

# CITY OF LACONIA - CITY COUNCIL MEETING

July 9, 2018

7:00 P.M.

7/9/2018 - Minutes

## 1. CALL TO ORDER

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

## 2. SALUTE TO THE FLAG

Councilor Hosmer lead the Salute to the Flag.

## 3. RECORDING SECRETARY

Cheryl Hebert, City Clerk

## 4. ROLL CALL

City Clerk Hebert took the roll with the following Councilors in attendance: Bruce Cheney, David Bownes, Henry Lipman, Mark Haynes, Bob Hamel, and Andrew Hosmer.

Mayor Engler noted that all six (6) Councilors are in attendance and quorum has been established.

## 5. STAFF IN ATTENDANCE

Scott Myers, City Manager and Donna Woodaman, Finance Director

## 6. COUNCIL PROCLAMATION

## 7. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

### 7.A. Regular meeting minutes of June 25, 2018

Minutes of the June 25, 2018 meeting were distributed to the City Council on Thursday, June 28, 2018. With no corrections or changes submitted to the clerk, the minutes will be accepted as distributed.

## 8. CONSENT & ACTION ITEMS

### 8.A. 18th Annual HK Powersports Land & Lake Poker Run

Councilor Bownes moved to approve the request by Easter Seals NH to use the City Dock at Weirs Beach on July 14, 2018 for the 18th annual HK Powersports Land and Lake Poker Run, seconded by Councilor Lipman; the *motion passed with all in favor.*

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

Steve Degiso, 744 Union Ave (building containing Mustache Petes) - concerned with the parking being taken away on Union Ave near this location. Mayor Engler explained that long term engineering decisions are being worked on and no permanent decisions have been made regarding the parking in that area.

Tony Degiso - owner of Mustache Petes - expressed concerns with the parking spots in that area. T. Degiso brought a petition against taking parking spots in that area away but did not submit the petition into the record. Councilor Hamel reiterated what Mayor Engler stated.

Mayor Engler stated that if any spots are to be taken away the residents in that area will be notified and the topic would be up for public input.

Representative Charlie St. Clair - Thanked the Police Department, Fire Department and Department of Public Works for all their hard work in regards to Motorcycle Week 2018. There will be a wrap up meeting regarding Motorcycle Week on Wednesday July 11, 2018 at 12 pm in the Armand A Bolduc City Council Chamber and the public is welcomed to attend.

Jason Griffin - President of the Professional Fire Fighters Association - spoke on behalf of the fire departments morale, Councilor Hamel's comment regarding the Fire Department having no skin in the game, and cutting the budget. J. Griffin

is asking for an open line of communication between the Fire Department and the Council. J. Griffin stated that the overtime is needed in order for the safety of the City. He stated the cuts that are going to be voted on tonight will affect the fire departments operational needs but they will still show up and do the best that they can. J. Griffin stated he is always available and has reached out to all of the Councilors regarding the privatization of the ambulance service.

Councilor Hamel stated to Mr. Griffin that the communication goes both ways. Councilor Hamel made comment that the posts made on social media are nothing but criticism and scare tactics.

Comments were made back and forth from both Jason Griffin and Councilor Hamel.

## 10. INTERVIEWS

### 10.A. **Michael Sweet - Seeking appointment to an alternate member position on the Heritage Commission for a three year term expiring at the end of March, 2021**

Michael Sweet was interviewed.

### 10.B. **Richard Allen - Seeking appointment to a regular member position on the Lakeport TIF District Advisory Board for a three year term expiring at the end of June, 2021**

Richard Allen was interviewed.

### 10.C. **Deborah Williams - Seeking reappointment to a regular member position on the Conservation Commission for a three year term expiring at the end of August, 2021**

Deborah Williams was interviewed. D. Williams handed out a brochure to the Council and for the record.

### 10.D. **Roland Maheu - Seeking reappointment to a regular member position on the Zoning Board of Adjustment for a three year term expiring at the end of August, 2021**

Roland Maheu was not present.

