



**LACONIA CITY COUNCIL MEETING  
OCTOBER 9, 2012  
CITY HALL – CONFERENCE ROOM 200A  
7:00 P.M.**

**CALL TO ORDER:**

Mayor Pro Tem Hamel called the meeting to order at the above date and time.

**SALUTE TO THE FLAG:**

Councilor Ava Doyle led the Salute to the Flag.

**ROLL CALL:**

Deputy City Clerk Allen called the roll with the following Councilors present: Councilor Doyle, Lahey, Lipman, Baer and Bolduc. Also present Finance Director Donna Woodaman.

**ADOPTION OF MINUTES OF PREVIOUS MEETINGS:**

- **Minutes for the September 24, 2012 Council meeting**

Councilor Bolduc moved to approve the minutes of the September 24, 2012 regular meeting. Seconded by Councilor Baer. **Motion passed unanimously.**

**CONSENT AND ACTION CALENDAR:      NONE**

**CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA:      NONE**

**INTERVIEWS:**

**Zoning Board of Adjustment:** *(3 alternate positions vacant)*

1. Kate Geraci - seeking appointment as an alternate member for a 3-year term expiring 2015

Ms. Geraci explained that she graduated from Laconia High School and is now a Public Defender. She would like to give more to the community and thought being on the Zoning Board of Adjustments (ZBA) would do that. She has been to meetings regarding the state school property and has been following the current growth issues with the City.

Councilor Lipman asked if Ms. Geraci has been to any of the ZBA meetings. Ms. Geraci that she had not but is seeking the alternate position to work her way into the ZBA.

Mayor Pro Tem Hamel advised Ms. Geraci that the vote will be taken at the next Council meeting on October 22.

- **Heritage Commission:** *(1 alternate position vacant)*

1. Mary Ellen (Paradis) Boudman - seeking appointment as an alternate member to fill the unexpired term of Wanda Tibbetts, expiring 2014

Ms. Boudman explained that she retired in 2008 from Newfound Regional High School as an art teacher and lives on Lyford Street. She has been working historically for a long time and has always lived in historic houses. She knew the Mill is the oldest in the country and wanted to work with the mill.

Mayor Pro Tem Hamel advised Ms. Boudman that the vote will be taken at the next Council meeting on October 22.

**COMMUNICATIONS:** NONE

**PUBLIC HEARING:** NONE

**PRESENTATIONS:** NONE

**MAYOR'S REPORT:**

Mayor Pro Tem Hamel attended the open house of the Lakeport train station museum. The Lakeport Association did a remarkable job in preparing the building and all the hard work that went into it. The Lakeport Association is valued and there have been a lot of members involved including Councilor Bolduc. Mayor Pro Tem Hamel thanks everyone who has volunteered. They all did an incredible job and the new museum is a great asset to Lakeport and the City.

Councilor Bolduc remarked that the museum opened for one night by invitation only but will be open on November 3 from 10:00 a.m. to 2:00 p.m. for the public to view.

**CITIZEN REQUESTS TO COMMENT ON CURRENT AGENDA ITEMS:**

John Moriarty, President of the Main Street Initiative, spoke regarding the Public Works committee meeting held this evening. Immediately following the meeting a group gathered and discussed that there may be a need to look at all the parking spaces on Main Street depending on the size of the loading zone. Mr. Moriarty wanted to make sure the Council knew that this was discussed.

Mayor Pro Tem Hamel commented that even if something was passed tonight the Public Works Director could still come before the Council if other changes needed to be discussed.

Charlie St. Clair spoke regarding the Weirs Boardwalk changes. Mr. St. Clair questioned if this was only restricted to food vendors. Councilor Baer read the ordinance amendment and it did not specifically state it was only for food. After a brief discussion it was decided that Mr. St. Clair will meet with the City Manager to discuss the change.

