

Minutes of this meeting were approved by City Council on April 25, 2022.

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

4/11/2022 - Minutes

1. CALL TO ORDER

Mayor Hosmer called the meeting to order at 7:01pm

2. SALUTE TO THE FLAG

Councilor Haynes led the Salute to the Flag

3. RECORDING SECRETARY

Katie Gargano, City Clerk

4. ROLL CALL

City Clerk Gargano called the roll Councilor Cheney, Councilor Soucy, Councilor Lipman, Councilor Haynes, Councilor Hamel, Councilor Felch

The Mayor stated that all six councilors were present, and a quorum was established

5. STAFF IN ATTENDANCE

Scott Myers, City Manager; Glenn Smith, Finance Director/ Zoom Coordinator

6. COUNCIL PROCLAMATION

7. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

7.A. Regular meeting minutes of March 28, 2022

Minutes of the meeting of March 28, 2022 were distributed to the City Council on April 4, 2022.

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

No one in person or online wished to speak.

10. INTERVIEWS

11. NOMINATIONS, APPOINTMENTS & ELECTIONS

12. COMMUNICATIONS

13. PUBLIC HEARINGS

14. PRESENTATIONS

14.A. FY 2023 Budget Presentation

City Manager Myers presented the proposed fiscal year 2023 budget to the Council. The presentation is available on our website to view in its entirety. The budget presented is within the tax cap, the budget is an overall increase of 4%.

Mayor Hosmer thanked Manager Myers for all his time and effort with the budget over the years. And his team for all their hard work into the budget as well.

Councilor Hamel thanked Manager Myers for consistently giving them tax cap budgets over the past 11 years. He is happy to see the capital line for our roads has risen. When he became a Councilor 17 years ago, he remembers it being around \$500,000 for all our roads and over time it has been brought up to \$1.5 million dollars. He thinks that all the Manager's staff has helped keep the City in good financial standing over the years, and he thanked them all.

Manager Myers confirmed it has definitely been a team effort.

Councilor Lipman mentioned maybe at the next Council meeting they can look at some of their reserve accounts.

Manager Myers said that those numbers are in tonight's financial trends report that will be presented under the City Manager's Update on the agenda.

Councilor Cheney wanted to point out primarily in the Manager's budget work and in most of his work, he has been able to do so over the years without developing animosity and he commends Manager Myers.

15. MAYOR'S REPORT

16. COUNCIL COMMENTS

17. COMMITTEE REPORTS

Items will be discussed as needed. Not all items will be brought before the full Council at this evening's meeting.

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)**

Councilor Soucy told the Council that the Appointments Committee met with a number of people, for many positions throughout the City. He felt it was a great experience. It was more laid back for the applicants and it allowed the board to learn more about the applicants and even gave them a chance to find some people who held specific credentials that were needed on another board. They were able to ask those applicants if they'd be willing to help on those boards as well and it will be very helpful to the City going forward.

17.F.i. Recommendation for appointments to Boards and Commissions

The Appointments Subcommittee met on February 28, 2022 and interviewed several candidates for appointment or reappointment to the City's Boards and Commissions. The Appointments Subcommittee strongly recommends the appointment of the following individuals for the terms shown:

Lois Kessin – Reappointment as a regular member of the Heritage Commission to a term expiring at the end of March, 2025.

David Stamps – Reappointment as a public member of the Highway Safety Commission to a term expiring at the end of March, 2025.

Arthur Kirk – Reappointment as a regular member of the Parks and Recreation Commission to a term expiring at the end of March, 2025.

Margaret Selig – Reappointment as a regular member of the Trustees of the Trust Funds to a

term expiring at the end of March, 2025.

Rodney Roy – Reappointment as a regular member of the Parks and Recreation Commission to a term expiring at the end of March, 2025.

Robert Durfee – Reappointment as a regular member of the Building Code Board of Appeals as a registered engineer to a term expiring at the end of March, 2027.

