

CITY OF LACONIA - CITY COUNCIL MEETING
September 13, 2021
7:00 P.M.

9/13/2021 - Minutes

1. CALL TO ORDER

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

2. SALUTE TO THE FLAG

Councilor Hamel lead the Salute to the Flag.

3. RECORDING SECRETARY

Cheryl Hebert, City Clerk

4. ROLL CALL

City Clerk Hebert took a roll call vote with the following Councilors in attendance: Bruce Cheney, Bob Soucy, Henry Lipman, Mark Haynes, Bob Hamel, and Tony Felch

Mayor Hosmer noted all six Councilors were in attendance and a quorum was 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 23, 2021

Minutes of the meeting were distributed to the City Council on Friday, August 27, 2021. With no corrections or changes submitted to the Clerk, the minutes will be accepted as distributed.

7.B. Special meeting minutes of August 30, 2021

Minutes of the meeting were distributed to the City Council on Tuesday, August 31, 2021. 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 2021-15 LHS Homecoming Parade

Councilor Hamel moved to approve Temporary Traffic Order 2021-15, LHS Homecoming Parade, to be held on September 24, 2021 from 4:00 pm to 5:00 pm, seconded by Councilor Felch; the ***motion passed with all in favor.***

9. CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA

Lisa McElrath-Popek, 192 Holman St - Spoke in regards to 20-22 Willow Street and condition of the road. She needs to make a formal request in regards to the formal report from Colonial Adjustment Insurance report done by Brandon Robertson for the flood that happened on July 29, 2021 on Willow Street. She was told that it was a direct issue because of the pipe that parks put in that caused the flooding. She was told by Mr. Robertson that the town put a claim into Travelers Insurance. She has attempted to call and emailed Travelers and has never been able to reach anyone so she is not sure it is a legit company. She spoke to Wes Anderson, DPW Director and he told her the pipe was the incorrect size. Ms. McElrath-Popek stated that Director Anderson and the insurance adjuster visited her home and she did not have a pleasant encounter with Mr. Anderson. She explained when she asked when her street would be paved, Mr. Anderson kept stating the project will be done in November. She said he repeated himself many times. She said there is damage to her floor because of this. She also stated that Mr. Anderson told her that Willow Street is not slated to be done. Ms. McElrath-Popek also spoke to a Councilor Felch. She said he was very helpful.

City Manager Myers explained that Ms. McElrath-Popek spoke to Nancy Brown today. Nancy Brown took down her information and it will be looked into. The City uses Primex as insurance.

Councilor Soucy and Mayor Hosmer will try to schedule a time to go and look at her property.

Scott McWilliam, 61 Pearl Street - Mr. McWilliam asked for an update in regards to the Homeless Committee. City Clerk Hebert took down Mr. McWilliam's email for the Mayor.

10. INTERVIEWS

11. NOMINATIONS, APPOINTMENTS & ELECTIONS

12. COMMUNICATIONS

13. PUBLIC HEARINGS

13.A. Public hearing for a proposed ballot question for a Charter Amendment

Notice of this public hearing was made available in the September 1, 2021 edition of the Laconia Daily Sun, and posted at City Hall, Laconia Public Library, Community Center, and the SAU.

Mayor Hosmer opened the public hearing at 7:21 pm

Councilor Lipman just wants to make sure the public will be aware what the boundary adjustments will be.

Patrick Wood, 717 Shore Drive - Would this be a permanent change to the charter?

City Manager Myers explained this would be a permanent change unless another charter amendment is proposed.

Forgione - Asked why this needs to be a charter change?

City Manager Myers explained how the charter is written now and what is being proposed.

Hearing no comments from the public, Mayor Hosmer closed the public hearing at 7:25 pm.

14. PRESENTATIONS

15. **MAYOR'S REPORT**

Mayor Hosmer noted that tomorrow is the Municipal Primary and the polls are open from 8:00 am to 6:00 pm.

16. **COUNCIL COMMENTS**

No comments from the Council were made.

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.D. **LANDS & BUILDINGS (Hamel (Chair), Haynes, Felch)**

17.D.i. **Downtown parking garage**

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

17.D.iii. **Perley Pond Maintenance**

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

17.D.v. **Continuation of the discussion regarding parking in the Lakeport area**

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**

18. **LIAISON REPORTS**

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

Robert Sawyer, 50-62 Canal Street - Mr. Sawyer is concerned with the possibility of losing more two-hour parking spaces. A lot of the businesses in the downtown area need temporary parking rather than long term parking. He loves the Colonial Theatre and all that it has to bring but losing two-hour parking to the apartments above it is a disservice to the local businesses. Mr. Sawyer suggests the Council table such item and meet with the downtown business owners before making a final decision.

