

Minutes were approved by the City Council on July 11,2022.

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

6/27/2022 - Minutes

1. CALL TO ORDER

Mayor Hosmer called the meeting to order at 7:04 PM

2. SALUTE TO THE FLAG

Councilor Cheney 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 Hamel, and Councilor Felch.

Mayor Hosmer confirmed that all Councilors were in attendance and a quorum was established.

5. STAFF IN ATTENDANCE

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

6. COUNCIL PROCLAMATION

Mayor Hosmer presented the following proclamation to the Coaches of the Laconia High School Lacrosse team.

WHEREAS, Head Coach Stephen McDonough, assisted by Assistant Coaches Rod Roy, Amani Mwingira and Andy Paronto, and the Laconia High School Boys' Lacrosse Team have demonstrated excellence by ending the season with a 14-3 record and winning the Division III State Championship; and

WHEREAS, on June 12, 2022 Laconia defeated Hopkinton by a score of 12 to 10 to win the Division III State Championship title for the fifth time in the program's history; and

WHEREAS, the City recognizes that the future of our community lies in the initiative, enthusiasm and spirit of our youth; and

WHEREAS, several Laconia High School Boys' Lacrosse players achieved special recognition, with several players being named as All State players by the NH Boys' Lacrosse Coaches' Association; and

WHEREAS, the Laconia City Council, the families and friends, along with Sachems young and old, would like to express our sincere appreciation for the accomplishments the Laconia High School Boys' Lacrosse Team and coaching staff have made for themselves, their school and their community;

*NOW, THEREFORE, I, Andrew J. Hosmer, Mayor of the City of Laconia do hereby proclaim Monday, June 27, 2022 as **LACONIA HIGH SCHOOL 2022 BOYS' LACROSSE TEAM APPRECIATION DAY** and urge all citizens to join with the City Council in recognizing their outstanding achievement as State Class III Champions.*

Mayor Hosmer presented the whole team with certificates of achievement and were all congratulated by the Mayor, Councilors and City Manager.

7. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

7.A. City Council regular meeting minutes of June 13, 2022

Minutes of the regular City Council meeting of June 13, 2022 were distributed to the City Council on June 23, 2022.

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

7.B. City Council budget meeting minutes of June 6, 2022

Minutes of the City Council budget meeting of June 6, 2022 were distributed to the City Council on June 23, 2022.

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

David Stamps presented a letter titled why fly a gay pride flag at Laconia City Hall.

Mayor Hosmer thanked David for that presentation.

There were no other members in the audience or online attendees wishing to speak.

10. INTERVIEWS

11. NOMINATIONS, APPOINTMENTS & ELECTIONS

12. COMMUNICATIONS

13. PUBLIC HEARINGS

13.A. Public Hearing - Ordinance 2022-161-25 amending Chapter 161, Licensing, to add a new section - 161-25, Alcoholic Beverages

Notice of this public hearing was made available in the June 16, 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 June 14, 2022.

Action on this item may be taken up under Unfinished Business.

Mayor Hosmer opened the Public Hearing at 7:27 PM

Anthony Santagate business owner from Tower Hill Tavern and the Big House in the Weirs is seeking to extend his alcohol sales making last call at 1:45 AM and having everyone out of his establishments by 2:30 AM. This time would only be in effect on Friday and Saturday nights and during the festivals he arranges like Wake the Lake in May and Biketember Fest in September, Wicked Weirs in November and during all of Motorcycle Week. Mayor Hosmer asked Mr. Santagate how late he serves alcoholic beverages now. Mr. Santagate responded that last call is currently at 12:45 AM and people have to be out of the restaurant by 1:30 AM because that is what is designated in the City's Ordinance.

There were no other members in the audience or online attendees wishing to speak.

Mayor Hosmer closed the Public Hearing at 7:29 PM

14. **PRESENTATIONS**

15. **MAYOR'S REPORT**

Mayor Hosmer wanted to talk about Motorcycle week. He thought it was a great week. He thought it was very responsibly run, he was down there several times and he was glad to see everyone back together again.

He also wanted to talk about the hanging of the gay pride flag. He thought it was an interesting topic to come in front of the Human Relations Committee. He applauds the person who wrote the letter to the editor and agrees that the City should discuss this matter. He'd like to see it come up under new business at some point and the possibility of it being hung in front of City Hall for the rest of Pride Month.

