



**LACONIA CITY COUNCIL MEETING
SEPTEMBER 10, 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 Brenda Baer led the Salute to the Flag.

ROLL CALL:

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

ADOPTION OF MINUTES OF PREVIOUS MEETINGS:

- **Regular Minutes of August 27, 2012**

Councilor Bolduc moved to approve the regular meeting minutes of August 27, 2012. Seconded by Councilor Hamel. **Motion passed unanimously.**

CONSENT AND ACTION CALENDAR:

1. Salvation Army Turkey Plunge - Request to raise funds for Salvation Army programs at Opechee Cove on November 17, 2012 from 8:00 a.m. to 3:00 p.m.

Councilor Bolduc moved to approve the Salvation Army Turkey Plunge request to raise funds for Salvation Army programs at Opechee Cove on November 17, 2012 from 8:00 a.m. to 3:00 p.m. Seconded by Councilor Doyle. **Motion passed unanimously.**

2. Cystic Fibrosis Foundation Walk-A-Thon - Request to raise funds for Cystic Fibrosis on May 19, 2013 at Opechee Park (including bath house) and request to waive licensing fees

Councilor Bolduc moved to approve the Cystic fibrosis foundation Walk-A-Thon request to raise funds for Cystic Fibrosis on May 19, 2013 at Opechee Park (including bath house and the request to waive licensing fees. Seconded by Councilor Lipman. **Motion passed unanimously.**

CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA: NONE

INTERVIEWS: NONE

COMMUNICATIONS: NONE

PUBLIC HEARING:

1. Proposed Amendments to Chapter 195, with Appendix A & Appendix B

Mayor Seymour opened the public hearing at 7:01 p.m. with the reading of the posting.

City Manager Myers explained that discussion began in January of this year and time was given to allow the seasonal residents to respond to the changes. Some adjustments were made from input received and Planning Director Shanna Saunders and Deputy Fire Chief Charlie Roffo were in attendance to answer any specific questions.

With no members of the public wishing to speak, Mayor Seymour closed the public hearing at 7:03 p.m.

2. Changing Rates for Residents on City Sewer System Without City Water Services (“Sewer Only”)

Mayor Seymour opened the public hearing at 7:03 p.m. with the reading of the posting.

City Manager Myers explained that this topic was discussed at the Public Works Subcommittee meeting two weeks ago and the recommendation was moved to the full Council. The vote on the proposed ordinance amendment will take place at the September 24 Council Meeting.

Councilor Bolduc asked if any response has been received from the public regarding this topic. City Manager Myers replied that he did receive an email from someone that will be having a rate increase and this person was a very good example of a meter that was not functioning properly and was being undercharged. Other than this instance no one has communicated any thoughts with the City.

Councilor Baer noted that she has spoken to someone that will benefit from the flat rate lowering their charge and it appears this will make it a fair assessment for all of the neighborhoods involved.

With no members of the public wishing to speak, Mayor Seymour closed the public hearing at 7:06 p.m.

PRESENTATIONS: NONE

MAYOR’S REPORT:

Mayor Seymour commented that the Multicultural Market Festival was held on Saturday and it was a great day. The turnout appeared to be high and the Committee did a wonderful job with organizing the event.

Mayor Seymour announced that there will be an Economic Revitalization Zone (ERZ) forum held at the old Sundial Shop building at 600 Main Street this Thursday beginning at 5:00 p.m. This forum will feature speakers from the Department of Resources and Economic Development (DRED) and possibly Commissioner George Bald. This forum is open to anyone interested in the process of ERZ in the City.

The Wide Open Saloon has been taken down and the City is very thankful the Baldi family for beginning the demolition.

Mayor Seymour reminded the Council that he will be away for work for the September 24 meeting and Councilor Hamel will be acting as Mayor Pro Temp. Councilor Lipman will also be excused from the meeting.

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:

Councilor Lahey commented that the Eptam Plastics donation to the Huot Technical Center was amazing and to see a 1954 graduate of Laconia High School make such a sizable contribution is wonderful.