Marjory Wilkinson – Appointment as a regular member of the Heritage Commission to a term expiring at the end of March, 2025.

Richard Boddie – Appointment as an alternate on the Zoning Board of Adjustment to a term expiring at the end of August, 2025; and appointment as a regular member of the Building Code Board of Appeals as a registered electrician to a term expiring at the end of March, 2027.

Bruce Kneuer – Reappointment as an alternate member of the Library Board of Trustees to a term expiring at the end of March, 2023.

John Moriarty – Reappointment as a regular member of the Library Board of Trustees to a term expiring at the end of March, 2025.

Louis Joseph – Appointment as an alternate member of the Planning Board to a position expiring at the end of June, 2025.

Councilor Soucy moved that the City Council approves the appointment or reappointment of candidates to the City's Boards and Commissions as presented and recommended by the Appointments Subcommittee, seconded by Councilor Felch.

Discussion- Councilor Soucy thanked Mrs. Brown from the City Manager's Office for helping gather everything all together and help facilitate the meetings. He wanted to thank the Council for approval of the creation of this Committee. He thinks this is beneficial to the City. He also stated there will be an article going to the newspaper updating all the seats that are still open and inviting the public to join them to participate.

Manager Myers commented that he agrees that the Appointments Committee has worked out really well. He sat in on the organizational meeting and he has asked Nancy Brown to continue to be the staff liaison for the Appointments Committee, and she has agreed. He also spoke about the process since this is the first time the Appointments Committee has brought forward appointees as a slate. Manager Myers suggested that once the motion has been made and there is a second that they treat it like a consent calendar item. That way if there were any Councilors who wanted to pull out one name for a separate discussion or vote then they could still vote on remainder of the appointees in the motion as a consent item. Then they could separately address the appointee they separated out of the original motion.

Mayor Hosmer concurred with Manager Myers that the process sounded like a good idea. He thanked Councilor Soucy because this committee was his idea, and he thanked him for taking the lead on it. He agrees the separate interview process is more thorough than having them come before the full Council during a regular meeting.

Councilor Haynes added that it was a very relaxed atmosphere, and he thinks the applicants were very comfortable, it wasn't like a formal interview it was more like a good discussion. He also agreed that they learned a lot that they didn't know.

The *motion passed with all in favor.*

18. LIAISON REPORTS

19. CITIZENS REQUESTS TO COMMENT ON CURRENT AGENDA ITEMS

No one in person or online wished to speak.

20. CITY MANAGER'S REPORT

20.A. Financial and Operational Trends Report

Manager Myers presented the April Financial and Operational Trends Report to the Council.

After going through the report, he noted that Chief Canfield lifted the winter parking ban last week; typically it is effect until May 1st of each year.

Referring to the winter maintenance budget, Mayor Hosmer asked Manager Myers for the budget amount compared to what we have for a balance. If that money is not being spent, how does he handle it?

Manager Myers stated that there are a couple of things to look at here, there is one account labeled winter maintenance that is for supplies like salt, sand, plow blade replacement parts, and other maintenance items. Then they have the outside contractors account which is for true contractors that they estimate how many times will cover various parking lots for the City over the winter season. The last account is the winter maintenance overtime account which again is an estimate of the overall public works overtime that is used for the winter storms. Some lines are over, some have extra and in the end there maybe a small surplus. They will give the option to allow the department to buy extra maintenance equipment with the extra funds. That will be up to the Director of Public Works. The excess funds help stock the shelves, or it could flow into streets or flow into fund balance, but it is not anticipated to be a large sum of money.

Councilor Soucy asked if the excess money could also go into the winter maintenance reserve account?

Manager Myers said yes, that is an option as well, but due to the amount it would typically flow into fund balance.

Councilor Hamel asked if the net gain in construction value from building permit reports will drastically affect our budget next year if it happened to go in half.

