

# CITY OF LACONIA - CITY COUNCIL MEETING

November 13, 2018

7:00 P.M.

11/13/2018 - Minutes

## 1. CALL TO ORDER

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

## 2. SALUTE TO THE FLAG

Councilor Bownes lead the salute to the Flag

## 3. RECORDING SECRETARY

Cheryl Hebert, City Clerk

## 4. ROLL CALL

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

Mayor Engler noted five (5) Councilors are in attendance and a quorum has been established.

Not present: Henry Lipman

## 5. STAFF IN ATTENDANCE

Scott Myers, City Manager

## 6. COUNCIL PROCLAMATION

## 7. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

### 7.A. Regular meeting minutes of October 22, 2018

The minutes were distributed to the Council on Tuesday, October 23, 2018. With no corrections or changes submitted to the Clerk, the minutes will be accepted as distributed.

## 8. CONSENT & ACTION ITEMS

### 8.A. Revisions to Temporary Traffic Order 2018-15 - Holiday Parade - November 25, 2018

Councilor Bownes moved to approve Temporary Traffic Order 2018-15 as revised, pending approval by the Special Events Review Committee, for the Holiday Parade being held on November 25, 2018 from 12:00 noon to 6:00 pm, seconded by Councilor Cheney, the *motion passed with all in favor.*

### 8.B. Request by the Weirs Action Committee to hold a parking fundraiser event at Endicott Rock Park in conjunction with the 2019 Motorcycle Week event

Mayor Engler noted that this item has been moved to New Business due to the amount of possible monies to be raised.

Councilor Cheney moved to approve the request by the Weirs Action Committee to hold a parking fundraiser event at Endicott Rock Park in conjunction with the 2019 Motorcycle Week Event beginning June 8, 2019 and ending June 16, 2019, seconded by Councilor Hosmer; the *motion passed with all in favor.*

### 8.C. Request by the Weirs Community Park Association to hold a parking fundraiser event at the Weirs Community Center and Weirs Community Park parking lots in conjunction with the 2019 Laconia Motorcycle Week event

Mayor Engler noted this item has been moved to New Business due to the amount of possible monies to be

raised.

Councilor Hosmer moved to approve the request by the Weirs Community Park Association to hold a parking fundraiser event at the Weirs Community Center and Weirs Community Park parking lots in conjunction with the 2019 Laconia Motorcycle Week event beginning June 8, 2019 through June 16, 2019, seconded by Councilor Cheney,

Councilor Hamel asked for the financials' from the Weirs Community Park Association.

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

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

Joe Haas - Gilmanton - spoke in regards to RSA 76:11-a, III pertaining to the tax bills.

## 10. INTERVIEWS

### 10.A. Joan Leroux - Seeking reappointment as a full member of the Personnel Advisory Board for a 3-year term expiring at the end of October, 2021

Joan Leroux was not present.

## 11. NOMINATIONS, APPOINTMENTS & ELECTIONS

### 11.A. Request to appoint Krista Larsen, Assistant Public Works Director, to the WOW Trail Maintenance Advisory Committee to a three-year term expiring at the end of November, 2021

Councilor Hamel moved to appoint Krista Larsen, Assistant Public Works Director, to the WOW Trail Maintenance Advisory Committee to a three-year term expiring at the end of November, 2021, seconded by Councilor Haynes; the *motion passed with all in favor.*

### 11.B. Request to reappoint Kevin Dunleavy, Parks and Recreation Director, to the WOW Trail Maintenance Advisory Committee to a three-year term expiring at the end of November, 2021

Councilor Hosmer moved to reappoint Kevin Dunleavy, Parks and Recreation Director, to the WOW Trail Maintenance Advisory Committee to a three-year term expiring at the end of November, 2021, seconded by Councilor Hamel; the *motion passed with all in favor.*

## 12. COMMUNICATIONS

## 13. PUBLIC HEARINGS

### 13.A. Public Hearing on the designation of Pendleton Beach Road and Boathouse Road as Emergency Lanes under RSA 231:59-a

Notice of the public hearing was made available in the October 24, 2018 edition of the Laconia Daily Sun, posted at City Hall, Community Center, SAU, and the Laconia Public Library.

