

**City of Laconia – City Council
Monday, February 8, 2016 – 7:00 p.m.
City Hall – Conference Room 200A**

CALL TO ORDER

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

SALUTE TO THE FLAG

Councilor Brenda Baer led the Salute to the Flag.

RECORDING SECRETARY

City Clerk Mary Reynolds

ROLL CALL

City Clerk Reynolds called the roll with the following Councilors in attendance: Councilor Ava Doyle, Councilor David Bownes, Councilor Henry Lipman, Councilor Brenda Baer, Councilor Robert Hamel and Councilor Armand Bolduc.

Mayor Engler stated that six (6) Councilors are in attendance and a quorum is established.

STAFF IN ATTENDANCE

City Manager Scott Myers and Finance Director Donna Woodaman

COUNCIL PROCLAMATION

Mayor Engler made a presentation of a Council Proclamation to the Lakes Region Scholarship Foundation for the celebration of the 60th Anniversary of Incorporation on February 16, 2016. The proclamation was accepted by Michael Nolan, President, and Paulette Loughlin, past President and Assistant Director.

ACCEPTANCE OF MINUTES OF PREVIOUS MEETINGS

- 1) Regular meeting minutes of January 25, 2016

Minutes were distributed to the Council on Monday, February 1, 2016. Corrections were made to spelling and grammatical items and redistributed on Friday, February 5, 2016.

With no further corrections to the minutes they were accepted as distributed.

CONSENT AND ACTION CALENDAR

- 1) Fundraising Request from Laconia Little League

*A motion to approve was made by Councilor Bolduc and seconded by Councilor Baer, the motion result was **passed**. (Ayes: Baer, Bolduc, Bownes, Doyle, Hamel, Lipman)*

2) Fundraising Request from Cystic Fibrosis Foundation

*A motion to approve was made by Councilor Bolduc and seconded by Councilor Baer, the motion result was **passed**. (Ayes: Baer, Bolduc, Bownes, Doyle, Hamel, Lipman)*

3) Fundraising Request from Simpson Dowling 5K Race

*A motion to approve was made by Councilor Bolduc and seconded by Councilor Baer, the motion result was **passed**. (Ayes: Baer, Bolduc, Bownes, Doyle, Hamel, Lipman)*

CITIZEN COMMENTS FCOR MATTERS NOT ON THE AGENDA **NONE**

INTERVIEWS

All applicants were interviewed this evening and appointments will be made at the February 22, 2016 meeting. Any questions and discussion on each applicant will appear under each item.

- 1) Elizabeth Ballantyne - seeking reappointment as a full member of the Putnam Fund to a five-year term expiring at the end of March, 2020 (1 regular position available)

E. Ballantyne reviewed her participation and interest in continuing to serve.

Councilor Baer thanked E. Ballantyne for her service and asked how many programs are being offered each year. E. Ballantyne replied that about six (6) are done each year and reviewed the variety of shows they provide.

Councilor Hamel thanked E. Ballantyne for everything she and the board do for the City. E. Ballantyne encouraged everyone to check the Putnam Fund Facebook page for updates on programming.

- 2) Nadine L. Jordan - seeking appointment to an alternate position on the Library Board of Trustees for a three-year term expiring at the end of March, 2016 (2 alternate positions and 2 regular positions available)

Not in attendance. Interview rescheduled for March 14, 2016.

- 3) David Stamps - seeking reappointment to the Highway Safety Commission as a public member for a three-year term expiring at the end of March, 2018 (1 public member position available)

D. Stamps reviewed his interest in this position and his desire to continue.

The Council thanked D. Stamps for his participation.

- 4) Rodney Roy - seeking reappointment to the Parks & Recreation Commission for a three-year term expiring at the end of March, 2018 (2 positions available)

R. Roy reviewed his participation for the last three (3) terms and thanked George Hawkins, David Plourde and Jeff Patteson for the lessons they have taught him.

