



**LACONIA CITY COUNCIL MEETING
FEBRUARY 28, 2011
CITY HALL – CONFERENCE ROOM 200A
7:30 P.M.**

CALL TO ORDER:

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

SALUTE TO THE FLAG:

Councilor Henry Lipman led the Salute to the Flag.

ROLL CALL:

City Clerk Reynolds called the roll with the following Councilors present: Councilor Doyle, Lipman, Baer, Hamel and Bolduc. Also present City Manager Eileen Cabanel and Finance Director Pam Reynolds.

Councilor Lahey was excused.

ADOPTION OF MINUTES OF PREVIOUS MEETINGS:

- **Regular and non-public minutes of special meeting on February 14, 2011, regular minutes of Council meeting on February 14, 2011**

Councilor Bolduc moved to accept the regular and non-public minutes of the special meeting on February 14, 2011, and the regular minutes of the Council meeting on February 14, 2011. Seconded by Councilor Baer. **Motion passed unanimously.**

CONSENT AND ACTION CALENDAR:

1. **Temporary Traffic Order 2011-02/Evangelical Baptist Church/American Red Cross Blood Drive**

This is the same traffic order approved by the Council in the past. The only change is the date.

2. **Requests by the following non-profits to raise funds on City property:**
 - a) **March of Dimes request to raise funds at Opechee Cove on April 30, 2011 (Walk for Children & Families) from 7:00 a.m. to 1:00 p.m.**
 - b) **Faith Alive Christian Fellowship request to raise funds on May 20, 21 and 22, 2011 from 8:00 a.m. to 10:00 p.m. (rain dates June 3, 4 and 5) softball tournament at Memorial Park softball/baseball fields**
 - c) **Laconia Parks & Recreation/Boys & Girls Club/Project Extra/Lakes Region Child Care Services (Walk for Youth) on May 21, 2011 from 8:00 a.m. to 2:00 p.m. at Opechee Track**

All of the above requests have received approval by the Council in the past and were recently approved by the Parks & Recreation Commission for use of park property. The only change is the dates.

Councilor Lipman moved to approve the entire Consent and Action Calendar as presented. Seconded by Councilor Bolduc. **Motion passed unanimously.**

CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA:

Warren Hutchins addressed the Council regarding the proposed SB 27 which would change the speed limits on Lake Winnepesaukee. It was the request of Mr. Hutchins to have the Council send a letter to all of the Senators involved with the Bill stating the Council's position.

Councilor Hamel assured Mr. Hutchins that the Representatives as well as Senator Forsythe were in attendance a few weeks ago and it was made clear to them that the Council does not support changing the speed limits.

Councilor Lipman moved to send a letter to all members listed as sponsors of SB 27 expressing the Council's opposition. Seconded by Councilor Bolduc. **Motion passed unanimously**

Attachment #1: Letter from Warren Hutchins to City Council

INTERVIEWS: NONE

COMMUNICATIONS: NONE

PRESENTATIONS:

- **Proposed Impact Fee Ordinance/Shanna Saunders, Planning Director**

Planning Director Saunders reviewed the timeline for the propose Ordinance to date.

Councilor Hamel asked for the procedure for waiving low-income housing units, and if the developments being built in the Weir's would be considered.

Director Saunders explained that the updated version does not include clusters or manufactured housing parks, so no waiver would be given for those projects.

Director Saunders reviewed the "grandfathering" section (page 4, item C in Version #5) which would not allow for fees to be assessed to any projects approved prior to the passing of the Ordinance; however, if they reapplied for approval because the project needed an extension and the Planning Board had not been granted an extension, the assessment of the fees would be applied. It was also noted that an update was made to this section today to reflect: "If however, a previously approved development allows its Planning Board approvals to expire **without extension granted by the Planning Board** or they are revoked by the Planning Board..." per legal counsel.

Councilor Lipman moved to refer version six (6) with the presented wording change to the Planning Board for a Public Hearing to be held on April 5. Seconded by Councilor Baer. **Motion passed unanimously.**

- **Internal Services Fund/Pam Reynolds, Finance Director**

Finance Director Reynolds reviewed the Section 31-5 of the Laconia Code. This is a very basic guideline for the makeup of the Internal Services Fund (ISF). Director Reynolds further explained the personnel, policies, responsibilities of each Department Head, the procedures to be followed, and the revenues and expenses of the ISF. In concept, the revenues should

Councilor Hamel asked how the money is appropriated to the ISF. Director Reynolds explained that each department has a line item in their budget to fund their portion of contributions to the ISF. As they use the vehicle, funds are transferred from each department to the ISF.

