

## **CITY OF LACONIA - CITY COUNCIL MEETING**

**April 13, 2020**

**7:00 P.M.**

4/13/2020 - Minutes

### **1. CALL TO ORDER**

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

Mayor Hosmer read into the record the following statement regarding electronic meetings:

As Mayor of the Laconia City Council, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically.

Please note that there is no physical location to observe and listen to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are:

a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means;

We are utilizing the Zoom platform for this electronic meeting. All Council Member have the ability to communicate during this meeting through the Zoom platform, and the public has access to watch the live YouTube video at <https://www.youtube.com/laconianh>, listen to this meeting through dialing the following phone # 1-646-558-8656 or participate by the Zoom app: Webinar ID: 890 307 999 password 941215

b) Providing public notice of the necessary information for accessing the meeting;

We previously gave notice to the public of how to access the meeting using Zoom, and instructions are provided on the City of Laconia's website at: [www.laconianh.gov](http://www.laconianh.gov)

c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access;

If anybody has a problem, please call 524-3877 ext. 249 or email at [cityclerk@laconianh.gov](mailto:cityclerk@laconianh.gov)

d) Adjourning the meeting if the public is unable to access the meeting.

In the event the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Let's start the meeting by taking a Roll Call attendance. When each member states their presence, also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.

### **2. SALUTE TO THE FLAG**

Councilor Haynes lead the Salute to the Flag.

### **3. RECORDING SECRETARY**

Cheryl Hebert, City Clerk

#### 4. **ROLL CALL**

City Clerk Hebert took a roll call vote:

Councilor Cheney: Yes, Is anyone in the room with you? No

Councilor Bownes: Yes (physically present)

Councilor Lipman: Yes, Is anyone is the room with you? No

Councilor Haynes: Yes (physically present)

Councilor Hamel: Yes, Is there anyone in the room with you? No

Councilor Felch: Yes, Is there anyone in the room with you? No

Mayor Hosmer: Yes (physically present)

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

#### 5. **STAFF IN ATTENDANCE**

Scott Myers, City Manager (physically present)

Glenn Smith, Finance Director (physically present)

#### 6. **COUNCIL PROCLAMATION**

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

##### 7.A. **Regular meeting minutes of March 9, 2020**

Minutes of the meeting were distributed to the Council on March 12, 2020. With one correction submitted to the clerk, the minutes will be accepted as redistributed.

##### 7.B. **Emergency Meeting Minutes of March 15, 2020**

Minutes of the Emergency meeting were distributed to the City Council on Wednesday, March 18, 2020. With no corrections or changes submitted to the clerk, the minutes will be accepted as distributed.

#### 8. **CONSENT & ACTION ITEMS**

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

Jose Dematos - 1192 Weirs Blvd - Please be very cognizant of the financial times that the City is in now in regards to the budget and spending.

Mayor Hosmer noted for the record that the people that were previously interviewed for certain board positions will be postponed until the Council can meet in a normal fashion. He made it clear that under RSA 673:5 all land use board members can remain in their position until a successor has been appointed or that person be reappointed.

#### 10. **INTERVIEWS**

11. **NOMINATIONS, APPOINTMENTS & ELECTIONS**

12. **COMMUNICATIONS**

13. **PUBLIC HEARINGS**

14. **PRESENTATIONS**

14.A. **Budget Presentation**

City Manager Myers presented the Fiscal Year 2021 Budget to the Council. A copy of the presentation is included in the record. City Manager Myers explained that due to COVID-19 this budget will be a work in progress due to the many unknown factors. He explained this budget document was about 98% complete two weeks ago before the world turned upside down due to the COVID-19 pandemic. City Manager Myers broke down the different appropriations (County, School (State and Local), and City) This is a tax cap compliant budget. The proposed increase is 1.8% or .37). City Manager Myers broke down the expenditures and major initiatives.

Printed budgets will be available in the Clerk's Office and Laconia Public Library. Hard copies should be available by the middle of this week. A schedule will be worked on for individual budget presents with the hopes that in the near future these can be done in person.

City Manager Myers thanked the school department, department heads and Mayor and Council for the help in the creation of this document.

Councilor Bownes asked that the budget presentation be available online for the public. City Manager Myers explained it will be made available on the City Website: [www.laconianh.gov](http://www.laconianh.gov) under the City Manager's page.

Councilor Hamel asked for a three month penalty free extension for payment of property taxes be given if possible.

