



**LACONIA CITY COUNCIL MEETING  
JULY 28, 2014  
CITY HALL – CONFERENCE ROOM 200A  
7:00 P.M.**

**CALL TO ORDER:**

Mayor Edward 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.

**ROLL CALL:**

City Clerk Reynolds called the roll with the following Councilors in attendance: Councilor Doyle, Baer, Hamel and Bolduc. Also present City Manager Scott Myers.

Mayor Engler noted that there are four (4) Councilors in attendance and a quorum is established.

**ADOPTION OF MINUTES OF PREVIOUS MEETINGS:**

1. Regular Meeting and Non-public minutes of July 14, 2014

*Councilor Bolduc moved to approve the regular and non-public meeting minutes of July 14, 2014. Seconded by Councilor Hamel. **Motion passed unanimously.***

**CONSENT AND ACTION CALENDAR:     **NONE****

**CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA:**

John Ganong, 357 Weirs Blvd, addressed the Council. Mr. Ganong expressed his concerns with his denial to from the Zoning Board of Adjustments (ZBA) with his request to have a used car dealership at his business location. Mr. Ganong explained that he can have a pawn shop, a car wash, sell boats, have a taxi cab stand, but he cannot have a used car lot. When Mr. Ganong went before the ZBA the neighbors sent letters stating they supported a used car dealership rather than a restaurant or bar, which would be permitted. Mr. Ganong further stated that he was told by an unnamed City official that he wasn't permitted the use so a precedent wouldn't be set by allowing him to do so, but the Benson Auto Dealership was already approved and has done that.

Councilor Bolduc commented that he was approached by Mr. Ganong and he is flabbergasted that he cannot receive the use of the property because it has minimal impact.

Mayor Engler stated that when he was contact by Mr. Ganong he did some research and discovered that under the current zoning the entire stretch of Route 3 from McIntyre Circle to the Town of Meredith line it is zoned as Commercial-Residential. The used table indicates that the only way to sell cars on this property is with a special exception and when this was applied for it was denied. The concern is that

another used car dealership had been approved along this corridor previously and he was denied which does not seem to be just.

Councilor Hamel stated that he has also spoken to Mr. Ganong and he agrees that this was not done fairly and he does not understand how this can be denied by the ZBA. Also, the garage across from Handy Landing is also selling cars and it is being allowed.

Mr. Ganong added that initially Director Shanna Saunders thought the use was permitted and later let Mr. Ganong know that it was only permitted by special exception. The prior approval of a different used car dealership set a precedent that it could be approved.

Mayor Engler advised the Council that Mr. Ganong has the option to appeal the decision of the ZBA to Superior Court and has chosen not to do so for his own reasons. Mayor Engler thanked Mr. Ganong for bringing this information to the Council because it will be helpful in the process of reviewing the zoning during the Master Plan process.

Mr. Ganong thanked the Council for allowing him to speak.

Dennis Lintz addressed the Council. Mr. Lintz stated that he hoped that the Council has had sufficient time to review the packet previously submitted to the Council. Mr. Lintz distributed a letter from a Police Officer that was submitted to the Police Commission prior to a hearing for disciplinary action at which time she was terminated. Mayor Engler commented that the officer in question was not terminated and again advised Mr. Lintz that although he can speak at this time as a forum the Council has no authority over the day to day operations of the Laconia Police Department and he needs to address his concerns with the Police Commission. Mr. Lintz expressed that he has concerns with the Police Department not utilizing the budget on education of the Police Officers; Mayor Engler advised that the Council only has authority over the bottom line amount of the budget and not the individual line items. Mayor Engler again, encouraged Mr. Lintz to attend a Police Commission meeting and address his concerns at that time.

Kathleen Lauer-Rago addressed the Council. Ms. Lauer-Rago is running for State Senate and wanted to introduce herself to the Council and commented that they can contact her with any items that are of importance for her to address.

**INTERVIEWS: NONE**

**COMMUNICATIONS:**

Mayor Engler commented that the Council is in possession of a letter submitted to the Council by Charles Bradley. This letter is requesting that the Council introduce or adopt a resolution pertaining to immigration reform. Mayor Engler encouraged any Council that would like to sponsor this resolution may do so at a future meeting.

**PUBLIC HEARING:**

1. Proposed Charter Amendments

*Councilor Bolduc moved to table this public hearing to August 11, 2014 during the regular Council Meeting. Seconded by Councilor Hamel. **Motion passed unanimously.***

**PRESENTATIONS:**

1. Senator Hosmer – Update the Council on the Previous Legislative Session

Senator Hosmer addressed the Council and reviewed the legislation that was presented and the outcomes from the last legislative session.