Councilor Hamel advised that R. Roy is a key member of the Commission and they all work well together.

- 5) Arthur M. Kirk - seeking reappointment to the Parks & Recreation Commission for a three-year term expiring at the end of March, 2018 (2 positions available)

Kirk advised that he is just getting his feet wet and he is very excited about what he has learned in his short time on the Commission.

Councilor Bolduc thanked A. Kirk for coming forward.

- 6) Glenn Smith - seeking reappointment to the Library Board of Trustees to a three-year term expiring at the end of March, 2018 (2 alternate positions and 2 regular positions available)

G. Smith is applying for his second, three (3) year term and he has a strong commitment to the Library that goes back many years.

- 7) John Moriarty - seeking reappointment as a full member of the Library Board of Trustees to a three-year term expiring at the end of March, 2018 (2 alternate positions and 2 regular positions available)

J. Moriarty reviewed his time and benefits of the Laconia Public Library with the Council. J. Moriarty reviewed the 30 Million Word study with the Council.

Council thanked J. Moriarty for all he has done.

COMMUNICATIONS

Mayor Engler advised that these letters will be discussed during the public hearing and asked that they be added to the testimony this evening of the public hearing on Davis Place property declaration as surplus.

- 1) Letter from Downtown TIF Advisory Board regarding Davis Place property
- 2) Letter from the Planning Board regarding Davis Place property

PUBLIC INPUT SESSION

**This section is reserved for specific topics of interest to the Council and residents*

- 1) Review of zoning in the Weirs Beach Commercial Resort (CR) Zone

The City Council has set aside time for public comment on reviewing zoning in the Weirs Beach area, specifically the Commercial Resort (CR) Zone. Public input is encouraged at the Council meetings of January 11, January 25, February 8 and February 22. Written comments will also be accepted. Letters were sent on December 17, 2015 notifying property owners with significant amounts of land or frontage in the Rt. 11B and Rt. 3 area (from White Oaks Rd. to the Meredith town line) of the dates of these meetings.

Russ Poirier addressed the Council. R. Poirier has been a location selector for many large corporations and he is unaware of what the Weirs is going to be. R. Poirier shared that the demographics the City looks at for events, particularly Laconia Motorcycle Week, are not the same as he looks at. People are spread out when they come to events because the lodging is not available in the Weirs. In regards to the traffic counts, they are not being collected in all of the key areas and this is causing a lack of accurate collection of information. R. Poirier commented that the City has fine amenities and when you zone for junk you are discouraging growth.

PUBLIC HEARING

- 1) Declaration of all or a portion of property located on Davis Place, identified by parcel/tax map 412-60-59 and 426-60-22, as surplus property.

Mayor Engler opened the public hearing at 7:45 p.m. with notice of this public hearing being made in the following editions of the Laconia Daily Sun in accordance with Section 183-7 B (1) of the City Code:

January 28, 29 30 and February 2,3,4,5

Additional posting was made at City Hall, the Gale Memorial Library, the Laconia Community Center and the offices of the Laconia School District

Parcel 412-60-59 consists of 1.67 acres of open green space and an asphalt parking area of approximately 40,000 square feet.

Parcel 426-60-22 consists of .16 acres of undeveloped and vacant land, parts of which contain a wooded area that lies within a wetlands buffer of Jewett Brook.

Mayor Engler requested public input.

Warren Hutchins read a letter from the Planning Board as follows:

"Laconia Planning Board, at its regular meeting, voted to authorize the Chairman of the Planning Board to appear at the public hearing noticed for February 8, 2016, where the City Council of Laconia is considering a Request to declare parcels 412-60-59 and 426-60-22 as surplus property. (Davis Place)

As the City of Laconia Planning Board is in the process of up-dating the Master Plan and that the City has committed major funding to the improvement of the Down town district (Colonial Theater project, a major example) it is premature to divest a major piece of real estate in the down town area that could support these plans. There are other possible uses for the citizens of Laconia and their guests which would add to the quality of life and economic development for the City.

