



**LACONIA CITY COUNCIL MEETING  
JANUARY 28, 2013  
CITY HALL – CONFERENCE ROOM 200A  
7:00 P.M.**

**CALL TO ORDER:**

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

**SALUTE TO THE FLAG:**

Councilor Armand Bolduc led the Salute to the Flag.

**ROLL CALL:**

The roll was called with the following Councilors present: Councilor Doyle, Lahey, Lipman, Baer, Hamel and Bolduc. Also present City Manager Scott Myers and Finance Director Donna Woodaman.

**ADOPTION OF MINUTES OF PREVIOUS MEETINGS:**

- Regular and Non-Public Minutes of January 14, 2013

*Councilor Bolduc moved to approve the regular and non-public minutes of January 14, 2013. Seconded by Councilor Hamel. **Motion passed unanimously.***

**CONSENT AND ACTION CALENDAR:**

1. Request by Wilkins-Smith Post to Raise Funds at Memorial Park for Kelly Miller Circus

Mayor Seymour advised that this item would not be taken up for discussion this evening.

2. Request by Weirs Action Committee to Waive MTRC Fees for Bike Week 2013

*Councilor Bolduc moved to approve the request by Weirs Action Committee to waive MTRC fees for Bike Week 2013. Seconded by Councilor Doyle. **Motion passed unanimously.***

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

**INTERVIEWS:**

1. Colleen Elliott requesting reappointment to the Personnel Advisory Board

Colleen Elliott addressed the Council. Ms. Elliott stated she would like to be reappointed because she likes giving back to the community and enjoys helping with issues when needed.

Councilor Hamel moved to waive the Council Rules of Procedure to allow for Ms. Elliott's nomination this evening. Seconded by Councilor Bolduc. **Motion passed unanimously.**

Councilor Doyle moved to reappoint Colleen Elliott to the Personnel Advisory Board. Seconded by Councilor Bolduc. **Motion passed unanimously.**

**COMMUNICATIONS: NONE**

**PUBLIC HEARING: NONE**

**PRESENTATIONS: NONE**

**MAYOR'S REPORT:**

Mayor Seymour thanked the Laconia Human Relations Committee for hosting a celebration on diversity on Sunday, January 20.

The Harlem Wizards were brought to the City last week by Don Vachon and the Wilkins-Smith Post. Mayor Seymour thanked them for bringing this event.

**CITIZEN REQUESTS TO COMMENT ON CURRENT AGENDA ITEMS: NONE**

**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

***No report on any item in committee.***

4. **PUBLIC WORKS: (Bolduc, Baer, Lahey) (report on meeting held at 6:00 p.m. this evening regarding item d)**
  - a) Ordinance Amending Chapter 221, Vehicles and Traffic/Parking on Sublawns
  - b) Proposed ordinance regarding vehicles over 18,000 lbs. and engines idling between the hours of midnight and 6:00 a.m.
  - c) Proposed ordinance regarding large vehicles parked on City streets and sidewalks
  - d) Recycling Proposals

Chairman Bolduc requested to have City Manager Myers review the proposals submitted by Ann Saltmarsh. (See Attachment #1 of Committee Meeting minutes)

Councilor Hamel asked if the automated collection would include totes provided by the contractor. City Manager Myers replied that it would be considered but the length of the contract would pay a factor because of the initial investment needed.

Councilor Hamel asked for a proposal that would give a cost for the City to operate the collection routes rather than contracting the service. City Manager Myers replied that this is not something that has been looked at because of the cost associated with the personnel needed. Councilor Hamel asked for the information for the Council to be presented. City Manager Myers will look at prior work ups and bring it forward for the Council.

Councilor Hamel asked why the line item for Concord Coop has increased since 2008. Public Works Director Paul Moynihan explained that the tipping fee was consistently increasing for the three to four years prior to last year and a decrease was reflected in the last budget due to a decrease in tonnage delivered.

City Manager Myers reminded the Council that action was taken last year to increase the fees at the transfer station to \$90.00 per ton and will cause a change of approximately \$175,000 in revenue for the City. This has not been added into any of the proposals.

Councilor Hamel stated that he feels it would be important for the Council to adopt some change to how trash collection and recycling is handled before the next budget is adopted. Mayor Seymour agreed.

Councilor Lipman asked for confirmation that this change will take effect, regardless of what the change is, on July 1 so a full fiscal year can be accounted. City Manager Myers replied that this would be the intent but there is an obligation with the current vendor to hold to the current contract until September 30 if the Council chooses not to extend; however, if the Council chooses to extend the contract the hauler has indicated that they will be willing to make adjustments for July 1.

