

Minutes were approved at the August 22, 2022 City Council Meeting

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

8/8/2022 - Minutes

1. CALL TO ORDER

Mayor Hosmer called the meeting to order at 7:00 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 City Council: Councilor Cheney, Councilor Soucy via zoom, Councilor Lipman, Councilor Haynes, Councilor Hamel via zoom, Councilor Felch and Mayor Hosmer.

Councilor Soucy attended the meeting remotely, he verified that it was not practical for him to be there in person. He is away on vacation, and he was alone in the room.

Councilor Hamel attended the meeting remotely, he verified that it was not practical for him to be there in person due to a personal matter. He was home, and he was alone in the room.

Because Councilor Soucy and Councilor Hamel 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. City Council budget meeting minutes of June 20, 2022

Minutes of the regular City Council meeting of June 20, 2022 were distributed to the City Council on July 18, 2022.

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

7.B. City Council special meeting minutes of July 7, 2022

Minutes of the special City Council meeting of July 7, 2022 were distributed to the City Council on July 8, 2022.

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

7.C. City Council special meeting minutes of July 8, 2022

Minutes of the special City Council meeting of July 8, 2022 were distributed to the City Council on July 11, 2022.

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

7.D. City Council regular meeting minutes of July 11, 2022

Minutes of the regular City Council meeting of July 11, 2022 were distributed to the City Council on July 18, 2022.

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

8. CONSENT & ACTION ITEMS

8.A. Temporary Traffic Order 2022-9, Laconia Multicultural Festival, and request to waive fees associated with the event

Temporary Traffic Order 2022-9 is attached for this year's Multicultural Festival. This is a recurring event and there are no changes to the Temporary Traffic Order (other than the dates) from the last Festival held in 2019. The organizers of the event are also requesting that all City fees associated with the event be waived. The Special Events Review Committee approved the application for this year's Multicultural Festival at their meeting on July 6, 2022.

Councilor Haynes made a motion to approve Temporary Traffic Order 2022-9 as presented for the Laconia Multicultural Festival and to waive all City fees associated with the event. Seconded by Councilor Felch. **Discussion:** David Stamps wanted to thank the City Departments for all their help, and to the City Council for their contribution to the event this year, it was extremely helpful and needed for the event.

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.*

9. CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA

9.A. Turner Way residents' comments on water supply matters

Dr. Chris Weinman of 328 Turner Way, he is the president of the Windemere Ridge homeowners' association. The neighborhood consists of a 31-lot development. They have been having water issues since 2004 when the development was being approved. The City Planning board mandated that a community water system be built because existing neighbors were concerned about their water and their water supply. The wells initially met the standards at the time the development was created; they had a 16,000 gallons per day capacity. That is the capacity that DES says that they need to have based off the number of lots and the number of bedrooms per house in the development. Due to

added homes on the system and a drought for the past 2 years, they are down to 3 gallons per minute. They are trying to address this issue in multiple ways. They have reached out to Emery & Garret investigative water company in Meredith, they have mapped out their system and every lot in this association is now sold and the developer is long gone. They are planning on putting in new wells, but the problem is to get one well online it will cost between \$100,000.00-\$200,000.00 with no guarantee of any success. They need 10 gallons per minute, and they are unfortunately on a lot of bedrock. Over the past year he has engaged in conversations with Councilor Cheney and Councilor Soucy about how they can get City Water up to that area. He offered an idea of connecting with South Down. He said he spoke with the City's Water Superintendent Ben Crawford, and he said that is not the best avenue for this issue. They have tried reaching out to the State to see if they can drill on the state forest land and they have been turned down. They have applied for a grant with the State of NH. The association is coming to the City Council tonight to express the dire need for a solution and he feels that City water is the solution to this problem. There are currently 21 homes on the system. Two homes are being built now and will be online this fall and there are nine more lots that the planning department has said that they cannot deny building permits to because they are lots that have already been approved. Anymore homes being added onto this system is too many and they fear for bigger problems down the road. The association feels the ultimate solution is City water not only for this neighborhood but for the whole area because they have heard of others in the area having issues with water as well.

