



**LACONIA CITY COUNCIL MEETING  
JUNE 27, 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 Robert Hamel led the Salute to the Flag.

**ROLL CALL:**

City Clerk Reynolds called the roll with the following Councilors present: Councilor Doyle, Lahey, Lipman, Baer, Hamel and Bolduc. Also present Acting City Manager Pam Reynolds.

**ADOPTION OF MINUTES OF PREVIOUS MEETINGS:**

- **Special meeting and non-public minutes of June 10<sup>th</sup> and regular minutes of June 13, 2011 Council meetings**

Councilor Bolduc moved to approve the Special Meeting and Non-Public minutes of June 10 and the Regular Meeting minutes of June 13, 2011. Seconded by Councilor Doyle. **Motion passed unanimously.**

**CONSENT AND ACTION CALENDAR:**

**1. Temporary Traffic Order 2011-08 Easter Seals Land & Lake Poker Run 7/09/11**

This is the same traffic order approved by the Council in 2010. The only change is the date.

Councilor Hamel moved to approve Temporary Traffic Order 2011-08 Easter Seals Land & Lake Poker Run. Seconded by Councilor Bolduc. **Motion passed unanimously.**

**2. Temporary Traffic Order 2011-09 Evangelical Baptist Church Bible School**

This is the same traffic order approved by the Council in 2010. The only change is the date.

Councilor Hamel moved to approve Temporary Traffic Order 2011-09 Evangelical Baptist Church Bible School. Seconded by Councilor Bolduc. **Motion passed unanimously.**

**Mayor Seymour requested to take up the Temporary Traffic Order 2011-11 Kelly-Miller Circus & American Legion Wilkins-Smith Post #1 Circus at this time as well.**

Councilor Bolduc asked if the Police Department has reviewed the order and approved it. Parks & Recreation Director Kevin Dunleavy confirmed that they have and see no issues.

Councilor Doyle moved to approve Temporary Traffic Order 2011-11 Kelly-Miller Circus & American Legion Wilkins-Smith Post #1 Circus. Seconded by Councilor Bolduc. **Motion passed unanimously.**

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

**INTERVIEWS:**

**1. Jerry Mailloux – requesting reappointment as a full member of the Planning Board**

Mr. Mailloux has been on the Planning Board for approximately five years.

With no questions from the Council, Mayor Seymour thanked Mr. Mailloux for his interest in continued service.

**2. N. Tobias Paddock – requesting reappointment as a full member of the Planning Board**

Councilor Lipman asked how long Mr. Paddock has been a member of the Planning Board. Mr. Paddock advised that he began approximately two years ago by completing the term of a vacant position.

Councilor Bolduc thanked Mr. Paddock for his continued interest in serving.

**Mayor Seymour requested to vote on all interviews coming before the Council this evening at this time.**

Councilor Lahey moved to appoint Greg Page to the Water Commission, Jerry Mailloux as a full member of the Planning Board and N. Tobias Paddock as a full member of the Planning Board. Seconded by Councilor Bolduc. **Motion passed unanimously.**

**COMMUNICATIONS:     NONE**

**PUBLIC HEARING:**

- **Re-designation of bond funds for engineering for the reconstruction of Weirs Beach Roundabout at Rte. 3 & 11 in the amount of \$120,000**

Mayor Seymour opened the Public Hearing at 7:35 p.m.

Acting City Manager Pam Reynolds advised the Council that this bond is the portion of the City contribution to the roundabout, which is coming from the Bond issued for the revaluation process. The State of New Hampshire will be completing the work and funding the remaining costs. The Council will be able to take a formal vote on the re-designation no sooner than 15 days from today, with the vote to take place at the meeting of July 25, 2011.

With no comments from the public, Mayor Seymour closed the Public Hearing at 7:38 p.m.

**PRESENTATIONS:     NONE**

**MAYOR’S REPORT:**

Mayor Seymour acknowledges that this will be Acting City Manager Reynolds last official meeting, thanking her for her service and dedication to the City.

