpose of this presentation is to seek guidance from the Council in regards to the expansion of the sewer system and how it would be funded. Initial costs will be funded with a bond by either rate payers or a betterment program. Expansion of the sanitary sewer system is based on proximity to a water body, population density, and development potential and commercial growth.

DPW is looking for an answer by May 14, 2018.

Councilor Lipman feels there needs to be some harmonizing between what DPW is looking at and what the Land Use Chapter is looking at.

Councilor Bownes stated that the Land Use Chapter is looking to be adopted at the next meeting. The zoning areas would need to be looked into regarding these types of projects.

Mayor Engler questioned how many have their own water system. DPW Assistant Director Krista Larsen was unsure but did state that Water has their own policies.

Councilor Hamel questioned if the residents will be asked. Krista stated the ordinance states if a resident is within 250 feet of a sewer line they are required to tie into the system and from the road to the residence is the property owners responsibility.

City Manager Myers said that appropriate parties will be brought together for more discussion on this topic and bring it back to the Council at a further date.

Mayor Engler asked for the master plan regarding this sewer expansion project? Is it the goal of the City to have

everyone tied into the sewer?

City Manager Myers stated the focus here is updating the outdated, protecting our waters, and long term protection. The City has not as of yet asked for public info on this topic. Councilor Hamel inquired about surcharges on the sewer rate. City Manager Myers stated that some people have been reached out to and the law has been looked at to what or how it could be charged. Councilor Hamel feels this isn't something that could be decided on right away.

## 8. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

### 8.A. Regular meeting minutes of March 26, 2018

The regular meeting minutes of the March 26, 2018 meeting were distributed to the Council on Thursday, March 29, 2018. With no corrections or changes submitted to the clerk, the minutes will be accepted as distributed.

## 9. CONSENT & ACTION ITEMS

### 9.A. Temporary Traffic Order 2018-1, Laconia Little League Parade

Councilor Hamel moves to approve Temporary Traffic Order 2018-1, Laconia Little League Parade, to be held on April 21, 2018 from 7:30 a.m. to 9:30 a.m., seconded by Councilor Haynes; the *motion passed with all in favor.*

### 9.B. Request by the Laconia Little League for fundraising on City park property

Councilor Cheney moves to approve the request by the Laconia Little League for fundraising on City Park property from April 15, 2018 to July 31, 2018 at the Colby Field concession stand, seconded by Councilor Haynes; *the motion passed with all in favor.*

### 9.C. Request for the City to rent a portion of Lakeside Avenue, identified as parking spaces 303, 305 and 307, to AARP for \$2,000, plus the permit fee, with the proceeds going to the City during Laconia Motorcycle Week 2018

Councilor Bownes moves to grant the request for the City to rent a portion of Lakeside Avenue (identified as parking spaces 303, 305, and 307) to AARP during Laconia Motorcycle Week 2018 for \$2,000.00 plus the permit fee, with the proceeds going to the City, pending approval by the Special Events Review Committee, seconded by Councilor Cheney; the *motion passed with all in favor.*

### 9.D. Request from Laconia Motorcycle Week Association to waive fees for a Bike Show and Swap Meet to be held Friday, June 15, 2018 from 7 am to 3 pm at Opechee Park

Councilor Hamel moves to approve the request from Laconia Motorcycle Week Association to waive vendor and all other fees in connection with the Bike Show and Swap Meet to be held at Opechee Park on Friday, June 15, 2018 from 7 a.m. to 3 p.m., pending approval by the Parks and Recreation Commission, with all proceeds from the event going to the City of Laconia Motorcycle Week Budget, seconded by Councilor Haynes; the *motion passed with all in favor.*

### 9.E. Temporary Traffic Order 2018-2, Penny Pitou Blood Drive

Councilor Hamel moves to approve Temporary Traffic Order 2018-2, Penny Pitou Blood Drive, to be held on April 18, 2018 from 11 a.m. to 4 p.m., seconded by Councilor Bownes; the *motion passed with all in favor.*

