

Minutes were approved on June 12, 2023, by the City Council.

**CITY OF LACONIA - CITY COUNCIL MEETING
CITY HALL- ARMAND A. BOLDUC CITY COUNCIL CHAMBER
7:00 P.M.**

5/22/2023 - Minutes

1. CALL TO ORDER

Mayor Hosmer called the meeting to order at 7:07 PM

2. SALUTE TO THE FLAG

Finance Director Glenn Smith led the salute to the flag.

3. RECORDING SECRETARY

Katie Gargano, City Clerk

4. ROLL CALL

City Clerk Gargano called the roll of the following councilors: Councilor Cheney, Councilor Soucy, Councilor Lipman, Councilor Haynes, Councilor Felch, Mayor Hosmer

Absent: Councilor Hamel

5. STAFF IN ATTENDANCE

Kirk Beattie, City Manager, Glenn Smith, Finance Director

6. COUNCIL PROCLAMATION

7. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

7.A. Regular City Council meeting minutes of May 8, 2023

Minutes of the regular City Council meeting of May 8, 2023, were distributed to the City Council on May 18, 2023.

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

David Stamps spoke on behalf of the Human Relations Committee. Fully supports the flag policy, and requests to see the pride flag this June as the policy would take 30 days to implement.

Andrew Johnson at 199 Country Club Rd is looking for an update for 187 Country Club Rd, its been like this for a couple years, there is no water, no wiring and is not occupied. The property is condemned. City Manager Beattie explained the City has followed proper protocol and is currently working with its lawyers to

find out what needs to be done next to require a clean-up of the property.

10. **INTERVIEWS**

11. **NOMINATIONS, APPOINTMENTS & ELECTIONS**

12. **COMMUNICATIONS**

13. **PUBLIC HEARINGS**

13.A. **Public Hearing - Ordinance 2023-205-2, naming rights and procedures for City-owned property**

Notice of this Public Hearing was made available in the May 10, 2023 edition of the Laconia Daily Sun, and posted at Laconia City Hall, Laconia Community Center, Laconia Public Library and the offices of the SAU.

Mayor Hosmer opened the public hearing at 7:13 PM

No one from the public wished to speak.

Mayor Hosmer closed he public hearing at 7:14 PM

13.B. **Public Hearing - Elm Street School walking path**

Notice of this Public Hearing was made available in the May 10, 2023 edition of the Laconia Daily Sun, and posted at Laconia City Hall, Laconia Community Center, Laconia Public Library and the offices of the SAU. This Public Hearing is being held to gather public input and to present the plans for the walking path. There is no Council action anticipated at this meeting.

Mayor Hosmer opened the public hearing at 7:14 PM

John Kelley of 205 Washington Street was concerned about the proposal. They were never asked for input before they started surveying and buying the property. He lives on the corner of what would become a stopped bumper to bumper parking lot. This was tried about a year ago and it would require having police there too.

Jessica of 220 Washington Street thinks their existing road is already unsafe. There is grading issue and potholes. She would like to know if they would be paving the street. Wants to know what's going to be done from keeping people from driving down the road and turning around as it is a dead end. There is also a privacy issue. If a kid gets injured on her property if they get out of line, whose responsibility does it fall on.

Tom Tardif resident of Laconia is opposed to this proposal. There isn't an issue for morning drop off, there is an issue with pick up. He would like to see the road closed from the 106 entrance on Elm Street. Also asked if anyone has contacted the State of NH Dept of Education school's safety office for preparedness. He said they would like to get involved. Elm street is missing a double yellow line for months.

Michelle Normandin of 240 Washington St, they moved there for a peaceful home. She does not like the idea of the proposal. Everyone's driveways get blocked. She finds it takes a half an hour to an hour to get to her house. It's a long walk for the kids. She thinks there are a lot of ticks and in the winter, there are some kids who do not have the proper clothing.

Trish Poliquin is a teacher at Elm St School. She thinks there is a more proactive way to educate

our parents. There are safety and traffic concerns. She thinks the students do not have the appropriate clothing. She said during COVID when they were not allowed to wait inside the building and they were doing those walks during the weather elements, it was terrible. She finds it to be a logistical nightmare.