Councilor Baer thanked Senator Hosmer for attending the meeting and for his assistance with the manufactured housing bill. Councilor Baer asked if there is anything upcoming that will affect the City, positive or negative. Senator Hosmer advised that the session does not start again until January and there are anticipated challenges with the budget and there will be the standard concern of cost shifting down to the municipalities. Senator Hosmer, if re-elected, will focus on fiscal responsibility and will also focus on cost sharing. Additionally it is the hope that there can be a premium cap on health insurance by finding creative ways to pay for the services fairly.

Councilor Hamel asked if the State has looked into a program to update the equipment being used at technical schools to keep the students up to date on equipment for the advanced manufacturing that is thriving in the area. Senator Hosmer replied that he has worked on a tax credit program for businesses that make donations of this equipment to the technical schools and will continue to do so.

Councilor Hamel commented that the down shifting that has happened to the County has had an effect on the City, as well as the downshifting of the pension plan for the City employees. One of the problems Councilor Hamel has with this is that the municipalities have all of the expense but no say in how the system is going to work and this needs to be looked at.

Councilor Hamel asked if the work being done on Route 106 is being extended into the City area. Senator Hosmer replied that he doesn't believe it is but will check into it and get back to the Council. The Commissioner of Transportation, Chris Clement, will be visiting the City with Senator Hosmer to view the areas that are in critical need.

Councilor Hamel thanked Senator Hosmer for his support of the City. Senator Hosmer replied that he thinks of it as a privilege to represent the City.

Senator Hosmer advised that the State School property is an economic gem for the City and the topic will continue to come up in further conversations and advised the City that they can control the destiny. This is important and is a great opportunity to build the economy in this area.

Councilor Bolduc asked if Senator Hosmer can look into the older plan to have access from Route 106 into the industrial park on Hounsell Ave. Senator Hosmer replied that he is unaware of this plan and will look into it.

Mayor Engler thanked Senator Hosmer for his attendance and all he has done for the City.

**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) Downtown TIF Financing

**No report on any item in committee**

**2. PUBLIC SAFETY: (Baer, Doyle, Bownes)**

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

**No report on any item in committee**

**3. GOVERNMENT OPERATIONS & ORDINANCES: (Doyle, Bolduc, Bownes)**

- a) Energy Committee
- b) Vending and Licensing Fees
- c) Chapter. 119, Building Construction regarding signed architectural plans for residential units
- d) Proposed Ordinance Governing the Discarding of Furniture and Other Personal Items Curbside
- e) Proposed Charter amendments regarding the Municipal Primary Election

**No report on any item in committee**

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

- 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

**No report on any item in committee**

**LIAISON REPORTS:      NONE**

**MANAGER'S REPORT:**

City Manager Myers reviewed the Recycling Report and the Monthly Economic Development report.

The new solid waste collection contract, which has been awarded to Casella Waste, was briefly reviewed for the Council. New aspects of the contract include a bulky/appliance curbside collection and increased frequency of remote recycling locations. Councilor Baer expressed concerns with the increased cost of the contract. City Manager Myers explained that the hope is to decrease the cost of disposal of solid waste which will have less recycling in it; this will then have a positive effect on the savings overall.

**NEW BUSINESS:**

- 1. Request by John and Donna Swain on behalf of the Center Harbor Food Pantry to solicit donations and sell raffle tickets on the sidewalk in front of the Goodwill store on Pleasant Street

City Manager Myers reviewed the request with the Council as well as the requests that have been made in prior years. Prior requests to sell raffle tickets on City property

*Councilor Hamel moved that the selling of raffle tickets be limited to private property and no on City sidewalks. Seconded by Councilor Baer.*

Mayor Engler asked if this motion is in conflict with other City ordinances. City Manager Myers suggested to make a motion focused on selling on City sidewalks and to vote it up or down.

Councilor Baer commented that this food pantry is not local to the City and fundraising should be restricted to the community that it is benefiting.

*Councilor Hamel withdrew his motion.*

*Councilor Baer moved to approve the request as submitted. Seconded by Councilor Hamel. **Motion failed with all Councilors opposed.***

2. Request to approve a lease renewal between the US Department of Transportation Federal Aviation Administration and the City of Laconia and Laconia Airport Authority

Mayor Engler reviewed the lease information as submitted by the Laconia Airport Authority.