Mayor Seymour also thanked Meredith Village Savings Bank for their contribution.

MANAGER’S REPORT:

City Manager Myers reviewed the Recycling Report (see Attachment #1). To date the City has diverted approximately 700 tons of recycling from the trash tonnage. The recent two weeks show 15.7% recycled, up from 15.4% the prior two weeks. Additionally, bids have been received and opened for recycling totes and are in the process of being reviewed for quality and durability. The bids all came within the projected range and some lower.

City Manager Myers reviewed the Financial & Operation Trends report (see Attachment #2). The Huot Center construction has been removed from the new construction value and a more accurate amount of \$6.2 million is reflected.

City Manager Myers reviewed the Projects Update (see Attachment #3).

Councilor Lipman asked if the bid package for the purchase of vehicle for Public Works is inclusive of removal of the old equipment because there is no need or interest to keep the older equipment. City Manager Myers replied that they will be removed from inventory through the surplus auction process or trade in. The building will be a match to the building put up in 2003. Councilor Lipman reiterated that the Council should be getting a report that the old vehicles are not being kept because the City does not need to absorb the maintenance and insurance cost of the older vehicles.

City Manager Myers reported the conclusion of the Wide Open Saloon issue was collaboration with the property owners and several City departments to ensure the building was taken down properly, including asbestos removal. The building is down and the waste should be removed in the next several days. The patience of the Weirs Beach businesses and residents during the process has been appreciated.

Councilor Bolduc asked why residents now need to place trash inside plastic bags before placing the trash in a barrel to be placed at the curb. City Manager Myers explained that if the container is tipped into the truck there is a high chance that loose trash will escape the barrel and wildlife can make a mess of the material if it happens to be left outside loose.

Councilor Hamel asked what the rental cost for a gator is for in the Motorcycle Week Fund and if the expense could be supplemented with the gator being removed from the Fire Department. Finance Director Woodaman replied that the rental was done for the Fire Department. City Manager Myers replied that the Fire Department gator that was used was not feasible to use this year. Additionally, the Council has directed that old equipment not be retained because of the maintenance cost associated with it. Councilor Hamel asked what Parks & Recreation uses to clean the WOW Trail. City Manager Myers replied that he is not sure, but if there is a viable use he will look into it.

NEW BUSINESS:

1. Temporary Traffic Order 2012-16 - Homecoming Parade

Councilor Doyle moved to approve Temporary Traffic Order 2012-16 Homecoming Parade. Seconded by Councilor Bolduc. **Motion passed unanimously.**

2. Council Appointment to the Debra Bieniarz Award Committee

Mayor Seymour noted that Councilor Doyle has been the appointment in the past two years.

Councilor Lahey nominated Councilor Doyle as the Council representative on the Debra Bieniarz Award Committee. Seconded by Councilor Bolduc. **Motion passed unanimously.**

Councilor Doyle commented that it is a very rewarding process and you recognize that there are a lot of unsung heroes on the City.

Nominations will be accepted until October 12.

3. Approval of an Ordinance Amending Chapter 195, Special Events with Appendix A & Appendix B

Councilor Hamel moved to approve and Ordinance amending Chapter 195, Special Events with Appendix A & Appendix B. Seconded by Councilor Lipman. **Motion passed unanimously.**

4. Sanitary Sewer Transfer Request for Black Brook Pump Station Generator

Mayor Seymour explained that this was discussed at the meeting on August 27 and the transfer is to complete the project with the anticipated increase in cost.

Councilor Bolduc asked why the concrete slab is so large for the outside generator. Public Works Director Paul Moynihan replied that because of Code requirements the generator needs to be outside, above water level and have sufficient room to access on all sides between the fencing and the unit. Additionally, the unit needs to be low sound and weatherproof because of its location. Councilor Bolduc asked why the slab is 21 feet long when the generator that was ordered would have fit inside the original building. Director Moynihan replied that he feels there is some misunderstanding about the size of the generator and the unit sits on a slab with room to work around the unit and stairs to enter the enclosure. Councilor Bolduc stated that the width of 12 feet is sufficient but 21 feet long is excessive. Director Moynihan replied that he is sure the length is not extravagant and is necessary.