**COMMITTEE REPORTS:**

1. **FINANCE:** (Lipman, Hamel, Baer)
  - a) WOW Trail Fund
  - b) Special Item Budget Requests Procedural Review
  - c) Huot Center

**No report on any item in committee**

2. **PUBLIC SAFETY:** ( Baer, Doyle, Lahey)
  - a) Fair St./Court St. traffic problems and accidents

**No report on any item in committee**

3. **GOVERNMENT OPERATIONS & ORDINANCES:** (Doyle, Bolduc, Lahey)
  - a) Energy Committee
  - b) Vending and Licensing Fees
  - c) Chapt. 119, Building Construction regarding signed architectural plans for residential units
  - d) Proposed charter amendment regarding election of Library Trustees
  - e) Redistricting

**No report on any item in committee**

4. **PUBLIC WORKS:** (Bolduc, Baer, Lahey) (see attachment #1)
  - a) Ordinance Amending Chapter 221, Vehicles and Traffic/Parking on Sublawns
  - b) Oak & North Main St. Intersection
  - c) Proposed ordinance regarding vehicles over 18,000 lbs. and engines idling between the hours of midnight and 6:00 a.m.
  - d) Proposed ordinance regarding large vehicles parked on City streets and sidewalks

Councilor Bolduc reported that only one item on the agenda was voted on because questions arose on the other two items. One item was not publicized and Councilor Bolduc feels that more time needs to be given to the public.

The item taken up was the loading zone on Main Street at the antique center. The problem with this zone is the distance to the crosswalk next to it. Councilor Bolduc indicated that the City Manager informed him that he met with people in the Downtown area and decided to take the first parking space just above the cross hash mark and make it bigger for people to unload. Councilor Bolduc indicated that Public Works Director Moynihan said there were some measurement problems which seems to be a statewide problem regarding the distance between a cross walk and parking spaces and taking the one space would alleviate the problem and make it easier for loading and unloading.

Councilor Bolduc indicated there was some opposition with Charlie St. Clair because he doesn't want to see a space be taken away. However, for the safety of the people it is needed.

Councilor Bolduc advised the Council that the other two items were tabled so more information and time can be given. The only item voted on was to make the loading/unloading zone.

Councilor Bolduc moved to motion the loading zone in front of the antique center and to reposition the parking space to make it the proper length that is required. Seconded by Councilor Lahey. **Motion passed unanimously.**

Councilor Baer questioned if there will be proper signage and if a time element will be stated on the sign. Councilor Bolduc responded that there will be a sign that says loading and unloading zone and there will be no time element.

Councilor Bolduc recommended waiting until the City Manager has returned before scheduling public hearing on the other items that were on the agenda.

Finance Director Woodaman suggested that the public hearing be scheduled now. Mayor Pro Tem Hamel asked Councilor Bolduc whether he wanted another committee meeting regarding the items as well. Councilor Bolduc indicated that another committee hearing needs to be scheduled.

A brief discussion was made about having a committee meeting and a public hearing at the same time. It was decided to hold a meeting of the Public Works committee on October 22 at 6:00 p.m.

Councilor Lahey moved to hold a public hearing on October 22 during the regular Council meeting regarding Downtown Parking. Seconded by Councilor Baer. **Motion passed unanimously.**

**5. LAND & BUILDINGS: (Hamel, Lipman ,Bolduc)**

- a) Repair & maintenance of City Buildings

**No report on any item in committee**

**LIAISON REPORTS: NONE**

**MANAGER'S REPORT:**

Finance Director Woodaman reviewed the Recycling Report (see Attachment #2), Project Updates (see Attachment #3) and Financial & Operational Trends (see Attachment #4).

Councilor Lipman asked if the approximate amount of loss savings could be included in future Recycling Reports so people can see what the value of loss opportunity is. Finance Director Woodaman said this could be included in future reports.

Councilor Baer questioned if increase in rates at the transfer station is still going to reflect a gain or do we need to subtract the increase costs. Councilor Baer wanted to clarify if we were truly saving this money. Finance Director Woodaman replied that she would look into how the numbers are calculated because she was not the one that calculated them.