The two parcels are very level with excellent views of a major brook and the river. Currently there are walkways on the site and a very large level paved parking lot. This property is a potential major extension of the river walk, park for the residents of the area and city, and a parking lot that can be a satellite facility for those parking downtown and a possible park and ride.

The surrounding area is heavily residential with many properties being multi-units with small lots. On Davis Place is also the very large residential building know as Scott Williams. On the other side of tl1e brook is a nicely appearing apartment building, Victoria Apartments.

These city residents would have their neighborhood improved by the attention to cleaning this property by the City.

It is the request of the Planning Board that these two properties not be declared surplus at this time.

By a vote of the Planning Board on February 2, 2016 and included in the legal record of this meeting."

Lloyd Wylie addressed the Council. L. Wylie is looking to purchase a small portion of lot 59 and he doesn't feel this would be of a poor benefit to the City. L. Wylie has made two offers, one titled A and the other B. He has the intention of keeping the property maintained and rid the area of negative activity that is happening at the location currently.

Harry Bean addressed the Council. H. Bean owns the property at 32 Davis Place and he is looking to purchase a piece of property next to Jewett Brook and his desire to purchase is the same as L. Wylie. Just this past weekend he witnessed a small child playing among the trees and if a 2,000 lb. tree fell on a child it would be unfortunate and tragic. H. Bean is looking to fix a problem and not cause one, as it appears some think this evening.

Ken Sawyer, representing the Downtown TIF Advisory Board, advised that they feel the property would important to the development of the Riverwalk in the future as outlined in the following letter from the meeting of February 2, 2016:

"The Downtown TIF Advisory Board met this morning.

With recent discussion by the City Council of the potential transfer of City- owned land on Davis Place, the Laconia Downtown TIF Advisory Board requests that the City Council reserve all this City owned land to accommodate the future Riverwalk. This property offers an area for a potential trail and new public riverfront park, beach, and car-top boat launch on the Winnepesaukee River at the end of Davis Place. This property along the River is an important future piece of Riverwalk that will connect the WOW Trail on the east side and the Riverwalk section at the Church Street Bridge on the west side. It also affords beautiful views of the Winnepesaukee River and a scenic vista stopping point. The Riverwalk is an important part of the overall Downtown economic develop and all the connected neighborhoods.

The use of this land for these public purposes would tie into the "Mayor's Challenge" to provide more pedestrian and bike access for the Downtown and the entire City. It would also provide additional public waterfront access in keeping with another strategic goal of the City Council.

The Downtown TIF Advisory Board urges the City Council to retain ownership and control of these public lands."

Councilor Baer asked why the TIF Board has an opinion when Davis Place isn't in the Downtown TIF. K. Sawyer replied that the Riverwalk could go through this area and it could be a connection point for the Riverwalk. The letter was to make the Council aware of why it may be important to retain the property and that it affords not only potential for the Riverwalk but also has water access through an area called Bottle Beach that has potential.

Councilor Baer commented that the property owners in the area also have rights and they should be able to enjoy their property. K. Sawyer reiterated that the TIF Board wanted to make the Council aware of the potential. There has been discussion of two (2) potential pathways for the Riverwalk that would cross Lot 59 and connect on Davis Place. Discussion continued regarding the potential uses of the property.

Councilor Bownes commented that the problem is that when the decision was made to hold this public hearing there was an offer from H. Bean and L. Wylie and the notice in the paper was not focused on the information the Council was looking for.

L. Wylie addressed the Council again regarding the Riverwalk. L. Wylie commented that the Riverwalk is a good project but the proposal is not conducive to the area and it would be dangerous to pedestrians.