Manager Myers told Councilor Hamel that the tax cap is two components- one is what the growth of inflation is and then the other is the new construction value. If you don't capture that new value over a period of 10 years and then think of the new neighborhoods that have popped up that the City is now plowing, paving and picking up trash on, etc. then the Cities cost incrementally rises. How it works is the new building value gets added to the City's existing assessment and then gets divided out to see how much can be raised by taxes by your assessment, it helps raise that up a little bit. The real growth comes from your inflation number; the assessment number helps keep the pace of the growth in the City that they now may be maintaining. When the budget is set this year, it raises the threshold of the starting budget for next year and your increases are based off what gets adopted this year. Any union contracts or other obligations are already built into the starting line for next year's budget. We won't be starting with a deficit.

Councilor Hamel also asked about some departments going 100% over their overtime budgets and he wanted to know where that money is coming from.

Manager Myers told him that the report is a little deceiving because most of those costs are being reimbursed through various billings for police details, and that our first responders helped administer vaccines. They all get paid through the payroll system and this reflects the total. He did note that overtime is up, but it could be due to covid, quarantining, and general shift coverage from employees

not using much of their earned time over the past two years and they are now using it.

Manager Myers lastly spoke about two appointments that were made; there are two Personnel Advisory Board members that appoint the third member on their own. They appointed Kellie McEvoy, who has a strong human resources background. The second person appointed is Jim Rice, who is the assessor in Durham; he lives in Laconia and is currently serving as an alternate on our Board of Assessors. There is an opening for a full member seat that he will be filling for the remainder of the term and then he'll be back before the Council next year to be re-appointed for a full three-year term.

21. NEW BUSINESS

21.A. Collective bargaining agreement with the Laconia Education Association (LEA)

The City Council met in a non-meeting earlier this evening to review the collective bargaining agreement with the Laconia Education Association (LEA). Under State law, the SAU needs to notify the teachers if they are being rehired for the next school year by April 15th, so a vote on the agreement is being requested at this time. The first year of the contract covering 188 members is anticipated to be \$555,422.

Councilor Soucy moved to approve the collective bargaining agreement with the Laconia Education Association (LEA) covering 188 members at an anticipated cost of \$555,422, as presented seconded by Councilor Haynes. **Discussion-** Councilor Lipman asked Mayor Hosmer to please explain the limits to the public about the agreement. Mayor Hosmer stated that they are not at liberty to discuss the details of the agreement. They can only speak of the dollar number. The School Board Chair and the Superintendent were present in the audience and were invited to come up and speak about the contract once it is voted on. Manager Myers confirmed that the agreement has already been ratified by the School Board and the Laconia Education Association, so as soon as it is voted on, it can be discussed. The ***motion passed with all in favor.***

Mayor Hosmer invited School Board Chairman Hayward, Superintendent Tucker, and Tara Columb of the LEA to the podium to speak about the agreement: Chairman Hayward started out with thanking the City Council for their support to get to this point. The agreement includes an employer contributed dental plan, it is a three-year contract, employee sick bank, and an additional health benefit for employees with 30 years of service or more. They are incredibly proud of the teachers and staff and all the work they have done for our City and our students. They feel that this is huge win for the school, and they are all incredibly thankful for the City's support. Superintendent Tucker and Ms. Columb also thanked the City Council.

21.B. First reading of a petition to layout a Class V Highway - Cottonwood Avenue cul-de-sac, and to schedule a public hearing for May 23, 2022

The City has received a request to layout a Class V Road at the end of Cottonwood Avenue. The petition is attached. The City will be noticing a June 13, 2022 public hearing and will be scheduling a site visit to the property as well.

