



**LACONIA CITY COUNCIL MEETING
JULY 9, 2012
CITY HALL – CONFERENCE ROOM 200A
7:00 P.M.**

CALL TO ORDER:

Mayor 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:

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

Councilor Lahey was excused.

ADOPTION OF MINUTES OF PREVIOUS MEETINGS:

- **Regular Minutes of June 25, 2012**

Councilor Bolduc moved to approve the regular meeting minutes of June 25, 2012. Seconded by Councilor Hamel. **Motion passed unanimously.**

CONSENT AND ACTION CALENDAR:

- 1. Request by the American Cancer Society to raise funds at the Opechee Park Beach House and Park October 17th through 21st**

Councilor Bolduc moved to approve the request by the American Cancer Society to raise funds at the Opechee Park Beach House and Park October 17th through 21st. Seconded by Councilor Lipman. **Motion passed unanimously.**

- 2. Temporary Traffic Order 2012-12 Evangelical Baptist Church Bible School July 20 through 22nd**

Councilor Bolduc moved to approve Temporary Traffic Order 2012-12 Evangelical Baptist Church Bible School. Seconded by Councilor Lipman. **Motion passed unanimously.**

CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA:

Bill Grimm addressed the Council regarding his candidacy for State Senate. Mr. Grimm asked the Council to contact him regarding any issues they may deem pertinent to the City.

INTERVIEWS: NONE

COMMUNICATIONS: NONE

PUBLIC HEARING: NONE

PRESENTATIONS: NONE

MAYOR'S REPORT: NONE

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)

- 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

No report on any item in committee

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 Financial & Operational Trends (see Attachment #1), Project Updates (see Attachment #2) and Recycling Report (see Attachment #3).

Councilor Lipman asked for the amount saved by recycling through diversion from the waste stream. City Manager Myers replied that although the final numbers for June are not done, he estimates there has been approximately \$90,000 in savings. Councilor Lipman noted that for every \$20,000 saved that can equate to \$.01 saved on the tax rate and encouraged residents to participate in this voluntary effort because it is better for the community than the alternative options. City Manager Myers replied that the City is continuing to encourage use of the remote facilities as well and has received reports that the Lakeport drop off is being filled very quickly. Councilor Bolduc added that it was emptied on Friday morning and was completely full on Sunday and suggested putting a sign up to tell people where the next closest location is in the event the receptacle is full.

Councilor Lipman commented that the parks within the City now have 50 containers that are split trash and recycling, but he has seen people not using the appropriate side because they don't realize it's there. If people make the effort to use the correct side, it will save everyone money in the long run.

City Manager Myers also thanked the Laconia Motorcycle Week Association for their efforts to encourage recycling by assisting property owners during this year's event. Because of the efforts there were several tons of recycling removed from the waste stream.

As a follow up to the budget, City Manager Myers advised that hard copies will be available in the next few days. As a tax cap community, the School was allotted and increase of \$840,000 and the City was allotted and increase of just under \$644,000; the School used 24% less than the allotted increase and the City did not use any of the allotted increase. Combined, the total budget used 40% of the allowance for an increase to the tax rate of \$.15, which is a .7% increase overall. City Manager Myers congratulated the Council, School Board and Department Heads on a very productive budget cycle.

Councilor Lipman asked for a review of the highlights from this year's budget. City Manager Myers explained that the City was able to increase the road paving funding, bond the purchase of heavy equipment and a fire engine, allocate funds to the School Capital Account, establish reserve accounts for winter maintenance and health insurance stabilization, as well as adding a police officer to allow for an additional detective in the narcotics force for the Police Department.

Councilor Lipman commented that one of the goals for the Council was to improve the appearance of the City and some extra attention has been given to the Downtown areas as well as the Weirs Beach area on the weekends; Councilor Lipman asked if there has been any feedback regarding these items. City Manager Myers replied that he has not heard anything specifically regarding the Weirs Beach area, but there is tacking being done with Parks & Recreation and Public Works to determine where the activities are being done so a report can be made to the Council. An additional trash collection has been added to Weirs Beach and street sweeping is being done over the weekends as well.

Councilor Hamel commented that he has noticed a difference in Downtown but would like to see the effort extended to South Main Street and Stewart Park.

Councilor Bolduc commented that they are doing a great job in Lakeport as well.

City Manager Myers reviewed some other cost saving measures the City has taken on, including copier upgrades to reduce desktop printers, removing fax machines and using digital scanning and processing boat registrations. In addition, the Transfer Station is now able to accept credit cards for payment, which adds a convenience for the residents.