City Manager Myers explained there is an Emergency Order that the Governor issued regarding property taxes. The City is working through the Municipal Association for clarification on some of the details.

Councilor Lipman concurs with Councilor Hamel and thanked the City Manager for working with the Municipal Association.

Councilor Hamel thanked everyone for all the hard work for bringing the proposed budget under the tax cap.

Councilor Bownes echoed Councilor Lipman's sentiments. Councilor Bownes also noted for the record that he is opposed to the tax cap.

15. **MAYOR'S REPORT**

Mayor Hosmer would like to remind the residents of Laconia to fill out their 2020 Census Report, only 30% of the residents have filled them out and due to the COVID-19 pandemic it is very important to fill them out when it comes to the State and Federal Government allocating funds.

Mayor Hosmer spoke of the State's use of the Dube Building at the State School for COVID-19 positive or asymptomatic cases of the homeless population. Mayor Hosmer and City Manager Myers drafted a letter that will be sent to the Department of Safety, Assistant Commissioner Perry Plummer.

Mayor Hosmer read the letter dated April 14, 2020 into the record. A copy of this letter was submitted into the record.

Mayor Hosmer stated we all have empathy and understand that everyone has been living differently than what they are used to.

Mayor Hosmer concluded by stating how much the City of Laconia has pulled together throughout this pandemic. He spoke of the first responders, teachers, administration and City employees for everything they have been doing. He spoke of his time over the past few weeks at Woodland Heights Elementary School and the non-profit group, Got Lunch Laconia. This group has been volunteering preparing food bags for hundreds of families to make sure they don't go hungry over the weekends. He spoke of Tim Goosens and his staff that prepare the meals for the lunch busses on a daily basis. Mayor Hosmer noted the quote at WHS that states "The distance between your dreams and reality is your actions." Mayor Hosmer understands the reality right now is stark and knows everyone dreams of returning to school, their favorite restaurants and community. Mayor Hosmer thanked everyone for their efforts and contributions during these challenging times.

Mayor Hosmer stood up to display the pride for Woodland Heights Elementary School by wearing one of their shirts and thanked his friends there for all of their tremendous work.

## 16. **COMMITTEE REPORTS**

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

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

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

### 16.B. **PUBLIC SAFETY (Cheney (Chair), Bownes, Lipman)**

### 16.C. **GOVERNMENT OPERATIONS & ORDINANCES (Bownes (Chair), Felch, Cheney)**

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

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

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

#### 16.C.iv. **Regulation of Short Term Residential Rental Businesses**

#### 16.C.v. **Proposed Historic Overlay District**

#### 16.C.vi. **Scenic Road Motorcycle Noise Petition**

### 16.D. **LANDS & BUILDINGS (Hamel (Chair), Haynes, Felch)**

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

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

#### 16.D.iii. **Perley Pond Maintenance**

#### 16.D.iv. **Plan for the DPW Compound**

16.D.v. **Continuation of the discussion regarding parking in the Lakeport area**

16.E. **PUBLIC WORKS (Haynes (Chair), Felch, Bownes)**

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

17. **LIAISON REPORTS**

Councilor Hamel updated the Council on the Colonial Theater. Some of the contractors have reduced staff due to COVID-19 and the November end date may look more like December or January. Councilor Hamel also stated the marquis is coming down tomorrow and taken to Concord to be completely rebuilt.

Councilor Felch met with the Motorcycle Week Association and they are hoping to still have Motorcycle Week in June as scheduled and will make a final decision by the end of April. If they choose to change the date it will be in August, the week of the 22nd.

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

Mike (Rhode Island) - spoke about the The Dive and how the owners opened their arms up and welcomed them in. and he now considers them extended family.

Betsy Sullivan, Owner of The Dive - Ms. Sullivan asked for a show of hands from the Council who has been on The Dive. Mayor Hosmer raised his hand. She stated they have a huge amount of supporters and they are a family owned business. She explained The Dive is a restaurant and they were voted number 6 in the state. There is a full menu, soft music playing, and couches for people to gather on. The demographic is around a 40 to 70 year old crowd. She explained this is not a club or party zone. She understands the controversy that came about last summer with her business. Ms. Sullivan reviewed the proposal for a new extension on the Weirs public docks. They are proposing to build a large pier at the end of the City's docks in the Weirs on the opposite side of the Winnepesaukee Pier. They would pay for the construction of the pier and installation of all utilities. Once the project is completed the pier would be deeded over to the City free of charge. The Dive would then pay the City \$250 a month for rent from May through October under a proposed lease agreement that would run 10 to 20 years.

