

Minutes of this meeting were approved by the City Council on 5/23/2022

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

5/9/2022 - Minutes

1. CALL TO ORDER

Mayor Hosmer called the meeting to order at 7:00 PM

2. SALUTE TO THE FLAG

Councilor Lipman led the salute to the flag

3. RECORDING SECRETARY

Katie Gargano, City Clerk

4. ROLL CALL

City Clerk Gargano called the roll of the City Council: Councilor Cheney, Councilor Soucy via zoom, Councilor Lipman, Councilor Haynes, Councilor Hamel, Councilor Felch and Mayor Hosmer.

Councilor Soucy attended the meeting remotely, he verified that he is away on business in Alabama, and he was alone in the room. Because Councilor Soucy attended the meeting remotely any votes must be done by roll call vote.

Mayor Hosmer stated that all members of the Council were present and a quorum was established.

5. STAFF IN ATTENDANCE

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

6. COUNCIL PROCLAMATION

7. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

7.A. Regular meeting minutes of April 25, 2022

The minutes of the meeting of April 25, 2022 were distributed to the City Council on May 2, 2022.

With no corrections or changes submitted to the Clerk, the minutes were accepted as distributed.

8. CONSENT & ACTION ITEMS

8.A. Request by the Weirs Community Park Association to hold a parking fundraiser event at the Weirs Community Center and Weirs Community Park front and rear parking lots from June 10 through June 19, 2022 from 7:00 am to 10:00 pm in conjunction with the 2022 Laconia Motorcycle Week event

Weirs Community Park Association is the benefactor of the event. City Council approval is being

requested because this event is anticipating revenues above \$2,000.

This is an annual event.

Councilor Cheney made a motion to approve the request by the Weirs Community Park Association to hold a parking fundraiser event at the Weirs Community Center and Weirs Community Park front and rear parking lots in conjunction with the 2022 Laconia Motorcycle Week Event from June 10 through June 19, 2022 from 7:00 am to 10:00 pm. Seconded by Councilor Flech. **Discussion:** None

Roll Call Vote:

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, approved.***

8.B. Recommendations for appointments to Boards and Commissions

The Appointments Subcommittee met on May 5, 2022 and interviewed two 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:

Ruth O'Hara – Requesting appointment as an alternate member of the Conservation Commission, serving the remainder of a term expiring at the end of August, 2024.

Tara Shore – Requesting reappointment as a regular member of the Historic District Commission to a three-year term expiring at the end of March, 2025.

Councilor Soucy made a motion 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 Haynes **Discussion:** None.

Roll Call Vote:

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, approved.***

9. CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA

No one in person approached the podium and no online attendees raised their hands to speak.

10. INTERVIEWS

11. NOMINATIONS, APPOINTMENTS & ELECTIONS

12. COMMUNICATIONS

13. PUBLIC HEARINGS

13.A. **Public hearing for 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**

Notice of this public hearing was made available in the April 26, 2022 edition of the Laconia Daily Sun, and posted at Laconia City Hall, offices of SAU #30, Laconia Community Center and the Laconia Public Library on April 27, 2022.

Action on this item may be taken up under Unfinished Business

Mayor Hosmer opened the Public Hearing at: 7:06 PM

No one in person approached the podium and no online attendees raised their hands to speak.

Councilor Hamel commented the public hearing did not state the amount of the fees being increased.

Mayor Hosmer stated this item will be taken up under unfinished business, it is item number 22a. and there it lists all the changes to the ordinance.

Mayor Hosmer closed the Public Hearing at: 7:07 PM

14. **PRESENTATIONS**

15. **MAYOR'S REPORT**

None

16. **COUNCIL COMMENTS**

Councilor Haynes wanted to thank the City Manager for all the City of Laconia Welcome signs. He thinks there was damage done to the one on Court Street when some trees were removed, and he received a few comments from the south end business owners particularly on South Main Street would like to see their sign more visible. He asked if it was possible to investigate moving the one on the corner of Route 107 because it isn't very visible coming down Route 106.