Councilor Cheney reemphasized that this association has gone to other avenues to try to get this rectified. He asked if the residents who live there are willing to put a couple hundred thousand dollars into new wells that have no guarantee, would they be willing to invest that money into getting the city water where they need it to be? He stated that he thinks the association has a centralized tank.

Dr. Weinman said that they have 20,000-gallon storage capacity tanks. The wells pump into the tanks. He stated the engineer said they could put in a 10-inch pipe into the tank and meter it right from there. He also stated that he thinks that the residents would be willing to contribute so much per lot for guaranteed water because this has been a nightmare for all these homes for the past two years.

Mayor Hosmer asked what is the impact on his household? When he turns on the water, does water come out? How is the quality?

Dr. Weinman replied that water quality has always been good. On the average day the system is pumping 2100 gallons per day, so on the 21 homes in the neighborhood they are all averaging about 100 gallons of water per day and they have water limits in place for no use of irrigation systems, no car washing, and only minimal usage allowed for watering a few potted plants. They have been out of water because they are taxing their well pumps. They can't keep up. One well is 1500 feet deep and the other is 1000 feet deep. The pumps are cycling very frequently and are burning out much faster than they should because they can never get ahead. They have received a violation from DES because they had to have a water delivery.

Councilor Lipman asked about trucking in water regularly to fill the 20,000 gallons of water to fill the tanks?

Dr. Weinman said that DES does not like that idea because it is not a solution, it is OK for an emergency. He noted that they also had a line break and it was winter. They went out of water for 6 days and they were unable to get a water delivery because it was too cold.

Rob Bolduc from 432 Turner Way. He also sits on the board for the association. He spoke about the pumps. When the wells fill up, they have a pump 80 feet above the well and when they get down to 30 feet they shut down and the pumps over cycle and burn out. Each pump costs \$7,000.00 to replace. They have been through quite a few pumps which is much more than normal. They have a company that monitors the pumps and when they get too hot the company calls and they must shut down the pumps, which makes them have to get a water delivery and that notifies DES. The water delivery lasts about 5 days and then they have to turn the pumps back on. It is a continuous cycle that the wells can never catch up. He told the Council that he has spoken to the neighbors in

Windemere heights who also have water issues and he's also spoken to residents on Meredith center road. He wants to make sure that everyone gets taken care of.

Mayor Hosmer asked where are we in the process in looking into this issue? Councilor Cheney stated that he attended the water commission meeting last week in Councilor Soucy's place. He has spoken to the Water Superintendent about his concerns with the project and the main concern is the lack of funding to be able to afford the project. Manager Myers said that he thinks an estimate would be \$4-5 million dollars to bring water only up to that area of Laconia.

Ben Crawford, Superintendent of Water spoke to the Council and stated that he has heard the concerns from the association and the Councilors' and when he looks at this project, he estimated it to cost about \$6.8 million dollars. The design would be creating a loop from the Weirs over to Hilliard Rd., through the woods to Turner Way, down Meredith Center Rd. and having it connect into the Long Bay tank to help prevent the water from going stagnant and causing the pipes to be flushed out because there is not enough flow. That estimated price does not include any easements or land acquisitions that the City may have to obtain in order to get the pipes across the land and to build a tank at the top of the hill near Petal Pushers Farm. Projects like this are not typically fronted by the water department, they are paid for by the developer to bring the water to where they want it to be. There have been some instances where the Water Department has fronted the costs and they have a 10-year payback period to the Water Department for the project.

Mayor Hosmer asked Superintendent Crawford if he has had any conversations with the State about the development of the land across from the Robbie Mills field because there is supposed to be a new E-911 and mutual fire aid facility going in there. Superintendent Crawford stated has had a few brief phone calls with someone who is doing the engineering or planning but the conversation has not gone any farther than that. It was just a general conversation saying where the water is currently and where it needs to be. Mayor Hosmer verified that the State would have the option to have their own private system or they were going to connect into the City System. Superintendent Crawford stated that was correct.

Councilor Lipman wants to know about what a faster solution could be and who are the experts to speak with? Many of the ideas spoken of tonight are not fast solutions. Superintendent Crawford said that he has a meeting this week, and he will speak to them about this as well.