John Moriarty addressed the Council. J. Moriarty commented that he is not speaking on behalf of the Laconia Main Street Initiative. J. Moriarty feels that when he viewed documents regarding the Riverwalk plan he feels that the whole project was approved by the Council which was inclusive of this portion involving Davis Place and the surrounding areas. The Riverwalk would have a benefitted impact on all property owners and not just two.

With no further comments from the public Mayor Engler declared the public hearing closed at 8:12 p.m.

- 2) A proposed resolution relative to accepting and expending donations in the amount of \$500 from the Spinnaker Cove Yacht Club for the Black Brook Geomorphic Study

Mayor Engler opened the public hearing at 7:44 p.m. with the notice of this public hearing being made in the Friday, January 29, 2016 edition of the Laconia Daily Sun, at City Hall, the Gale Memorial Library, the Laconia Community Center and the offices of the Laconia School District.

A second reading of this resolution is scheduled under Unfinished Business this evening.

With no members of public choosing to speak the public hearing was closed at 7:44 p.m.

PRESENTATIONS

- 1) Stand-Up Laconia

Claire Persson addressed the Council. C. Persson asked that a member of the City Council attend the meetings of Stand-Up Laconia at their monthly meetings. The group also meets on Fridays at Laconia High School and members of the Council are also

welcome to attend. The Council was provided with a brochure and packet of information for the Council to review.

When the group was started five (5) years ago it was a small group of 20 and they have grown to over 300 members. C. Persson left t-shirts for the City to display so people know the City supports Stand-Up Laconia.

Stand-Up Laconia is working on a very competitive grant that is due in March and they will be notified in October if they are receiving any funding.

Bob Dassatti addressed the Council. B. Dassatti is a recent member and he is convinced that they are working to make the City a better place for everyone. On February 17, 2016 they will be holding a public meeting for the community to let them know what they would like to see happen.

Chief Chris Adams addressed the Council. Chief Adams is an original member of Stand-Up Laconia and he is amazed with how it has grown, and C. Persson has given a large amount of her own time to make this successful. Although this was started as a drug prevention group it has evolved into so much more. It is known by local, state and national political figures because of all of the wonderful things they are doing.

Councilor Baer asked how the group is funded. C. Persson replied that they are self-funded and have received small donations. The grant they are applying for would be very helpful to the cause. Workshop dates will be February 15 and 21 at the Huot Center at Jack's Place, beginning at 6:00 p.m.

Councilor Hamel asked if the verbal support of the City Council would help the process of the grant. C. Persson replied that it would. Mayor Engler requested to have a resolution drafted for Council acceptance at their next meeting and thanked C. Persson for her attendance.

MAYOR'S REPORT

Mayor Engler noted that the Council held a goal setting session moderated by Primex last Friday and it was very beneficial. The Council and Department Heads were thanked for attendance

COMMITTEE REPORTS

**Not all items in this section may be acted on. Reports and updates will be made when necessary.*

1) FINANCE

- a) WOW Trail Funding
- b) Downtown TIF Financing

2) PUBLIC SAFETY

- a) Fair St/Court St traffic problems and accidents

3) GOVERNMENT OPERATIONS AND ORDINANCES

- a) Ordinance amending Chapter 221, Vehicles and Traffic/Parking on Sublawns

- b) Review of Chapter 167, Noise and Chapter 161, Licensing as it pertains to outdoor sound equipment and loudspeakers
- c) Procedural review of grant applications

4) PUBLIC WORKS

- a) Review of proposed speed table on Summit Avenue

A report was received and a meeting has been scheduled for March 14, 2016 at 6:00 p.m.

5) LAND & BUILDINGS

- a) Repair and maintenance of City Buildings
- b) Downtown parking garage

Councilor Hamel reported that a meeting was held this evening at 6:00 p.m. Prices for the project were discussed with two (2) proposals. They will be having another meeting on February 18 at 4:00 p.m. to review further items, and again on February 22 at 6:00 p.m. to make a recommendation to the full Council.