City Manager Myers stated that the length of the slab will be looked at to ensure it is not excessive and encouraged the Council to vote on the transfer and the dimensions will be reviewed.

Councilor Hamel moved to transfer \$49,000 from account 90-497-497-0036 Old North Main St Pump Station Generator to account 90-499-497-0032 Black Brook Pump Station Generator. Seconded by Councilor Doyle. **Motion passed unanimously.**

5. Review of the NHMA Policy Setting

City Manager Myers explained that the New Hampshire Municipal Association will be convening on September 21 to vote on the items submitted and the City will have one vote.

With Mayor Seymour being unable to attend, the Council will need to appoint a delegate for the City. Mayor Seymour requested to appoint City Manager Myers as the City delegate for the voting process. There was no objection from the Council.

Mayor Seymour noted that there is a proposed change to the Trustee of the Trust Funds in relation to how funds can be spent within a trust. City Manager Myers replied that this will tie into the item brought before the Council at the last meeting relating to the Putnam Fund spending.

Councilor Doyle asked if the proposed change to the TIF District spending would allow for spending of TIF funds outside of the actual TIF District. City Manager Myers explained that the key is that it would allow for spending outside of the boundaries if the expenditure is related to the TIF District.

Councilor Baer asked if the NH Retirement System proposal to strengthen the system was contradicting to the ideal of opposing any mandated employee benefits. City Manager Myers replied that they are similar because it would benefit everyone if there was a healthy and solvent system in place and there is opposition to increase the employer costs inclusive of any type of binding arbitration and “Evergreen” clauses.

Councilor Hamel asked if the employer is now paying 100% of the amount not funded by the employee. City Manager Myers replied that this is correct and this was recently upheld by the NH Supreme Court and is not an expansion of an unfunded mandate. Councilor Hamel asked if the municipalities are going to be paying 100% they should have some input on how it is funded and the understanding is that the State will not allow this. City Manager Myers replied that the make-up of the NH State Retirement Board has changed drastically and now consists of a fair distribution of employee and employer representatives. There was an extensive amount of work done during the last round of legislation that looked at multiple options to fund the NH Retirement System adequately but there is still the need to study how the unfunded liability is going to be met. This will be a challenge but it is something that can be accomplished.

Councilor Lipman asked what the City policy is regarding the Emergency Generator Exemption. City Manager Myers replied that the thinking is that they are not currently taxable and the proposed policy aimed at commercial or industrial installed fixtures that are part of the infrastructure. Councilor Lipman replied that having this type of infrastructure should not be discouraged and residential use should be encouraged.

Councilor Lipman asked is the Charitable Foundation Exemption will be a highly discussed topic. City Manager Myers replied that the goal is to not expand the definition and not dilute the tax base.

Mayor Seymour asked City Clerk Reynolds if she has any opposition to proposals effecting the election process or administration. City Clerk Reynolds replied that she did not. City Manager Myers replied that many changes affecting a specific office are supported by representing associations and have been reviewed.

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 Bolduc commented that he is very pleased with Dick Dearborn of Eptam Plastic and congratulated him for his excellent job and contribution to the Huot Technical Center renovation. Mayor Seymour added that it is impressive what they do at the facility.

Councilor Baer reminded everyone that tomorrow is the State Primary Election and the polls will be open in the City from 7:00 a.m. to 7:00 p.m.

Councilor Doyle thanked City Manager Myers for his work on the Wide Open Saloon demolition, as well as the Baldi family.

Councilor Lipman asked for the status of the consultant for the Fire Department study. City Manager Myers replied that a Request for Proposals (RFP) has gone out and will be due shortly.

NON - PUBLIC SESSION: NONE

ADJOURNMENT:

Councilor Bolduc moved to adjourn at 7:51 p.m. Seconded by Councilor Hamel. **Motion passed unanimously.**

Respectfully Submitted:

Mary A. Reynolds
City Clerk