Mayor Hosmer said that he would like to hear from someone in the private sector who is also an expert in this area or in the region that could lay out what the options are to solve this faster.

Mr. Bolduc spoke about studies the association had already done with Emery & Garrett. The association has paid for this service, and they have applied for a \$10,000 grant with DES and are willing to share that information to the City.

Mike Dzikowski of 101 Turner Way stated he is a new resident in Laconia, he just moved here 1 year ago, and they were not aware of the water issues when they purchased this house. He did take the time to read the 2018 master plan and he read the whole thing. As he understood it Hilliard Road is a good opportunity for more development, and he believes it would help bring more tax revenue to the City.

Manager Myers spoke on the 2018 master plan and the reference to Hilliard Rd and the landowners down Parade Rd, the land is owned by a few property owners and there is a fair amount of that land that is in conservation and there are some topography issues. When discussing the future of development of that area it opens a whole other part of planning for the need of sewer lines and road infrastructure. There are a lot of moving pieces. The City doesn't want to throw water in and 10 years down the road that they need to dig it all up and now add sewer.

Councilor Cheney wants to see this as a infrastructure issue and not a water department issue.

10. INTERVIEWS

11. NOMINATIONS, APPOINTMENTS & ELECTIONS

12. COMMUNICATIONS

13. PUBLIC HEARINGS

14. PRESENTATIONS

15. MAYOR'S REPORT

Mayor Hosmer followed up on two emails over the past 6 weeks from the City Manager about creating a policy on flags. He'd like to see the City Government Operations and Ordinances committee take this on with the City Attorney. He also talked about the Homelessness task force he is working on with Detective Eric Adams. They will be beginning to have meetings on a ward basis first then they will decide if they need to hold other meetings. There is a pilot program with the state and they are trying to see if it can be made available to Laconia in regard to housing and placement issues.

16. COUNCIL COMMENTS

Councilor Felch wanted to talk about the 99th Leavitt Park carnival that is coming up on 8/20/22 from 3-6PM. They are in need of volunteers. Please reach out to him if you are interested in helping.

Councilor Cheney asked Councilor Lipman if we are still working on the Welfare Guidelines. Manager Myers said that it was sent out a month ago and he will send it out again. Councilor Lipman said that they will schedule a subcommittee meeting to begin looking at this again.

Councilor Cheney wants to look into the sign ordinances for political signage. He also brought up the Mt. Washington is celebrating its 150th year and he'd like to see a proclamation done from the City. Manager Myers replied that DPW has been told to scale back on the signage rules.

Councilor Hamel told the Council that NH Chronical has been in Laconia twice recently. They covered the Colonial and the bike rail trails. He feels this is great publicity for the City.

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)**

Chairman Haynes told the Council that the committee has met twice on the trash collection issues and the numbers haven't changed.

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**

Councilor Haynes mentioned the Heritage Commission had a presentation from Wayne Hackett on the United Baptist Church. It is not going to become a parking lot in Lakeport. They are going to begin fundraising to try to save the church. The Church is on the historic list and if any councilors are interested in seeing the presentation he would like to have Wayne come in and present it to the Council.

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

Harry Bean from Gilford wanted to speak on the trash issue. He wants to know what the City is going to do about on street parking and trash pickup if they switch to the automated trash collection. He feels there needs to be a plan if there is a car parked in the way and the truck can't pick up, he wants to know if the City will come back and pick it up manually or is the resident going to be stuck with the trash until the following week.

Scott McWilliam of 61 Pearl St spoke in favor in the automated collection option. He thinks that these larger bins are sturdier, they have lids and bigger wheels.

Steve Lawton from Audrey Lane wants to know what happens to the recycling if they go automated, he requests that the City does not do the automated.

Timothy Miner of Academy St thinks that there is going to be an issue with picking up the garbage.

Sheri Miner owns several homes in Laconia on Academy St and Court St. She thinks that there is going to be a lot of trash that is going to be all over the road.

Elizabeth Gleason of Garfield St is here for the agriculture ordinance change that is on the agenda. She has 2 goats that they have raised since they were babies. Her daughter has severe allergies to cats and dogs so they opted to get her pet goats. She stated the goats are very quiet, they are kept clean and she hopes the City Council considers amending the existing ordinance so that her child can keep her pets.