16. **COUNCIL COMMENTS**

Councilor Cheney has received more calls from constituents about extending the water/sewer lines to the Northwest quarter of the City. He mentioned specifically on Hilliard Rd. there are several issues where people have wells that are 1500 feet deep, and they are dry, have gone dry and are still dry. He'd like to see some kind of report of the cost to expand to that area from the Water Department. Councilor Cheney mentioned that if the City could invest 15 or 16 Million into the Colonial Theater, which he fully supports, then he thinks that the City should be able to invest in the expansion of Water/Sewer. Mayor Hosmer interrupted the comment made by Councilor Cheney to ask Manager Myers what the true amount of money the City has invested into the Colonial project. Manager Myers said that it was 8.1 million. Councilor Cheney apologized for inflating the number of the project, but regardless his argument remains the same and wants to see if there is anything the City can do.

Councilor Lipman- commented to be fair to the Water Department, the Council needs to have some sense of what expanding it to the north end of the City represents and he thinks that Councilor Soucy needs to ask them at their next meeting, since he sits on the board. Councilor Cheney stated that he agrees completely but wants to make sure the City Council supports the idea. Councilor Lipman said that there are many parts that would go into a project of this size just like the Colonial project and there is a lot for the Council to consider before they dive right into supporting it. Councilor Lipman said that he thinks the City's Master Plan effort that water distribution is part of that in terms of mapping out what different options would be. He understands that some City residents may know that we sell our Water to residents outside of the City and they want to become a part of it and are voicing their concerns but the City needs to have some

parameters around the project and see who would benefit from this project and who would be willing to contribute to the project.

Councilor Soucy spoke to the Council as the Liaison from the Water Commission, they are fully aware of this issue, it has been brought up at their meetings a couple of times. He said that they have met with Congressman Pappas on this issue, and they are actively trying to find a way to have some federal participation first for the study and outline what needs to be done to determine what the cost will be. They understand that this is very critical to the growth of the northern part of the City. They don't know what is going to happen with the State School property, but they should know in the next year or so what the new developers' plans are going to be.

Mayor Hosmer agrees that this is a topic that the Council should be looking into thoroughly, and he knows that part of the issue is that flowage is down in the system so stretching the lines may be good to try to sell more water for the City. Councilor Soucy replied that the Water Department's user consumption is lower. They need to figure out a way to increase the usage. Even with all the new buildings, hotels and apartment buildings, they are all having energy efficient low flow utilities and appliances installed so the City is not seeing a large increase in usage, they have actually been seeing a decline over the past couple of years. Mayor Hosmer asked Councilor Soucy to please keep the Council informed on any correspondence they have with Congressman Pappas and if they can get any federal appropriations.

Councilor Hamel doesn't mind this idea being looked into, but he thinks that one of the questions that needs to be asked is you can run pipe anywhere you want for whatever cost it is but it has to be able to work. They need to find out if the sewer will work and if the water will work. The way it is now he does not think it will work. The water will go back and there will be blockages in the pipes because there won't be enough water usage to get the sewage to where it needs to go with the amount of houses that are there now. He gave this example because they already saw this with the new development of Aqua Soleil and there was not enough usage and they had to open the valve on the water tank to flush the sewer pipe because the water was going stagnant. Mayor Hosmer stated If there is not proper planning, there will be poor performance.

Councilor Felch wanted to thank the Motorcycle Week Association Board for everything they do all year long to help make the event such a success. He also noted that the 4th of July Parade starts at 4:30 PM at Laconia High School, looking for any and all to join in the parade. Following the Parade, events will begin at Opechee Park and ending at 10 PM with Fireworks.

Councilor Haynes asked Manager Myers to ask the Code Enforcement Director Trefethen about the burnt home on Bay Street. He knows there are issues about squatters. There has been nothing done with the property except for the for-sale sign that was placed out front. It's been 5 months since the fire and the property needs to be cleaned up. Manager Myers said that he will follow up but could state briefly what he knew and that there was no property insurance. They have reached out to the property owner several times, and have worked to secure all the windows and doors on the first floor. The property is wide open and is an eyesore. He knows the property is up for sale and it includes the lot next door. The property owner is well known to the City and they are working to get it resolved but he cannot guarantee it is going to be quick.

Councilor Haynes asked Councilor Cheney when he meets with the Police Chief to ask him to look into the activity that is happening on the WOW trail on the south end. Councilor Cheney said in recent days he has spoken to the Chief about a number of issues and the WOW Trail was not one of them. One of them was about all the activity in Rotary Park.