Mayor Hosmer asked for Mrs. Sullivan to explain what The Dive is.

Mrs. Sullivan explained they are a floating barge full service restaurant. There are two levels with a full menu and bar with hours being 11:00 am to 11:00 pm serving lunch and dinner. When the weather permits they go out to the sand bars as well as fireworks cruises, brunch cruises. There are only about 70 to 75 seats to keep everyone comfortable. Mrs. Sullivan spoke of other entities that have had lease agreements with the City at the Weirs public docks and would like to follow suit.

Councilor Lipman would like an explanation regarding the calls that he has received pertaining to noise issues and how The Dive can be a better neighbor so those calls don't continue.

Mrs. Sullivan explained there were only three reports to the police and they were all unfounded. She stated the three reports were from the same people that complained about losing their view and when they were told the City could not do anything about that they had to find something else to complain about. Mrs. Sullivan explained that The Dive plays ambient music and they are a restaurant. She stated if this proposal moves forward The Dive would be out of these peoples view and earshot so it would be a win win for everybody.

Councilor Lipman also brought up the issue of the current litigation against the City.

Mrs. Sullivan said they did it to protect themselves and depending on how everything goes it will most likely go away.

Councilor Lipman doesn't understand why The Dive went to litigation rather than a more friendly approach to work out the issues without attorneys.

Steven Guston, Pembroke NH and seasonal in Laconia - shared his perspective on The Dive as an unique business that he liked to visit. Mr. Guston would like the City to look at the revenue that this business could bring in to the City. Mr. Guston stated he lives across from the Nasbar and there is more noise coming from that bar than The Dive.

Kim Ashworth - Resident of Gilford (Sanders Bay) - Mrs. Ashworth and her husband have both attended The Dive via boat and land and feel it is very nice quiet atmosphere and if it weren't for The Dive, they would not frequent the Weirs area. She stated they go there for their food and atmosphere. Mrs. Ashworth spoke of the residents that have complained about the noise and there is more noise coming from Tower Hill and the Big House. She stated this provides another level of food and atmosphere that the Weirs would otherwise not have.

Chris (Long Island, New York) - spoke in regards to The Dive and how nice of an atmosphere it is. He stated he comes up to Laconia every year with friends and family and would love for his kids to be able to join The Dive in the future.

Cheryl and Tim Moore - They live on the lake on an island for the past 20 years. They started going to the Weirs once The Dive started docking there. They spoke in favor of The Dive and how much they like going there and how it attracts people from all over to the Weirs area. Mrs. Moore stated she does not like loud places and that is one of the reasons she enjoys this establishment so much.

Katrina and Fred Fernault - Mr. Fernault spoke in favor of The Dive and how great of an atmosphere it is and how they have become close to Jamie and Betsy, the owners of The Dive.

Brooke Walters - Bartender from The Dive, Ms. Walters has bartended at other places and she expressed how at most places it is hard to hear customers orders because of the loudness. It is just the opposite at The Dive because of the atmosphere. She is currently in Georgia working and the patrons there always ask her if she has heard of The Dive when she tells them where she is from.

Kevin and Cheryl Mailloux (seasonal Meredith residents) - spoke in favor of The Dive and how great the owners are and how The Dive has a wonderful and unique atmosphere.

Kara (past resident of Meredith) spoke in favor of The Dive and the proposed project as it bring a very unique piece to the Weirs area.

Bobby, Tilton, NH - Captain of the Dive. Stated he thinks The Dive is a great addition to the Weirs. Bobby spoke of the issues that arose last summer and with the proposed addition to the docks this will help solve a lot of those problems. He explained that where they were located last year was not optimal.

Representative St. Clair thinks the proposal by The Dive is a great opportunity for the City and would be a great investment to the Weirs area.

William Kennison, Weirs resident, stated he thinks the proposal from The Dive is a wonderful idea and a great compromise.

Finance Director Smith stated there was a C. Lacounty with their hand raised but using an older version of Zoom without audio. Mayor Hosmer stated this person can send emails to the Councilors or himself with any comments or concerns he may have.

## 19. CITY MANAGER'S REPORT

### 19.A. Project Updates Report

City Manager Myers explained there are three reports in the agenda tonight and he will take any questions on those reports if there are any rather than going over each individual report due to the formatting of the meeting.