Mayor Hosmer closed the public hearing at 7:32 PM

14. PRESENTATIONS

15. MAYOR'S REPORT

Mayor Hosmer gave an update on the encampment on Spruce Street. It was indicated at the last meeting that the process of breaking up the camp was starting to be able to clean up the area. A dumpster was dropped off this morning and several people have already moved on. This solves the issue for the area at the end of Spruce Street but does not address the homeless issue in the City. He is continually meeting with the taskforce for planning for the future. There may be some increased activity in other areas of the City and the police department intends on taking a proactive approach to this issue, so it goes smoothly. He asks the public for patience as they take on this process. On a positive note, we saw what makes this area great with the New England Coffee Festival that was put on this past weekend. He thanked the owners of Wayfarer Coffee and the Belknap Mill for the use of the park for the music and the 3rd floor. The event is going to come back next year. Saturday night there was a large event at the Colonial Theater where there were 300-400 people.

16. COUNCIL COMMENTS

None.

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**

None.

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

None.

20. **CITY MANAGER'S REPORT**

20.A. **Project Updates Report**

Manager Beattie went over the project updates. The installation of the water main is nearing its completion and should be wrapped up by Memorial Day. The Messer Street bridge will be about a 5 month project and will not be affecting anything during Motorcycle Week. Message boards have gone up to notify people of the work to come. The Mill Street pedestrian bridge is likely to receive a grant for repairs and will come to the council soon for approval. Also spoke on the Elm Street transportation project. Weirs TIF and all other TIF's will be included in the budget presentation as it moves forward through finance. The Weirs Restoration Project wants to come forward to have a meeting about what projects they are doing and what they are looking for. The Winnepesaukee River Basin sees no big changes. The Northern Lakeport Sewage Project continues to stay on track. The Native American sculpture is still being painted but should be nearing completion very soon.

Councilor Haynes asked for an update on the Academy Street Bridge. Manager Beattie said they still have some time ahead of us. One of the things added was a communication plan so they can get the word out. Councilor Lipman noted that Citizens, Businesses and the City Impact on projects in regards for the communication.

20.B. **Monthly Economic Development Report**

Manager Beattie went over the monthly economic development report with the Council. The unemployment rate is a little higher but right at what the state level is. This is the lowest month of CPIU. The trend is coming down.

Mayor Hosmer noted how low our unemployment rate is. This is the first time in 24 months that the

we have the lowest inflation rate.

21. NEW BUSINESS

21.A. **Resolution 2023-13 - Relative to the acceptance of an award in the amount of \$30,683.28 from the Department of Safety Homeland Security Grant Program for the purchase of body armor**

The City has applied to the New Hampshire Department of Safety for grant funding in the amount of \$30,683.28 to purchase body armor through the Homeland Security – Search and Rescue Equipment Grant Program. These grant funds will provide for the acquisition of ten sets of body armor (ballistic plates w/carriers). Ownership of the body armor shall remain vested in the Laconia Police Department. LPD will dedicate the body armor for the exclusive use of the Belknap Regional Special Operations Group. BSROG members will transport the equipment to callouts, activations and trainings as appropriate. Maintenance of the equipment will be the joint responsibility of the Police Department and the BRSOG. The BRSOG and the PD will monitor the condition of the body armor and schedule periodic maintenance as appropriate. The BRSOG will pay for the cost of maintenance of the equipment, or reimburse the PD upon request. Fiscal Impact: None - The entire cost of this equipment is covered by the Homeland Security Grant, there is no local match requirement.

Councilor Cheney made a motion to waive a reading of Resolution 2023-13 in its entirety and to read by title only. Seconded by Councilor Haynes. **Discussion:** None.

This motion passed with all in favor. 5-0

Councilor Cheney made a motion to move a first reading of Resolution 2023-13 relative to acceptance of an award in the amount of \$30,683.28 from the Homeland Security – Search and Rescue Equipment Grant Program for the purchase of body armor. seconded by Councilor Felch. **Discussion:** None.

This motion passed with all in favor. 5-0

Councilor Felch made a motion to schedule a Public Hearing on June 12, 2023, during the regular City Council meeting to gather public input prior to any action being taken. seconded by Councilor Haynes. **Discussion:** None.

This motion passed with all in favor. 5-0

21.B. **Request from the Laconia Water Department for reallocation of funds from the "Lakeport Water Project" to the "Clearwell Pump #2" project**

In the fall of 2020 the Laconia Water Department received a \$1.8 million dollar loan from Northway Bank to fund its "Lakeport Water Project". This physical project has now been completed, and all pay applications have been fulfilled 100% for the water portion. After making a \$400,000 principal reduction payment, there is still \$68,927.67 left from this loan.