Councilor Hamel asked Manager Myers to have the Department of Public Works to get a price on how much it would cost to change the lamp shades in the Weirs and at the docks. He knows they had replaced the ones downtown and they look great, and he'd love to see if those could be changed as well. Councilor Hamel also mentioned that he attended the Mt. Washington Shakedown cruise.

17. **COMMITTEE REPORTS**

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)**
- 18. **LIAISON REPORTS**
- 19. **CITIZENS REQUESTS TO COMMENT ON CURRENT AGENDA ITEMS**

No one in person approached the podium and no online attendees raised their hands to speak.

20. **CITY MANAGER'S REPORT**

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

City Manager Myers discussed SB 249 which was a short-term rental bill that was being closely followed by the Council. The bill was sent to committee then it was sent to interim study, which means the bill is basically dead. It could return next year but until then our Ordinance is still in effect for at least the next year.

Manager Myers presented the report to the City Council, the full report can be found as an attachment to the agenda on the City's website.

Highlights include:

Building permit reports this amount is significantly lower this month because we started a new tax

year on April 1st.

Fire & Rescue calls compared this year to years past. Things are finally getting back to pre-Covid numbers. The Laconia Fire Department is down 6 or 7 employees. Overtime costs are expected to rise, lateral transfers and bonuses are good things to have in our back pocket, but people really aren't acting on them.

Police is also looking for a couple recruitments, public safety is experiencing significant challenges. He is seeing our departments are really having to get creative to promote our positions, the police department had an ad on Sirius xm radio that targets a specific area.

Parks & Rec activities are trending back up.

Winter maintenance has finally come to a halt.

No City Councilors had any questions or comments on the City Manager's report.

21. NEW BUSINESS

21.A. Request to approve a tentative agreement for the Public Works Department Employees, Local #534, AFSCME Council 93

This contract is for 1 of 4 of the unions within the City, it consists of 16 members who work at the Department of Public Works.

The City Council has been briefed on the terms of the tentative agreement prior to this evening's meeting. The increase in cost for the first year of the contract is expected to be \$73,290.

Councilor Hamel made a motion that the City Council approve the tentative agreement for the Public Works Department Employees, Local #534, AFSCME Council 93, for the period from July 1, 2022 through June 30, 2025. Seconded by Councilor Felch **Discussion:** None

Roll Call Vote:

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, approved.***

Since the contract was approved Manager Myers spoke about the highlights of the contract:

It is a 3-year contract, there are changes to health insurance plan options, there is a health reimbursement account being offered, a dental plan being offered with the employee paying 80% single, 60 % 2-person, 50 % family. The contract includes Cost of Living Adjustments of 2.5 % in 2022, and in years 2 and 3 the COLA will range from 1-3 % depending on tax cap allotment.

There was an adjustment to the pay scale. It is a 9-step scale for each pay grade. Steps 1 & 2 are being eliminated, step 3 will become the new step one and steps 4-9 will move down 2 steps. The new 8 & 9 steps will be added with 3 % increases in between steps.

There is currently a limit to the number of employees who can hold a specific position with CDL A. As employees retire, and other others move up the list, they have added verbiage similar to what the Police Department does when hiring a new officer and paying for them to go through the Police Academy. They have calculated that the expense of attending the 3 weeks of classes and the

licensing fees to get the special CDL license is calculated to be worth \$6,000.00. The employee must sign an agreement that they will stay with the City for an additional 4 years after obtaining their license. Departure from the City prior to the 4-year period would result in a prorated portion to be paid back to the City by the employee.

21.B. **Discussion of NH Electric Coop announcement regarding herbicide treatment on Transmission Line 124 on Leighton Avenue**

At their April 20, 2022 meeting the Conservation Commission discussed the announcement received from NH Electric Coop and its contractor consultant, Vegetation Control Service, Inc. regarding application of herbicides to undesirable vegetation growing within the power line rights of way corridors, specifically on Transmission Line 124 on Leighton Avenue. A copy of that announcement is attached to the agenda that can be found on the City's website; the announcement states that treatments are scheduled to commence on or about June 15, 2022.

