



**LACONIA CITY COUNCIL MEETING  
MAY 24, 2010  
BELKNAP MILL – THIRD FLOOR  
7:30 P.M.**

**CALL TO ORDER:**

Mayor Seymour called the meeting to order on the above date at 7:32 p.m.

**SALUTE TO THE FLAG:**

Councilor Bob Hamel led the Salute to the Flag.

**ROLL CALL:**

City Clerk called the roll with the following Councilors present: Councilor Knytych, Lipman, Baer, Hamel, and Bolduc. Also present City Manager Eileen Cabanel.

Councilor Lahey joined the meeting after roll call.

**ADOPTION OF MINUTES OF PREVIOUS MEETINGS:**

**1. Corrective vote for April 12, 2010 non-public minutes per the April 26, 2010 minutes**

Councilor Bolduc moved to amend the non-public minutes of April 12, 2010 beginning with the line "it would appear..." under item three. The request would be to strike this statement or attribute statement to the Councilor which made it, as it appears to be the feeling of the whole Council in its current form. Seconded by Councilor Knytych. **Motion passed unanimously.**

**2. Budget, regular and non-public meeting minutes of May 10, 2010**

Councilor Bolduc moved to accept the budget, regular and non-public meeting minutes of May 10, 2010. Seconded by Councilor Knytych. **Motion passed unanimously.**

**PUBLIC HEARING:**

- Colonial Theater

Mayor Seymour opened the public hearing at 7:34 p.m. with the reading of the Notice of Public Hearing as posted in the Laconia Daily Sun on Tuesday, May 18, 2010.

City Manager Cabanel began by giving the audience a brief overview of the process which led up to the Option Agreement for the Colonial Theatre property. It was emphasized that this Option Agreement is not for the City of Laconia to purchase the Colonial Theatre, but to facilitate a purchase within 18 months.

**Rod Dyer** spoke in favor of a private entity purchasing the property with public support. Mr. Dyer also noted that Laconia Savings Bank is also in support of the project.

**Patrick Wood** spoke in favor of a public/private partnership.

**Tom Tardif** read a prepared statement (see Attachment #1).

**David Stamps** spoke in favor of the project.

**Peter Brunett** is a performer in various avenues throughout the region. He spoke in favor of a project that would bring the Colonial Theatre to a performing arts facility, and encouraged the Council to take the next step with this project.

**Warren Clement** spoke in favor of the revitalization of the theatre, hoping the former Bloom's Variety will be closely following.

**Monique Peasley** is a teacher of the performing arts. Ms. Peasley read a prepared statement indicating the need for a performing arts facility in Laconia.

**Melissa Bigler** is performing with a local theatre group and spoke in favor of a revitalization of the Colonial Theatre.

**Tom Brown, Jr.** spoke in favor of the project, but with note to spend wisely and take the time to "get it right".

**Mary Jane Hoey** made the suggestion to contact other towns that have experienced this type of renovation for assistance with a plan. Ms. Hoey is in favor of the Theatre being revitalized.

**Russ Thibeault** is a local Economist. Mr. Thibeault is in favor of the Colonial Theatre being restored if it is done economically.

**Ed Philpot** spoke in favor of restoration of the Theatre because we have been given the initiative and the opportunity.

**Bud Martin** is a Downtown property owner and is in favor of a renovation of the Theatre.

**Diane Wells** is in favor of the Theatre being a performing arts facility. Ms. Wells is an orchestra performer, and feels the community would benefit from this type of facility.

**Jack Terrill**, President of the Lakes Region United Way, noted the difficulty of social progress without economic progress. Mr. Terrill is in favor of the rehabilitation of the Theatre because of the stimulation it will bring to the Downtown area.

**Dick Stewart** explained his involvement in various performing arts groups, including his volunteer efforts at the Capital Center for the Arts in Concord. Mr. Stewart would be grateful to a local performing arts center because it would allow him the opportunity to not only volunteer, but perform in a local environment.