*Councilor Baer approve Lease Agreement No. DTFAEN-15-L-00010 with the U.S. Department of Transportation Federal Aviation Administration in accordance with the Lease Agreement attached hereto and made a part hereof. Seconded by Councilor Doyle. **Motion passed unanimously.***

*Councilor Baer moved to Authorize Mayor Edward Engler to execute the Lease Agreement on behalf of the City of Laconia. Seconded by Councilor Bolduc. **Motion passed unanimously.***

3. Request from NH Young Republicans to hold a Charity Fundraising Event on September 13, 2014 from 11 am to 3 pm at Endicott Rock Park

Molly Sanborn was in attendance to answer any questions the Council may have.

Councilor Doyle commented that there are no special services requested, such as restrooms. Ms. Sanborn advised that the Parks & recreation Commission advised that they would be open for use.

Councilor Hamel asked if there will be any entertainment. Ms. Sanborn replied that they did not plan to have and in past years it has been held on the Seacoast and is being moved to the City.

*Councilor Baer moved to approve the request by the NH Young Republicans to hold a Charity Fundraising Event on September 13, 2014 from 11 am to 3 pm at Endicott Rock Park. Seconded by Councilor Bolduc. **Motion passed unanimously.***

4. Request by the Laconia Clinic to raise funds on the WOW Trail on September 6, 2014

Mark Haynes was in attendance to answer any questions.

Mayor Engler asked what the event will be. Mr. Haynes replied that it will be a race on the trail. Mayor Engler asked if this will prohibit others from using the trail at that time. Mr. Haynes replied that this is not intended.

*Councilor Hamel moved to approve the request by the Laconia Clinic to raise funds on the WOW Trail on September 6, 2014. Seconded by Councilor Bolduc. **Motion passed unanimously.***

5. Request to schedule the polling hours for the State Primary and General Elections pursuant to RSA 659:4

Councilor Doyle moved to schedule the polling hours for the State Primary and General Elections pursuant to RSA 659:4 as 7:00 a.m. to 7:00 p.m. Seconded by Councilor Bolduc. **Motion passed unanimously.**

Mayor Engler asked if there has been any success with getting election officials in wards 2, 4 or 5. City Clerk Reynolds advised that Wards 2 & 4 are staffed with workers but are still lacking Selectman. In Ward 5 no one has come forward and this is a concern for the upcoming elections. Mayor Engler inquired what will happen if no one comes forward. City Clerk Reynolds replied that she will need to contact the Secretary of State's office for guidance.

#### 6. Final Carry Forwards

City Manager Myers reviewed the carry forwards presented to the Council.

Councilor Hamel commented that the traffic light of Gilford and Union Avenues and asked if there is an additional need for more hardware upgrades in addition to the recently installed camera. City Manager Myers replied that the hardware replacement is not intended at this time but there will be efforts in the future to modernize the equipment for safety. Councilor Hamel commented that this area is used a great deal by the school aged population and requested to have the countdown option for the cross walks looked into. City Manager Myers replied that he can look into this and report back.

Councilor Hamel asked if the amounts being requested for the Master Plan were already in the budget from the last fiscal year. City Manager Myers replied that they were and are being used for matching funds for the grant.

Councilor Hamel moved the following carry forwards as presented:

#### CITY

#### Administration

**\$14,000**      **From 01-431-303-0001 - Information Technology – (2014)**  
*These funds were appropriated in FY14 for GIS Software Development, this is an on-going project.*

**\$ 5,000**      **From 01-489-480-0031- Operating Budget (2014) – Special Items – Milfoil Treatment**

**\$ 5,000**      **From 01-499-489-0007 – Milfoil Treatment (2011)**

**\$ 5,000**      **From 01-499-489-0004 – Milfoil Treatment (2012)**

**\$ 1,054**      **From 01-499-489-0003 - Milfoil Treatment (2010)**  
*These funds are for were appropriated to fulfill our commitment to DES to help eliminate milfoil in the surrounding lakes. This was our fourth year of a five year commitment. This money will be held until such time as the State requests payment.*

**\$25,009**      **From 01-499-431-0004 - Environmental Related Expenses (2012)**

**\$40,000**      **From 01-497-431-0005 –Environmental Related Expenses (2013)**  
*This money will be used to go towards Environmental related legal expenses or costs associated with environmental related clean-ups.*

#### Legal

**Operating Budget**

**\$30,000**      **From 01-402-225-0001 – Other Attorney's /Environment (2014)**  
*These funds will be used to go towards Environmental related or other legal expenses as necessary.*

**\$10,000**      **From 01-402-225-0005 – Litigation (2014)**  
*This money will be used to for costs related to properties that are tax deeded by the City*

#### Conservation

**\$1,720** **From 01-422 Operating Budget Conservation Commission (2014)**  
**\$2,448** **From 01-497-422-0006 – Conservation Commission (2013)**  
**\$2,561** **From 01-499-422-0004 - Conservation Commission (2011)**  
**\$2,157** **From 01-499-422-0005 – Conservation Commission (2012)**  
Water quality is a priority in the City of Laconia & the Laconia Conservation Commission has embarked on studying what options available to clean up various water sources in the City. The funds will be used to study and assist with providing vital data to identify storm water issues, maintain clean drinking water and also to identify milfoil propagation and ways to contain the milfoil from spreading.