### 10.E. **Michael Foote - Seeking reappointment to a regular member position on the Zoning Board of Adjustment for a three year term expiring at the end of August, 2021**

Michael Foote was interviewed.

### 10.F. **Michael Foote - Seeking reappointment to a regular member position on the Conservation Commission for a three year term expiring at the end of August, 2021**

Michael Foote was interviewed.

## 11. NOMINATIONS, APPOINTMENTS & ELECTIONS

## 12. COMMUNICATIONS

## 13. PUBLIC HEARINGS

## 14. PRESENTATIONS

## 15. MAYOR'S REPORT

Mayor Engler extends a heartfelt thank you to the Celebrate Laconia Committee in regards to the festivities held on Saturday, July 7, 2018. Mayor Engler mentioned the booklet that was put together by Celebrate Laconia Committee and distributed to the community during the festivities. Mayor Engler read what he wrote in the Celebrate Laconia booklet.

Mayor Engler spoke about the Master Plan and Land Use Chapter.

## 16. COMMITTEE REPORTS

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

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

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

16.B. **PUBLIC SAFETY (Bownes, Hosmer, Lipman)**

16.B.i. **Fair St/Court St traffic problems and accidents**

16.C. **GOVERNMENT OPERATIONS & ORDINANCES (Bownes, Hosmer, 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.D. **LANDS & BUILDINGS (Hamel, Lipman, Haynes)**

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

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

16.E. **PUBLIC WORKS (Bownes, Hosmer, Haynes)**

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

16.E.ii. **Proposal to implement City Policies for designating emergency lanes**

17. **LIAISON REPORTS**

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

No comments from the public were made.

19. **CITY MANAGER'S REPORT**

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

City Manager Myers extends his gratitude to the Celebrate Laconia Committee as well as the City departments for all the hard work they put in to pull off a great event on Saturday, July 7, 2018 and throughout the year.

City Manager Myers announced that the sale of Irwin Marine was finalized today, July 9, 2018.

City Manager Myers reviewed the report.

20. **NEW BUSINESS**

20.A. **First reading of Resolution 2018-27 relative to authorizing the City Manager to accept and expend a grant on behalf of the City in the amount \$50,000.00 from the 2019 Law Enforcement Opioid Abuse Reduction Initiative Grant and request to schedule a public hearing on July 23, 2018 during the regular City Council Meeting**

Councilor Hosmer moved to waive a reading of this resolution in its entirety and to read by title only, seconded by Councilor Haynes; the *motion passed with all in favor*.

Councilor Hosmer moved to the first reading of Resolution 2018-27 relative to authorizing the City Manager to accept and expend a grant on behalf of the City in the amount of \$50,000.00 from the 2019 Law Enforcement Opioid Abuse Initiative Grant, seconded by Councilor Lipman; the *motion passed with all in favor*.

Councilor Haynes moved to schedule a public hearing on July 23, 2018 during the regular City Council meeting for public input, seconded by Councilor Hosmer; the *motion passed with all in favor*.

20.B. **First reading of Resolution 2018-28 relative to authorizing the City Manager to accept and**

**expended a grant on behalf of the City in the amount of \$14,632.00 from the Edward Byrne Memorial Justice Assistance Grant (Byrne JAG)**

Councilor Cheney moved to waive a reading of this Resolution in its entirety and to read by title only, seconded by Councilor Lipman; the ***motion passed with all in favor.***

Councilor Hosmer moved to the first reading of Resolution 2018-28 relative to authorizing the City Manager to accept and expend a grant on behalf of the City in the amount of \$14,632.00 from the Edward Byrne Memorial Justice Assistance Grant (Byrne JAG), seconded by Councilor Cheney; the ***motion passed with all in favor.***

Councilor Haynes moved to schedule a public hearing on July 23, 2018 during the regular City Council meeting for public input, seconded by Councilor Hamel; the ***motion passed with all in favor.***

**20.C. Motorcycle Week Trademark License Agreement with Laconia Harley Davidson**

Mayor Engler explained there are certain reasons the Council meets out of the public view and one would be for legal matters. This item is one of a legal matter. Mayor Engler recessed the Council meeting at 7:53 pm and the Council moved to Room 200B.