Councilor Hamel asked if a profit sharing could be worked out with the sale of the recyclables collected. City Manager Myers replied that it could be but this would change the scope of the bid and would need to be looked into. There is a variable market with the sale of recyclables and the City would need to be comfortable knowing that some years they may not sell for a profit. Sometimes it is a better idea to leave the industry to take the risks.

Councilor Lipman asked if the intention is to remove the value of the trash component in the budget. City Manager Myers replied that with a Pay-As-You-Throw program the revenue from the bag sales would be used to reduce the budget and would in turn reduce the taxable amount. Ultimately it would be a Council decision to use the funds appropriately but this is a user fee and those that recycle will see the savings.

Mayor Seymour confirmed that representatives from Bestway Disposal/Casella Waste will be at the Council meeting on February 11. City Manager Myers replied that they will be contacted to make the arrangements.

- 5. LAND & BUILDINGS: (Hamel, Lipman ,Bolduc)**
- a) Repair & maintenance of City Buildings
  - b) Former Laconia Police Department Building

***No report on any item in committee.***

**LIAISON REPORTS:      NONE**

**MANAGER'S REPORT:**

City Manager Myers reviewed the Recycling Report (see Attachment #1) and the Monthly Economic Development Report (see Attachment #2).

Councilor Lipman asked to have the Recycling Report reflect a fiscal year amount to allow for a better projection in the budget process. City Manager Myers replied that he would make the adjustment.

Councilor Lipman stated that the Council would like to have projections of carry forwards with the budget information so the Council can account accurately. City Manager Myers replied that he has been keeping a close tab on the revenue and expenditures and explained a few ways the City is trying to capture additional revenue, such as offering boat registrations.

Councilor Lipman asked to have a correlation between the City and School side of the budget and see the savings that may be possible on both. City Manager Myers stated he would pass this information along to the Superintendent. Councilor Lipman replied that a strategy is needed earlier this year because the State will be having a difficult time with their budget and that will come down to the City.

Councilor Lipman asked if the School Board will be in attendance for the meeting with the Delegation on March 11 because there is legislation proposed to change the contribution of adequacy funding. City Manager Myers replied that a letter will be going out this week for the meeting and he will make sure that the School Board is invited as well. Councilor Lipman requested to have Senator Hosmer and Senator Forrester invited as well.

**NEW BUSINESS:**

1. Request to Accept Butternut Lane and the Phase 1 Portion of Sterling Drive as Officially Laid Out City Streets

City Manager Myers explained that all of the conditions for the acceptance have been met, including the review by Planning and Public Works. A list of items that will be required has been supplied to the Council.

Mayor Seymour stated that the information supplied was very easy to follow and the plan is very clearly laid out.

Councilor Bolduc asked why the acceptance is being brought forward if the project isn't complete. City Manager Myers replied that this project was approved to be completed in phases and the first has been completed to City specifications. Councilor Bolduc replied that this has never been done before. City Manager Myers replied that this was approved in phases and people are living in the development. Councilor Bolduc stated that he lives on a developed street and that street is not accepted because it has not been completed and this one is being overlooked. Mayor Seymour replied that this approval was given to be done in phases and this is not an instance of it being overlooked.

Director Moynihan gave examples of developed areas permitted in phases including Sarah Circle and Baldwin Street Extension by which the streets were accepted in phases as well. When this project came before the Planning Board several years ago it was the understanding that it would be done in phases. A temporary cul-de-sac has been placed to allow for access by snow removal equipment, which was an additional requirement.

Councilor Bolduc replied that there are several items that have not been done. Assistant Director of Public Works Luke Powell replied that there has been a great deal accomplished on the road and it is ready. Councilor Bolduc asked what the liability is to the City with the list of items not completed. Asst. Director Powell replied that everything meets City standards and the entire first phase is done. Councilor Bolduc replied that trees are not planted. Asst. Director Powell replied that the trees cannot be planted at this time because of it being winter.

Councilor Bolduc asked what is going to happen if the developer cannot financially complete the project. Director Moynihan replied that the developer has placed securities with the City.

Councilor Hamel asked what the dropped structure for the manhole would require pavement reconstruction. Asst. Director Powell replied that it is worked contained within the manhole and it would not affect the road.

Councilor Hamel asked if the temporary cul-de-sac area is going to create difficulty for plowing. Asst. Director Powell replied that it will not be because there is a banking that is ideal for pushing the snow over. There will be a house on the lot at some point but the banking area will be acceptable.

