



LACONIA CITY COUNCIL MEETING
AUGUST 13, 2012
CITY HALL – CONFERENCE ROOM 200A
7:00 P.M.

A G E N D A

CALL TO ORDER:

Mayor Seymour opened the meeting at the above date and time.

SALUTE TO THE FLAG:

Councilor Matt Lahey led the Salute to the Flag.

ROLL CALL:

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

ADOPTION OF MINUTES OF PREVIOUS MEETINGS:

- **Regular & Non-Public Minutes of July 23, 2012**

Councilor Bolduc moved approved the regular and non-public minutes of July 23, 2012. Seconded by Councilor Hamel. **Motion passed unanimously.**

CONSENT AND ACTION CALENDAR:

1. **Temporary Traffic Order 2012-14 Multicultural Market Day on September 8, 2012 & Request to Waive Vendor Fees for the Event**

Councilor Lahey moved to approve Temporary Traffic Order 2012-14 Multicultural Market Day. Seconded By Councilor Lipman. **Motion passed unanimously.**

Councilor Lahey moved to waive vendor fees for Multicultural Market Day. Seconded by Councilor Lipman. **Motion passed with five (5) Councilors in favor and Councilor Hamel opposed.**

2. **Temporary Traffic Order 2012-15 Community Blood Drive on September 13, 2012**

Councilor Hamel moved to approve Temporary Traffic Order 2012-15 Community Blood Drive. Seconded by Councilor Bolduc. **Motion passed unanimously.**

CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA: NONE

INTERVIEWS:

• **Zoning Board of Adjustment:** *(2 regular positions vacant, 5 alternate positions vacant)*

1. Michael Foote - seeking reappointment as a full member for a 3-year term expiring 2015

Mr. Foote addressed the Council. Mr. Foote stated that he enjoys working on the Zoning Board of Adjustment and would like to continue. Councilor Bolduc thanked Mr. Foote for his service to the City.

2. David Greski - seeking reappointment as a full member for a 3-year term expiring 2015

Mr. Greski addressed the Council. Mr. Greski stated that it is nice to see people volunteering and he has the time to do so and would like to continue.

3. Dennis Robitaille - seeking reappointment as an alternate for a 3-year term expiring 2015

Mr. Robitaille addressed the Council. Mr. Robitaille stated that he has been serving on the Zoning Board of Adjustment for the past four months and he believes that his experience as a home inspector serves the Board well.

4. Robert Smith - seeking reappointment as an alternate for a 3-year term expiring 2015 *(to be interviewed at the 8/27 meeting)*

• **Conservation Commission:** *(2 regular positions vacant)*

1. Michael Foote - seeking reappointment as a full member for a 3-year term expiring 2015

Mr. Foote addressed the Council. Mr. Foote stated that he also enjoys working with the Conservation Commission and he thinks it is good to protect the natural resources we have.

2. Deborah Williams - seeking reappointment as a full member for a 3-year term expiring 2015

Ms. Williams addressed the Council. Ms. Williams stated that she enjoys serving on the Conservation Commission and there is a great group of people involved. Ms. Williams explained that her role on the Commission is concentrated on education and outreach to the community.

COMMUNICATIONS: NONE

PUBLIC HEARING:

1. Bonds & Notes for Capital Projects in the Amount of \$1.1 million

Mayor Seymour opened the Public Hearing at 7:07 p.m.

City Manager Myers reviewed that the bond is being requested for the purchase of replacement equipment and building improvement. This equipment includes a fire truck, a street sweeper, two dump trucks, and a back hoe.

With no members of the public wishing to speak, Mayor Seymour closed the Public Hearing at 7:09 p.m.

PRESENTATIONS: 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 requested to schedule a meeting of the Public Works Subcommittee to discuss sewer accounts and particularly methods that can be utilized for billing of these accounts.

Councilor Bolduc moved to schedule a Public Works Subcommittee meeting as requested on August 27, 2012 at 6:00 p.m. Seconded by Councilor Lahey. **Motion passed unanimously.**

City Manager Myers reviewed the Recycling Report (Attachment #1), Financial & Operational Trends (Attachment #2) and Project Updates (Attachment #3).

The State of NH has approved the design for the Main Street Bridge project and the bid process is scheduled to begin in November with a due date in December. The project is targeted to begin in spring 2013.

Councilor Lipman asked if the Impact Fees that are being collected can be added to the Financial & Operational Trends report. City Manager Myers replied that he will get that in for next month.

NEW BUSINESS:

1. Request by Laconia Police Department to Accept Justice Assistance Grant in the Amount of \$15,289

Councilor Lipman moved to authorize Laconia Police Department to accept a Justice Assistance Grant in the amount of \$15,289. Seconded by Councilor Hamel. **Motion passed unanimously.**

2. Request by Planning Board to Amend Zoning Ordinances

Planning Director Shanna Saunders addressed the Council. Director Saunders reviewed a memorandum outlining the proposed changes to Chapter §235-19, Shoreland Protection District and Chapter §235-17, Wetlands Conservation and Water Quality Overlay District (Attachment #4).

Councilor Bolduc asked if there is a fine for violations. Director Saunders replied that State Statute allows for \$275 per day, per offense. Councilor Bolduc stated that he hopes it is being enforced. Director Saunders replied that the City has a good record for cases where the problems are caught early.

Councilor Bolduc asked how often someone is going out to inspect for violations. Director Saunders replied that the Conservation Technician goes out once a week to inspect construction sites, at which time he will take pictures and make a report for the file; if there is a problem a phone call is made, followed by a courtesy letter, a violation and will conclude with court action if necessary.