City Manager Myers also administratively approved the following items:

Temporary Traffic Order 2020-05, Winni Fishing Derby which will begin May 14, 2020 at 7:00 pm and end May 17, 2020 at 2:00 pm.

A request to extend hours in the Licensing Ordinance for Jessica Tully and Christopher Lyons for a wedding/reception at the Margate Resort on Sunday, July 26, 2020.

A request by Laconia Baseball Foundation, Inc. dba Winnepesaukee Muskrats, to use Robbie Mills Sports Complex from June 29, 2020 through July 17, 2020 from 9:00 am until 12:00 pm for the Winnepesaukee Muskrats Day Camp Event.

A request by Laconia Youth Lacrosse for the NH Youth Lacrosse Association North/South All Star Tournament to be held at Bobotas Park on Saturday, May 23, 2020 from 7:00 am until 5:00 pm.

City Manager Myers recognized Finance Director Smith for stepping in during the first few days of dealing with the pandemic while he was away. The City Manager would also would like to recognize Fire Chief Beattie, who also serves as the City's Emergency Operations Director, for the wonderful job with dealing with an enormous amount of calls dealing with this pandemic. City Manager Myers also extends his gratitude to Superintendent Tucker and all of the Department Heads throughout the City that have been stepping up during these unchartered times.

City Manager Myers explained the Weirs Bridge Project will be put off to an unknown date due to construction not being deemed essential in the State of Vermont and parts for the project were coming from there. The City recognizes that now would be the ideal time to do a project of this magnitude due to the limited traffic but unfortunately without all of the necessary supplies it can not happen.

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

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

20. **NEW BUSINESS**

20.A. **Request to amend Chapter 235, Zoning, Table of Permitted Uses and Table of Dimensional Requirements**

City Manager Myers explained the item.

Councilor Haynes moved to waive reading of this Ordinance in its entirety and to read by title only, seconded by Councilor Bownes; City Clerk Hebert took a roll call vote:

Councilor Cheney: Yes

Councilor Bownes: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Hamel: Yes

Councilor Felch: Yes;

**the motion passed with all in favor.**

Councilor Haynes moved the first reading of Ordinance 2020-235 Tables, amending the Table of Permitted Uses and the Table of Dimensional Requirements, seconded by Councilor Bownes;

City Clerk Hebert took a roll call vote:

Councilor Cheney: Yes

Councilor Bownes: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Hamel: Yes

Councilor Felch: Yes;

**the motion passed with all in favor.**

Councilor Haynes moved to schedule a Public Hearing on April 27, 2020 during the regular City Council meeting to gather public input prior to adoption, seconded by Councilor Bownes;

City Clerk Hebert took a roll call vote:

Councilor Cheney: Yes

Councilor Bownes: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Hamel: Yes

Councilor Felch: Yes;

**the motion passed with all in favor.**

20.B. **Request from Parks and Recreation to utilize Non Capital Reserve Funds in an amount not to exceed \$30,000**

Mayor Hosmer read the background to this request.

Councilor Felch moved to authorize the expenditure of an amount not to exceed \$30,000 from the Non-Capital Reserve Account to replace a portion of the Laconia Community Center roof as well as the hatch door and a pipe boot, seconded by Councilor Bownes;

Councilor Felch would like the insulation to be checked when this is being done and replace what

needs to be replaced.

City Manager Myers explained there is money in the Non-Capital Reserve Fund with the balance being about \$210,000. City Manager Myers explained this went out to bid and this was the lowest qualified bid that was received back.

Councilor Lipman would like to make sure the insulation is looked into and fixed if need be.

City Manager Myers explained the insulation will be looked into and the bid is waiting for Council approval in order to move forward.

City Clerk Hebert took a roll call vote:

Councilor Cheney: Yes

Councilor Bownes: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Hamel: Yes

Councilor Felch: Yes;

**the motion passed with all in favor.**

20.C. **The Dive, LLC - Proposed dock expansion at the City's public docks in Weirs Beach**

Councilor Felch explained the proposal submitted by The Dive. He also explained that this is what the City did for the Mount Washington and their lease was renewed three years ago. Councilor Felch would like to see this proposal happen the same way.

Mayor Hosmer would like to see a more formal proposal with a lease agreement spelled out before moving further on this item. There are some unanswered questions that need to be addressed, such as the monthly lease amount, insurance, and a detailed lease worked out between the City Attorney and The Dive. The pending litigation needs to be addressed and resolved as well.