**Assessing**

**\$ 9,320** **From 01-411-304-0000 – Outside Contracts (2014)**  
**\$14,207** **From 01-497-411-0002 – Assessing O/S Reval (2013)**  
These funds are used to hire professional services in the case of appeals as well as to be used towards the costs of the next property revaluation in Fiscal Year 15.

**Library**

**Operating Budget**  
**\$ 6,000** **From: 01-481-257-0000 Books – (2014)**  
These funds are allocated to the purchase new software called HOOPLA that partners with local library's to bring movies, audio books, music and television for free.  
**\$20,000** **From: 01-481-235-0000 Building Maintenance (2014)**  
This funds are for upgrades to the light fixtures in several of the rooms in the old part of the library, the work has begun and is expected to be complete by mid-July.

**Parks**

**Operating Budget**  
**\$1,675** **From 01-479-306-0000 – Adopt A Spot (2014)**  
These funds will be used in FY15 to purchase new barrels for the Adopt-A-Spot locations throughout the City.  
**\$40,000** **From: 01-497-479-0026 Endicott Rock Engineering (2013)**  
These funds will be carried forward for use in Engineering at Endicott Rock due to the Sand Migration Study completed previously.  
**\$4,429** **From: 01-499-479-0017 -Playground Revitalization (2013)**  
These funds was appropriated to renovate the playground equipment at Wyatt Park.  
**\$13,104** **From: 01-497-431-0006 City Hall A/C Condenser & Oil Tank Removal (2014)**  
These funds are to cover the cost of replacing the Air Conditioner Condenser at City Hall and the remaining funds will be applied towards the cost of removing the old oil tank at City Hall that is no longer used since the boiler was converted to Natural Gas in FY14.

**Planning**

**\$19,375** **From: 01-405-304-0000 Outside Contracts (2014)**  
**\$19,308** **From: 01-497-405-0005 – Outside Contracts (2013)**  
These funds will be used for various new ordinances and revisions to existing ordinances.  
**\$19,946** **From 01-405-306-0000 - City Master Plan (2014)**  
**\$20,000** **From 01-497-405-0003 – City Master Plan (2013)**  
These funds will be carried forward to be used in preparing the City Master Plan update, the update is estimated to cost approximately \$60,000.

**Public Works**

**\$ 8,330** **From 01-497-500-0013 – Street Repairs (2014)**

**\$ 2,683** *These funds will be used for on-going road improvements throughout the City.*  
**From 01-499-500-0039 – Guard Rails and Railings (2013)**  
*These funds will be used in our ongoing effort to improve guard rails, railings and fencing throughout the City.*

**\$30,000** **From 01-497-500-0042 – Comprehensive Drainage Study (2012)**  
**\$25,016** **From 01-499-500-0043 - Comprehensive Drainage Study (2013)**  
*The overall cost of the study is estimated to be about \$150,000. The 1<sup>st</sup> phase of this project was funded in FY10, this project was not funded in FY11. Many areas of the City’s storm water drainage infrastructure are undersized and in varying stages of deterioration. Currently we are working with a professional engineer to study problem areas in the City and our public work crews are repairing these troubled areas as we go with money from the operating budget.*

**\$ 2,481** **From 01-499-500-0002 - Landfill Cap/Liner Replacement (2009)**  
*This money was originally appropriated for this purpose and a significant amount of work has been completed. We are continuing working on additional repairs. These repairs will be completed by Public Works employees and only materials will be charged to this account.*

**\$40,000** **From 01-499-500-0044 - Academy Street Bridge Study (2013)**  
*This project involves funding of a Bridge Study and possibly some preliminary design of the Academy St bridge over Durkee Brook. The bridge was constructed in 1930 and is on the state’s red-list, making it a high priority for repair. We expect State funds to be available in FY2018 for the improvements to this bridge.*