Director Reynolds continued by advising the Council that the work orders are now tracked by the Finance Department, detailing what was fixed, how much the parts cost, and how much labor was used. This is important to be able to have information available when assessing if a piece of equipment has been repeatedly repaired and needs to be replaced.

Mayor Seymour asked if this software also allows the mechanics to track when preventative maintenance needs to be performed on vehicles. Director Reynolds explained the software is very basic and does not track this information.

Director Reynolds reviewed the depreciation formula and explained that when the depreciated life for a piece of equipment has been fully paid into, the department will no longer contribute to the ISF for the vehicle. Councilor Hamel asked why this is done, because it would add funds to the ISF quicker. Director Reynolds explained that it is not a good Accounting practice.

Councilor Hamel asked if the fully depreciated vehicles, such as the police cruisers, are still being passed on to other departments that need a vehicle. Director Reynolds stated that from an energy standpoint, this is not a wise idea. The City should be purchasing more fuel efficient vehicles. In most cases the police cruisers are very high mileage and are at the point of costing more for repair.

Director Reynolds concluded that at this time, the ISF is now accomplishing what it was intended for; funding the purchase of vehicles when necessary and having departments contribute when they are using vehicles.

Councilor Lipman asked if there are any other feasible ways to manage the vehicles. Director Reynolds admitted that there is definitely some other ways, but it has never been a top priority of the department to look into one.

City Manager Cabanel noted that the thought when the ISF was established was to have funding available because they were neglected in years past and funding wasn't there when it was needed.

Councilor Hamel noted that this fund allows for stability, which is needed.

MAYOR'S REPORT:

Mayor Seymour updated the Council on the request for proposal being advertised to replace the City Manager, who is regrettably leaving the City to accept a position with the Town of Merrimack. The deadline for the request is Tuesday, March 9 at 2:00 p.m.

Mayor Seymour attended the Cabin Fever Festival, which saw over 300 people in attendance. The event was very successful.

CITIZEN REQUESTS TO COMMENT ON CURRENT AGENDA ITEMS: NONE

PUBLIC HEARING:

- **Proposed ordinance amendment to Chapter 161, Licensing regarding Motorcycle Week vending fees. The proposed amendment proposes additional vending fees for the zones where vending is permitted during Motorcycle Week, other than the non-commercial resort zone**

Mayor Seymour opened the Public Hearing at 8:16 p.m. noting the posting of this hearing in the February 19, 2011 edition of the Laconia Daily Sun, as well as at City Hall and the Laconia Public Library.

Michelle Dubois from the Lake Opechee Inn & Spa advised the Council that she is in support of this amendment to the Licensing Chapter because she is looking into holding an event at their facility this year, and with the standard fees, it would not be possible.

With no other members of the public wishing to comment, Mayor Seymour closed the Public Hearing at 8:19 p.m.

COMMITTEE REPORTS:

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

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) **Amendment to Zoning ordinance re Drug Treatment Facilities/request to remove from agenda**

Councilor Hamel moved to remove item b Amendment to Zoning ordinance re Drug Treatment Facilities from the agenda for the Government Operations & Ordinances Committee. Seconded by Councilor Bolduc. **Motion passed unanimously.**

4. **PUBLIC WORKS: (Bolduc, Baer, Lahey)**

- 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
- e) **Inventory of Public Works Equipment**

Councilor Bolduc reported that the Public Works Director attended the meeting and gave a presentation of the inventory as requested. Additional information was requested.

Councilor Hamel suggested leasing a Bobcat for the sidewalks to test it out before making an investment in one. He also suggested contacting other communities that are using this equipment and ask them for thoughts on performance.

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:

City Manager Cabanel reported that she has been in communication with Public Works Director Paul Moynihan in regards to the winter budget, and he thinks we will be okay for this year.

It was reported that Mrs. Baldi has signed a six month extension to the option agreement which will now expire in April 2012. At the next Council Meeting on March 14, it will be on the agenda to have the Council formally approve the extension. City Manager Cabanel also clarified that the report in the newspaper regarding a \$50,000 payment being made to Mrs. Baldi was false and based on unfounded information.