Councilor Soucy asks where Mr. Sawyer recommends the the spaces go?

Mr. Sawyer suggested not using the front spaces in the Beacon Street East parking lot but maybe the back spaces.

Patrick Wood, 717 Shore Drive - Mr. Wood is in 100% agreement with Mr. Sawyer. Mr. Wood stated if the Council takes away parking spaces from the customers of the downtown businesses, those customers probably won't return. Mr. Wood also thinks if parking spaces are going to be designated for one property owner then all property owners should be offered the same thing. Mr. Wood also spoke about the parking garage. Mr. Woods thinks maybe the ramps and second level could be fixed and maybe get rid of the third floor.

Mark Condodemtraky, 8 Edgewater Ave - He echoed Mr. Sawyers comments regarding the parking spaces and would like the opportunity to also secure spaces for his downtown businesses.

20. **CITY MANAGER'S REPORT**

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

City Manager Myers reviewed the report.

Mayor Hosmer would like to look further into the EMS Billing report either the next meeting or beginning of October.

21. **NEW BUSINESS**

21.A. **Proposed lease agreement with EJM Holdings, LLC**

Mayor Hosmer has recused himself and left the room for this item and Mayor Pro Tem Haynes has taken over.

City Manager Myers briefed the Council on the background to this item.

Councilor Hamel also gave some more detailed information pertaining to the parking spots in this lease agreement.

Councilor Lipman thinks fundamentally the Colonial project may not have come together without this. He does think maybe the spots could be moved to a different spot. The Council is certainly invested in improving the parking in the downtown area. Councilor Lipman thinks this should be moved forward to a public hearing and hear input. This is for the entire City as it is improving the tax base.

Councilor Soucy would like the Council to look at other spots. Councilor Soucy also questioned the

costs of these spots.

City Manager Myers also explained that without these units above the Colonial, that area would not be added to the tax rolls.

Councilor Cheney has some concern with the price in the long term. Councilor Cheney suggests before having a public hearing that the City Manager and some members of the Council meet with the business owners. Councilor Cheney would like to see the public hearing not happen until October and Councilor Soucy agrees.

Councilor Lipman agrees that this could be adjusted to a different location but to redo the entire lease would be counterproductive.

Councilor Felch has spoken to some of the merchants in the downtown area about paid parking downtown. The City is still responsible for maintaining these parking spaces. He has a problem with the pricing and location.

Councilor Lipman feels some are missing the point.

Councilor Cheney moved to waive a reading of the proposed lease with EJM Holdings, LLC in its entirety and to read by title only, seconded by Councilor Haynes;

Councilor Haynes thinks the public should hear what the lease entails.

City Manager Myers explained the lease is part of the agenda packet which is available on the website. They can also request a copy of it from the Clerk's office.

the motion passed with five in favor, one opposed (Councilor Felch).

Councilor Cheney moved a first reading of the proposed lease with EJM Holdings, LLC, seconded by Councilor Lipman; ***the motion passed with five in favor, one opposed (Councilor Felch).***

Councilor Cheney moved to schedule a second reading and public hearing regarding the proposed lease with EJM Holdings, LLC on October 12, 2021 during the regular Council meeting to gather public input, seconded by Councilor Soucy; ***the motion passed with all in favor.***

21.B. Red Anchor Wellness Health Expo – Request to waive fees associated with the event

Councilor Hamel wants to make sure Parks and Recreation marks any of the irrigation.

City Manager Myers explained those details are in the Special Events packet.

Councilor Soucy moved to approve the request to waive fees associated with the Red Anchor Wellness Health Expo to be held at Opechee Park on September 24, 2021, seconded by Councilor Hamel; ***the motion passed with in favor. (Councilor Cheney was not present for this vote.***

21.C. Temporary Traffic Order 2021-11, Laconia Biketemberfest, and request to waive fees associated with the event

Mayor Hosmer is now back leading the meeting at 8:16 pm.