Councilor Soucy said he had one more item to discuss which was the situation at Rotary Park. There is camping going on in the park. Councilor Soucy said that he doesn't know the right way to address this subject, but at the last council meeting they were talking about people coming into our City and this is the first thing people are seeing when they enter the downtown area. He knows that we have ordinances on our parks. The parks close at 10pm, there is no smoking or drinking allowed in the parks, and what is happening down there is horrible right now. Councilor Soucy stated that the issue is not just at Rotary Park, there are other areas as well. He's receiving calls from constituents at the end of Davis Place and he's hearing that the Winnepesaukee River is being used as the local bathtub. He really wants to see the City do

something about this. Councilor Cheney spoke with Chief Canfield as recently as today in regard to Rotary Park and the Police Department is planning a significant presence in the park over the next week or so to try to send a strong message. They have assigned one to two officers to be there during the day and in the evening hours. They have pulled some detectives in to help as well. He knows that the Chief understands how serious this is and the Council knows as well. He said that he understands that those people have rights, but they also don't have the right to make things difficult on everyone else. Councilor Cheney said that he suggested to the Chief that he should have an officer stand in the park all day and watch them and issue tickets to the people who smoke or drink or do anything else that our parks are not meant for.

Councilor Lipman would like the Council to look back about how they asked the Police Department to come up with an idea on substance abuse and how they came together with the PET officer program which is now recognized statewide. He'd like to suggest that when they discuss the budget later this evening, maybe they can put some money aside to set up another challenge for the police department to come up with a similar program to help support them with this issue.

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**

There were no other members in the audience or online attendees who wished to speak.

20. **CITY MANAGER'S REPORT**

20.A. **Project Updates Report**

Manager Myers told the Council that they had two reports in their packet that he'd be going over. He began with the road projects:

LACONIA ROAD PROJECTS PROPOSED FOR 2022 Current: Paving on Weirs Blvd. is complete. Stormwater system replacement work for Franklin Street Phase 2 began this month and will be followed by the water main. Once the storm drains and water main work is complete, the street and sidewalks will be reconstructed and paved. Final paving on Mechanic, Clinton, Cole, Prospect, Hill and Pear will begin in July. Paving on Addison and Durkee Streets will be in July or August depending on the paver's schedule.

DOWNTOWN TREE PROJECT Current: All trees have been planted in the downtown area. There are still some areas on the Pleasant Street side that need concrete, and this should be completed by Monday, June 20th according to Belknap Landscaping. Previous: The trees have been removed by DPW. Site work has been ongoing as well as concrete work to open and close the beds as needed. One proposed bed has utilities under it. This area is going to be a large project as the utility company will be working in there for the next few weeks. We have decided to cover that bed (originally it was going to have a tree) and place 2 shrubs on the corner of Pleasant and Main. We are also removing the sidewalk in front of Henry's Dry Cleaners and replacing it to make that area flat. The trees will be planted in the first couple of weeks of June

Lifeguard hiring issues, Bond Beach will be covered, there is not enough lifeguards for Weirs Beach, he believes this is the 3rd year in a row that they haven't been able to get enough lifeguards. There are still beach caretakers and ambassadors for Weirs Beach and they will be present there with full staff.

Councilor Lipman asked about paving contracts and fuel costs. Will we be running short on how much we thought we'd be able to do since all the costs are going up so high? Manager Myers replied their projects have costs that are fixed and costs that vary based off oil costs and other commodities for each project. When they were putting together up the budget this spring he told the DPW Director to budget for 1.25 million for road projects then some legislation passed where they received more money and now have 1.5 million in that line for these projects. Hopefully the extra funds they received will still cover all the roads they had originally planned on with the 1.25 million with the increases that they are seeing. There is some more paving money that was not spent in the last fiscal year that they are asking the Council to carry forward to the next fiscal year. This money came from projects that were slated for FY 22 and they hadn't gotten to them yet. Adding that to the budget they will be looking to approve tonight that will give them about 1.7 million for paving projects in FY 23.

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

Laconia's Unemployment Rate is under 2%

CPI-U 12 Month Percent Change May 2022 inflation - 8.6%. Over 5 months of this year we have seen inflation rates over 8%.

21. **NEW BUSINESS**

21.A. **Request to set the polling hours for the State Primary and State General Elections being held on September 13, 2022 and November 8, 2022, respectively, from 7:00 am to 7:00 pm**

Per RSA 659:4 "At all state elections in towns and cities the polls shall open not later than 11 o'clock in the morning and shall close not earlier than 7 o'clock in the evening. In cities, the city council shall determine the polling hours no later than 30 days prior to a state election".

These hours are consistent with prior State and Federal Elections held in Laconia.