### 9.F. Request by the American Cancer Society - Making Strides for Breast Cancer for fundraising on City park property

Councilor Haynes moves to approve the request by the American Cancer Society, Making Strides for Breast Cancer for fundraising on October 21, 2018 at Opechee park, seconded by Councilor Hamel; the *motion passed with all in favor.*

### 9.G. Request by the Evangelical Baptist Church for fundraising on City park property

Councilor Lipman moves to approve the request by the Evangelical Baptist Church for fundraising on City park property from June 24, 2018 to June 30, 2018 at Leavitt Park, seconded by Councilor Haynes; the *motion passed with all in favor.*

## 10. CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA

No comments from the public were made.

## 11. INTERVIEWS

11.A. **Ava Doyle - Seeking appointment to a regular member position on the Weirs TIF District Advisory Board for a three-year term expiring at the end of June, 2021**

Ava Doyle was interviewed.

11.B. **Claudia Marchesseault - Seeking appointment to a regular member position on the Planning Board for a three year term expiring at the end of June, 2021**

Claudia Marchesseault was interviewed.

11.C. **Dennis Peterson - Seeking appointment to a regular member position on the Planning Board for a three year term expiring at the end of June, 2021**

Dennis Peterson has withdrawn his application to serve on the Planning Board as he was appalled with the direction the City is going with in regards to growth and expansion.

11.D. **Peter Brunette - Seeking appointment to a regular member position on the Planning Board for a three year term expiring at the end of June, 2021**

Peter Brunette was interviewed.

12. **NOMINATIONS, APPOINTMENTS & ELECTIONS**

13. **COMMUNICATIONS**

14. **PUBLIC HEARINGS**

15. **MAYOR'S REPORT**

Mayor Engler spoke in detail of Former Councilor Armand Bolduc's 34 years of service. He was first elected on November 8, 1977 and took office as Ward 3 Councilor in January of 1978 where he served for nine years. In the 1990's he moved to Ward 6. Councilor Bolduc served on 18 out of the 21 different Laconia City Councils, nine Mayors, four City Managers, and 53 different City Councilors all over his 34 years with the City of Laconia. Mayor Engler spoke of his years spreading joy to the children at Christmas Village with his brother Ernie. He was stubborn, respectful and a great friend to all! Councilor Bolduc had a tremendous work ethic in everything he did.

Mayor Engler's message to Armand's family is we will never forget him, we will always cherish and love Armand.

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 (Bolduc, Bownes, 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**

Former Councilor Baer spoke in regards to Councilor Armand Bolduc remembering his many dedicated years of service not only to his Ward but to the entire City whether it was through the Council or Christmas Village.

19. **CITY MANAGER'S REPORT**

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

City Manager Myers reviewed the report.

Councilor Hamel mentioned that when the Lakes Region Mental Health Center moved across the street from City Hall, a cut into Hanover Street was made and wondered when and who will be fixing that.

City Manager Myers will check into that but does believe it was Eversource work that made the cut and that Eversource still has more work to do with their upgrades.

20. **NEW BUSINESS**

20.A. **City Council election of Mayor Pro Tem**

Councilor Lipman moves to appoint Councilor Hamel as Mayor Pro Tem, seconded by Councilor Haynes; with four (4) votes in the affirmative, one (1) abstention (Hamel), the ***motion passed with a 4-0-1 in favor vote.***

20.B. **Driveway Cut Policy**

Councilor Bownes explained the reasoning for the Driveway Cut Policy. City Manager Myers did state that anything existing would be grandfathered. Parking spots are not being limited, the width is being limited.

Councilor Lipman would like to leave this open for one more meeting to see if there is any public input to this policy.

Councilor Lipman moves to table this item until the April 23, 2018 under Unfinished Business, seconded by Councilor Bownes; ***the motion passed with all in favor.***

20.C. **Request to enter into a lease with NH DOT for a transformer pad on Lakeside Avenue**

City Manager Myers explained the lease with NH DOT to the Council.