The Conservation Commission noted that a number of homeowners in the Leighton Avenue area are concerned for their private wells and the lake's water quality.

The Commission asks the City Council to not support the application of herbicides/pesticides along transmission lines with impacts to private wells and shorelands, and to not allow NH Electric Coop to proceed with this herbicide treatment as outlined in the announcement dated April 1, 2022.

Councilor Lipman made a motion that the City Council endorses the Conservation Commission's position on opposing the application of herbicides/pesticides along transmission lines with impacts to private wells and shorelands, and to not allow NH Electric Coop to proceed with the herbicide treatment as outlined in the announcement dated April 1, 2022. Seconded by Councilor Haynes
Discussion: Councilor Lipman wants to know what the alternative is if they don't do this so that electrical services are not interrupted for other people in the City. Manager Myers said that he thinks this is the main area where the Electric Co-op runs their transmission lines. The overwhelming majority of lines in Laconia are run and maintained by Eversource. He does not know the alternatives but would imagine it would be a more organic herbicide. Councilor Cheney wants clarification of a State permit 044 wants to know what the permit process entails. Councilor Haynes would also like to know what they are using. Dean Anson from the Conservation Commission has several concerns about what the impact is going to be on his private well and 9-12 intermittent streams that flow directly into Lake Winnisquam. He researched the two chemicals and they are called Kernite and Escort; both say they are not harmful to wildlife but it does not say anything about vegetation. These chemicals are from areas across the country and in CA. He has a concern about it not being local. It is going to be applied to undesirable vegetation using a tank by walking around and applying it to stumps.

Motion to table by Councilor Lipman, seconded by Councilor Cheney,

Roll Call Vote:

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, tabled.*

21.C. **City employees covered by the Wage and Compensation Plan**

The City Manager submitted to the City Council the following amendments to the City's Wage and Compensation Plan. The amendment is submitted in accordance with the authority outlined in Section 6:02 of the Laconia City Charter and Section 1.4 of the City's Classification and Compensation Plan.

Please refer to the agenda to see the attached memo dated April 29, 2022 for details of the amendments to the plan. Also attached to the agenda is the Wage and Compensation Plan covering the first year of the proposed amendments from 7/4/22 to 6/30/2023.

Councilor Felch made a motion to approve the Wage and Compensation Plan as presented. Seconded by Councilor Hamel. **Discussion:** None

Roll Call Vote:

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, approved.*

21.D. HealthTrust, Inc. Application and Membership Agreement

The City will be offering dental insurance coverage to its employees as outlined in the HealthTrust, Inc. Application and Membership Agreement that is attached to the agenda on the City's website, the agreement is effective July 1, 2022. In connection with that agreement, the Council is asked to authorize the City Manager to sign the Certificate of Authorizing Resolution on behalf of the City.

Councilor Felch made a motion that the City Council authorize the City Manager to sign the Certificate of Authorizing Resolution in connection with the HealthTrust, Inc. Application and Membership Agreement, as presented. Seconded by Councilor Cheney. **Discussion:** Councilor Lipman clarified that any unions who have not agreed cannot participate in dental until they have ratified contracts. Manager Myers confirmed that is correct.

Roll Call Vote:

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, approved.*

21.E. Resolution 2022-07 relative to a proposed land swap and partial termination of lease rights between the State of New Hampshire and the City of Laconia

The State of New Hampshire is marketing its Lake Region Facility campus property for sale and redevelopment and wishes to use Tract 2, located at Tax Map 292, Block 153, Lot 3. The State is also requesting that the City of Laconia execute a Termination of Easement and Release of Covenants with regard to the Lakes Region Facility (Map 318, Block 155, Lot 1 and Map 318, Block 538, Lot 1.1).

Legal counsel has advised that the City Council follow the process outlined in Chapter 183-8 of the City's Code (attached to the agenda) to surrender its lease, terminate its easement, and release the covenants. Pursuant to §183-8(A), copies of all documents related to this request are attached to the agenda. The City Manager certifies that the City has no present or reasonably foreseeable use for the property rights, and they are surplus. Should the Council agree that the property rights are surplus and eligible for sale, it should determine if an appraisal is necessary, and if not, authorize the City Manager to finalize the negotiations.