Councilor Hamel made a motion to approve the polling hours for the State Primary and State General Elections being held on September 13, 2022 and November 8, 2022 respectively from 7:00 AM to 7:00 PM. Seconded by Councilor Felch. Discussion- None, The ***motion passed with all in favor.***

21.B. **Request to approve a tentative agreement for SEA - Laconia Administrative & Technical Employees**

The City Council has been briefed on the terms of the tentative agreement prior to this evening's meeting.

Councilor Soucy made a motion that the City Council approve the tentative agreement for SEA – Laconia Administrative & Technical Employees for the period from July 1, 2022 through June 30, 2025. Seconded by Councilor Haynes. Discussion- None, The ***motion passed with all in favor***

Manager Myers gave a brief overview. This union received all the same benefits as the other unions negotiated this spring, they removed step 1 in the pay scale and added a new step 10 with a 3% differential.

21.C. **Request to submit a grant pre-application to the NH Department of Environmental Services' State Aid Grant Program for the Northern Lakeport Sewer Project**

NH RSA 486 established the State Aid Grant (SAG) program, which provides financial assistance in the form of a grant to NH communities to offset the planning, design and construction costs for eligible sewage disposal infrastructure. The SAG program provides a 20 to 30 percent grant, depending on the community's sewer user fee, to NH communities for eligible sewage disposal facilities.

A municipality can submit any sewer project that meets the eligibility criteria for the SAG program regardless of the funding source for the project. Public Works requests to submit an application for the Northern Lakeport Sewer project. This project is being funded by a Clean Water State Revolving Fund (CWSRF) loan and a \$747,600 grant from the DES using ARPA funds. The requirements of the State Aid Grant program, including federal wage rates and American Iron and Steel provisions, are also part of the CWSRF program so would not impose additional requirements on the project.

Fiscal Impact: The Northern Lakeport Sewer project is scheduled to bid in August 2022 and has an estimated construction cost of \$2.4 M. A 20 to 30 percent grant would provide between \$480k and

\$720k in grant funding. Staff Recommendation: The City Council authorize Public Works to submit a preapplication to the NH DES State Aid Grant program for the Northern Lakeport sewer project.

Councilor Cheney made a motion that the City Council authorize Public Works to submit a pre-application for the Northern Lakeport Sewer Project to the Department of Environmental Services' State Aid Grant Program. Seconded by Councilor Hamel, Discussion- None. The ***motion passed with all in favor***

21.D. **Approval of Resolution 2022-10 relative to the Fiscal Year 2022 year-end carryforwards**

At the end of every fiscal year there are monies that have been appropriated for special purposes that for various reasons have not been spent. Your approval of this request allows the money required to complete or continue these projects to be carried forward and spent in Fiscal Year 23.

Councilor Felch made a motion to approve Resolution 2022-10 relative to the Fiscal Year 2022 year-end carryforwards as presented. Seconded by Councilor Soucy. **Discussion:** Councilor Hamel commented that in the past there was a date included on the list to see how many years an item was being carried forward. Manager Myers replied that most of these carry forward items are from last year, if there was a 2nd year roll over it could be from them saving for a sidewalk project or something else like that. Councilor Lipman would like to see an increase to playground equipment. He mentioned prior Ward 2 City Councilor Bob Luther had set up for \$25,000 go into a fund specifically for playground equipment annually and he wondered if that that still being done. Manager Myers replied that in last year's budget under capital items there was not \$25,000 for playground equipment. Manager Myers stated that in the FY 23 proposed budget there is money in the capital items specifically for playground revitalization on page 12 of the proposed budget and that is \$25,000 and in the operating budget there is an additional \$15,000 for playground equipment. Councilor Lipman would also like to see the Parks and Rec Department outsource some of their maintenance items at the beaches and parks. He sees that the parks and rec department does a great job with what they have but they don't have the time to get to everything that needs to be done. Councilor Lipman suggested an additional \$20,000 to go to playground equipment. Mayor Hosmer stated he would like to give \$3,882 to go to the Laconia Multicultural event to help offset the increased fees they are seeing this year particularly for port o potty rentals. Councilor Hamel mentioned that after hearing Amy & Matt's budget presentation, there are several parks that are not ADA compliant. The City needs to look at significant upgrades and he'd like the Parks & Rec Department to see if there are any grants available. Manager Myers noted to the Councilors about their options on what they can do with the contingency fund. They don't have to deplete the whole account, they can reallocate some of the money and leave some for another time. He also asked for the Council to keep in mind in August they will be seeing about 180,000 in ARPA funds. Finance Director Smith did want the Council to know that the figures in the carry forwards shown tonight are a not to exceed the amounts listed so the numbers could fluctuate a little once the year ends on June 30th. Manager Myers noted that the first 3 designations of money will be firm and the remaining balance can go to Pumpkin Fest. There may be other money that the Council could allocate at the later date towards that event. Councilor Haynes wanted the record to show that the City Council fully supports the Pumpkin Festival. **Councilor Felch made a motion to propose an amendment, depleting Contingency Fund 01-499-401-0002 of \$48,882.00 designating \$20,000 to parks for replacement playground equipment, \$20,000.00 to the Police Department to address homelessness situations, \$3,882.00 to the Laconia Multicultural Festival, the potential balance of approximately \$5,000.00 subject to to a go to Pumpkin Fest contingency fund. Seconded by Councilor Cheney, The *amendment passed with all in favor.***