Councilor Lipman moves that we authorize the City Manager to sign a five year lease with the State of New Hampshire for use of the land in the railroad right of way that is occupied by Eversource's electrical transformer, seconded by Councilor Hamel; the ***motion passed with all in favor.***

20.D. **First Reading of Resolution RES-2018-14 relative to authorizing the City Manager to accept and expend a donation on behalf of the City in the amount of \$100,000.00 for the Lezama Family Happy Tails Dog Park and request to schedule a second reading and Public Hearing on April 23, 2018 during the regular City Council meeting**

Councilor Hamel moves to waive the reading of this Resolution 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 first reading of Resolution RES-2018-14 relative to authorizing the City

Manager to accept and expend a donation on behalf of the City in the amount of \$100,000.00 for the Lezama Family Happy Tails Dog Park and request to schedule a second reading and Public Hearing on April 23, 2018 during the regular City Council meeting, seconded by Councilor Haynes; the ***motion passed with all in favor.***

**20.E. First Reading of Resolution RES-2018-13 relative to authorizing the City Manager to accept and expend a grant on behalf of the City in the amount of \$10,000.00 for the Department of Environmental Services Herbicide Treatment and Exotic Species Program Aquatic Plant Control Project and request to schedule a public hearing on April 23, 2018 during the regular City Council meeting.**

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

Councilor Bownes moves to approve a first reading of Resolution RES-2018-13 relative to authorizing the City Manager to accept and expend a grant on behalf of the City in the amount of \$10,000.00 for the Department of Environmental Services Exotic Species Program Aquatic Plant Control Project and request to schedule a Public Hearing on April 23, 2018 during the regular City Council meeting, seconded by Councilor Lipman; the ***motion passed with all in favor.***

**20.F. Request from Chelsey Guselli and Sean Dorgan to extend hours in the Licensing Ordinance for a wedding/reception at the Margate Resort on May 26, 2019**

Councilor Hamel moves to extend the hours for use of an outdoor loudspeaker on May 26, 2019 from 9:00 p.m. as outlined in Section 161-4, B of the City Ordinances to 10:00 p.m. for a wedding and reception at the Margate Resort, seconded by Councilor Lipman; the ***motion passed with all in favor.***

**20.G. Request for approval of a hill climb on Tower Street to be held Tuesday, June 12, 2018 from 11 am to 1 pm in connection with Laconia Motorcycle Week 2018**

Representative Charlie St. Clair explained the hill climb. This is going to be run by Bob Coy, twenty riders lined up, with older machines, and will be decided by fastest time. Everything would be contained on Tower Street. Al Mitchell is allowing the use of his property adjacent to Tower Street to park the riders' trailers. Rep. St. Clair is aware that DPW and LPD will need to be involved with the planning of this project.

Councilor Lipman inquired about any additional costs the City may accrue due to this event. Rep. St. Clair stated the logistics are still being worked out and will get back to the Council with that information.

Councilor Hamel asked if the barriers will be along the entire length of the street? Rep. St. Clair said the event will be covered under insurance placing the City on the policy and that barriers will be placed in front of private properties.

Rep. St. Clair stated that Bob Coy will be requesting an ambulance during the time of the event and it will be at his expense.

Mayor Engler questioned how the property owners on Tower Street felt about this. Mayor Engler noted for the record that amateur's will not be able to run this hill. This is a sanctioned AMA event. Rep. St. Clair has for the most part heard positive remarks from most of the property owners in that area.

Councilor Cheney moves to approve the request from Laconia Motorcycle Week Association to hold a hill climb on Tower Street on Tuesday, June 12, 2018 from 11 a.m. to 1 p.m. in connection with Laconia Motorcycle Week 2018, pending approval by the Special Events Review Committee, seconded by Councilor Hamel;

Councilor Hamel would like to hear from the Special Events Committee before making a decision.

Councilor Lipman would like to see the costs involved with this event.

Rep. St. Clair is willing to deal with any added costs (meaning Bob Coy and the Laconia Motorcycle Association).

Mayor Engler called the question;

Councilor Lipman amended Councilor Cheney's motion with Councilor Cheney in agreement to the amendment.