Councilor Cheney made a motion to waive a reading of this petition in its entirety and to read by title only. Seconded by Councilor Haynes. The ***motion passed with all in favor.***

Councilor Felch made a motion to move a first reading of a petition to layout a Class V Highway – Cottonwood Avenue cul-de-sac. Seconded by Councilor Hamel. The ***motion passed with all in favor.***

Councilor Felch made a motion to schedule a Public Hearing on June 13, 2022, during the regular City Council meeting to gather input prior to any action being taken seconded by Councilor Soucy. The ***motion passed with all in favor.***

21.C. **Request authorization to use \$18,000 in impact fee revenues to partially offset costs of Self Contained Breathing Apparatus**

Recently the Laconia Fire Department replaced its aging SCBA units at a cost of \$296,165.00. Funds are available within the department's impact fee allocations to partially offset this expense. The department is requesting use of these funds.

Approval of this request will reduce the amount to be paid from general fund revenues by \$18,000. It will also reduce the impact fees available for Fire Department expenses by \$18,000, leaving a balance of \$1,169.87.

Councilor Cheney made a motion to move that the City Council authorizes the use of \$18,000 in impact fee revenues to partially offset costs of Self Contained Breathing Apparatus. Seconded by Councilor Haynes. The ***motion passed with all in favor.***

21.D. **First reading of Ordinance 2022-221 to amend City Code Chapter 221, Vehicles and Traffic, regarding increasing the parking fees on Lakeside Avenue and at Endicott Rock Park, and to schedule a Public Hearing for April 25, 2022**

The cost of operating and servicing the parking kiosks has increased since they were installed in 2017. The parking fees since the kiosks were installed have been \$1 per hour on Lakeside Avenue and \$2 per hour for Endicott Rock Park. Public Works recommends that the fees be increased to: \$1.25/hour on Lakeside Avenue \$2.50/hour at Endicott Rock Park. This is the first increase in five years.

The agenda item included a table that compared our proposed fees against several municipal fees in the State.

All Lakeside Avenue parking revenue goes to the General Fund. The first \$25,000 of the revenue from Endicott Rock Park goes to the General Fund; the remainder goes to an account for beach improvements/refurbishments. We recommend increasing the amount of Endicott Rock Parking that goes to the General Fund to \$30,000. The parking fee collection period begins on the Saturday before Memorial Day which is May 28th this year. Fiscal Impact: Public Works estimates that the increase of fees on Lakeside Avenue and Endicott Rock Park will raise approximately \$35,000 additional for the General Fund and approximately \$5,000 for the beach refurbishment account.

Councilor Cheney made a motion to waive a reading of this Ordinance in its entirety and to read by title only, seconded by Councilor Haynes. The ***motion passed with all in favor.***

Councilor Haynes made a motion to move a first reading of Ordinance 2022 – 221. seconded by Councilor Cheney. The ***motion passed with all in favor.***

Councilor Haynes made a motion to schedule a Public Hearing on April 25, 2022, during the regular City Council meeting to gather input prior to any action being taken. Seconded by Councilor Hamel **Discussion-** Councilor Felch questioned the way the fees were described in the report. \$30,000 vs. \$35,000. Manager Myers described the increase in the fees would raise approximately \$35,000 with \$30,000 going to the general fund and \$5,000 going to the beach reimbursement account. Councilor Felch asked if it was all beaches in Laconia or just Weirs Beach? Manager Myers confirmed all money raised at Weirs Beach stays at Weirs Beach. The ***motion passed with all in favor.***

21.E. **First reading of Resolution 2022-05 relative to submitting a grant application to, and accepting grant funding from, the American Rescue Plan Act of 2021 (ARPA) for the Northern Lakeport Area Sewer replacement project**

The American Rescue Plan Act of 2021 ("ARPA") provides \$350 billion in additional funding for state and local governments. The New Hampshire Department of Environmental Services is making ARPA

funds available to infrastructure projects identified on their 2021 Clean Water State Revolving Fund (CWSRF) Project Priority List (PPL). The Northern Lakeport Area Sewer replacement project is listed as project 77 on the Project Priority List and is scheduled to receive a 30% ARPA Grant in the amount of \$747,600.