Councilor Hamel made a motion to approve the amended resolution 2022-10 relative to the Fiscal Year 2022 year end carryforwards as amended. Seconded by Councilor Lipman, Discussion- None, ***the motion passed with all in favor.***

NEW BUSINESS:

Request to schedule 4 public hearing on July 11, 2022 during the regular City Council Meeting for two Community Development Finance Authority Grants.

The City received notice on Friday afternoon, June 24 of two CDBG applications that require Public Hearings on July 11, 2022 in order to meet the deadline for submittal. These items are not included on the June 27, 2022 Council agenda, but the Council can suspend the rules to introduce these two items and to approve scheduling of Public Hearings for both applications. Please note that any motion to suspend the rules requires a two-thirds vote of the Council.

A request is made to the City Council to hold four consecutive Public Hearings on July 11, 2022 during the regular City Council meeting. Two of these Public Hearings are to support an improvement project at the Boys and Girls Club, and two are to support funds for the Lakes Region Community Developers to purchase property at 11 Jameson Street that will be rented as affordable housing.

Community Development Block Grants are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available for economic development projects, up to \$500,000 for public facility projects, up to \$500,000 for housing projects, and up to \$500,000 for emergency activities. Up to \$25,000 is available per planning study grant. Also, up to \$750,000 is available per public facility project under CDBG-Covid (CDBG-CV) funding. All projects must directly benefit a majority of low and moderate income persons.

Councilor Haynes made a motion to suspend the rules to allow discussion and action on the CDBG request to schedule four Public Hearings as noted below. Seconded by Councilor Felch, **Discussion- None, the *motion passed with all in favor.***

*Councilor Felch made a motion to schedule a Public Hearing on July 11, 2022 during the regular City Council meeting regarding a proposed application to the NH Community Development Finance Authority for up to \$750,000 in CDBG-CV, or up to \$500,000 in CDBG Public Facilities funds, to support improvements, including window replacement and ventilation, at the Boys and Girls Club facility located at 876 N Main Street in Laconia. The majority of the participants at the Boys and Girls Club are of low and moderate income. Seconded by Councilor Haynes, **Discussion- None, the *motion passed with all in favor.****

Councilor Felch made a motion to schedule a Public Hearing on July 11, 2022 during the regular City Council meeting regarding adoption of the City's Residential Antidisplacement and Relocation Assistance Plan concerning the proposed improvements at the Boys and Girls Club. Seconded by Councilor Haynes, **Discussion- None, the *motion passed with all in favor.***

Councilor Felch made a motion to schedule a Public Hearing on July 11, 2022 during the regular City Council meeting regarding a proposed application to the Community Development Finance Authority for up to \$170,000 in CDBG Housing Grant Funds. Of the funds, \$20,000 will be retained by the City for administrative costs associated with the project, \$150,000 of the funds will be subgranted to Lakes Region Community Developers toward the acquisition of 11 Jameson Street. The unit will be rented as affordable housing to a tenant of low or moderate income. Seconded by Councilor Haynes, **Discussion- None, the *motion passed with all in favor.***

Councilor Felch made a motion to schedule a Public Hearing on July 11, 2022 during the regular City Council meeting regarding adoption of the City's Residential Antidisplacement and Relocation Assistance Plan concerning the proposed Lakes Region Community Developers toward the acquisition of 11 Jameson Street. Seconded by Councilor Haynes, **Discussion- None, the *motion passed with all in favor.***

22. UNFINISHED BUSINESS

22.A. Ordinance 2022-161-25 amending Chapter 161, Licensing, to add a new section - 161-25, Alcoholic Beverages

Councilor Felch has requested this item be placed on the Council's agenda. At their June 13, 2022 meeting the City Council conducted a first reading of Ordinance 2022-161-25 and voted to schedule a Public Hearing for this evening's meeting. A request was received from Anthony Santagate to keep the Weirs Beach area open until 2:00 am for business. At their May 3, 2022 meeting the Planning Board approved an extension of entertainment hours until 2:00 am for Fridays, Saturdays and Motorcycle Week. This approval had no effect on the hours for serving alcohol. Under State law, RSA 179:17, the Liquor Commission sets hours for alcohol sales as between 6:00 am and 1:00 am, 7 days a week. A licensee may sell alcohol until 2:00 am if the local legislative body (the City Council) adopts an Ordinance authorizing such sales. Proposed Ordinance 2022-161-25 is attached for the Council's consideration.