**Bob Selig** is a member of the Library Board of Trustees, and referenced the expansion of the Laconia Public Library as an example of how a public/private partnership can be successful. Mr. Selig expressed his hope that the same type of partnership could be effective for the Colonial Theatre.

**Erin Lovett-Sherman** is the operator of Artsfest, and travels all over the State to perform in various venues. Ms. Lovett-Sherman expressed her excitement for the community with this possible venture.

**Barry Lawton** spoke in favor of a renovation of the Theatre and believes the community is also.

**Lynn Dadian** spoke as the President of the Laconia Streetcar Company, which is excited for the potential of the Theatre.

**Whit Privett** is the Production Manager for the Palace Theatre in Manchester, N.H. and is also a resident in favor of this project. Mr. Privett has worked in theatres around the country and is confident this will work in Laconia also.

**Marcy Yerkes** offered her talent with the renovation, as well as that of others within the community.

**Laura Romano** is a current resident above the Colonial Theatre and does have some concerns about losing her home, even though she is supportive of revitalization.

**Nick Brough** spoke on behalf of the "younger generation" of Laconia, and thinks this will keep more youth participating in activities locally.

**Kara Murray-Stanley** described memories of the Theatre and is in favor of revitalization.

**Ian Raymond** spoke on the benefits of the local businesses from this project.

**Jack Polidoro** reminisced about the earlier days of the Theatre, and also encouraged fundraising to accomplish the renovations needed.

**Sandy Gove** referenced the renovations of a theatre in Portsmouth, and offered the idea of a "Chair Sale" as a fundraiser.

**Jessica Alward** spoke as a Director for Laconia Streetcar. Ms. Alward was interested in getting direction on the next step for people who want to help.

**Bob Sanborn** has been a resident of Laconia since 1927. Mr. Sanborn detailed memories of the frescos done for the 1940 showing of *Gone with the Wind*, and is hopeful for the renovations.

**John Rogers** spoke on his fond memories of the Theatre and expressed the support from surrounding communities.

**Randy Bullerwell** spoke on behalf of Downtown and stated they are "100% for it".

**Pam Clark** is the Chairperson of the Laconia Heritage Commission which is in favor of having the landmark restored.

**David Bownes** stated that the community loves the Colonial Theatre and is in favor of it being in use again.

**John Heise** spoke as the President of the Laconia Rotary Club. Mr. Heise expressed that Downtown needs this to happen; other communities have similar facilities and it works well.

**Jordan Tankard** has been involved in the community education theatre for several years, and is currently employed at the Franklin Opera House. He is in favor of this proposal.

**Mack Keysar** is an associate with Laconia Streetcar. Mr. Keysar is in favor of this project.

**Charlotte DuBois** is the Executive Director of Laconia Housing Authority. Ms. DuBois thanked the City and the City Manager for the efforts taken to get to this point.

With no one else choosing to speak, Mayor Seymour thanked those who did speak, as well as those who attended to hear the ideas and support of others.

The Public Hearing was closed at 8:43 p.m.

Councilor Knytych moved to ratify the authority of the City Manager to sign the Option Agreement for the purchase of the Colonial Theatre between the City of Laconia and Patricia and Lawrence Baldi, Sr. Seconded by Councilor Hamel. **Motion passed unanimously.**

Councilor Knytych moved to ratify the Option Agreement regarding the purchase of the Colonial Theatre. Seconded by Councilor Hamel. **Motion passed unanimously.**

#### **CONSENT AND ACTION CALENDAR:**

- 1. Temporary Traffic Order 2010-05 Lakes Poker Run for Easter Seals**  
There are no changes from the TTO approved by the Council in 2009 except for the date.
- 2. Temporary Traffic Order 2010-06 Downtown 4<sup>th</sup> of July Celebration**  
There are no changes from the TTO approved by the Council in 2009.
- 3. Request by Laconia High School Cross Country Team to raise fund at Robbie Mills Park on August 7, 2010**  
This same request was approved in 2009. Only the date has changed.