**\$20,000** **From 01-497-500-0045 – Bridge Program Engineering (2014)**  
**\$20,000** **From 01-499-500-0045 – Bridge Program Engineering (2013)**  
*This line funds item is for securing a qualified bridge engineering consultant to outline, monitor and administer input into the State Bridge Aid Program on behalf of Laconia.*

**\$40,000** **From 01-497-500-0046 – Court Street Bridge Study (2014)**  
*These funds are appropriated for a study of the Court Street Bridge to determine the need for improvements and or replacement.*

**\$ 2,415** **From 01-499-500-0027- Traffic Light Replacements (2011)**  
**\$30,000** **From 01-497-500-0047 –Traffic Lights Union & Gilford (2014)**  
*These funds from 2011 remain from the replacement of the traffic signals at Court and Main. Due to increased video technology the cost to replace these signals was less than expected. The remaining funds from 2011 will go towards the replacement costs for the lights at Union and Gilford Ave, if not all funds are needed for this project then the remaining funds will be used for other Traffic light repairs or replacement throughout the City.*

**\$35,000** **From 01-497-500-0031 – Sidewalks (2013)**  
**\$ 4,139** **From 01-499-500-0031 – Sidewalks (2011)**  
*This is an ongoing project to repair, reconstruct existing sidewalks and construct new sidewalks in the City.*

**\$20,743** **From 01-497-500-0048 – Parking Garage Deck Repairs (2014)**  
*The parking Garage is 45 years old and has some moisture intrusion issues that need to be addressed on the first level of the garage. There is also some concern with some deterioration of several portions of the structural steel that should be examined.*

**\$11,049** **From 01-497-500-0049 – City Wide Drainage Improvements (2014)**  
*These funds will be used to complete drainage issues that have been identified through the on-going Comprehensive Drainage Study performed over the past several years throughout the City.*

**Sanitary Sewer**

**\$ 1,824** **From 90-499-497-0030 – Sewer Force Main Emergency Repairs (2012)**

*The Sewer force mains in the City vary in size and age, there is approximately 10 miles of this pressure pipe in our system. There have been several breaks in recent years; which has revealed our need to have properly sized repair hardware on hand. It is highly important from both an emergency and public health standpoint that we have a supply of hardware in stock and readily available.*

**\$39,757**

**From 90-499-700-0035 – Sanitary Sewer Study (2012)**

*This project continues to be a priority as requirements are set by the EPA for the measurement of inflow and infiltration of groundwater into the sewer.*

**\$56,089**

**From 90-497-497-0039– SCADA (2014)**

*Supervisory Control & Data Acquisition (SCADA) is a software computer system that allows for monitoring and controlling pump station activities remotely. These funds will be used for on-going upgrades to this system.*

**\$30,000**

**From 90-497-497-0035– Pump Station Contingency (2014)**

*These funds were appropriated in FY14 for the replacement of parts, pumps etc at the various pump stations that comes up unexpectedly during the year.*

**\$180,000**

**From 90-497-497-0036– Old North Main St/Clearwater Pump Station Upgrade (2014)**

*Engineering for this project was completed in 2012. This project involves the replacement of the generator, transfer switch, motor control center, pumps, valves and the discharge piping at this station. This work is expected to begin in the Summer of 2014. An additional request for \$95,000 in FY15 budget should complete the funding for this project.*

*Seconded by Councilor Bolduc. **Motion passed unanimously.***

**UNFINISHED BUSINESS:**

1. Milfoil Treatment Funding Request
2. WOW Trail
3. Master Plan
4. EPA Update
5. Sewer & Water Master Plan
6. Single Stream Recycling/Concord Co-Op/Solid Waste Disposal Cost Reduction
7. Strategic Planning/Goal Setting

**NOMINATIONS, APPOINTMENTS & ELECTIONS:**

**COUNCIL COMMENTS:**

Councilor Doyle commented that a triathlon is being held this weekend. It is called the Marshmallow Man and the Police Department will be participating. Chief Adams confirmed this information and stated that it is the third year that members of the Laconia Police Department have participated. Registration can be done at the beginning of the event so people are still welcome to register.

Councilor Hamel requested to have the yield sign on the City Hall parking lot changed to a stop sign. There are concerns of people not yielding when exiting that portion of the parking lot and an accident is going to happen. City Manager Myers replied that he will look into this and report back to the Council.

**NON - PUBLIC SESSION:**            **NONE**

**ADJOURNMENT:**

*Councilor Bolduc moved to adjourn at 8:25 p.m. Seconded by Councilor Hamel. **Motion passed unanimously.***

Respectfully Submitted,

Mary A Reynolds  
City Clerk