

CITY OF LACONIA - CITY COUNCIL MEETING
September 9, 2019
7:00 P.M.

9/9/2019 - Minutes

1. CALL TO ORDER

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

2. SALUTE TO THE FLAG

Councilor Haynes 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 all six (6) Councilors were in attendance and a quorum has been established.

5. STAFF IN ATTENDANCE

Scott Myers, City Manager

Glenn Smith, Finance Director

6. COUNCIL PROCLAMATION

7. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

7.A. Regular meeting minutes of August 26, 2019

Minutes of the meeting were distributed to the Council on Thursday, August 29, 2019. With no corrections or changes submitted to the clerk, the minutes will be accepted as distributed.

8. CONSENT & ACTION ITEMS

8.A. Temporary Traffic Order 2019-14, LHS Homecoming Parade

Councilor Hosmer moved to approve Temporary Traffic Order, 2019-14, LHS Homecoming Parade, to be held on September 20, 2019 from 4:00 pm to 5:00 pm, seconded by Councilor Lipman; the *motion passed with all in favor.*

9. CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA

No comments from the public were made.

10. INTERVIEWS

11. NOMINATIONS, APPOINTMENTS & ELECTIONS

12. COMMUNICATIONS

13. PUBLIC HEARINGS

13.A. Public hearing for Resolution 2019-21, Colonial Theater

Notice of this public hearing was made available in the August 28, 2019 edition of the Laconia Daily Sun, and posted at Laconia City Hall, Community Center, Laconia Public Library and SAU.

Mayor Engler opened the public hearing at 7:05 pm.

Hearing no comments from the public, Mayor Engler closed the public hearing at 7:06 pm.

14. PRESENTATIONS

15. MAYOR'S REPORT

Mayor Engler reminded the public that it was almost a year ago when the New England Wolves hockey team were here being recognized for receiving the 2018 Humanitarian Award. Mayor Engler announced that the Wolves have once again received the 2019 Humanitarian Award. Councilor Haynes is a host family for the Wolves.

Mayor Engler addressed the Code Enforcement situation with the property at 501 Rollercoaster Road. Mayor Engler reminded the public that the Council (the City) is governed not only by local ordinances but by state laws. The property owner has received eleven (11) letters over the years asking him to clean up his property and he has ignored them all. The Code Enforcement office is not singling out this property or its owner. Mayor Engler stated that the Council receives more complaints, (other than pot holes) regarding building code violations around the City. These Ordinances were passed decades ago to help with these complaints. The City also adopted the International Property Maintenance Code which sets standards for everything from excessive peeling paint to unkept yards. It gives the City the statutory abilities to clean up such messes. Mayor Engler reminded the public that at any time if any resident of Laconia doesn't agree with the rules and laws set forth by the governing body (the Council) they may contact their Councilors, not vote for them, or even run for election.

16. COMMITTEE REPORTS

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

There will be a Finance Committee meeting immediately following the end of this meeting to discuss the financing options for the Colonial Theater Bond.

16.A.i. WOW Trail Funding

16.A.ii. Downtown TIF Financing

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

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.C.iv. Regulation of Short Term Residential Rental Businesses

Councilor Bownes stated this item will be on the Council agenda on September 23, 2019.

16.C.v. **Paid Parking Proposal for Downtown**

Councilor Bownes is waiting on the report before scheduling any meeting.

16.C.vi. **Proposed Historic Overlay District**

Councilor Bownes stated this item is still in the committee phase.

16.C.vii. **Scenic Road Motorcycle Noise Petition**

A meeting was held earlier tonight to discuss the Scenic Road Motorcycle Noise Petition. Councilor Bownes updated the Council as to what was discussed. City Manager Myers will do some research in regards to signage, patrols, and enforcement and will report back to the Council at the next meeting.

Councilor Hamel would like the City Manager to look into the dangerous corner at Scenic and Watson Roads.

16.D. **LANDS & BUILDINGS (Hamel, Lipman, Haynes)**

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

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

16.D.iii. **Perley Pond Maintenance**

16.D.iv. **Plan for the DPW Compound**

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

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

Councilor Bownes moved to remove item 16.E.i., Retaining Wall Policy, seconded by Councilor Hosmer; the *motion passed with all in favor.*

17. **LIAISON REPORTS**

A Heritage Commission meeting will be held this week. City Manager Myers updated the Council regarding the legal issue.

Councilor Cheney spoke of the promotions that happened at the Laconia Police Department.

Captain Michael P. Finogle

Lieutenant Gary A. Hubbard

Lieutenant Christopher A. Noyes

Sergeant Michelle K. Cardinal

Sergeant Robert E. Sedgley, Jr.

On behalf of the Mayor and Council a congratulations to them all.

18. CITIZENS REQUESTS TO COMMENT ON CURRENT AGENDA ITEMS

John Dewaele, 26 Heritage Road - Spoke of removing City maintenance for Colonial and Plantation Roads and stated his road is off of these roads. Mr. Dewaele is concerned that these roads have been maintained for over 40 years and losing that would be detrimental to the residents that live there. There are many residents that would not have purchased their homes if these roads were private. Mr. Dewaele expressed his concern with higher assessed values, problems refinancing, and liability issues to the City.

Representative Charlie St. Clair - Spoke in regards to the noise issue on Scenic Road. The concern shouldn't be with just motorcycles but with all vehicles.

Jane Davis - Heritage Road - Ms. Davis shared with the Council that before she purchased her property, she went into City Hall and spoke to a lady about whether this road is private or not as she is a retired educator and can not afford to live on a private road. The lady told Ms. Davis, after looking through paper work, that the City does maintain that road.

19. CITY MANAGER'S REPORT

19.A. Financial and Operational Trends Report

City Manager Myers reviewed the report.