City Manager Cabanel announced that Harley Davidson will not be coming back to Downtown this year. They will still be in Laconia with a portion of their show, but the demonstration rides will be done out of Meredith.

Councilor Hamel asked City Manager Cabanel if she was aware of the increase in the salary line for Lakes Region Mutual Fire Aid (LRMFA) for this year as presented in a pamphlet he has obtained. The increase in Laconia was \$7,000 with an overall increase of \$63,000, and he does not feel that they should be getting any increases in salary if the other municipal positions are not. City Manager Cabanel explained that this is done through the County Delegation and it should be made known to them if the Council has a disagreement with the funding.

NEW BUSINESS:

1. **Request by Lakes Region Partnership for Public Health to fundraise at Opechee Park/Smith Track on May 21, 2011 from 9:00 a.m. to 2:00 p.m. This is the first time LR Partnership of Public Health has made this request.**

Councilor Doyle moved to approve the request by Lakes Region Partnership for Public Health to fundraise at Opechee Park/Smith Track on May 21, 2011 from 9:00 a.m. to 2:00 p.m. Seconded by Councilor Bolduc. **Motion passed unanimously.**

2. Acceptance by Council of Capital Improvement Committee report

Councilor Lipman removed to accept the report of the Capital Improvement Committee as presented. Seconded by Councilor Bolduc. **Motion passed unanimously.**

3. Proposed ordinance amendment to Chapter 235, Zoning Relative to Article II 235-15 official Zoning Map

Mayor Seymour invited Karen Barker to address the Council relative to this Ordinance.

Ms. Barker expressed her encouragement of the passing of this amendment. The area in question is some of the last remaining open space within the City; it could be prime agricultural space.

Councilor Baer asked if the State sells this property is the purchaser bound by this ordinance, or would they be exempt as the State is. Planning Director Saunders and City Manager Cabanel concurred that the new owner would be held to the ordinance.

Councilor Hamel moved the proposed ordinance amendment to Chapter 235, Zoning Relative to Article II 235-15 official zoning map. Seconded by Councilor Bolduc. **Motion passed unanimously.**

4. Proposed ordinance amendment to Chapter 53, Meetings

City Clerk Reynolds explained the changes to sections 53-1, 53-2 and 53-4 were to align the chapter with the charter amendments approved in November 2010. Section 53-7 specifies the retention schedule for all meeting tapes and agendas. It is the request of the City Clerk to removed limiting language which inhibits the change of recording devices with advancing technology. The request also includes changing the retention schedule to three years and eliminates having the Library obligated to store the tapes when they have never done so and have no desire to.

Councilor Hamel encouraged the City Clerk to work with Lakes Region Public Access to look into equipment cost to upgrade the current system.

Councilor Doyle moved the proposed ordinance amendment to Chapter 53, Meetings. Seconded by Councilor Bolduc.

UNFINISHED BUSINESS:

1. Proposed ordinance amendment to Chapter 161, Licensing regarding licensing fees for Motorcycle Week/Second Reading

Councilor Hamel moved a second reading by title only of the proposed ordinance amendment to Chapter 161, Licensing regarding licensing fees for Motorcycle Week. Seconded by Councilor Bolduc.

Councilor Doyle noted some concerns with the setting of pricing with this ordinance. City Manager Cabanel assured the Council that the pricing could be changed at a later date if necessary.

Motion passed unanimously.

2. WOW Trail
3. Master Plan
4. EPA Update
5. Sewer & Water Master Plan
6. Single Stream Recycling/Concord Co-Op

NOMINATIONS, APPOINTMENTS & ELECTIONS: NONE

COUNCIL COMMENTS:

Councilor Bolduc asked when the deadline for filing an abatement was. City Manager Cabanel stated it would need to be delivered or post marked by March 1, 2011. Councilor Bolduc asked if someone can file after this date, and was told no.

Councilor Lipman referenced the Northern Pass Transition Project and asked for Council consideration in being assistive to the City of Franklin with the current situation. Councilor Lipman noted that if Franklin does well, Laconia will do well in the future in regards to economic development and the trickle effect.

NON - PUBLIC SESSION: NONE

ADJOURNMENT:

At 9:10 p.m. a motion was made by Councilor Bolduc to adjourn. Seconded by Councilor Baer. **Motion passed unanimously.**

A True Record Attest:

Mary A. Reynolds
City Clerk