The Northern Lakeport Area Sewer replacement project is currently in final design and has an estimated project cost of \$2.5M. The funding for this project will be a loan from the Clean Water State Revolving Loan Fund (CWSRF). The ARPA grant will reduce the loan amount by \$747,600.

The outcome of the City Council voting on this tonight authorizes Public Works to submit an application to the 2021 American Rescue Plan grant program for the Northern Lakeport Area Sewer replacement project.

Councilor Cheney made a motion to waive a reading of Resolution 2022-05 in its entirety and to read by title only. Seconded by Councilor Soucy. The ***motion passed with all in favor.***

Councilor Felch made a motion to move a first reading of Resolution 2022-05, relative to submitting a grant application to, and accepting grant funding from, the American Rescue Plan Act of 2021 (ARPA) for the Northern Lakeport Area Sewer replacement project. Seconded by Councilor Haynes. The ***motion passed with all in favor.***

Councilor Felch made a motion to schedule a public hearing on April 25, 2022 during the regular City Council meeting to gather public input prior to any action being taken. seconded by Councilor Soucy. The ***motion passed with all in favor.***

21.F. **First reading of Resolution 2022-06 relative to submitting a grant application to, and accepting grant funding from, the American Rescue Plan Act of 2021 (ARPA) for Wastewater Planning**

The American Rescue Plan Act of 2021 ("ARPA") provides \$350 billion in additional funding for state and local governments. The New Hampshire Department of Environmental Services is making ARPA funds available for Planning, Asset Management, and Energy Audit Measure Implementation projects identified on their 2021 Clean Water State Revolving Fund (CWSRF) Project Priority List (PPL). Laconia is listed as project 30 on the Wastewater Planning Project Priority List.

Public Works is working with an engineering consultant to develop a Sewer Master Plan scope that includes an analysis of the existing system, recommendations for system rehabilitation and expansion, and an intensive cleaning and inspection program for existing sewer siphons which are primarily located at brook and river crossings.

Laconia is eligible to receive up to \$100,000 in grant funding for a Sewer Master Plan.

If approved this evening the City Council authorizes Public Works to submit an application to the 2021 American Rescue Plan Grant program for the Sewer Master Plan.

This report submitted by: Krista Larsen, Assistant Public Works Director

Councilor Cheney made a motion to waive a reading of Resolution 2022-06 in its entirety and to read by title only. Seconded by Councilor Soucy. The ***motion passed with all in favor.***

Councilor Hamel made a motion to move a first reading of Resolution 2022-06, relative to submitting a grant application to, and accepting grant funding from, the American Rescue Plan Act of 2021 (ARPA) for Wastewater Planning. Seconded by Councilor Felch. The ***motion passed with all in favor.***

Councilor Soucy made a motion to schedule a public hearing on April 25, 2022 during the regular

City Council meeting to gather public input prior to any action being taken. Seconded by Councilor Lipman. The ***motion passed with all in favor.***

21.G. **Request to submit a Letter of Interest to the Northern Borders Regional Commission's (NBRC) State Economic and Infrastructure Development Investment (SEID) grant program for 1,000-ft of multi-use trail on Elm Street**

Established by Congress in 2008, the Northern Border Regional Commission's (NBRC) mission is to fund economic development and infrastructure projects throughout designated counties in its four-state service area. The SEID grant program provides a 50% grant for infrastructure projects such as pedestrian and multiuse trails.

In October 2021, a conceptual plan for the WOW Trail Opechee Loop was presented to the City Council. The Opechee Loop is envisioned to be a multi-use trail that connects the WOW trail from its trailhead on Elm Street in Lakeport to the WOW trail in the City's downtown.

Laconia is listed on the NH Department of Transportation Ten-Year Plan to receive a Transportation Alternatives Grant to construct the multi-use trail on Elm Street from Franklin Street to Hickory Stick Lane.