Councilor Felch made a motion to waive a reading of this Ordinance in its entirety and to read by title only. 2nd by Councilor Cheney, Discussion- none, the vote was 2-4, **the motion failed.**

Councilors in favor- Councilor Felch and Councilor Cheney.

Councilors opposed Councilor Soucy, Councilor Lipman, Councilor Haynes and Councilor Hamel.

Mayor Hosmer read the Ordinance in its entirety:

CITY OF LACONIA In the Year of our Lord two thousand and twenty two

AN ORDINANCE AMENDING CHAPTER 161, LICENSING TO ADD A NEW SECTION – 161- 25 ALCOHOLIC BEVERAGES

The City of Laconia ordains: That the ordinances of the City of Laconia, as amended, be and are further amended in Chapter 161, Licensing, to add a new section 161-25 as follows: CHAPTER 161, LICENSING 161-25. Alcoholic Beverages Pursuant to RSA 179:17 II (b), on-premises licensees in Weirs Beach, New Hampshire may sell alcohol until 2:00 am according to State law, on Fridays, Saturdays and during Motorcycle Week, until such time that the licensee violates State law and/or Liquor Enforcement rules or regulations.

The Chief of Police may also suspend or revoke the extended hour of sales privilege if at any time he deems it to be in the best interest of public safety.

This Ordinance amendment shall take effect upon its passage

Councilor Felch made a motion for a second reading of Ordinance 2022–161-25. Seconded by Councilor Cheney, **Discussion:** None, the **motion passed 4-2.**

Councilors Opposed: Councilor Lipman and Councilor Hamel.

Councilor Felch made a motion to approve Ordinance 2022-161-25 amending Chapter 161, Licensing, to add a new section – 161-25 , Alcoholic Beverages. Seconded by Councilor Hamel. **Discussion:** Councilor Hamel said that he does not support this until 2am. He thinks that 1am is long enough. Councilor Felch said that he has heard many people in support of this and he fully supports this to vote in favor of the people. Councilor Lipman echoed the comments of Councilor Hamel, Councilor Soucy also agrees that this is a safety issue as well. He questioned what is the benefit to the City? Councilor Lipman said it would be benefiting the City by supporting our Local Businessman who has done a great job creating events and helping bring people to the Weirs.

Councilor Cheney asked the Council to remember back when they received complaints about noise issues, and they worked with Tower Hill to make significant upgrades to his property to help absorb the sound. Manager Myers said that he did check with legal counsel and the Council can set restrictions on the days and times when this change would be effective versus allowing it for 7 days a week, but it does have to be set to a defined area. He knows the Council stated it is more than just these two businesses but also covers the whole Weirs area like restaurants on Weirs Blvd, Endicott St N & E, up to the Watson Rd/ Rollercoaster Rd intersection and did make note that this time change does not just apply to this property owners two businesses; it is for all of the Weirs area.

Councilor Cheney proposed an amendment to Ordinance 2022-161-25 to set an expiration date to the Ordinance of January 1, 2023 so it can be piloted and reviewed again by the Council, seconded by Councilor Felch, Discussion: Councilor Lipman clarified it is for Friday and Saturdays only from now until January 1, 2023, Councilor Haynes said he cannot support this. Councilor Soucy asked to clarify if this covers all the establishments in the Weirs or just the two businesses? Mayor Hosmer confirmed all businesses in the Weirs. The amendment passed 4-2. Councilors opposed: Councilor Haynes and Councilor Hamel.

Councilor Felch made a motion to approve the Amended Ordinance 2022-161-25 amending Chapter 161, Licensing, to add a new section – 161-25, Alcoholic Beverages. Seconded by Councilor Cheney. Discussion- None. The motion was tied 3-3, Mayor Hosmer broke the tie by voting in Favor, the ***motion passed***.

Councilors Opposed: Councilor Hamel, Councilor Haynes, & Councilor Soucy.