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

Carmen Doucette, founding member of the Lakes Region chapter of the Parents of Murdered Children (POMC), requested to address the Council. Ms. Doucette was not in attendance earlier to speak on items not on the agenda. Mayor Seymour obliged.

Ms. Doucette explained that the POMC has attended a meeting of the Parks & Recreation Commission and submitted a request to have a memorial garden placed at Stewart Park; the request was approved. Councilor Bolduc was in attendance at this meeting and suggested that Ms. Doucette come before the Council. Ms. Doucette shared her plans and a sample of the bricks to be used in the Memorial.

Councilor Hamel expressed concern with the project and recommended having the proposal sent to the Land & Buildings Committee for further consideration. Councilor Lahey commented that the Parks & Recreation Commission has already approved this and didn’t think it was necessary.

Mayor Seymour referred the item as suggested.

**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) Vending and Licensing Fees
  - c) Chapter 119, Building Construction regarding architectural plans

**No report on any item in committee**

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 advised the Council that he met with Director Paul Moynihan and Foreman Danny Walker in regards to the funding of needed equipment. It was the consensus that at this time bonding the equipment is not in the best interest of the City and the request is being rescinded. The Department will work with the \$150,000 they are allotted through the Internal Service Fund and prioritize purchases. Acting City Manager Reynolds advised that she has also spoken with Director Moynihan and he has indicated that the urgent need would be sidewalk plows and the purchase of a replacement pickup truck with the remaining funds.

**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:**

Acting City Manager Reynolds advised the Council that the Wide Open Saloon issue is still being worked on. Code Enforcement Director Bill Stewart was at the site last week and there was an abatement specialist at the site looking over the building; no formal notice has been made by the property owner to the City advising that they are proceeding with the Court Order. The owner did file an appeal to the Court Order at the last minute. Councilor Bolduc noted that the Court Ordered the building be demolished no later than June 14<sup>th</sup>; Acting City Manager Reynolds confirmed, but stated they filed an appeal on that date. Prior to this, the City Attorney had received a request from the owner requesting an extension, which was granted by the City; upon the filing of the appeal the extension is void.

In regards to Motorcycle Week, Acting City Manager Reynolds reported that the City is awaiting and additional \$2,000 from the Bike Show and photo tower and will end on budget. The Police Department decreased there cost 30% and the Fire Department decreased there cost by 22% because of the poor weather earlier in the week. At the conclusion, there will be a positive balance in the Reserve Fund.

Acting City Manager Reynolds advised that the City owned property on Fillmore Avenue is undergoing abatement testing at a cost of approximately \$1,600. At the conclusion there will be an estimated cost on the necessary abatement.

Relative to the State Budget, it has been reported that the exemption for the taxed polls was not approved and is expected to be upheld. In addition, the City is anticipating a decrease in County tax of \$50,000 and we are waiting to see the percentage rate for the County breakdown. It was also reported that there is an anticipated savings of \$13,000 in the Administration Budget.

Acting City Manager Reynolds reviewed an expanded version of her proposal for the City Budget (See Attachment #1).

Councilor Lipman asked if the budget being presented at the Public Hearing this week will include this supplement. Acting City Manager Reynolds stated it will and will be posted on the website.

Councilor Lipman confirmed that there is funding set aside for the Huot Technical Center. Acting City Manager Reynolds confirmed there is \$424,000 in reserve. Councilor Lipman asked if there is anything the Council will need to do with these funds to appropriate them. Acting City Manager Reynolds advised that putting the money into the Capital Reserve requires a Public Hearing, which we are having this week, and then requires the same vote as for the regular Budget. Councilor Lipman confirmed that because this is part of the Budget nothing additional needs to be done. Acting City Manager Reynolds confirmed.

Acting City Manager Reynolds made a recommendation for use of the \$50,000 savings in the County Tax if it comes to fruition, such as the demolition of the Opechee Park Clubhouse and the Doll House Building at the Department of Public Works. Councilor Hamel stated that the Bond that was being looked into for the equipment included taking down the Doll House as well.