An SEID grant is being sought to fund a 1,000-ft section of the Opechee Loop. This project, if funded, will start at the trailhead on Elm Street to the limit of the City's TAP project at the intersection of Elm Street and Franklin Street. Once the Letter of Interest is reviewed by the NBRC, applicants will receive an invitation to apply.

The conceptual-level cost estimate for this 1,000-ft section of the Opechee Loop is \$250,000. The SEID grant provides 50% funding and requires a 50% match. Additional funding sources that are being pursued to support this match include a USDA Community Facilities Grant and funding from the WOW Trail.

Councilor Felch made a motion that the City Council authorize Public Works to submit a Letter of Interest to the State Economic and Infrastructure Development Investment grant program for an approximately 1,000-ft multi-use trail on Elm Street from the WOW trail to Franklin Street. Seconded by Councilor Cheney. The ***motion passed with all in favor.***

21.H. **Amendment to EJM Holdings, LLC lease agreement for parking spaces for occupants of residential units above the Colonial Theatre**

On November 22, 2021, the City Council approved a lease agreement with EJM Holdings, LLC to provide parking spaces for residents of the units above the Colonial Theatre. Attached is a copy of that agreement which provided for 10 spaces in the City Hall parking lot and 8 spaces in the Main Street lot.

Rusty McLearn of EJM Holdings, LLC has requested that the lease agreement be amended to provide for 9 parking spaces in the City Hall parking lot and 9 spaces in the Main Street lot. A map is attached showing the new allocation of parking spaces in both lots.

Councilor Lipman made a motion to approve the lease agreement with EJM Holdings, LLC for parking spaces for occupants of residential units above the Colonial Theatre be revised to provide for 9 parking spaces in the City Hall parking lot and 9 parking spaces in the Main Street lot, as presented. Seconded by Councilor Hamel **Discussion-** Mayor Hosmer noted that he has no personal interest in this lease agreement, although he owns a residence at the Colonial and parking spaces in the lot. Mayor Hosmer has no position on this agenda item as it does not affect him. Councilor Cheney would like to postpone this item until the next meeting because he would like more time to review the lease agreement. He further stated that there were things in the lease agreement that he thought he understood but now he's questioning, specifically where parking spaces will be assigned and how

they are assigned.

Motion to Table the item was voted on by raising of hands- All in favor: Councilor Cheney- Yes, Councilor Soucy- Yes, Councilor Felch-Yes, All Opposed: Councilor Lipman- No, Councilor Haynes- No, Councilor Hamel- No. The ***motion was a tie and it failed.***

Councilor Cheney expressed his disappointment; he said they were originally led to believe that there would be 9 spaces in the City Hall Parking Lot and 9 spaces in the Main Street Parking Lot being split as 1 space in each lot for each unit totaling 2 parking spaces. Now he said that EJM has not been assigning the parking spaces in that manner and he has received a few phone calls about whether it was appropriate to assign more spaces to one leasee over another. He doesn't see anything in the agreement about how the spaces are supposed to be assigned. He's concerned about one occupant receiving all 9 spaces in a lot.

Manager Myers provided some background on this, there are 9 units above the Colonial Theatre, the request was for 2 spaces per unit totaling 18 spaces. The City never got into one space being in one lot and other space being in the other lot. The reason why we went from 9 & 9 to 10 & 8 was so that the two spaces could be issued side by side. However, it worked out that the request came back to change it back to the 9 & 9 spaces per lot. It was never his understanding that it was going to be one space in one lot and one space in another.

Councilor Soucy also understood it as 9 & 9 and each unit would get 1 space in each lot for the purpose of having one space slightly closer to their unit.

Councilor Lipman thinks that this subject is getting to be too micromanaged for a lease agreement. They asked for the spaces, we give them the spaces and it was already approved they are just changing the number allocated to each lot.