Mayor Pro Tem Hamel asked if these number for the year or is it for the month. Finance Director Woodaman clarified that it was for the year for the amount of tons that we have recycled.

Mayor Pro Tem Hamel questioned if this is the saving in tipping fees. Finance Director Woodaman indicated that there is a flat fee for recycling and there is no additional cost to the City but we are saving on the cost of the disposing of material as trash.

Mayor Pro Tem Hamel commented that the City and Council has been trying to figure out how to get people to recycle for a long time to see how we can encourage recycling more. Councilor Bolduc commented that summer is over and people have gone home so recycling is going to go down.

Councilor Lipman commented that knowing about next year's budget with the increase in retirement will help for the Council to think ahead to get the recycling numbers up and we are burning money if we don't take advantage of it.

Finance Director Woodaman announced that the Weirs round-a-bout is ahead of schedule may be finished in the next couple of weeks.

Finance Director Woodaman noted that the demolition for 61 Strafford Street and the Opechee Park clubhouse is scheduled in the few weeks and are moving along as scheduled.

Finance Director Woodaman announced that the Main Street Bridge plans are at the NH-DOT and once we hear back from them the City can move forward in putting it out to bid.

Mayor Pro Tem Hamel questioned if the windows at the Opechee Park clubhouse would be taken out soon to save for the new building. Parks and Recreation Director Kevin Dunleavy needs to be aware of when the building comes down so the windows can be taken care of. Finance Director Woodaman said she would notify Jon Gardner and Director Dunleavy to coordinate when the building is coming down.

#### **NEW BUSINESS:**

##### **1. Approval of City Council Boardwalk Policy, Boardwalk Rental Application and Boardwalk Rental Fees for Motorcycle Week 2013**

Mayor Pro Tem Hamel stated this was just administration changes only. There are items that needed to be cleaned up and wording for any future problems with vendors that could happen. It also states that vendors need to be put their merchandise in their designated spots and not go beyond the marks.

Finance Director Woodaman clarified that there is no fee changes. The dates would be moved up because they are expecting a large amount of people to come for the ninety year anniversary. They also want to make sure that the vendors are specific with what they put on their application so no conflict arises between the vendors if they are selling the same item.

Councilor Bolduc commented that the only complaints he received is that the vendors are not staying in their designated spots. He wants to make sure that this will happen this coming year.

Mayor Pro Tem Hamel stated that he wanted to make sure that the vendor license is prominently displayed in the vendor booths so it can be seen from the sidewalk. He also stated that they should be up front and facing the street. Finance Director Woodaman questioned License Clerk Allen regarding the problems that arise with the licenses. License Clerk Allen stated that some of the vendor licenses get removed at night and forget to be put up the next day. They are reminded to put them up the next day.

Mayor Pro Tem Hamel asked what the Council could do to help enforce the posting of the licenses and License Clerk Allen stated she would think of what might help for the future.

Councilor Lahey moved to approve the City Council Boardwalk Policy, Boardwalk Rental Application and Boardwalk Rental Fees for Motorcycle Week 2013. Seconded by Council Bolduc. **Motion passed unanimously.**

## **2. Council Resolution to Withdraw the City's Offer to Purchase the Lakes Region Facility**

Councilor Lahey stated that this resolution does not change the City's position but recognition that the rules to sell the property in question have changed. Councilor Lahey believes the State appropriated \$75,000 for marketing the property nationwide. This will involve putting out bids for who the broker would be and the broker would have to put out a strategy plan. There will be a format that the City and everyone else will be required to follow. He believes we should withdraw the offer by resolution this evening. Councilor Lahey read the resolution for clarification.