Mayor Engler reconvened the regular meeting at 8:27 pm and noted for the record the Council is on Item 20C. Motorcycle Week Trademark License Agreement with Laconia Harley Davidson.

Councilor Lipman moved to authorize the City Manager to execute a binding agreement with Laconia American Road LLC under which the City of Laconia agrees to refrain from filing of any Section 8 & 15 Declarations with the United States Patent and Trademark Office for any of the trademarks owned by the City of Laconia until the earlier of August 15, 2018 and the approval by the Laconia City Council of an agreement with Laconia American Road LLC relative to the trademarks, seconded by Councilor Haynes; the ***motion passed with all in favor.***

**21. UNFINISHED BUSINESS**

**21.A. Second reading of Resolution RES-2018-15, General Fund Budget**

City Manager Myers entered into the record a list of proposed changes for the General Fund budget requested by the City Council to the Fiscal Year 2019 Budget. City Manager Myers explained the proposed changes directed by the Council at the last Council meeting.

Councilor Bownes moved to add the FY19 Budget City Council discussion list distributed by the City Manager tonight as an addendum to RES-2018-15, seconded by Councilor Cheney,

Councilor Bownes moves to take the \$50,000 and the \$25,000 Capital Outlay - Parks and move it to the Contingency Funds under Administration - Non-Departmental, seconded by Cheney;

Councilor Hosmer reiterated Councilor Bownes motion in order to understand it.

Councilor Haynes voiced his opinion regarding taking the money from the Capital Outlays - Parks account and stated the need for recreational areas in the City.

Councilor Lipman agrees with Councilor Haynes.

Mayor Engler called the question; the ***motion failed by a vote of two (2) in favor and four (4) opposed.***

Councilor Hosmer is not convinced with the proposed cuts to the Fire Department budget. Councilor Hosmer does not feel the City should spend \$75,000 on irrigation systems and cut that amount from the Fire Department budget.

Councilor Hosmer moves to amend the addendum by removing the \$75,000 from Capital Outlay - Parks and move it back to the Fire Department budget, seconded by Councilor Bownes, the ***motion failed by a vote of one (1) in favor and five (5) opposed.***

Councilor Hosmer moved to reconsider Councilor Bownes motion by moving the \$75,000 from Capital Outlay - Parks to the line item Administration - Non-Departmental - Contingency, seconded by Councilor Bownes; the ***motion fails with two (2) in favor and four (4) opposed.***

Councilor Bownes moved to add the FY19 Budget Council Discussion list distributed by the City Manager tonight as an addendum to RES-2018-15, seconded by Councilor Cheney; ***the motion passed with a vote of five (5) in favor and one (1) opposed.***

Councilor Bownes moved to waive a reading of this Resolution in its entirety and to read by title only, seconded by Councilor Hamel; the ***motion passed with all in favor.***

Councilor Hamel moved to approve RES-2018-15 as amended, a resolution relative to making itemized appropriations for the General Fund for the Fiscal Year beginning July 1, 2018 and terminating June 30, 2019, seconded by Councilor Lipman; the ***motion passed with five (5) in favor and one (1) opposed.***

#### **21.B. Second reading of Resolution RES-2018-16, Anticipated Grants Budget**

City Manager Myers distributed to the Council and into the record changes to the RES-2018-16. The changes submitted into record reflect the Community Development Grants for Navigating Recovery and Lakes Region Community Development.