Councilor Haynes is concerned with building a new dock on old docks and what happens when the old docks need to be replaced. Councilor Haynes asked if there is a recent report on the condition of the docks.

City Manager Myers explained his concern is whether or not that by building on to the existing docks if it would make it difficult to eventually fix them.

Councilor Haynes also has concern with the time frame of 20 years as that is committing future Councils to this lease.

Councilor Lipman would like to hear from the neighbors of The Dive in the Weirs before making any decision on this. Councilor Lipman understands that there are a lot of people that like The Dive, but would still like to hear from the neighbors of The Dive before voting on this item.

City Manager Myers explained when The Dive first came to the pier last year at this time there were many meetings with the owners to discuss what their plans were. Once the season got underway,

there were multiple calls and emails with the concerns from the neighbors regarding The Dive. After speaking with high officials of Marine Patrol and State officials as to whether this was local or state jurisdiction, it was stated because of the location it is local jurisdiction and that is when the City reached out to the Pier to come in as the owner of the property to review the use of the property and The Dive was invited to attend that meeting. The Dive chose not to participate in that meeting and that is when the litigation began regarding who has control as to what happens on the water. The City strongly believes that lies with the City of Laconia. The City requires and believes that site plan approval is required on this project and that is what the litigation process is mostly about.

Councilor Lipman expressed that is what his fundamental issue is. He would like to see The Dive work with the City and neighbors not against it.

Councilor Bownes is concerned like Councilor Haynes, with what will happen with the docks between The Dive and the shore and entry ways. Councilor Bownes is an advocate for continued partnership between private entities and the City and would like to see that continue. He does have concerns with this until there are more details with some of the items that have already been expressed by other Councilor's tonight. There are questions to be answered now rather than later before this can be voted on.

Councilor Bownes moved to table this item, seconded by Councilor Haynes;

Councilor Cheney: No

Councilor Bownes: Yes

Councilor Lipman: No

Councilor Haynes: Yes

Councilor Hamel: No

Councilor Felch: No;

**the motion failed by a vote of two (2) in favor and four (4) opposed.**

Councilor Felch explained that the concern with the older docks, the new dock could be freestanding leaving the ability to fix the older docks. Councilor Felch stated that where The Dive was located last year was near a residential area and where they want to move would be located away from that area, away from that which would help alleviate any noise complaints. Councilor Felch also stated if a lease with The Dive would be structured the same way as the lease with the Mount Washington he doesn't see why there would be any issues.

Councilor Hamel only voted no to table in order to give other Councilors a chance to voice their opinion. Councilor Hamel also spoke of precedents being set already, but since 2005 it has been the consensus of past Councils that lease agreements in this form should not happen because it has been of the Council's concern if you rent to one then you rent to all, therefore Councilor Hamel thinks the consensus of not leasing should continue. Councilor Hamel also agrees that specific items need to be added and The Dive needs to follow City Ordinances and rules.

Councilor Felch explained the dock space The Dive would like to build, The Dive would retain ownership of it until the lease expires and they would also be paying taxes on it. Once the lease expired then the City would retain ownership of it.

Councilor Cheney expressed that he received many complaints last summer, not just the three the owner stated. Councilor Cheney is also concerned with liability the City may take on, not just with the new dock, but with patrons of The Dive going to and from. He would like to see significant liability

coverage for that as well. Councilor Cheney also stated the \$250 rent is inadequate and the lease term is too long. Councilor Cheney was also disappointed with The Dive's approach to the City's code complaint or lack thereof. Councilor Cheney, like Councilor Hamel, only voted no to tabling in order for him to speak on this matter but would support to table this matter if it was motioned again.

Councilor Lipman stated if The Dive wants to build a relationship with the City, they will follow the City's Ordinances and Codes, not challenge them and drop the litigation. The relationship the City has with the Mount Washington has been great and they do not challenge the City's codes and rules. Councilor Lipman does acknowledge that they are running a great business but feels the City should be treated as well their customers are. There needs to be a change in order to get his vote.

Mayor Hosmer stated The Dive needs a reset with their relationship with the City in order to move forward. Mayor Hosmer suggests that the City Manager and the City attorney have follow up conversations regarding the pending litigation, the term of the proposed lease, the monthly rental fee, and how The Dive might address how the plan looks to rebuild the older docks with the proposed new dock, and how they will address full compliance with any noise ordinances.