Councilor Hamel would like an update regarding the brick work on Lakeside Avenue being fixed.

Councilor Cheney would like an overtime report for all departments.

City Manager Myers updated the Councilor regarding the Chaos and Kindness Event being held on September 21, 2019. A special events meeting was held earlier today and the Chaos and Kindness group have been crossing items off the required list and still have some items still to be worked on. The final location and time has been finalized as of today. The escrow funds will be in place by Tuesday, September 17, 2019. If the escrow funds are not put into place then the event will not be happening.

20. NEW BUSINESS

20.A. Request to update the City's Ordinance on obstructing sidewalks and parking fines

City Manager Myers explained the reason for these requests.

Councilor Cheney strongly recommends changing the fine from \$10.00 to \$25.00 for the no parking from 9:00 pm to 6:00 am.

Councilor Haynes would like to see stricter enforcement and the fines be raised to \$25.00.

Councilor Hosmer moved to waive a reading of Ordinance 2019-201-13 in its entirety and to read by title only, seconded by Councilor Cheney; the ***motion passed with all in favor.***

Councilor Hosmer moved a first reading of Ordinance 2019-201-13, relative to amending Chapter 201, Streets and Sidewalks, seconded by Councilor Bownes; the ***motion passed with all in favor.***

Councilor Hosmer moved to schedule a public hearing for Ordinance 2019-201-13, during the regular Council meeting on September 23, 2019 to gather public input prior to adoption, seconded by Councilor Bownes; the ***motion passed with all in favor.***

Councilor Hosmer moved to waive a reading of Ordinance 2019-221-47 in its entirety and to read by title only, seconded by Councilor Bownes; the ***motion passed with all in favor.***

Councilor Hosmer moved a first reading of Ordinance 2019-221-47, relative to amending Chapter 221, Vehicles and Traffic, seconded by Councilor Bownes;

Councilor Haynes moved to change all fine that have been recommened to \$15.00 to \$25.00, seconded by Councilor Cheney;

Councilor Lipman stated compared to other communities, that fine is too high for certain violations and can't support that motion. Councilor Bownes can not support that increase as well.

Councilor Cheney explained in his years of working in Law Enforcement, people walk in to the police department to get their tickets voided all the time. For the times that people are purposely ignoring the City Ordinances, the increase is needed.

Councilor Haynes would like to make a friendly amendment to his motion by stating overtime parking would remain at the suggested \$15.00 but all other references to the \$15.00 on the fine scale would be changed to \$25.00. Councilor Cheney excepted that friendly amendment.

Mayor Engler called the presented amended motion; the ***motion passed with four (4) in favor, two (2) opposed (Hosmer and Bownes).***

Mayor Engler called the original motion as amended on first reading; the ***motion passed with all four (4) in favor, two (2) opposed (Hosmer and Bownes).***

Councilor Bownes moved to schedule a public hearing for Ordinance 2019-221-47, during the regular Council meeting on September 23, 2019 to gather public input prior to adoption, seconded by Councilor Haynes; the ***motion passed with all in favor.***

20.B. **Resident request for a four way stop sign at the intersection of Sheridan and School Streets**

Councilor Lipman moved to table this item to allow residents in this area time to comment, seconded by Councilor Haynes; the ***motion passed with all in favor.***

20.C. **Request from the Laconia Parks and Recreation Department to utilize Non-Capital Reserve Funds for the replacement of the paved entrance walkway and sidewalk**

Parks and Recreation Director Amy Lovisek explained the reason for this request. The amount was received by Busby Construction. This will go out to bid following the City's bid process.

The Council is in agreement to do this project but would like Director Lovisek to put this item out to bid with a fall completion date.

21. **UNFINISHED BUSINESS**

21.A. **Second reading and approval of bonding to finance the repair and restoration of the historic Colonial Theater**

Councilor Bownes moved to waive 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 Hamel moved a second reading of Resolution 2019-21, a resolution relative to authorizing

the City Manager to take any actions necessary to issue bonds for the repair and restoration of the historic Colonial Theater in the amount of \$6,700,000, seconded by Councilor Hosmer; the ***motion passed with all in favor.***

Councilor Bownes moved to approve Resolution 2019-21, a resolution relative to authorizing the City Manager to take any actions necessary to issue bonds for the repair and restoration of the historic Colonial Theater in the amount of \$6,700,000, seconded by Councilor Haynes; the ***motion passed with all in favor.***

Councilor Bownes moved to rescind Resolution 2019-19 that was approved by Council on July 22, 2019, relative to the issuance of a bond to finance the repair and restoration of the historic Colonial Theater, seconded by Councilor Hosmer; the ***motion passed with all in favor.***

21.B. **Private roads that do not meet the City's criteria for accepting a road "as-is"**

DPW Director Anderson presented a PowerPoint and submitted a copy into the record.

Discussion was had regarding the liabilities involved with accepting or not accepting these roads, drainage issues, the costs to bring these roads up to par, betterment costs, and resident concerns.

It is the request of the Council to bring forth the presentation that was held last year regarding this subject.

Councilor Bownes moved to table this item for a future agenda under Unfinished Business, seconded by Councilor Lipman; the ***motion passed with all in favor.***

City Manager Myers stated a two week notice will be given to the property owners prior to this item being put on an agenda.

22. **COUNCIL COMMENTS**

Councilor Cheney would like to see Perley Pond cleaned up before winter. City Manager Myers does believe an arborist will be out next week.

Councilor Cheney would also like an update regarding the traffic light issue that was discussed at the last Council meeting. City Manager Myers stated as soon as he has information on this he will get it to the Council.

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**

With no other business to come before the Council and hearing no objection, Mayor Engler adjourned the meeting at 8:52 pm.

Respectfully submitted

Cheryl Hebert, City Clerk

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