Maria who is the neighbor to the Gleason's said that she has had no concerns with the goats.

Krista Bastille who is the owner of Defiant Records and craft beer was at the meeting about the parking plan that is on the agenda for tonight for a car show that she is hosting with Lake City Auto Body. The event has already been approved by the Special Events Committee.

Robert Mayo of 88 Garfield St is a neighbor to the Gleason's, and they are in support to keeping the goats on the property and fully supports the ordinance change.

Samantha Doucette of 212 South Main St is an abutter the Gleason's. She fully supports the Gleason's to be able to keep their goats.

Alan Raper of 72 Garfield Street said that the goats are not bothering anybody, they do not make noise, they don't smell, and he thinks they are pets, not livestock and they take good care of them.

20. **CITY MANAGER'S REPORT**

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

Manager Myers presented the Financial and Operational Trends report for July 2022. Highlights include the Net gain in construction value from Building Permit Reports, Fire & Rescue Call Data, Property Tax Collection, Motor Vehicle Registration and Boat Taxes. They had one grievance with the Fire Department. It was denied with the Fire Chief and then brought to the Manager where he denied it as well, he went over the balances of TIF Accounts, reserve accounts and EMS Billing History. He has asked the Chief to put together a report to reflect the new billing revenue.

Councilor Haynes wants to know if any dates have been set yet for paving Addison and Durkee Street? Manager Myers replied they are still on the plan for paving to begin in August, but it still depends on construction.

Manger Myers noted the Rte. 3 paving from the Weirs up to the Meredith town line started the night before.

21. **NEW BUSINESS**

21.A. **Temporary Traffic Order 2022-10, Rev, White & Brew Fest Classic Car Show**

Defiant Records & Craft Beer, together with Lakes City Auto Body, will be presenting a classic car show in the downtown area on Thursday evening, August 11. The event will run from 5 pm to 8 pm. In conjunction with the event, the organizers are requesting the use of a total of 56 parking spaces as shown on the attached parking plan. There will be no street closures for this event.

The organizers have contacted most local downtown businesses, and those businesses that were contacted all gave their approval and support of this event.

Please refer to the attached Temporary Traffic Order which states that reserving of the parking spaces will begin at noon, although the event itself does not begin until 5 pm. The spaces that are being requested are two-hour parking spaces, and posting them beginning at noon will allow for ample notice to the public and will help ensure that the spaces will be available when needed for the event.

Please note that the City Manager reserves the right to reduce the number of parking spaces reserved if the applicant is unable to provide the Special Events Review Committee with evidence that the requested number of parking spaces will be utilized for the event.

Councilor Felch move to approve Temporary Traffic Order 2022-10 for the Rev, White & Brew Fest Classic Car Show to be held August 11, 2022 from 5 pm to 8 pm as presented, pending approval by the Special Events Review Committee at their August 3, 2022 meeting. 2nd by Councilor Haynes

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.*

21.B. First reading of Ordinance 2022-235-41:N amending Chapter 235, Zoning, Section 41 to add a new section "N" relating to agriculture in residential zones, and request to schedule a Public Hearing

This amendment to the Zoning Ordinance would allow a property in the Residential Single Family (RS) or Residential General (RG) zones to have a maximum of two sheep or two goats. This would be allowed by an Administrative Approval which could impose certain conditions to be followed. This would be an exception to the current AGRICULTURE definition. This amendment would also clarify to allow certain small scale agricultural uses in the RS and RG zones.

Councilor Haynes made a motion to waive a reading of this Ordinance in its entirety and to read by title only. Seconded by Councilor Felch **Discussion:** Councilor Haynes thinks that this family has gone through all the avenues to get this approved by going to the ZBA, where they asked for a variance; they were denied 3-2 due to the existing definition of agriculture. Councilor Haynes thinks the definition of agriculture is very outdated and needs to be updated. Councilor Felch thinks that this needs to go to committee first. Councilor Felch would like to see this ordinance change going to the Government Ordinance and Operations Committee. Councilor Lipman would like to see the City give forbearance in any actions while this gets sorted out. Manager Myers confirmed that the Planning and Zoning Department was laying back on enforcement while this was being sorted out at the Council level. Councilor Hamel is an animal lover and has worked in farming for 30 years. He is in favor for this to go to committee because he thinks that there will be an influx in applications for people to have chickens and other farm animals. Manager Myers said that the committee needs to meet in a timely fashion to get this going because Zoning has put this on hold. Mayor Hosmer asked Councilor Haynes to rescind his motion and for Councilor Felch to rescind his second to the motion.