At the Water Treatment Plant, Clearwell pump #2 is failing and needs to be replaced. The Water Department has a pump and motor on order, and this project is estimated to cost approximately \$130,000.

The Water Department would like to reallocate the remaining funds from the "Lakeport Water Project" to its "Clearwell pump #2" project. Because this Clearwell pump is not part of the Lakeport project, according to RSA 33:3-a, once the project is complete the remaining funds can be reallocated by a two-thirds vote of the City Council.

Superintendent Crawford spoke to the Council on this item. They came in under budget and made the \$400,000 principal payment. They left a little bit of money in there that they would like to move to another project that came up unexpectedly. They have cleared everything on the previous project so that money is eligible to be either another principal payment or moved to another project. This is acceptable to Northway Bank because it was a loan not a bond.

Councilor Felch made a motion to move to approve Resolution 2023-14 as presented to authorize reallocation of funds from the "Lakeport Water Project" to the "Clearwell Pump #2" project. Seconded by Councilor Soucy. **Discussion:** None.

This motion passed with all in favor. 5-0

21.C. **Sale of Lot #17 in Lakes Business Park**

The Lakes Business Park Commission unanimously approved the sale of Lot #17 in Lakes Business Park at its meeting on May 15, 2023 conditioned upon approval of the Laconia City Council, and future use plans being in compliance with all Lakes Business Park covenants. The offer for Lot #17 was received from Kevin Morrissette in the amount of \$55,000. Current plans for the lot are to improve the land. Lot #17 is located at 288 Hounsell Avenue and consists of 2.37 acres. The Purchase and Sale Agreement is attached.

Councilor Lipman spoke to the Council about this item. The project will be in compliance with its covenants in terms of what has to be built there. The purchaser has a project across the street that he plans to use fill from to make this land buildable.

Councilor Soucy made a motion to move to approve the vote of the Lakes Business Park Commission for the sale of Lot #17 in the Lakes Business Park in the amount of \$55,000 and to authorize the City Manager to sign the required documents in connection with the sale. Seconded by Councilor Felch. **Discussion:** None

This motion passed with all in favor. 5-0

Councilor Lipman stated this is the last lot to be sold. Confirmed by Manager Beattie.

21.D. **2023 first half sewer warrant**

Per Chapter 189-50 C, collection of flat rate sewer accounts are collected by the Tax Collector.

Collection of \$214,437.86

Councilor Felch made a motion to move to approve the 2023 first half Sewer Warrant. Seconded by Councilor Soucy. **Discussion:** None.

This motion passed with all in favor. 5-0

21.E. **First reading of Resolution 2023-15 relative to making itemized appropriations for City funds for the fiscal year beginning July 1, 2023 and terminating June 30, 2024**

The proposed FY24 budget was presented to the City Council on April 24, 2023. Per Section 5:04 of the City Charter, a public hearing must be held prior to the adoption of the budget by the Council to allow for public input and discussion. This is the first reading of the budget and Resolution. Scheduling of the budget public hearing with the second reading will follow. Fiscal Impact: The proposed budget includes estimated revenues and expenditures for the General Fund, Motorcycle Week Fund, Ambulance EMS Fund, Sanitary Sewer Fund, Water Works Fund, Internal Service Fund, Downtown TIF District, Lakeport TIF District and Weirs TIF District, as well as anticipated grants for FY24.

Councilor Cheney made a motion to move to waive reading of this Resolution and to read by title only. Seconded by Councilor Felch. **Discussion:** Councilor Lipman noted for the public the fact that this is being adopted this is not a done deal. This is the first reading, and we encourage the public to come.

This motion passed with all in favor. 5-0

Councilor Felch made a motion to move a first reading of Resolution 2023-15 relative to making itemized appropriations for City funds for the Fiscal Year beginning July 1, 2023 and terminating June 30, 2024. Seconded by Councilor Haynes. **Discussion:** None.

This motion passed with all in favor. 5-0

Councilor Cheney made a motion to move to schedule a public hearing on June 12, 2023 during the regular City Council meeting to gather public input prior to adoption. Seconded by Councilor Soucy **Discussion:** Councilor Lipman noted that he is not in favor of adopting without seeing what the state is doing. He'd like to see what the budget might look like. Councilor Lipman amended the motion to have the public hearing on 6/26/2023 the amendment was Seconded by councilor Felch. No further discussion.

The motion passed 4-0 with Councilor Cheney not present for the vote.