It was also recommended that the Finance Committee take up the issue of funding

LIAISON REPORTS NONE

CITIZEN REQUESTS TO COMMENT ON CURRENT AGENDA ITEMS

H. Bean addressed the Council regarding the Davis Place surplus property. H. Bean reviewed a map with the Council and clarified the property he would like to purchase and demonstrated that the portion being looked at for the Riverwalk would not be disrupted because it is not the portion he is requesting.

L. Wylie added that he would like to clean up the area and make it a decent part of the City and neighborhood. The portion L. Wylie is interested in is closest to the Bottle Beach and by cleaning up the area abutting it will discourage the negative behavior. L. Wylie also commented that by purchasing the property he would be able to address a drainage issue from the parking lot.

MANAGER'S REPORT

- 1) Monthly Economic Development Update

City Manager Myers reviewed the report. Discussion followed regarding the CPIU increase and the effect it will have on the Tax Cap amount.

Mayor Engler noted that the Tax Cap will only allow for approximately \$600,000 increase in the School and City. This was confirmed but noted that there are still three (3) months of construction value.

- 2) Financial and Operational Trends Report

City Manager Myers reviewed the report.

NEW BUSINESS

- 1) First reading of resolution 2016-03 relative to acceptance of a Department of Environmental Services Exotic Species Program Grant in the amount of \$6,640.00, and request to schedule a second reading and public hearing on February 22, 2016 during the regular City Council meeting relative to acceptance of this grant

*Motion to waive a reading of this resolution in its entirety and to read by title only by Councilor Baer and seconded by Councilor Hamel, the result of the motion was **passed**. (Ayes: Baer, Bolduc, Bownes, Doyle, Hamel, Lipman)*

*Motion to move a first reading of resolution 2016-03 relative to authorizing the City Manager to accept grants on behalf of the City for the Department of Environmental Services (DES) Diver/Diver Assisted Suction Harvesting (DASH) Grant in the amount of \$6,640.00 for an Exotic Aquatic Plant Control Project in Langley, Moulton and Pickerel Coves off Paugus Bay and to schedule a public hearing on February 22, 2016 during the regular City Council meeting made by Councilor Baer and seconded by Councilor Hamel, the result of the motion was **passed**. (Ayes: Baer, Bolduc, Bownes, Doyle, Hamel, Lipman)*

- 2) Offer for the purchase of property on Davis Place, identified by parcel/tax map 412-60-59, from Lloyd Wylie

Mayor Engler advised the Council that this offer was received from Lloyd Wylie with an amount of \$3,500 for proposal A, and \$20,000 for the purchase of a larger portion in proposal B. L. Wylie reviewed his proposals with the Council. This property was discussed this evening during the public hearing held.

Councilor Lipman asked H. Bean what his interest is in cleaning up the property he is interested in. H. Bean replied that he would feel like he had more right to tell people to leave and discontinue the activity that is unwanted or dangerous.

Councilor Lipman asked if H. Bean would consider a long term lease if the City were to offer it. H. Bean replied that he has not entertained the idea and could not give an answer. If he was to purchase the property he would be adding fencing so there would be designation that would show that the property is not for loitering. H. Bean stated that he would really prefer to purchase it and reiterated that no one can make any changes to the parcel because of the wetlands buffer, therefore there is no use for the City.

*Motion to table this request made by Councilor Bownes and seconded by Councilor Doyle, the result of the motion was **failed**. (Ayes: Bownes, Doyle; Nays: Baer, Bolduc, Hamel, Lipman)*

Councilor Bownes asked why the City would even consider the offer without having an appraisal and with the deed restrictions on the parking lot. City Manager Myers recommended that the Council acknowledge the offer and that is all that is needed. With the posting of the public hearing it was done so as "a portion or all of" the lots so the Council has the ability to declare surplus in either manner, either the whole or portion of.