Both Councilors rescinded their motions. The Mayor referred this item to the Government Ordinances and Operations committee for their further review and their recommendation.

21.C. Approval of City Manager Agreement

Mayor Hosmer spoke about the announcement of the new City Manager, Kirk Beattie. The agreement is for 3 years and there is a renewal clause in the contract. The salary is starting at \$140,000 with a review after 6 months with an opportunity to earn up to a 5% increase. Mr. Beattie will earn 2.83 days of leave time per month, he will have access to whatever health plan is being offered to all City Employees and he will be offered a retirement plan with a 7% contribution from the City.

Councilor Felch made the motion to approve the City Manager Agreement, seconded by Councilor Lipman, 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.*

22. UNFINISHED BUSINESS

22.A. City Council decision on the method of curbside solid waste collection for the period beginning October 1, 2022

The City's curbside collection contract with Casella expires on September 30, 2022.

Public Works issued three requests for bids for curbside solid waste collection services since early 2021. The first two requests were for automated only. The third request for bids was for both automated and manual collection.

The last proposal (bids received April 2022) was advertised on the City's website and in the Laconia Daily Sun. Additionally copies were e-mailed to:

- Dumpster Depot • Imperial Hauling • Pinard • Casella • Waste Management

Only one firm, Casella, submitted a bid.

Councilor Lipman stated he is not voting for this to go to automated and he wanted to explain why. He is looking at the issues on the impact for residents and they may not be able to keep up with this type of pick up. He is not against automated collection, and he thinks that the savings is not significant enough for everyone to make a change like this.

Councilor Haynes spoke as the Chair of the Public Works Committee, they looked at this issue for several months. He does agree in some respects with what Councilor Lipman stated, but he has a tough time thinking about having to speak to his constituents about spending an extra \$300,000.00 on an issue that may not even exist next year if they lose employees and cannot pick up manually anymore.

Councilor Soucy wanted to speak about some upcoming discussions where there will be changes made to the existing ordinances that may help some of the additional expense. He is concerned about the senior citizens having the ability to get those big cans out to the road. He stated he was still undecided at this point.

Councilor Lipman wants to let the Council know this is a savings of \$190-\$200k in net savings when you minus out the cost of the toters.

Councilor Hamel asked if there is actually a savings with switching from manual to automated and Manager Myers confirmed yes, the costs are increasing significantly in the budget for solid waste collection but there is still a savings.

Councilor Soucy asked about making the ordinance changes on the number of cans for household and apartments.

Councilor Haynes asked Director Anderson for an overview of what they have coming down the road in regard to the use of the landfills and what is going to happen at the refuse recovery area.

Director Anderson said there are 4 places left (Pembroke/Bow area, Rochester, Bethlehem, and Berlin) that can take trash from any municipality. He stated that Landfill space is tight. If Casella does not get another space permitted, then they are going to close one location leaving just 3 and Massachusetts is closing theirs as well. He stated that this is going to increase costs in disposal because landfill space is going to become a commodity.

Councilor Lipman gave examples of how we have taken opportunities to save money. One example was changing all the streetlights, this is 190,000.00 -200,000.00 savings.

Councilor Felch made a motion that the City Council approve the conversion to automated curbside solid waste collection with a proposed start date of no sooner than April 1, 2023. Seconded by Councilor Haynes. **Discussion:** None

Roll Call Vote:

Councilor Cheney: Yes Councilor Soucy: Yes Councilor Lipman: No

Councilor Haynes: Yes Councilor Hamel: Yes Councilor Felch: Yes

The motion *passed 5-1*.

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: 51 PM.

Respectfully Submitted,

Katie Gargano, City Clerk