Councilor Lahey moved the Council Resolution to Withdraw the City's Offer to Purchase the Lakes Region Facility. Seconded by Council Baer. **Motion passed unanimously.**

## **3. Request by Putnam Fund Advisory Committee to Amend Their Position from the August 27, 2012 Meeting to Allow Additional Expenditure of Trust Funds**

Charles Bradley, member of the Putnam Fund Advisory Committee, distributed a statement from the Committee. (see Attachment #5)

Mr. Bradley stated that City Manager Scott Myers and the City Solicitor were supposed to be present because it was done at their request. Mr. Bradley read the attached statement, adding that he had no legal opinions on the matter.

Councilor Lahey commented to Mr. Bradley that the City is responsible for the Putnam Fund by statute and Charter and that the authority to administer the endowment and trust funds lies with it. The Council has not heard from the trustees at all in the process. He questioned if they had met and taken a vote on the process because he was not aware of it.

Mr. Bradley stated that they had not met and taken a vote.

Councilor Lahey stated that the Council appoints the Trustees of the Trust Fund and he would like to see minutes to a meeting that states what the Trustees would like to see. Mr. Bradley stated that two of the Trustees are present but suggested that the Council could request a formal vote be taken by the Trustees to get the formal position on it.

Councilor Lipman commented that the fundamental issue is trying to honor the advisory board's interest in providing the original trust which is entertainment to the community and taking into account what has changed since 1917 with investment returns. He does not view this as litigation but a petition to the Probate Court. He believes the court is going to take a look at it to see if it complies with current law.

Councilor Lahey commented that the Trustees of the Trust Fund should be doing this and not the Council.

Councilor Baer commented that at the meeting on August 27 the approval was contingent on input from the City Solicitor. It is her understanding that they did meet with the Attorney General. Mr. Bradley confirmed that they did speak to the Attorney General on the phone.

Councilor Baer commented that the Putnam Fund has been a gift to the City and is always free to the citizens which have gone on for years.

Councilor Lipman motioned to approve the support of this request contingent upon the vote of the Trustees of the Trust Funds to do so. Seconded by Council Baer. **Motion passed 5-1 with Councilor Lahey opposing.**

Councilor Lipman commented that when people talk about how there is nothing to do in the community and say there is a missing piece to downtown that this is the missing piece.

**4. Request by Laconia Police Department to Accept State Highway Safety Grant – Laconia “Operation Safe Commute” Patrols**

Councilor Lipman explained that this is a grant to work on the safe driving during commuting time and aggressive drivers.

Councilor Lipman motioned to approve Request by Laconia Police Department to Accept State Highway Safety Grant – Laconia “Operation Safe Commute” Patrols. Seconded by Council Bolduc. **Motion passed unanimously.**

**5. Request to Re-Schedule the Council Meeting of December 24, 2012**

Councilor Bolduc commented that they had met before on Christmas Eve. Councilor Baer agreed they had in the past.

Finance Director Woodaman commented that she believes in the City Charter that they cannot hold a meeting on Christmas Eve.

Councilor Lahey moved to re-schedule the regular Council meeting of December 24, 2012 for December 27, 2012. Seconded by Councilor Baer. **Motion passed unanimously.**

**UNFINISHED BUSINESS:**

1. Milfoil Treatment Funding Request
2. WOW Trail
3. Master Plan
4. EPA Update
5. Sewer & Water Master Plan
6. Single Stream Recycling/Concord Co-Op/Solid Waste Disposal Cost Reduction
7. Strategic Planning/Goal Setting

**NOMINATIONS, APPOINTMENTS & ELECTIONS:                      NONW**

**COUNCIL COMMENTS:**

Councilor Bolduc wanted to thank everyone who came to the open house at the Lakeport museum. He also wanted to thank everyone that had a part in making it happen. He hopes that someday the Lakeport area could be as busy as it used to be. He hopes to see everyone there on November 3<sup>rd</sup>.

**NON - PUBLIC SESSION:**            **NONE**

**ADJOURNMENT:**

Councilor Bolduc moved to adjourn at 7:56 p.m. Seconded by Councilor Lipman. **Motion passed unanimously.**

Respectfully Submitted:

Lindsey R. Allen  
Deputy City Clerk