Councilor Felch moved to approve Temporary Traffic Order 2021-11, Laconia Biketemberfest, approve the waiver of all licensing and special event fees, extend the hours of operation of sound equipment and/or loudspeakers for Biketemberfest from 10:00 pm to 11:00 pm on September 17, 2021 and

September 18, 2021 and allow alcohol consumption on City property in the designated areas only, seconded by Councilor Cheney; ***the motion passed with all in favor.***

21.D. Temporary Traffic Order 2021-12, Weirstoberfest

Councilor Haynes moved to approve Temporary Traffic Order 2021-12, Weirstoberfest, and allow alcohol consumption on City sidewalks as designated, seconded by Councilor Felch;

Councilor Lipman would like the parking fees to be apart of the motion.

Councilor Felch would like those fees waived.

Councilor Felch moved to amend the motion to add the wording to waive the parking fees, seconded by Councilor Hamel ; the ***motion passed with all in favor.***

Mayor Hosmer called the motion as amended.

the motion passed with all in favor.

21.E. Temporary Traffic Order 2021-13, Wicked Weirs

Councilor Felch moved to approve Temporary Traffic Order 2021-13, Wicked Weirs, and allow alcohol consumption on City Sidewalks as designated, seconded by Councilor Hamel; ***the motion passed with all in favor.***

21.F. Temporary Traffic Order 2021-14 - Runaway Pumpkin 2021

Councilor Felch moved to approve Temporary Traffic Order 2021-14 for the 2021 Runaway Pumpkin Event on October 16, 2021, seconded by Councilor Haynes; ***the motion passed with all in favor.***

21.G. Acceptance of funds from the Laconia Life Saving Fund

Councilor Felch moved to approve the acceptance of \$15,000 from the Laconia Life Saving Fund to send one firefighter to paramedic school, seconded by Councilor Lipman; ***the motion passed with all in favor.***

22. UNFINISHED BUSINESS

22.A. First reading of Ordinance 235-22.7 to amend City Code Chapter 235 Zoning, Impact Fees

City Manager Myers explained the background to this item.

Councilor Lipman moved to remove this item from the table, seconded by Councilor Felch; ***the motion passed with all in favor.***

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

Councilor Lipman moved a first reading of Ordinance 2021-235-22.7, amending the adopted Impact Fee Schedule to increase the amount collected to 50% on April 1, 2022, and to re-evaluate yearly any future increases, seconded by Councilor Cheney; ***the motion passed with all in favor.***

Councilor Haynes moved to schedule a public hearing on September 27, 2021, during the regular Council meeting to gather public input prior to any action being taken, seconded by Councilor Hamel;

the motion passed with all in favor.

22.B. **Parking garage repair or deconstruct options**

Councilor Felch moved to remove this item from the table, seconded by Councilor Hamel; *the motion passed with all in favor.*

City Manager Myers briefed the Council and public on the background to this item. The cost to repair the parking garage and bring it up to today's standards is an estimated \$6.2 million and the cost to deconstruct it is estimated to be \$2 million. But with the deconstruct the downtown loses a lot of parking spaces.

Councilor Soucy asked if it would be up to ADA standards.

City Manager Myers stated yes, it would be ADA compatible. He also explained with the repair price, it would be about \$26,400 per parking space. The price of each space also includes lighting and the elevator. Construction would be about 18 months out. If there is commitment from the Council, we could look to lock in a low bond rate. There will be some disruption to the businesses beneath the garage.

Councilor Hamel moved to schedule a public hearing on September 27, 2021, during the regular Council meeting to gather public input prior to any action being taken, seconded by Councilor Felch; *the motion passed with all in favor.*

22.C. **Proposed ballot question for a Charter Amendment**

Mayor Hosmer discussed this item before Item 22B.

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

Councilor Felch moved to approve language to Article I of the City Charter as presented in Resolution 2021-17 and to add the question to the ballot for the Municipal Election to be held on November 2, 2021, seconded by Councilor Cheney;

Councilor Hamel asked if there was time to add this to the November 2, 2021 Ballot.

City Manager Myers explained there is time and the necessary State parties have been notified, therefore as long as the State approves the Charter Amendment as presented it will be added to the November 2 ballot. If the State does not approve this by September 30, 2021, then we will need to have a Special Election in January of 2022.

Councilor Haynes asked if this would go to the Government Operations subcommittee?

City Manager Myers stated yes and then brought back to the full Council for the full vote.

Mayor Hosmer called the question.

the motion passed with all in favor.

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 further business to come before the Council and hearing no objection, Mayor Hosmer adjourned the meeting at 8:57 pm.

Respectfully submitted

Cheryl Hebert, City Clerk

MINUTES OF THIS MEETING WERE APPROVED BY COUNCIL ON SEPTEMBER 26, 2021