Councilor Lipman moved to accept the above requests as presented. Seconded by Councilor Hamel. **Motion passed unanimously.**

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

**INTERVIEWS: NONE**

**COMMUNICATIONS: NONE**

**PRESENTATIONS: NONE**

**MAYOR'S REPORT: NONE**

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

Steve Bogert wished to comment on the proposal of the Huot Technical Center. He was assured he would be permitted to speak after the Liaison's Report on the subject.

**COMMITTEE REPORTS:**

1. **FINANCE:** (Lipman, Hamel, Baer) (No report on any item in committee)
  - a) WOW Trail Fund
  - b) Special Item Budget Requests Procedural Review
  
2. **PUBLIC SAFETY:** ( Baer, Knytych, Lahey) (No report on any item in committee)
  - a) Fair St./Court St. traffic problems and accidents
  
3. **GOVERNMENT OPERATIONS & ORDINANCES:** (Knytych, Bolduc, Lahey) (No report on any item in committee)
  - a) Energy Committee
  - b) Amendment to Zoning ordinance re Drug Treatment Facilities
  - e) Proposed Amendments to City Charter
  
4. **PUBLIC WORKS:** (Bolduc, Baer, Lahey) (No report on any item in committee)
  - a) Ordinance Amending Chapter 221, Vehicles and Traffic/Parking on Sublawns
  - b) Oak & North Main St. Intersection
  - c) No parking on Messer St.
  
5. **LAND & BUILDINGS:** (Hamel, Lipman ,Bolduc) (No report on any item in Committee)
  - a) Repair & maintenance of City Buildings

**LIAISON REPORTS:**

- Report and discussion regarding Council's position relative to Huot Regional Technical Education Center (Mayor Seymour, Councilors Lipman and Knytych)

Mayor Seymour explained the meeting held with the School Board to discuss the Huot Center project. From the meeting, specific items were discussed relative to the State Aid available, and the determination of what the initial application needs to include. It was the conclusion from this meeting that the initial application for State Aid needs to be inclusive of all programs at the Huot Center, and the City Council will need to approve the spending of \$2.5 million prior to the application being submitted.

Councilor Lipman discussed the reality of the situation the City is in regarding the Huot Center. It is not unseen that the Center does require renovations and updated equipment, if not a new offsite facility. Other communities in the State have been able to benefit from the funds which every community pays into, and the City of Laconia should be given the same opportunity. Councilor Lipman also acknowledged other Capital Projects that are needed, such as the Main Street Bridge and the Fire Station, and offered

an amortization schedule be completed to get a better look at the actual financial impact of the \$2.5 million being financed.

Councilor Knytych emphasized that the Huot Center is preparing student to go directly into the work force and is an intricate part of the education system.

Councilor Hamel raised question as to why a bond referendum was requested to the Council before a Public Hearing was scheduled on the subject. It was noted that the request was rescinded by the School Department. Councilor Hamel further expressed his concerns with the lack of planning being presented for the project; it is the thought that an analysis should be submitted with the breakdown of equipment costs and building costs. It was also noted that the School Department is expected to receive an additional \$2.5 million in fiscal year 2012-2013 from the State, and this funding should be used for the project rather than adding additional debt.

Councilor Hamel stated that he is not comfortable issuing a bond for this project, as the State has confirmed being behind \$3 million on the budget and it is going to get worse. The City does not have any extra funds for the planning of this project, so it is Councilor Hamel's suggestion that the School Department find the funds in within their budget. Councilor Hamel continued that the timing of this project is not good; there are other Capital Improvement projects within the City that are in need as well. It was pointed out that the Fire Station project has been planned and is ready to move forward, but funding is holding it back.

Councilor Lipman again explained the financial advantage to supporting this project now. The State is going to suspend all aid for these building projects effective July 1, 2010, and we need to act now.

Councilor Hamel reiterated that he has seen no planning to support the funding; will the facility stay at its current location and expand, or will it be moving offsite? If it stays in the current location and expands, what will happen to the football field?