Councilor Cheney moved to waive a reading of this Resolution in its entirety and to read by title only, seconded by Councilor Bownes; the ***motion passed with all in favor.***

Councilor Hosmer moved to approve RES-2018-16, a resolution relative to making itemized appropriations for anticipated grant for the Fiscal Year beginning July 1, 2018 and terminating June 30, 2019, seconded by Councilor Lipman; the ***motion passed with all in favor.***

Councilor Bownes moves to to amend the numbers in Resolution-2018-16 to reflect the handout given by the City Manager with the new amount to reflect \$2,481,222, seconded by Councilor Lipman; the ***motion passed with all in favor.***

#### **21.C. Second reading of Resolution RES-2018-17, Sanitary Sewer Fund**

Councilor Bownes moved to waive a reading of this Resolution in its entirety and to read by title only, seconded by Councilor Hosmer; the ***motion passed with all in favor.***

Councilor Hosmer moved to approve RES-2018-17, a resolution relative to making itemized appropriations for the Sewer Fund for the Fiscal Year beginning July 1, 2018 and terminating June 20, 2019, seconded by Councilor Haynes; the ***motion passed with all in favor.***

#### **21.D. Second reading of Resolution RES-2018-18, Water Fund**

Councilor Hosmer moved to waive a reading of this resolution in its entirety and to read by title only, seconded by Councilor Cheney; the ***motion passed with all in favor.***

Councilor Hamel moved to approve RES-2018-18, a resolution relative to making itemized appropriations for the Water Fund for the Fiscal Year beginning July 1, 2018 and terminating June 30, 2019, seconded by Councilor Lipman; the ***motion passed with all in favor.***

#### **21.E. Second reading of Resolution RES-2018-19, Internal Service Fund Budget**

City Manager Myers noted the correction to the amounts presented in the Resolution. The numbers in the original Resolution were transposed so the amendment reflects the correct amount to be \$1,136,727. The NH Retirement amount was listed incorrectly.

Councilor Cheney moved to waive a reading of this resolution in its entirety and to read by title only, seconded by Councilor Lipman; the ***motion passed with all in favor.***

Councilor Cheney moved to approve RES-2018-19, a resolution relative to making itemized appropriations for the Internal Service Fund for the Fiscal Year beginning July 1, 2018 and terminating June 30, 2019, seconded by Councilor Lipman;

Councilor Lipman moved to amend the original resolution in the amount of \$1,316,729 to the adjusted amount \$1,136,727 seconded by Councilor Cheney, the motion passed with all in favor.

**21.F. Second reading of Resolution RES-2018-20, Motorcycle Week Fund Budget**

Councilor Bownes moved to waive a reading of this resolution in its entirety and to read by title only, seconded by Councilor Hamel; the *motion passed with all in favor.*

Councilor Hosmer moved to approve RES-2018-20, a resolution relative to making itemized appropriations for the Special Revenue Fund - Motorcycle Week for the Fiscal Year beginning July 1, 2018 and terminating June 30, 2019, seconded by Councilor Hamel; the *motion passed with all in favor.*

**21.G. Second reading of Resolution RES-2018-21, Ambulance EMS Fund Budget**

Councilor Cheney moved to waive a reading of this resolution in its entirety and to read by title only, seconded by Councilor Lipman; the *motion passed with all in favor.*

Councilor Lipman moved to approved RES-2018-21, a resolution relative to making itemized appropriations for the Special Revenue Fund - Ambulance Emergency Medical Services for the Fiscal Year beginning July 1, 2018 and terminating June 30, 2019, seconded by Councilor Cheney; the *motion passed with all in favor.*

**21.H. Second reading of Resolution RES-2018-22, Downtown TIF Fund Budget**

Councilor Hosmer moved to waive a reading of this resolution in its entirety and to read by title only, seconded by Councilor Hamel; the *motion passed with all in favor.*

Councilor Haynes moved to approve RES-2018-22, a resolution relative to making itemized appropriations for the Tax Increment Finance District - Downtown for the Fiscal Year beginning July 1, 2018 and terminating June 30, 2019, seconded by Councilor Lipman; the *motion passed with all in favor.*

**21.I. Second reading of Resolution RES-2018-23, Lakeport TIF Fund Budget**

Councilor Hosmer moved to waive a reading of this resolution in its entirety and to read by title only, seconded by Councilor Cheney; the *motion passed with all in favor.*