22.B. **Request to de-designate a portion of the Scenic Byway Route in the City of Laconia**

Kevin O'Leary, is the owner of the Craft Beer Exchange, Home of the Witches Brew Pub located at 59 Doe Avenue in Weirs Beach. Mr. Leary was notified by the NHDOT Bureau of Traffic that his off-premises sign for his business is located on a Scenic & Cultural Byway, which is in violation of RSA 238:24. As a portion of the Lakes Region Tour Scenic Byway route is in the City of Laconia, the City may request that a portion of the Scenic Byway Route that lies within Laconia be formally dedesignated per the NH Scenic Byways Rules of Procedure. This would eliminate the issue of an off-premises sign being in violation of the Scenic Byway Sign Statutes. A formal letter of request sent to the state for de-designation is required to begin the process. Please refer to the two attached maps; one shows the current location of the Scenic Byway as it relates to Laconia, and the other with the yellow highlighted area shows the area that is proposed to be de-designated. At the June 13, 2022 Council meeting a motion was approved to table this agenda item pending additional information. The Lakes Region Scenic Byway was established in the early 1990s with a Corridor Management Plan created by a local working group in 2015. That Plan is attached as additional information. Karmen Gifford from the Lakes Region Chamber and Amy Landers at Lakes Region Tourism have both stated that de-designating a portion of the Scenic By-Way as proposed would have no impact on marketing the Lakes Region.

Councilor Cheney made a motion to take this agenda item off the table. Seconded by Councilor Haynes, Discussion- None. The ***motion passed 5-0***. Councilor Soucy was not present during the vote.

Councilor Cheney made a motion to approve the de-designation of a portion of the Lakes Region Tour Scenic Byway Route as requested and as shown on the attached map with the yellow highlighted area depicting the portion of the Byway proposed for de-designation. I further move to authorize the City Manager to send a formal letter to the NH State Scenic Byways Coordinator as required to initiate the process. Seconded by Councilor Haynes. **Discussion:** Councilor Felch stated that he does not want to de designate this, he'd like to see an exception from the State to give them the OK for the sign. Councilor Cheney doesn't think this will work. Manager Myers explained the process with DOT. Councilor Lipman said that Councilor Felch would need to find someone to support a legislative change. Councilor Hamel asked Manager Myers if they de designate that area can the

zoning department still have authority for the sign ordinance to keep in effect. Manger Myers replied yes and if this motion passes a copy of the vote with the letter to send to the State. The ***motion passed with all in favor.***

22.C. **Second reading - Petition to layout a Class V Highway - Cottonwood Avenue cul de sac**

The City received a request to layout a Class V Highway at the end of Cottonwood Avenue. At their April 11, 2022 meeting the City Council approved a first reading of the Petition to Layout a Class V Highway – Cottonwood Avenue cul de sac, and scheduled a public hearing for June 13, 2022. There was a site visit on Cottonwood Avenue preceding the June 13 meeting. A public hearing was conducted at the Council's June 13 meeting. At that same meeting a motion was approved to table this agenda item. Attached is the Petition to Layout a Class V Highway. Also attached is Taylor Community's Memorandum of Points and Authorities in opposition to the Petition and their Answer and Objection to the Petition.

Councilor Felch made a motion to take this agenda item off the table. Seconded by Councilor Soucy, the ***motion passed with all in favor.***

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 for a second reading of a Petition to Layout a Class V Highway – Cottonwood Avenue cul de sac. Seconded by Councilor Soucy, the ***motion passed with all in favor.***

Councilor Lipman made a motion that they grant the petition to lay out the Cottonwood Drive cul de sac as petitioned by Nancy Ettelson and find that an occasion to do so exists for the following reasons:

First, it is important to note that they are not being asked to decide between the cul de sac as it presently exists on the ground and the T or hammerhead proposed by Taylor Community. Nor are they accepting the dedication of the cul de sac. They have been asked to lay out a public cul de sac over the existing private road cul de sac. While Taylor Community has granted permission for the City and public to utilize that public road, that permission may be withdrawn for everyone other than Ms. Ettelson at any time. The reasoning:

1. The cul de sac will integrate well with the existing road system. It was dedicated to public use in 1987, and has in fact been used as part of the existing road system for decades, with the City maintaining it until 2021 with no objection from the Taylor Community.
2. Laying out the cul de sac will result in improvement to the convenience of traffic. Without the cul de sac, there is no area for any car to turn around at the dead end of Cottonwood Drive.
3. Laying out the cul de sac will facilitate the transportation of school children because it will provide a place for school buses to turn around at the end of Cottonwood Drive.
4. Laying out the cul de sac will result in improved and more efficient accessibility for fire, ambulance, emergency, and police services to serve the City at large where seconds count. And it will as well serve to support the more efficient removal of snow and public works services.
5. If the cul de sac is laid out, it is anticipated that it will be used daily.
6. Laying out the cul de sac will cause the City to incur only minimal additional yearly costs for maintaining the road, as evidenced by the City's maintenance of the cul de sac between 1987 and 2021.