Councilor Cheney stated he is micromanaging a 50-year lease.

Councilor Lipman said in the end it's 18 spaces- its 9 & 9 or its 10 & 8, and now we are going back to 9 & 9, and we should just move beyond this and work on other things.

Councilor Cheney said it's not the number of spaces he's concerned about it's the fact that the lessor can give away all the spaces to one person and there is no requirement in the lease that the owners of the units even get any of those 18 spaces.

Councilor Felch said that this goes back to his original reason why he didn't agree with this is because now we are taking another space away from our downtown merchants. He thinks that the spaces in the Main Street lot are the same distance as the spaces in the City Hall lot. He doesn't think there is any reason as to why there should be any spaces in the Main Street lot.

Councilor Lipman doesn't think that we are taking away any spaces from the downtown merchants, the City just purchased a parking lot behind the church and they intend on using it. The number of spaces is going to even out.

Councilor Lipman made another motion to approve the lease agreement with EJM Holdings, LLC for parking spaces for occupants of residential units above the Colonial Theatre be revised to provide for 9 parking spaces in the City Hall parking lot and 9 parking spaces in the Main Street lot, as presented. Seconded by Councilor Haynes **Discussion-** None. All in Favor- Councilor Lipman- Yes, Councilor Haynes- Yes, Councilor Hamel- Yes. All opposed- Councilor Cheney- No, Councilor Soucy- No, Councilor Felch- No. The vote is 3-3; the Mayor will not vote on this subject. The ***Motion Failed.***

Manager Myers reiterated that nothing about this contract has changed except for the numbers going from 8 & 10 to 9 & 9 per parking lot. All the language is identical to the agreement the Council passed a few months ago.

Councilor Haynes wanted to comment that he doesn't think this is right that the Council already passed this and is now backing up saying they want to review it again. This subject was already approved, it's already been discussed. He's fine with the change being submitted tonight.

No decision was made- Councilor Soucy made a motion to have this agenda item appear on the April 25, 2022 agenda seconded by Councilor Cheney. All in Favor- Councilor Cheney, Councilor Soucy, Councilor Lipman, Councilor Hamel All Opposed- Councilor Haynes and Councilor Felch. The ***motion passed 4-2.***

21.I. **Request to approve Temporary Traffic Order 2022-03 for the New England Coffee Festival, and request to waive fees associated with the event**

The inaugural New England Coffee Festival is scheduled for May 20 – May 21, 2022, with several events throughout the downtown area. Organizers of this event are requesting approval of the attached Temporary Traffic Order and a waiver of Special Event and Licensing fees associated with the event.

Councilor Soucy made a motion to approve Temporary Traffic Order 2022-03 for the New England Coffee Festival, and to waive Special Event and Licensing fees associated with the event seconded by Councilor Felch. The ***motion passed with all in favor.***

22. **UNFINISHED BUSINESS**

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 stated there was a need for a motion to move into a non-public session according to RSA 91-A:3, II (d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

Mayor Hosmer noted that after the nonpublic session, they will be returning to the public session, but no further business will be discussed. They will be adjourning the meeting.

The Motion was made by Councilor Cheney, seconded by Councilor Soucy then by Roll call vote to enter

Non-Public Session at 8:35 PM:

Councilor Cheney- Yes, Councilor Soucy- Yes, Councilor Lipman- Yes, Councilor Haynes- Yes, Councilor Hamel- Yes, Councilor Felch- Yes. The ***motion passed with all in favor.***

Councilor Felch made a motion to reconvene the public session at 9:03pm seconded by Councilor Haynes. The ***motion passed with all in favor.***

Councilor Hamel made a motion to seal the minutes of the nonpublic session for 90 days, seconded by Councilor Cheney. The ***motion passed with all in favor.***

26. **ADJOURNMENT**

The meeting was adjourned at 9:03pm

Respectfully Submitted,

Katie Gargano, City Clerk