Councilor Hamel asked how this will affect older camps on the water. Director Saunders explained that the camps cannot expand but can raise and rebuild on the same footprint. Councilor Hamel asked if owners can still maintain existing areas. Director Saunders replied that they can maintain a current area but cannot create addition space by clearing.

Councilor Lahey asked if “fertilizer” is defined because his thought it that there are organic fertilizers that can be used. Director Saunders replied that there isn’t because that section of the ordinance has been in place for many years and even organic fertilizers should not be close to the water because they are manure based.

Director Saunders advised the Council that the changes being proposed in §235-17 are to ease the property owners from having to go before multiple City Boards to begin work; with this change they would only need to go before the Zoning Board of Adjustments or the Planning Board and not both.

Councilor Hamel asked if someone wants to plant along their waterline, do they need to go before the Planning Board for an exception. Director Saunders replied that as long as the plantings are being done by hand they would not need a permit; however, they would need a state permit if they are doing extensive work. Councilor Hamel asked how people are supposed to know they need a permit. Director

Saunders replied that this is why a phone call is made first and most of the reported instances on non-compliance come from neighbor who knows a permit is needed and contacts the office.

Councilor Lipman asked if there was any opposition from the development community. Director Saunders replied that the development community will be satisfied with the change because they will not have to appeal to both City Boards.

Councilor Hamel moved to approve the ordinance amending Chapter 235-19, Shoreland Protection District. Seconded by Councilor Baer. **Motion passed unanimously.**

Councilor Lipman moved to approve the ordinance amending Chapter 235-17, Wetlands Conservation and Water Quality Overlay District. Seconded by Councilor Hamel. **Motion passed unanimously.**

Councilor Hamel asked if the land on Route 11 by the old waterslide was stumped correctly. Director Saunders replied that the property owner has been contacted several times and the Planning Department has been working with the property owner. The property cannot be developed any further without going before the Planning Board.

3. Request by Licensing Board to Amend Chapter 161 – Licensing

Fire Chief Erickson addressed the Council on behalf of the Licensing Board. Chief Erickson explained that someone has challenged the definition of taxi cab as used in Chapter 161, therefore the Licensing Board has opted to add a definition to the chapter. The definition presented to the Council has been approved by legal counsel.

Councilor Bolduc moved to approve the ordinance amending Chapter 161, Licensing. Seconded by Councilor Doyle. **Motion passed unanimously.**

UNFINISHED BUSINESS:

1. Second Reading of a Resolution Authorizing Bonds & Notes for Capital Projects in the Amount of \$1.1 million

Councilor Lahey moved a second reading of a Resolution Authorizing Bonds & Notes for Capital Projects in the Amount of \$1.1 million. Seconded by Councilor Hamel. **Motion passed unanimously.**

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

NOMINATIONS, APPOINTMENTS & ELECTIONS: NONE

COUNCIL COMMENTS:

Councilor Hamel asked if a final balance of the Motorcycle Week fund is available. City Manager Myers replied that an approximation is available. Councilor Hamel commented that the Fire Department is in need of a new gator as well as more AED's for City facilities and he would like to get quotes on these items, which can be purchased with the funds. City Manager Myers replied that he would get information for the Council.

Councilor Bolduc advised that Charlie St. Clair has been involved in a severe motorcycle accident and wished him well. Councilor Baer stated that she has received an address for Mr. St. Clair at the hospital. The address is:

Good Samaritan Hospital
10 East 31st Street
Kearney NE 68847

Councilor Hamel added that he is on floor 3N. He has spoken to Mr. St. Clair and he is up and about and has taken several steps.

Councilor Baer commented that she has been in contact with the Community Action Program and the food pantry is severely depleted. Councilor Baer asked the community to think about making a donation.

Councilor Baer asked City Clerk Reynolds to review the new laws regarding voter identification requirements. City Clerk Reynolds explained that at the upcoming State Primary Election, everyone will be asked for photo identification; if they do not have the identification the checklist will be marked in a manner to indicate that they didn't have one, the voter will be told about the law and the voter will be permitted to vote. Beginning with the General Election, the voter will be asked for photo identification and if they do not present one, will be required to complete a Challenged Voter Affidavit. The State of NH will be allowing vouchers to be given to those without a photo identification that will permit them to get one at the Department of Motor Vehicles at no charge. Measures have been taken to educate the public and no one will be denied the right to vote but will be given options on how to vote.

Councilor Baer asked what the voter registration deadlines are. City Clerk Reynolds explained that voter registration and changes, with the exception of party changes, may be made in the City Clerk's Office until September 3, 2012. After this time voter registration will take place on Election Day at the polling location for each ward.

MAYOR'S REPORT:

Mayor Seymour commented that last week the National Night Out event was held at Woodland Heights School and thanked the Laconia Police Department for their efforts. It was a great event.

NON - PUBLIC SESSION:

Councilor Bolduc moved to enter into non-public session according to RSA 91-A:3, II: (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.

Mayor Seymour advised that there will be no action following the non-public session.

On a roll call vote of the Council it was entered into non-public session at 7:45 p.m.

Councilor Bolduc moved to come out of non-public session at 8:07 p.m. Seconded by Councilor Lahey. **Motion passed unanimously.**

Councilor Bolduc moved to seal the minutes of the non-public session for two years. Seconded by Councilor Hamel. **Motion passed unanimously.**

ADJOURNMENT:

Councilor Bolduc moved to adjourn at 8:09 p.m. Seconded by Councilor Lahey. **Motion passed unanimously.**

Respectfully Submitted:

Mary A. Reynolds
City Clerk