Councilor Lipman moves to approve the request from Laconia Motorcycle Week Association to hold a hill climb on Tower Street on Tuesday, June 12, 2018 from 11 a.m. to 1 p.m. in connection with Laconia Motorcycle Week 2018, as well as a signed agreement between the City and Laconia Motorcycle Week Association, including liability insurance, seconded by Council Hamel; the ***motion passed with all in favor.***

**20.H. Request for approval of a stunt jump to be held on Lakeside Avenue on Monday, June 11, 2018 in connection with Laconia Motorcycle Week 2018**

Representative Charlie St. Clair explained the details of the event. The event would start at the first bump out coming from the Weirs Beach sign down Lakeside and end at about the second bump out. Professional stunt jumper, Cole Freeman is the one that would be performing this jump. The right side of the road would be where the jump would be located. Fire Chief Erickson suggests a fence be put up along the double yellow line. This event will be done and taken down by 4:00 p.m. There would not be any practice jumps prior to the start of the event and only one jump would be taking place.

Councilor Lipman again states his concern with the City being protected regarding costs.

Councilor Lipman moves to grant the request from Laconia Motorcycle Week Association to hold a stunt jump on Lakeside Avenue on Monday, June 11, 2018 in connection with Laconia Motorcycle Week 2018, pending approval by the Special Events Review Committee, a written contractual agreement with the City of Laconia, plus proof of liability insurance, with the area being free and clear no later than 4:00 p.m., seconded by Councilor Bownes; the ***motion passed with all in favor.***

**21. UNFINISHED BUSINESS**

**22. COUNCIL COMMENTS**

Councilor Hamel extends his thank you to the Laconia Police Department in regards to Councilor Bolduc's funeral and their participation with the officers being there on a voluntary basis.

Councilor Cheney would like to have a briefing in regards to the building in Lakeport (Lakeport Fire Station) and Blizzard Inc. Councilor Cheney does not feel the City should be approving any permits in regards to the Lakeport Fire Station until Ms. Blizzard upholds her agreement with the City to vacate the property in which she is currently located.

City Manager Myers explained that other City departments were concerned regarding permits being requested for the demolition of this building.

Due to the time, Mayor Engler asks for a motion to extend the hours of the Council Meeting.

Councilor Hamel moves to extend the Council Meeting until 10:15 p.m., seconded by Councilor Cheney, the ***motion passed with all in favor.***

Mayor Engler would like to know the direction the Council would like to go in in regards to this situation. Council agrees with Councilor Cheney's statement in regards to the demolition permits being denied until Blizzard Inc. upheld the original agreement with the City in regards to vacating the property in which they are in currently.

Mayor Engler discussed the vacancy of the Ward 6 Councilor seat. If anyone is interested in becoming Ward six Councilor for the remainder of the term, they can fill out an application that is available in the City Managers office. Applications are being accepted until April 20th, 2018 with interviews being conducted on April 23rd either at 6:00 p.m. or 6:30 p.m. depending on the number of applicants, and the candidate being chosen on April 30th. All applications are public knowledge, and the applicant must live in Ward 6, and a be registered voter.

**23. FUTURE AGENDA ITEMS**

**23.A. Improvement of Union Ave/Elm Street intersection**

**23.B. Ordinance amendment relative to Chapter 167, Noise and Chapter 161, Licensing as it pertains to outdoor sound equipment and loudspeakers**

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

- 23.D. **Master Plan**
  - 23.E. **Milfoil Treatment funding requests**
  - 23.F. **Sewer & Water Master Plan**
  - 23.G. **Single Stream Recycling/Concord Co-op/Solid Waste disposal cost reductions**
  - 23.H. **Strategic Planning/Goal Setting**
  - 23.I. **WOW Trail**
  - 23.J. **Proposal to implement City Policies for designating emergency lanes**
  - 23.K. **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**

With no further business to come before the Council and with no objection the Mayor adjourned the meeting at 10:08 p.m.

Respectfully Submitted,

Cheryl Hebert, City Clerk

These minutes were approved by Council on April 23, 2018