This item will be taken up under Unfinished Business.

Mayor Engler opened the Public Hearing at 7:15 pm.

Paul Fitzgerald, the association and all of its members ask for the Council's support on this resolution.

Mayor Engler closed the Public Hearing at 7:17 pm.

## 14. PRESENTATIONS

## 15. MAYOR'S REPORT

Mayor Engler noted for the record that Christmas falls on a Tuesday this year so the Council meeting will be held on Thursday, December 27, 2018 at 7:00 pm.

Mayor Engler briefed the Council on the status of the Colonial Theater project. He reminded the Council the New Market

Credits were not approved this past May or June. The committee of the Belknap Economic Development Committee and Mayor Engler and Councilor Hamel have met in regards to the Colonial project. There is now a commitment, in writing, if an allocation is received, the City's application will be put at the top of the pile. Mayor Engler noted this project can not move forward without these tax credits. Mayor Engler is hoping to have more details within the next two meetings to bring back to the Council.

## 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

A meeting to discuss this topic will be held on November 26, 2018 at 6:15 pm.

#### 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

Councilor Bownes has a meeting next week regarding the master plan.

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

A representative is present from the Weirs Action Committee to answer any questions regarding Item 8B.

Joe Haas - Gilmanton - spoke in regards to item 20B, a request for a building permit on a private road for 78 Harglen Lane. He cited NH RSA 674:41, 1e, section 16.

City Manager Myers stated this is more of a house keeping item for the Council and nothing is being done to restrict. Staff has no concerns and recommends the approval of Item 20B.

## 19. CITY MANAGER'S REPORT

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

City Manager Myers reviewed the report.

Councilor Hosmer asked for the percentage breakdown in regards to the EMS billing and different insurance

companies. City Manager Myers stated he does not have that answer at this time but will find that information out.

Councilor Bownes asked what the benchmark is for what is collected. City Manager Myers stated it is based on numbers from the past couple of years and the increases in rates that have happened within the last year.

Discussion was had in regards to the cost of each ambulance run, whether the City is breaking even or not. Councilor Hosmer would like to see more of an itemized cost for the ambulance service. Mayor Engler reminded the Council that the City is not just an ambulance service, the City is a fire department as well and most are doing the job of both fire fighter and EMT's.

Councilor Bownes would like to see what the hard cost is approximately so the City has a better idea of the cost benefit of the services we are providing.

Councilor Hamel asked if the overtime for the Fire Department for 2018 year-to-date to 2019 year-to-date a correct figure? City Manager Myers will get back to Council with an answer to that.

City Manager Myers thanked the Clerk and all of the election officials for all of the hard work put into the General Election that was held on November 6, 2018.

City Manager Myers stated for the record that the corrugated card board compactor is now in operation behind the garage on Messer Street. For every ton that is taken out of recycling it is saving the City \$95.00 per ton. The City Manager wanted to remind everyone that pizza boxes, cereal boxes, and shoe boxes are not allowed in the compactor.

Representatives from Comcast contacted the City Manager in regards to providing cable services in the area. City Manager Myers explained the process which would need to take place in order to make this happen (legal review and public hearing.) He also has spoken to Rochester as Comcast just extended their services in that City in the past year. There has been a draft agreement received by the City Manager and he has forwarded it to the attorney for review.

Councilor Cheney asked how the polls were in regards to staffing. City Clerk Hebert stated all the wards were fully staffed and the turnout was 56%.

Councilor Haynes asked if staff is still asking for input regarding private roads and expressed his concerned with overnight parking on City streets. City Manager Myers stated staff is still working on private roads and will bring the overnight parking issue to the attention of Chief Canfield.