21.F. **City Manager Evaluation**

Mayor Hosmer said that after the first meeting of the month, he shared feedback from the Councilors to the City Manager regarding his first 6 months. The general feedback about his performance the Councilors are very pleased up to this point. The Council is very happy that he is there and Mr. Beattie thanked the Council as well.

22. **UNFINISHED BUSINESS**

22.A. **Ordinance 2023-205-2, Naming Rights and Procedures for City-Owned Property**

Councilor Felch requested that the Governmental Operations & Ordinances Committee discuss naming privileges for public areas. Pursuant to Councilor Felch's request, City Manager Beattie researched several New Hampshire cities to determine how they handle the naming of city buildings, fields and places (other than streets), and presented that information to the Government Operations & Ordinances Subcommittee at their March 27 and April 24, 2023 meetings. At the April 24 meeting the Subcommittee approved a motion to bring the proposed language to the full City Council for review and to schedule a Public Hearing. At the May 8, 2023, City Council meeting a motion was approved to schedule a Public Hearing on this matter; that Public Hearing was held earlier in this evening's agenda. Some minor changes to the Ordinance were recommended by Councilor Cheney, and they were highlighted in yellow on the attached Ordinance in the agenda packet.

Councilor Cheney made a motion to move to waive a reading of Ordinance 2023-205-2 relative to naming rights and procedures for City-owned property and to read by title only. Seconded by Councilor Haynes. **Discussion: None.**

This motion passes with all in favor. 5-0

Councilor Felch made a motion to move a second reading of Ordinance 2023-205-2 relative to naming rights and procedures for City-owned property. Seconded by Councilor Cheney. **Discussion: None**

The motion passed with all in favor. 5-0

Councilor Felch made a motion to move to approve Ordinance 2023-205-2 relative to naming rights and procedures for City-owned property as presented. Seconded by Councilor Haynes. **Discussion: None**

The motion passed with all in favor. 5-0

22.B. Discontinuance of paper street - Jefferson Street

The Town of Gilford accepted Jefferson Street (see the attached map) prior to the creation of Laconia. The section of Jefferson Street shown in the blue box, although accepted by the Town of Gilford, was never constructed. A request has been received from Paugus Properties, LLC (please see the attached letter) that the City of Laconia discontinue this section of Jefferson Street. At the May 8, 2023 meeting the City Council voted to table this item. If the City Council is interested in supporting Paugus Properties' request, City staff will begin the process necessary to discontinue the road under RSA 231:43. This process includes researching the form of street acceptance used by the Town of Gilford, and a public hearing with notification of the abutters a minimum of 14 days before the public hearing. All actions will be coordinated with the City Attorney to ensure proper procedures are being followed.

Councilor Felch made a motion to move to take this item off the table. Seconded by Councilor Soucy.

The motion passed with all in favor. 5-0

The item is off the table.

Councilor Felch made a motion to move to direct City staff to begin the process necessary to discontinue this road under RSA 231:43, and to schedule a Public Hearing during the regular City Council meeting on July 24, 2023 to gather public input prior to any action being taken. Seconded by Councilor Cheney. **Discussion:** Councilor Felch noted that he met with Director Anderson to clear up some questions and he is in favor.

The motion passed with all in favor. 5-0

22.C. City of Laconia - Flag Policy

Councilor Felch made a motion to take the flag policy off the table, there was no second. There was no discussion.

The item remains tabled.

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 noted there was a need to go into a nonpublic session this evening.

Councilor Cheney made a motion to enter into nonpublic 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. Seconded by Councilor Haynes. **Discussion:** Mayor Hosmer noted that after the nonpublic session they would be immediately adjourning the meeting.

By Roll Call Vote:

Councilor Cheney: Yes
Yes

Councilor Soucy: Yes

Councilor Lipman:

Councilor Haynes: Yes

Councilor Hamel: ABS

Councilor Felch: Yes

The Council entered into nonpublic session at 8:14 PM

Councilor Cheney made a motion to return back to public session. Seconded by Councilor Felch.
Discussion: none.

The motion passed with all in favor. 5-0

Public session resumed at 8:36 PM

Councilor Cheney made a motion to seal the minutes of the nonpublic session for 6 months. Seconded by Councilor Soucy. **Discussion:** None.

The motion passed with all in favor. 5-0

26. **ADJOURNMENT**

Mayor Hosmer adjourned the meeting at 8:37 PM.

Respectfully Submitted,

Katie Gargano, City Clerk