Councilor Baer asked the attending School Board members if we can get in line without committing to the funding. Superintendent Champlin advised that a commitment will need to be established by the June 30<sup>th</sup> deadline. Councilor Baer also asked if the aid coming from the State needs to be allocated to a specific program. Superintendent Champlin stated it does not.

Councilor Baer noted that all other Departments have been asked to find additional cuts in spending and they have done it. No excess spending is needed.

Councilor Lipman stated that the taxpayers want the Council to get as much funding as possible through grants and government aid, and it would be foolish to let an opportunity like this go.

Councilor Lipman asked Superintendent Champlin to explain their position on an offsite Center. Superintendent Champlin stated that the School Board is looking at it as a positive. A presentation was done by the Director of the Center showing the concept of having the Center offsite, and it would allow for programs to continue to be run efficiently without interruptions.

Councilor Lahey noted that if a bond is decided to be the best choice for financing this project, a Public Hearing is necessary.

It was decided to hold a Finance Committee meeting on Friday, May 28<sup>th</sup> at 3:00 p.m. at City Hall in the Council Chambers. Members of the School Board and Council will be present to further discuss the financing options available, as well as the feasibility of a bond.

Councilor Lahey moved to schedule a Public Hearing, as part of the regular meeting, on June 14<sup>th</sup>, 2010, to take public input regarding a bond for construction and renovation of the Huot Center, in an amount not to exceed \$2.5 million. Seconded by Councilor Lipman. **Motion passed unanimously.**

Councilor Hamel mentioned that he has asked the Superintendent to find out the possibility of having the other contributing communities help find this project. Superintendent Champlin explained that the State Department of Education determines the amount that each community will contribute toward the educating of the students they send. Councilor Hamel clarified that he is not looking for tuition being given, he is looking for any support other than tuition that the other communities may be willing to contribute. Superintendent Champlin stated the tuition that is paid is the contribution from the other schools; they pay tuition and the host districts students attend with no tuition. Councilor Hamel asked where the revenue from the tuition is spent. Superintendent Champlin explained that it is used with the general budget for the School District.

Mayor Seymour invited Steve Bogert to speak, thanking him for his patience.

Mr. Bogert expressed his concerns with this proposition. The increases in the tax rate, for the convenience of living in the City, are hitting the "Blue Collar" workers hard. It's not easy for the average family to absorb additional increases in the tax rate due to increases in spending. Choices need to be made that are efficient for the tax payers, regardless of the argument over which side of the budget it's going to come from it is still coming out of the pocket of the tax payer. Mr. Bogert also noted that the other departments in the City have been asked to make cuts on the bottom line, and if this money is suddenly available, it should be used for reducing the bottom line, not additional projects.

Councilor Lipman explained that the Council is working very hard to keep this budget year at a zero increase. It was further noted that this program will not be available in the future, and the Council is keeping the tax payer in mind, because this type of program may not be available again.

Mayor Seymour made a clarification that at the joint meeting, it was requested to have Finance Director Pam Reynolds do some research on the various possibilities for funding this project.

**MANAGER'S REPORT: NONE**

**MOTION TO CONTINUE MEETING:**

Councilor Bolduc moved to continue this meeting until 10:30 p.m. Seconded by Councilor Hamel. **Motion passed unanimously.**

**NEW BUSINESS:**

1. **Request by Brandon and John Morin owners of "My Coffee House" for reduction in entertainment licensing fee for Motorcycle Week.**

City Manager Cabanel explained the process that has been followed in the past regarding Downtown merchants vending during Motorcycle Week. It is her recommendations to have the Council reduce the fee for My Coffee House.

Councilor Lipman moved to reduce the fee for My Coffee House to \$100 for the entertainment and outdoor loudspeaker licenses for Motorcycle Week 2010. Seconded by Councilor Bolduc. **Motion passed unanimously.**

**2. Revision to Temporary Traffic Order 2010-01 Laconia Main Street Farms Market/request to close off entire half of City lot facing Main St. to all parking**

City Manager Cabanel explained the need for a change to the prior Temporary Traffic Order, as well as the change that was made.