Councilor Lipman moved to approve RES-2018-23, a resolution relative to making itemized appropriations for the Tax Increment Finance District - Lakeport for the Fiscal Year beginning July 1, 2018 and terminating June 30, 2019, seconded by Councilor Bownes; the *motion passed with all in favor.*

**21.J. Second reading of Resolution RES-2018-24, Weirs TIF Fund Budget**

Councilor Hosmer moved to waive a reading of this resolution in its entirety and to read by title only, seconded by Councilor Cheney; the *motion passed with all in favor.*

Councilor Hosmer moved to approve RES-2018-24, a resolution relative to making itemized appropriations for the Tax Increment Finance District - Weirs for the Fiscal Year beginning July 1, 2018 and terminating June 30, 2019, seconded by Councilor Lipman; the *motion passed with all in favor.*

**21.K. Resolution 2018-29 Relative to the Fire Department Budget**

Mayor Engler read into the record RES-2018-29 as follows:

Be it resolved, The Laconia City Council directs the City Manager to implement a policy where the Fire Department will not fill any regular platoon shifts with employees who are not working at their regular rate of pay unless the number of employees who report for duty for a particular shift falls below eight, as of August 1, 2018. Full staffing of a regular platoon shift will continue to be nine employees.

Be it further resolved, The Laconia City Council directs the City Manager to implement a policy where the Fire Department will make use of employees working at their regular rate of pay (including part-time, seasonal and on-call employees) whenever possible, when it becomes necessary to back-fill platoon shifts because of employees absences. In making such staffing decisions, the City is to adhere to all provisions of the collective bargaining agreement in place between the City and the Laconia Professional Fire Fighters Union.

Be it further resolved, The Laconia City Council directs the City Manager to implement a policy where the Weirs

Beach substation may not be closed for any platoon shift as a result of the actions called for in this Resolution.

Councilor Bownes moved to approve Resolution 2018-29, a resolution relative to the Fire Department Budget as presented, seconded by Councilor Hamel;

Councilor Lipman asked City Manager Myers if this resolution is doable.

City Manager Myers explained if this is what the Council requests then staff will do it's best to make it work.

Mayor Engler called the question; the ***motion passed with all in favor.***

## 22. **COUNCIL COMMENTS**

Councilor Lipman would like to see the Council mend their ways with the Fire and Ambulance Services.

Councilor Haynes thanked City Manager Myers for all his help.

City Manager Myers extended his gratitude towards Finance Director Woodaman and all the department heads.

Mayor Engler thanked everyone involved with the budget.

Councilor Bownes thanked everyone as well.

## 23. **FUTURE AGENDA ITEMS**

23.A. **Improvement of Union Ave/Elm Street intersection**

23.B. **Ordinance amendment relative to Chapter 167, Noise and Chapter 161, Licensing as it pertains to outdoor sound equipment and loudspeakers**

23.C. **Second reading of a resolution relative to the adoption of RSA 31:95-b, Appropriation of funds made available during the year**

23.D. **Master Plan**

23.E. **Milfoil Treatment funding requests**

23.F. **Sewer & Water Master Plan**

23.G. **Single Stream Recycling/Concord Co-op/Solid Waste disposal cost reductions**

23.H. **Strategic Planning/Goal Setting**

23.I. **WOW Trail**

23.J. **Proposal to implement City Policies for designating emergency lanes**

23.K. **Resolution 2017-30 relative to authorizing the City Manager to apply to the State of NH DOT for a temporary use agreement in the City's name that will allow for the completion of a study concerning the different options and benefits of how to build Phase 3 of the WOW Trail and to sign all necessary documents**

24. **Any other business that may come before the Council**

25. **NON-PUBLIC SESSION (According to RSA 91-A:3, II)**

26. **ADJOURNMENT**

9:29 pm.

Respectfully Submitted

Cheryl Hebert

City Clerk