Councilor Hamel encourage the Council to take \$25,000 out of the Huot Technical Center funding and allocate it to Sidewalk Repair because it was not funded this year. Acting City Manager Reynolds advised that each year there are funds carried forward for this line and they will have approximately \$26,000 for fiscal year 2012, not inclusive of the June invoice from Busby Construction.

**NEW BUSINESS:**

**1. Temporary Traffic Order 2011-11 Kelly-Miller Circus & American Legion Wilkins-Smith Post #1 Circus**

**See above.**

**2. Non-capital reserve fund request for repairs to air conditioning at Police Department**

Acting City Manager Reynolds referred the Council to the memorandum provided from Captain William Clary regarding the repeated repairs needed on the air conditioning system at the Police Department. It is the recommendation to fund the repairs through the Non-Capital Reserve Fund to avoid future cost for repair, which could be substantially more.

Councilor Lahey asked if there has been an estimate of the cost of the major repair. Parks & Recreation Director Kevin Dunleavy advised that they have received an estimate from Control Technologies, which is the company contracted to do all of the air conditioning repairs for the City.

Councilor Hamel asked exactly what needs to be done. Director Dunleavy advised that condensing units need to be replaced and some coil leaks that have been reoccurring. If they are not fixed it will become more costly and poses and environmental hazard.

Councilor Baer commented that the system is fairly new and asked if there was a warranty with the system. Director Dunleavy advised the warranty was minimal, thought to be one year.

Councilor Hamel asked if the minor repairs have been done to get the unit through the summer. Director Dunleavy advised they have been done and the plan would be to have the repairs made in the

fall. Councilor Hamel recommended to look into funding at that time and not commit to the expenditure at this time.

The consensus of the Council was to place it in Unfinished Business for the time being.

### **3. Proposed amendment to City's Wage & Compensation Plan**

Acting City Manager Reynolds presented the revised policy to the Council, noting the addition of Assistant MIS Director at level 9H. It was explained that the Council has 30 days to take action to change or deny the policy; if they take no action it will become effective by default.

Councilor Lipman asked if it was necessary to approve the plan to expedite the implementation of the position. Acting City Manager Reynolds advised that the individual affected has been notified that it will likely be effective August 1 therefore there is no need for immediate action.

### **4. Request for transfer \$10,000 from contingency to litigation regarding pending legal matters and \$5,000 to City Clerk for salaries**

Acting City Manager Reynolds advised that the transfer to litigation regarding pending legal matters does not need to be done. There appears to be sufficient funds to accommodate the fees. The City Clerk salaries transfer is needed at this time to cover the cost of additional hours for one part time staff to work full time during a staff shortage.

Councilor Lahey moved to transfer \$5,000 to 01-415-101-0000 City Clerk-Salaries from 01-431-343-0000 Contingency. Seconded by Councilor Hamel. **Motion passed unanimously.**

## **UNFINISHED BUSINESS:**

### **1. 2011-2012 City Budget Discussions**

Acting City Manager Reynolds advised that the only remaining budget presentation is the Records Department and asked to allow City Clerk Reynolds to present. Mayor Seymour obliged.

City Clerk Reynolds advised all of the services completed in the City Clerk's Office and the accomplishments of the department in the last year.

City Clerk Reynolds reviewed with the Council the request made to the City Manager this year in regards to the part time position currently in place. The history of the last three fiscal years was explained to the Council, which has resulted in reductions in staff from four full time positions to two full time positions and two part time positions and a loss of 20 staff hours each week. The reduction in staffing is not beneficial to the residents of the City and customer service has been reduced to an unacceptable level. In the Budget presented to the Council by the City Manager, this request was removed due to funding issues with insurance costs and retirement contributions. City Clerk Reynolds requested the Council consider restoring the position to full time.

Councilor Lipman asked why there is a need for a full time position rather than adding another part time position; it would seem more cost effective to have another position without benefits than to have this position made full time with benefits. City Clerk Reynolds explained that having another part time person would be very time consuming in the training aspect and would continue to prohibit customer

service for an additional six to seven months. Councilor Lipman explained that he thinks another solution could exist when we are considering spending an additional \$10-12,000 for one position. City Clerk Reynolds advised that the quality of staff in the office now is exceptional and finding someone to work two hours of day is not going to assist the cause.