Councilor Hamel moved to revise Temporary Traffic Order 2010-01 Laconia Main Street Farmers Market as presented. Seconded by Councilor Bolduc. **Motion passed unanimously.**

**3. Request approval of Motorcycle Technical Review application from Robin Bishop for renewal for parking for 100 motorcycles at 5 Hilliard Rd.**

City Manager Cabanel explained that Mr. Bishop had missed the deadline to have his application reviewed by the Motorcycle Week Technical Review Committee, but it has been reviewed and is of the same structure as prior years.

Councilor Lahey moved to approve the application of Robin Bishop for parking of 100 vehicles at 5 Hilliard Road as presented. Seconded by Councilor Bolduc. **Motion passed unanimously.**

Councilor Hamel noted that there are still fees due to the Motorcycle Week Technical Review Committee for the application review.

**4. Request approval of Motorcycle Technical Review application for Harley Davidson**

City Manager Cabanel explained to the Council that there was a miscommunication between Harley Davison and the City with regard to the review process. There is no change to the plan form 2009.

Councilor Knytych moved to approve the application of Harley Davidson as presented. Seconded by Councilor Lahey. **Motion passed unanimously.**

**5. Waiver of vendor fees for Bike Week Swap Meet on Friday, June 18<sup>th</sup> at Opechee Park/Charlie St. Clair**

Mr. St. Clair explained the process followed in prior years in relation to the Swap Meet. Mr. St. Clair is simply the coordinator of this even on behalf of the City. During the Swap Meet, \$35 is collected from each "vendor", and all of the funds are turned over to the City. It is Mr. St. Clair's request to do the same this year.

Councilor Knytych moved to reduce the vendor fees for the Bike Week Swap Meet on Friday, June 18<sup>th</sup>, to \$35.00. Seconded by Councilor Hamel. **Motion passed unanimously.**

## **6. Approval of one year contract between City and SEA**

City Manager Cabanel reviewed the agreement terms with the Council, which consists of no Cost of Living Adjustment or "step" increases for July 1, 2010 – June 30, 2011; however, there will be no increase in the amount of employee contributions to health insurance costs. There is an unwritten condition that if all of the remaining Unions do not accept the same proposal, then this agreement will not be valid and the wage increases will be given.

Councilor Hamel moved to approve the one year agreement as presented. Seconded by Councilor Bolduc. **Motion passed unanimously.**

## **7. Apron at Weirs Fire Station**

Councilor Hamel explained that this came into knowledge after drainage repairs were done at the Station to prevent any run off from flowing into the lake. Councilor Hamel requested to have Public Works Director Paul Moynihan discuss the details.

Director Moynihan explained that trench work was done from the building to Lucerne Ave, which was being funded from the operating budget. The stairs and the apron are in terrible shape and both need to be repaired, along with the driveway area. A price was given from Busby Construction, who was contracted to do the earlier work, of \$36,000 to make the improvements. Director Moynihan was hoping to have this allocated tonight, as they would like to do it in conjunction with the paving of Lucerne Ave, which needs to be completed before Motorcycle Week. City Manager Cabanel expressed that this is a large expense that they were not planning on, and it is going to take some time to find the funding.

It was suggested to refer this to the Land and Building Committee for further review.

### **UNFINISHED BUSINESS:**

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

### **NOMINATIONS, APPOINTMENTS & ELECTIONS: NONE**

### **COUNCIL COMMENTS: NONE**

### **NON - PUBLIC SESSION:**

Councilor Knytych moved to go 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.

And

(e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled.

Seconded by Councilor Bolduc. On a roll call vote of the Council, it was voted to go into non-public session at 10:23 p.m.

On motion of Councilor Bolduc and seconded by Councilor Hamel, it was voted to come out of non-public session. Councilor Lipman moved to seal the minutes for two years, seconded by Councilor Bolduc. **Motion passed unanimously.**

**ADJOURNMENT:**

On motion of Councilor Bolduc, seconded by Councilor Hamel, it was voted unanimously to adjourn at 10:42 p.m.