Councilor Bownes moved to table this item, seconded by Councilor Haynes;

City Clerk Hebert took a roll call vote:

Councilor Cheney: Yes

Councilor Bownes: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Hamel: Yes

Councilor Felch: Yes

**the motion passed with all in favor.**

City Manager Myers clarified the Council is now waiting for a response initiated by The Dive. The Council agrees.

#### 20.D. **Request for Rehearing - 16 Birdie Way**

Mayor Hosmer read the background to this request.

Councilor Hamel moved to authorize the City Attorney to file a motion for rehearing with the Zoning Board of Adjustment regarding the special exception granted to allow short-term rentals at the property located at 16 Birdie Way, seconded by Councilor Bownes;

Councilor Hamel explained RSA 677:2, Motion for Rehearing of Board of Adjustment, Board of Appeals, and Local Legislative Body Decisions. This rehearing must be requested within 30 days of the original decision which was March 16, 2020. The reason for the rehearing is the City Council contention that the ZBA, through no fault of their own, erred in granting the special exception in this case because it didn't have a firm understanding of the City's legislation, City Council's passing of the ordinance in the first place. If the rehearing is granting, the City Council will ask the ZBA to reconsider their decision in this matter. The Council is confident that once the ZBA has a better understanding of the new Ordinance, the board will agree that the immediate benefit of granting of special exceptions has not been met. Councilor Hamel explained the house is currently vacant and they are only there a couple times a year. Councilor Hamel also reminded the Council that the

people from South Down and Long Bay informed the Planning Department last fall that they were against their properties being used as short-term rentals. Councilor Hamel would like this referred to legal and ask the ZBA to rehear the matter.

Councilor Bownes wanted to make it clear that he isn't taking a position whether a rehearing is appropriate or whether the Zoning Board of Adjustment did anything wrong to respect to this, but he does think Councilor Hamel's request is appropriate in order to stop the clock, which needs to be done in order to make the correct decision.

City Clerk Hebert took a roll call vote:

Councilor Cheney: Yes

Councilor Bownes: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Hamel: Yes

Councilor Felch: Yes;

**the motion passed with all in favor.**

## 21. UNFINISHED BUSINESS

### 21.A. Request to approve revisions to the City's Welfare Guidelines

Mayor Hosmer explained the details of the request.

Councilor Bownes moved to remove this item from the table, seconded by Councilor Haynes;

City Clerk Hebert took a roll call vote:

Councilor Cheney: Yes

Councilor Bownes: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Hamel: Yes

Councilor Felch: Yes;

**the motion passed with all in favor.**

Councilor Felch moved to adopt the revised Welfare Guidelines as presented, seconded by Councilor Hamel;

Councilor Bownes brought to the Council's attention some of his concerns regarding some of the changes such as not allowing for the purchase of soap with a food voucher and who makes the decision as to when law enforcement is or isn't needed for home visits.

Finance Director Glenn Smith explained that the Welfare Office has items such as soap to give the applicants when needed. Finance Director Glenn Smith also stated that in his short time working with the City a Welfare Official has never deemed it necessary to have a law enforcement official to be present during a home visit.

Councilor Bownes stated maybe the language should read "with the collective decision of the Welfare Department" rather than isolating it to the welfare official.

Mayor Hosmer called the question:

City Clerk Hebert took a roll call vote:

Councilor Cheney: Yes

Councilor Bownes: No

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Hamel: Yes

Councilor Felch: Yes;

**the motion passed with five (5) in favor and one (1) opposed.**

## 22. **COUNCIL COMMENTS**

Councilor Felch expressed that a constituent reached out to him in regards to Dell Ave and the condition of the road.

City Manager Myers explained that it is one of those in between roads and that maybe the City can bring it back to gravel.

Councilor Felch stated there have been blood drives happening at Leavitt Park with one happening tomorrow and May 1, 2020. Councilor Felch thanked the Parks and Rec Department for the new stairs at the park.

Councilor Hamel expressed his concern with the number of construction projects happening at once and we don't want what happened last year to happen again.

City Manager Myers stated those projects are relatively small projects. Everything that is happening around the downtown area is utility work, upgrading the ADA crosswalks and the bump outs on Beacon West.

Mayor Hosmer thanked the staff for putting this Zoom meeting together.

## 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)**

26. **ADJOURNMENT**

With no further business to come before the Council and hearing no objection, Mayor Hosmer adjourned the meeting at 9:51 pm.

Respectfully submitted,

Cheryl Hebert, City Clerk

MINUTES OF THIS MEETING WERE APPROVED BY COUNCIL ON APRIL 27, 2020