## 20. NEW BUSINESS

### 20.A. Request by the Downtown Gym/Real Life Santa's to hold a fundraising event on the WOW Trail

Councilor Hamel moved to approve the request by the Downtown Gym/Real Life Santa's to hold a fundraising event on the WOW Trail from Fair Street to the Belmont Town Line on November 24, 2018 and to waive all fees associated with the event, seconded by Councilor Hosmer; the *motion passed with all in favor.*

### 20.B. Request for a building permit on a private road for 78 Harglen Lane

Councilor Cheney moved to approve the building permit for 78 Harglen Lane as requested contingent upon receiving all permits required by the City, seconded by Councilor Bownes; the *motion passed with all in favor.*

### 20.C. Request for authorization for Mayor to sign four documents in relation to the refinancing of DAE Enterprises, Corporation's hangar

Councilor Hosmer moved to authorize Mayor Edward Engler to sign the following documents referenced above in relation to the refinancing of DAE Enterprises, Corporation's hangar: Subordination, Non-disturbance and Attornment Agreement; Landlord's Waiver and Consent; Landlord Estoppel Certificate and Collateral Assignment of Leaseholder Rights, seconded by Councilor Hamel; the *motion passed with all in favor.*

### 20.D. Termination of Lease Agreement between the City of Laconia/Laconia Airport Authority and Thomas Hedekin

Councilor Hosmer moved to authorize Mayor Edward J. Engler to sign documents authorizing the termination of the lease between the City of Laconia/Laconia Airport Authority and Thomas Hedekin, seconded by Councilor Bownes; the *motion passed with all in favor.*

20.E. **Lease Agreement between the City of Laconia/Laconia Airport Authority and Scott and Virginia Johnson**

Councilor Hosmer moved to authorize Mayor Edward J. Engler to sign the lease agreement between the City of Laconia/Laconia Airport Authority and Scott and Virginia Johnson, seconded by Councilor Hamel; the ***motion passed with all in favor.***

20.F. **Request to designate Provencal Road as no parking**

DPW Director Anderson briefed the Council on this request.

Councilor Haynes moved that the City Council approve designating the odd numbered side of the road from the southern property line of 47 Provencal Road to the north end of the City's road as a no parking area and the even numbered side of the road from the southern property line of 47 Provencal Road to the north end of the City's road as a no parking area, seconded by Councilor Cheney; the ***motion passed with all in favor.***

20.G. **2018 Second Half Sewer Warrant**

Councilor Bownes moved to approve the 2018 second half Sewer Warrant, seconded by Councilor Cheney; the ***motion passed with all in favor.***

21. **UNFINISHED BUSINESS**

21.A. **Approval of Resolution 2018-34, approval of Pendleton Beach Road and Boathouse Road as Emergency Lanes**

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 the second reading of Resolution 2018-34, a Resolution designating Pendleton Beach Road and Boathouse Road as Emergency Lanes with a limited scope of winter maintenance, seconded by Councilor Cheney; the ***motion passed with all in favor.***

Councilor Hosmer moved to approve Resolution 2018-34, the designation of Pendleton Beach Road and Boathouse Road as Emergency Lanes under RSA 231:59-a with a limited scope of winter maintenance, seconded by Councilor Cheney;

Councilor Bownes repeated his concerns in respect to Boathouse Road and drawing water and the history of this road does not support an Emergency Lane. Councilor Bownes would like to go on record that he does not support this motion.

Mayor Engler called the question. The ***motion passed with all three (3) favor and two (2) opposed.***

22. **COUNCIL COMMENTS**

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**

With no further business to come before the Council and hearing no objection, Mayor Engler adjourned the meeting at 8:31 pm.

Respectfully submitted by,

Cheryl Hebert, City Clerk

MINUTES OF THIS MEETING WERE APPROVED BY COUNCIL ON NOVEMBER 26, 2018