Please note that a two-thirds vote of the Council is required for any vote relative to this matter.

Councilor Hamel would like to see parking added to this agreement. Manager Myers stated the State is trying to remove restrictions, not add restrictions.

Councilor Hamel wants to know how Mutual Aid will be affected for the equipment to be moved.

City Manager and Mayor Hosmer has had several conference calls with high members of the state regarding this matter.

Councilor Felch made a motion to waive a reading of Resolution 2022-07 in its entirety and to read by title only. Seconded by Councilor Cheney. **Discussion: None**

Roll Call Vote:

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, approved.***

Councilor Felch made a motion to approve Resolution 2022-07 relative to a proposed land swap and partial termination of lease rights between the State of New Hampshire and the City of Laconia, and to declare the City's property located at Tax Map 292, Block 153, Lot 3 as surplus property. I further move to authorize the City Manager to execute any and all documents related to this matter. Seconded by Councilor Cheney. **Discussion:** Councilor Lipman spoke about the lease trade; he wants to make sure our interest in Robbie Mills isn't lost and that the City doesn't lose the full use of Robbie Mills Park. Manager Myers stated he felt the City was in a good position when it comes to the zoning and the performance overlay. Councilor Felch stated that if the City Council does not agree on this and then the State sells the property, the City will be responsible for moving the 911 dispatch center at our own expense.

Roll Call Vote:

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, approved.***

22. UNFINISHED BUSINESS

22.A. 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

The costs of operating and servicing the parking kiosks in Weirs Beach have increased since they were installed in 2017. Additionally, inflation has increased the cost of materials and services. The parking fees since the kiosks were installed have been \$1 per hour on Lakeside Ave and \$2 per hour for Endicott Rock Park. At the City Council meeting on April 25, 2022, the Council voted to change the proposed parking fee to \$2.00/hour on Lakeside Ave. and \$2.50/hour at Endicott Rock Park, and to leave the amount that goes into the General Fund at the existing \$25,000. The Council also requested that another public hearing be held at the May 9, 2022 Council meeting.

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 refurbishments.

The parking fee collection period begins on the Saturday before Memorial Day, which is May 28th this year.

Public Works estimates that the increase of fees on Lakeside Avenue will raise approximately \$125,000 additional for the general fund and approximately \$12,000 for the beach refurbishment account.

Public Works recommends that the City Council approve the proposed increases and that the increase take effect on May 28, 2022.

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 **Discussion: None**

Roll Call Vote:

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, approved.***

Councilor Cheney made a motion to move to approve a second reading of Ordinance 2022-221 amending City Code Chapter 221, Vehicles and Traffic, regarding increasing the parking fees on Lakeside Avenue and at Endicott Rock Park. Seconded by Councilor Haynes **Discussion:** Councilor Lipman asked the Clerk to verify the minutes and to read the motion in the minutes. Manager Myers read from the April 25, 2022 minutes page 10, paragraph 3: "*Councilor Felch made a motion to amend City Code Chapter 221, Vehicles and Traffic, regarding increasing the parking fees to \$2.00/ hour on Lakeside Avenue and \$2.50/ hour at Endicott Rock Park, and to leave the amount that goes into the General Fund at the existing \$25,000. And renoting another public hearing to be held at the May 9, 2022 Council meeting. Seconded by Councilor Lipman. Discussion: none the motion passed with all in favor.*"

Roll Call Vote:

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, approved.***

Councilor Cheney made a motion to approve Ordinance 2022-221 amending City Code Chapter 221, Vehicles and Traffic, regarding increasing the parking fees on Lakeside Avenue and at Endicott Rock Park. Seconded by Councilor Haynes **Discussion:** Councilor Cheney wanted the Council to know that he attended the Weirs Action Committee meeting where they discussed this item, and the Weirs Action Committee supported this action unanimously.

Roll Call Vote:

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, approved.***

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**

Mayor Hosmer adjourned the meeting at 8:08 PM

Respectfully Submitted

Katie Gargano, City Clerk