Discussion was had regarding the appropriate order of events this evening and it was decided to take no actions now, but to acknowledge the offer from L. Wylie, because there will be a discussion on declaration of surplus at which time this will be discussed further.

UNFINISHED BUSINESS

- 1) Second reading of resolution 2016-02 relative to acceptance of donations from Spinnaker Cove Yacht Club for the Black Brook Geomorphic Study in the amount of \$500

*Motion to waive the reading of this resolution in its entirety and to read by title only made by Councilor Hamel and seconded by Councilor Doyle, the result of the motion was **passed**. (Ayes: Baer, Bolduc, Bownes, Doyle, Hamel, Lipman)*

*Motion to move a second reading of resolution 2016-02 relative to authorizing the City Manager to accept donations on behalf of the City from Spinnaker Cove Yacht Club in the amount \$500 for the Black Brook Geomorphologic Study by Councilor Hamel and seconded by Councilor Bolduc, the result of the motion was **passed**. (Ayes: Baer, Bolduc, Bownes, Doyle, Hamel, Lipman)*

- 2) Declaration of City owned property on Davis Place as surplus

Councilor Bownes stated that he feels this is premature and if the Council is serious about declaring surplus they need to get an appraisal. The offers that have been made are not "fair" as far as he is concerned. Although Councilor Bownes does not support the Planning Board's decision he feels the City should consider cleaning it up themselves and should do so after they have all of the information.

Councilor Bolduc stated he feels the Council has all of the information they need. There is no need to have an appraisal done when the property has been given an assessment. Mayor Engler noted that the City Manager has been advised by the Assessor that it would add \$10,800 to the value. H. Bean stated that the value may increase but that doesn't mean the property is worth it - fair market value is what someone would pay for it.

Councilor Hamel commented that he has asked the City Manager to find out if Lot 22 is a buildable lot. City Manager Myers reported that not with just what H. Bean is looking to purchase today but there would be potential if it was combined with another lot at some time in the future.

Variations of the property use were discussed with H. Bean and L. Wylie and the value of the segments of property being discussed.

Councilor Lipman recommended giving the City Manager more time to discuss the issues with the proposers so the declaration can be made, if chosen to, without having the feeling that they are making the decision without enough information. The future interest of the City is important, if there can be accommodations for future development without impeding on City plans, and how to maximize the property.

Mayor Engler added that there were valid concerns about the wooded areas on both parcels and if the City is looking to keep the parcels they need to maintain them to discourage the behavior and there is a cost with that.

*Motion to table until requested additional information is received made by Councilor Lipman and seconded by Councilor Baer, the result of the motion was **passed**. (Ayes: Baer, Bolduc, Bownes, Doyle, Hamel, Lipman)*

The City Manager verified all of the requested information with the Council again for clarification.

NOMINATIONS, APPOINTMENTS & ELECTIONS NONE

COUNCIL COMMENTS NONE

NON-PUBLIC SESSION NONE

FUTURE AGENDA ITEMS

- 1) Ordinance amendment relative to Chapter 167, Noise and Chapter 161, Licensing as it pertains to outdoor sound equipment and loudspeakers (tabled at the meeting of 9/28/15)
- 2) Second reading of a resolution relative to the adoption of RSA 31:95-b, Appropriation of funds made available during the year (tabled at the meeting of 11/23/15 pending the outcome of legal matters)
- 3) Milfoil Treatment Funding Request
- 4) WOW Trail
- 5) Master Plan
- 6) Sewer & Water Master Plan
- 7) Single Stream Recycling/Concord Co-Op/Solid Waste Disposal Cost Reduction
- 8) Strategic Planning/Goal Setting

ADJOURNMENT

*Motion to adjourn made at 9:43 p.m. by Councilor Baer and seconded by Councilor Bolduc with the result of the motion as **passed**. (Ayes: Baer, Bolduc, Bownes, Doyle, Hamel, Lipman)*

Respectfully Submitted

Mary A Reynolds
City Clerk