Asst. Director Powell advised the Council that the State has done a major revision of Alteration of Terrain permits and they are required to have a great deal of storm water treatment features included in the project. This results in many small detention basins with treatment areas and it is a lot to maintain for the City if there are many more projects coming in with these basins. This is the first project that has required the home owners association to be responsible for the storm water treatment features.

Councilor Hamel asked if the road has been top coated. Asst. Director Powell replied that it has undergone the necessary testing time frame for freeze and thaw and the top coat went down this year. Several punch list items related to road features were required and they have all been completed.

*Councilor Lahey moved accept Phase 1 of Butternut Lane. Seconded by Councilor Baer. **Motion passed unanimously.***

Councilor Hamel noted that the motion should have been for Butternut Lane and Phase 1 of Sterling Drive.

*Councilor Lahey amended his motion to accept Butternut Lane and Phase 1 of Sterling Driver. Seconded by Councilor Baer. **Motion passed unanimously.***

## 2. Proposed Resolution 2013-1, State Aid Grant Programs

City Manager Myers explained that this resolution supports the resumption of the State Aid Grant Programs that would reinstate the funding of project that have been committed to be funded with State Aid and have not been. This includes projects pertaining to those similar to the maintenance done to the Winnepesaukee River Basin Project that was completed in 2006 and did not receive the funding that was anticipated. In 2009 the State deferred all budgeted grants because of difficult budget conditions.

Councilor Baer asked if this would affect current costs. City Manager Myers replied that it does not; it pertains to projects that were already completed and did not receive the funding granted.

Councilor Hamel asked if any updates at the treatment plant are in this funding. City Manager Myers replied that it is not.

*Councilor Hamel moved to approve Resolution 2013-1, State Aid Grant Programs. Seconded by Councilor Lahey. **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:                      NONE**

**COUNCIL COMMENTS:**

Councilor Lipman asked if Chief Adams, who was in the audience, if he could give a brief update of the Problem Oriented Policing (POP) projects and the additional detectives position.

Chief Adams advised the Council that a patrolman, Officer Dan Carsen, has been moved to the detective position on a part time basis until staffing can be maximized. Detective Scott Roy has been working with Detective Chris Noyes to target the narcotic focused area. Chief Adams was very happy to report that there were no deaths due to drug overdose in the City in 2012, compared to seven (7) in 2011. There is hope that the positive trend will continue in 2013.

Councilor Lipman asked how the prescription drug collection box was working. Chief Adams replied that this was done as part of the POP Substance Abuse Initiative and was supplied by Lakes Region General Hospital. This is a drop box in the lobby of the police department and any old unused medication can be dropped at anytime. By not having the substances in your home you will be less likely to experience risks such as accidental overdose of a child or being targeted for burglary because the narcotics are in the home. This is also safer for the environment; many people still dispose of medications in the sewer system and this is not a safe way to dispose of them. Chief Adams stated that this box has been emptied twice since it was placed in the lobby.

Councilor Lipman asked which POP projects have begun implementations. Chief Adams replied that the Highway Safety Grants are continuously running throughout the year with several starting different phases in the near future, such as the Safe Commute targeting distracted drivers and speeding as well as the DWI grants. They are very beneficial for the City.

Councilor Hamel asked if there is a partnership with State Police for these POP projects. Chief Adams replied that it is generally just City officers.

**NON - PUBLIC SESSION:**

*Councilor Doyle moved to enter into non-public session according to RSA 91-A:3, II: (a) The dismissal, promotion or compensation of any public employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted. Seconded by Councilor Bolduc.*

On a roll call vote of the Council it was entered into non-public session at 8:02 p.m.

*Councilor Bolduc moved to come out of non-public session at 8:26 p.m. Seconded by Councilor Lahey. **Motion passed unanimously.***

*Councilor Bolduc moved to seal the minutes of the non-public session for two (2) years. Seconded by Councilor Lahey. **Motion passed unanimously.***

*Councilor Bolduc moved to enter into non-public session according to RSA 91-A:3, II: (a) The dismissal, promotion or compensation of any public employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted at 8:27 p.m. Seconded by Councilor Hamel. **Motion passed unanimously.***

City Manager Myers and Finance Director Woodaman were excused from the meeting.

*Councilor Bolduc moved to come out of non-public session at 8:40 p.m. Seconded by Councilor Doyle. **Motion passed unanimously.***

*Councilor Bolduc moved to seal the minutes of the non-public session for two (2) years. Seconded by Councilor Hamel. **Motion passed unanimously.***

**ADJOURNMENT:**

*Councilor Baer moved to adjourn at 8:42 p.m. Seconded by Councilor Doyle. **Motion passed unanimously.***

Respectfully Submitted:

Mary A. Reynolds  
City Clerk