Councilor Baer explained that there are departments that are losing personnel and that needs to be taken into consideration.

Mayor Seymour asked Acting City Manager Reynolds what her opinion is on the situation. Acting City Manager Reynolds advised that the Records Department was cut too much under her recommendation and she now sees the repercussion every time she goes into the City Clerk's Office. The City Clerk does not have enough time to do her own work because she spends a large portion of her time on the counter assisting customers so they don't have to wait as long. Acting City Manager Reynolds advised that she feels restoring the position is an acceptable use of City money.

Mayor Seymour acknowledged that the Council cannot contest that there is a problem; he himself has had a resident follow him into his office and tell him that the long wait is a reoccurring issue in the Clerk's Office. The issue now is from a funding standpoint.

Councilor Baer asked if the problem comes from customer patterns; people work and cannot come into the office during varying hours so they all come in a rush at lunch times and at the end of the day. Councilor Baer recommended the consideration of being open on a Saturday or evening to help alleviate the waiting in line. City Clerk Reynolds advised that she is not opposed, but that would increase the employee hours and she cannot stay herself because of security having one person in the office alone.

Acting City Manager Reynolds advised the Council that the only way a part time position works in an environment like in the Clerk's Office is when you have a part time position that is flexible. At this time there is not flexibility with one of the part time positions because of promises made in the past.

Councilor Lahey asked Acting City Manager Reynolds for her recommendation. Acting City Manager Reynolds stated that with the staff we have in the office now, the City would be making a very big mistake by risking the person who would be promoted to full time. Councilor Hamel asked why it is only 35 hours; Acting City Manager Reynolds advised that it was cut to 35 from 40 several years ago. Councilor Lahey confirmed that the recommendation is to make the position full time. Acting City Manager Reynolds confirmed. Councilor Lahey commented that half employees are a rarity and if Acting City Manager Reynolds thinks that having a half employee is not sufficient then the Council should take that recommendation; otherwise you could make employees of every department half employees to avoid the payment of benefits and retirement.

Acting City Manager Reynolds also advised that 98% of the residents that come into City Hall go the City Clerk's Office and they are not getting good customer service when they have to wait 20 minutes in line.

Councilor Lipman asked what impact the EVR Bill will have on the need for customers in the office, as well as the technology of on-line services. Acting City Manager Reynolds advised that this is not going to have an impact for three to five years and cannot be taken into consideration; with regard to the EVR Bill, the Clerk's throughout the State strongly believe this is going to take longer to process than over the counter transactions.

The Council will be considering this request for the upcoming Budget.

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

**NOMINATIONS, APPOINTMENTS & ELECTIONS:**

1. **Greg Page – requesting reappointment to the Water Commission**
2. **Jerry Mailloux – requesting reappointment as a full member of the Planning Board**
3. **N. Tobias Paddock – requesting reappointment as a full member of the Planning Board**

See above.

**COUNCIL COMMENTS:**

Councilor Hamel commented on the condition of Downtown and the weeds and dead trees that need to be attended to. Acting City Manager Reynolds advised that she has been notified of the problem and has already received an action plan from Parks & Recreation Director Dunleavy. The Department of Public Works and the Parks & Recreation Department will be working together on this issue.

**NON - PUBLIC SESSION:**

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; and (d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community. Seconded by Councilor Lahey.

On a roll call vote of the Council it was entered into non-public session at 8:43 p.m.

On a motion of Councilor Bolduc it was moved to come out of non-public session at 9:18pm. Seconded by Councilor Hamel. **Motion passed unanimously.**

Councilor Bolduc moved to seal the minutes for two years. Seconded by Councilor Lipman. **Motion passed unanimously.**

**ADJOURNMENT:**

Councilor Bolduc moved to adjourn at 9:19 p.m. Seconded by Councilor Hamel. **Motion passed unanimously.**

A True Record Attest:

Mary A. Reynolds