The Finance Department is in the process of closing out the fiscal year and will have final Motorcycle Week figures for the Council soon.

The EPA will be coming back to do a follow up on the Henry's Dry Cleaning site. There will be a meeting on July 19 at the Laconia Middle School in the multipurpose room beginning at 7:00 p.m. for anyone interested in attending.

City Manager Myers explained to the Council that there will need to be a review of sewer accounts within the City that are on a system of utilizing City sewer services and a private well. Because of the lack of treatment to the water coming from the wells at these sites, it has been noted that there is failure on the meters because they are not reading correctly and are in need of repair. At this time the City is trying to come up with a balanced plan on how to manage these accounts and the City Manager will be requesting to schedule a meeting of the Public Works Committee when a plan is completed.

Councilor Hamel asked if they monitor based on the water coming out of the wells. City Manager Myers replied that it is, but the City does not always have access to the meters that are on private property for repair and they are having problems with the readings.

Councilor Bolduc asked if the meters are in one area of the City or are spread out. City Manager Myers replied that there isn't one concentrated area but he would provide a map for the Council of the locations.

Councilor Hamel requested to have an analysis of overtime with the final Bike Week report. City Manager Myers replied that he would, advising that the overtime was slightly up this year because of the good weather, but were below the budgeted amounts.

Councilor Lipman asked where the City is in the process of having a private analysis done of the overtime at the Fire Department. City Manager Myers replied that they have reached out to other communities and have reached out to a third party. The process is in the preliminary stages and there should be a plan in place before September 1.

Councilor Hamel asked if there have been any replies to the proposed changes to Chapter 195 and Appendix A that was provided to the property owners and vendors. City Manager Myers replied that the Planning Department has not received a single response on the email that was sent with all of the information; staff is reviewing the proposed changes and a meeting has been set for August 1st to discuss them. The information is also on the Planning Department website. Councilor Hamel recommended getting this finished by the end of the summer and if no one shows up to give input it is not because of lack of trying on behalf of the Council.

Councilor Lipman asked if there was any information regarding Primex. City Manager Myers explained that Primex has come to an agreement with the Secretary of State regarding the maximum amount that can be held in reserve and they will be issuing premium credits to the municipalities for the Workers Compensation line. The City will be receiving approximately \$170,000 in premium credits, but the specifics are not known at this time because the City just received notification today.

Councilor Lipman asked how this will affect the budget year that just began. Finance Director Woodaman replied that it is unclear at this time if the entire credit will be issued against premiums for this fiscal year or for the following. Councilor Lipman confirmed that there will be a savings but there is an undetermined amount of impact at this time. City Manager Myers confirmed and also noted that discussions will need to take place to determine if the savings should be placed in the stabilization accounts for future years.

Councilor Baer asked if this would affect the School District as well. City Manager Myers replied that he will look into this, but their workers compensation average is much less than the City.

NEW BUSINESS:

1. Request to hold the Bob Dearborn 3 on 3 Tournament at the Wyatt Park Basketball Court on July 21st

Amy Lovisek was present to speak on behalf of the request. Ms. Lovisek advised the Council that this is being brought back after not being held for a few years and the location was chosen because of the focus on Wyatt Park and the South End of the City.

Councilor Hamel moved to approve the request to hold the Bob Dearborn 3 on 3 Tournament at the Wyatt Park Basketball Court on July 21st. Seconded by Councilor Bolduc. **Motion passed unanimously.**

2. Center Harbor Food Pantry request to sell raffle tickets on the City sidewalk(s) until October 8, 2012

Donna Swain was present to speak on behalf of the request. Ms. Swain explained that she has received approval to sell the raffle tickets on private property in various locations as well as in front of different businesses. In front of some of the businesses she would be on City sidewalks and would like the Council to entertain her request to sell her raffle tickets. Ms. Swain emphasized that she will not be blocking any access to the sidewalks.

Councilor Lipman asked if the State of NH is aware of the raffle taking place and if it is required to be registered. Ms. Swain replied that she is unaware because it is not her responsibility. She has received permits from many communities, including the City, to sell the tickets. City Manager Myers replied that he is unsure of State regulations on this matter, but the issue at hand is using City property at their leisure until October 8. Originally, when the applicant had come in, the understanding was that they were going to be requesting to use the sidewalk outside of Curious Goods on Thursday's in conjunction with the Laconia Main Street Farmers Market and it wasn't until the written request was received that it was broadened to various locations.