No damages are assessed to Taylor Community, which dedicated the cul de sac to public use in 1987. The motion was seconded by Councilor Soucy, Discussion- None. The ***motion passed with all in favor.***

22.D. **Second reading and vote for Resolution 2022-08 relative to making itemized appropriations for City funds for the fiscal year beginning July 1, 2022 and terminating June 30, 2023**

The proposed FY23 budget was presented to the City Council on April 11, 2022. Per Section 5:04 of the City Charter, a public hearing was held on June 13, 2022. This is the second reading of the budget and Resolution. 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 the estimated tax rate for the General Fund.

Councilor Cheney made a motion to waive reading of this Resolution and to read by title only. Seconded by Councilor Soucy, Discussion- None, the ***motion passed with all in favor.***

Councilor Cheney made a motion to approve a second reading of Resolution 2022-08, relative to making itemized appropriations for City funds for the Fiscal Year beginning July 1, 2022 and terminating June 30, 2023. Seconded by Councilor Felch. Discussion- None, the ***motion passed with all in favor.***

Councilor Soucy made a motion to amend the General Fund lines of Resolution 2022-08 to change Total Appropriations to \$82,219,293.00 and Revenues to \$30,900,291.00 and Balance to be Raised by Taxes to \$51,391,002.00. Seconded by Councilor Felch. Discussion- None, The ***motion passed with all in favor.***

Councilor Felch made a motion to amend the Anticipated Grant lines of Resolution 2022-08 to change Total Appropriations and Revenues to \$3,421,903.00, an increase of \$867,000.00. Seconded by Councilor Soucy. Discussion- None, the ***motion passed with all in favor.***

Councilor Felch made a motion to amend the Internal Service Fund lines of Resolution 2022-08 to change Total Appropriations and Revenues to \$1,424,245.00, a decrease of \$55,000.00. Seconded by Councilor Soucy. Discussion- None, the ***motion passed with all in favor.***

Councilor Soucy made a motion to approve Resolution 2022-08 relative to making itemized appropriations for City funds for the fiscal year beginning July 1, 2022 and terminating June 30, 2023. Seconded by Councilor Felch. Discussion: Councilor Cheney said he presented his first municipal budget in 1970 and he's been doing municipal and state budgets ever since. He noted that Manager Myers is leaving us in September, and he still put forth his full effort and created an impressive budget this year, he wants to see the Council thank Manager Myers for doing as good of a job this year as he has for the past 11 years. The ***motion passed with all in favor.***

Mayor Hosmer wanted to note the presentation by David Stamps made tonight was very good and he wanted to see if the Council would consider hanging the flag on City Hall until the end of the month. He'd like to know the Council's consensus.

Councilor Lipman thinks that the Council needs to take this back for some policy consideration, so the City can determine how many different types of flags does the City want to fly, they have a general consensus of the types of flags that are hung now and to expand. He stated that how you demonstrate flags is a very sensitive topic to a lot of people and he thinks they need to get some consultation from legal about how they should move forward. He has no problem with the request from the Human Relations Committee to display the Pride Flag until the end of the month.

Councilor Haynes said that Councilor Lipman points have been well taken and he asked if the City has a City flag that they fly? Manager Myers said no, it is displayed here in Council Chambers on the wall and is in the Mayor's office. Councilor Haynes said that he has heard complaints that the City doesn't fly a City flag so he thinks it is a good idea for this topic to be looked into further by our legal counsel. He has no problem with the request from the Human Relations Committee to display

the Pride Flag until the end of the month.

Councilor Soucy commented that they are running the risk of hearing from many other organizations, and he has nothing against the flag that is being asked to be flown today but he thinks the City Council needs to look at this topic as a whole.

Mayor Hosmer commented that he thinks the City has the ability to do this if they wish and they will do it well, it may come with some challenges associated with it but he thinks just until the end of the month would be great and crafting a policy on what flags are to be flown by the City is a great discussion to have in the future.

Councilor Lipman would like to consult with people who are knowledgeable about these issues, he believes there are some recent supreme court cases in Boston about flags being flown there.

The consensus was ok to hang the flag, since it was larger than the current flags on the flagpole, it would be hung on City Hall for the remainder of Pride Month which is June 30, 2022.

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 at 9:18 PM.

Respectfully Submitted,

Katie Gargano, City Clerk