Councilor Baer commented that she has concern with other pantries in the area being in need of help at this time and this will take away from what can be provided for them. Ms. Swain replied that they do not just assist in Center Harbor, but over 300 families in various communities, with many coming from Laconia.

Mayor Seymour advised there are three options for the Council. The Council can approve the request as presented, they can restrict the sale to private property, or the organizer can present a list of dates and times for approval. City Manager Myers agreed with this. Ms. Swain replied that she sold tickets on private property all last year and does not need the Council to approve that. City Manager Myers

commented that they had come before the Council to request the selling of tickets on the Boardwalk in the Weirs and it was denied.

Councilor Hamel moved that the selling of raffle tickets be limited to private property and not on City sidewalks. Seconded by Councilor Bolduc.

Councilor Bolduc asked what times of day they would be looking to sell on the sidewalks. Ms. Swain replied that they generally sell Thursday through Sunday from 9:00 a.m. to 5:00 p.m. and she would be willing to provide a schedule to the City if the Council would like.

Motion passed unanimously.

Mayor Seymour clarified for Ms. Swain that the Council is not granting permission to sell on City sidewalks at this time.

3. Request by the Traveling Texas Smoke Shop to extend hours of operation to 10:30 p.m. – Chris Bell in attendance to speak on behalf of the request

Mr. Bell addressed the Council. Mr. Bell explained that he was previously set up at the same location during Bike Week and the property owner has granted permission to set up over the season. Although they have been having some permitting issues with the State, they would like to move forward with the request to mirror some of the activity in the area. Mr. Bell provided written statements from abutters stating they are not in objection to operation past 8:00 p.m. At this point Mr. Bell is abiding by the City ordinance and has been closing at the designated time, even though the area is open later.

In addition, Mr. Bell explained that the State has issued him a notice to stop vending because the City has no authority to issue a license for the selling of food at the property because it is not a special event. City Manager Myers offered to sit down with Mr. Bell and see if there is a way to work through this and try to get clarification, but would like to keep this as a separate issue.

Councilor Baer asked what the fee would be for operating all summer. Mr. Bell replied that he is paying \$50 per month.

Councilor Lipman moved to approve the request to extend hours of operation to 10:30 p.m. on the condition that the State licensing is approved. Seconded by Councilor Doyle. **Motion passed with 4 Councilors in favor and Councilor Baer opposed.**

4. Temporary Traffic Order 2012-13 MacDaddy's Rollin Smoke Barbecue on July 18th in conjunction with the Belknap Mill Concert at Rotary Park and Request to extend hours of operation until 9:00 p.m. – representative from the Belknap Mill in attendance to speak on behalf of the request

Kathi Hopper spoke on behalf of the Belknap Mill. Ms. Hopper explained that the request is being made in conjunction with the concerts that are being held at Rotary Park and the food vendor will not be impeding on the street and will be serving from the sidewalk.

Councilor Lipman asked if this would monetarily benefit the Belknap Mill. Ms. Hopper replied that the Mill is making little money on the events and they are focused on bringing the concerts back to Rotary Park.

Councilor Lipman moved to approve Temporary Traffic Order 2012-13 MacDaddy's Rollin Smoke Barbecue and to extend the hours of operation to 9:00 p.m. Seconded by Councilor Bolduc. **Motion passed unanimously.**

UNFINISHED BUSINESS:

1. Council membership on the CIP Committee
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/Solid Waste Disposal Cost Reduction
8. Strategic Planning/Goal Setting

NOMINATIONS, APPOINTMENTS & ELECTIONS: **NONE**

COUNCIL COMMENTS:

Councilor Hamel commented that the Parks & Recreation Department, as well as Chet Cilley and Jim Fortier, did a great job with the fireworks and festivities this year, even in contention with the obstacles the weather presented.

Councilor Bolduc commented that he has received calls regarding the Weirs Roundabout and would like to know if it is possible for the project to stay the way it is. City Manager Myers replied that this is a State project and although the City can inquire, they have a contract with the State for the project.

Councilor Hamel thanked Charlie St. Clair for his efforts to assist the City over Bike Week, including the Motorcycle Swap Meet at Opechee Park and the recycling efforts.

NON - PUBLIC SESSION: **NONE**

ADJOURNMENT:

Councilor Bolduc moved to adjourn at 8:06 p.m. Seconded by Councilor Hamel. **Motion passed unanimously.**

A True Record Attest:

Mary A. Reynolds
City Clerk