



**LACONIA CITY COUNCIL MEETING
SEPTEMBER 24, 2012
CITY HALL – CONFERENCE ROOM 200A
7:00 P.M.**

CALL TO ORDER:

Mayor Pro Tem Hamel called the meeting to order at the above date and time.

SALUTE TO THE FLAG:

Councilor Bolduc led the Salute to the Flag.

ROLL CALL:

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

Councilor Lipman was excused.

ADOPTION OF MINUTES OF PREVIOUS MEETINGS:

- **Regular Minutes of September 10, 2012**

Councilor Bolduc moved to approve the regular meeting minutes of September 10, 2012. Seconded by Councilor Baer. **Motion passed unanimously.**

CONSENT AND ACTION CALENDAR: NONE

CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA: NONE

INTERVIEWS: NONE

COMMUNICATIONS: NONE

PUBLIC HEARING: NONE

PRESENTATIONS: NONE

MAYOR'S REPORT:

Mayor Pro Tem Hamel congratulated the City Clerk and her staff for a great report from the audit performed by the Department of Motor Vehicles.

Mayor Pro Tem Hamel also noted the passing of Wesley Mallory, who has been a Selectman in Ward 4 for over 20 years. Condolences go out to his family.

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

City Manager Myers requested to schedule a meeting of the Public Works Committee on October 9 to discuss a loading zone in Downtown. Councilor Bolduc scheduled the meeting for 6:30 p.m.

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 Recycling Report (see Attachment #1) and Monthly Economic Development Report (see Attachment #2). The Council was advised that we are awaiting samples of toters for recycling and a decision is forthcoming.

City Manager Myers reported that the New Hampshire Municipal Association (NHMA) Policy Setting was held and the policies were accepted as presented.

Discussions are continuing with an interested party regarding the former Laconia Police Department building. There is nothing new to report at this time.

Regarding the New Hampshire Retirement System, the rates were recently certified for July 1, 2013 and reflect a minimum increase of 21.1% and as much as 26.8%. This will equate to approximately \$350,000 on the City side of the budget and approximately \$385,000 on the School side, for a total impact over \$700,000. City Manager Myers emphasized that this is an impact being felt by communities all over the State. Using conservative figures with a 2% CPI the allowable amount for the Tax Cap increase will be greatly consumed by the increase and City departments have been asked to be conscious of this and look at the simple things that make small savings.

City Manager Myers noted that *Town and City*, published by New Hampshire Local Government Center (LGC), contains an article that explains the different options for retirement systems and the effects each option would have on the unfunded liability. It is a great read and does a great job explaining each side.

The Wide Open Saloon continues to be a topic of interest in the community. Although the building was demolished a few weeks ago material remains on site contrary to the agreement with the property owner that requires for the site to be in a somewhat finished condition at this time. Contact has been made by the City's attorney to the property owner's attorney on two occasions last week and again today with hopes to get a time frame on when activity will resume at the site. City Manager Myers further explained that it is the intent to hold the property owners to the agreement they signed but would like direction from the Council, such as applying for an administrative order from the Court to remove the debris and place a lien on the property for the cost, if necessary.

Councilor Lahey asked if the Supreme Court appeal has been withdrawn. City Manager Myers replied that it has as a condition of the agreement and the right to take the issue back to the Supreme Court at a later time is not long an option.

Councilor Baer asked if there is a clause in the agreement regarding plans for rebuilding on the existing footprint within a specified time that could be causing them to delay the removal of the debris. City Manager Myers replied that there is but the City's position is that the clock started when the building came down, not when final debris is removed.

Councilor Doyle asked if we need Court permission to go in and remove the debris even with the agreement. City Manager Myers replied that we would because it is private property.

Mayor Pro Tem Hamel asked if there was anything encouraging that came out of the discussions with attorneys today. City Manager Myers replied that we have reached out but have not received a response. Mayor Pro Tem asked if the Council would like to give guidance on a time frame to wait before further action is taken. City Manager Myers advised the Council that the deadline for debris removal was September 12.

Mayor Pro Tem Hamel asked if October 1 was a good deadline. City Manager Myers offered that significant impact might be considered.

Councilor Doyle moved that a significant amount of debris needs to be removed by October 1. Seconded by Councilor Lahey.

Councilor Bolduc stated that he has a problem with the use of “significant”; all of the debris needs to be gone by October 1. Councilor Doyle agreed but the term allows for the City Manager to have flexibility. City Manager Myers added that without communication from the property owner’s attorney it is not feasible to gauge when activity will start.

Councilor Lahey noted that the motion would allow the City Manager some discretion because if it appears the work will be completed on October 2 we do not want to begin a process with the court systems that is unnecessary.

Councilor Doyle amended her motion to include authorizing the City Manager to take necessary action at his discretion so he does not have to wait a week and come back to the Council for further approval. Seconded by Councilor Lahey. **Motion with amendment passed unanimously.**

City Manager Myers informed the Council that the City is in the final stages of the process with properties taken for by tax deeding. One of the properties is located on Paugus Park Road and the other is a dry berth boat storage unit in a condominium home owners association. The next step is to begin the sealed bid process and the City Manager is seeking approval to do so.

Councilor Doyle moved to allow the City Manager to begin the sealed bid process for the two properties. Seconded by Councilor Bolduc. **Motion passed unanimously.**

Councilor Bolduc commented that Harry Beane has purchased a property on the corner of Mechanic and Walnut Streets and is doing a fantastic job renovating and remodeling the property. Councilor Lahey noted that there is a property on Valley Street that is undergoing a complete renovation as well and it is encouraging to the neighborhood.

NEW BUSINESS:

1. Review of Highway Banner Policy & Specifications

City Manager Myers explained that the intent was to make the policy straight forward and simple. The policy includes the types of banners, protection for the City, material that may be used, content of the sign and the priority for who has the ability to use the banners such as an event that is a continuing event each year.

Mayor Pro Tem Hamel asked if the next step is to have the Council vote on the policy or to send it to a committee. City Manager Myers replied that the Council vote is all that is needed.

Mayor Pro Tem Hamel noted that the Planning Department will be responsible for the banner schedule and applications. City Manager Myers confirmed and stated that if anyone would like to reserve a banner pole they can seek information on the City’s website or by contacting the Planning Department.

Mayor Pro Tem Hamel commented that there is no provision for the Motorcycle Week banners to have priority. City Manager Myers replied that they would be given priority because they have used the poles prior and are grandfathered. Mayor Pro Tem Hamel asked if this could be added. City Manager Myers confirmed that he will give staff the direction to do so.

Mayor Pro Tem Hamel also asked to have a pole on Court Street for the City’s use to welcome people to events. City Manager Myers replied that he will look into that.

Councilor Bolduc moved to accept the Highway Banner Policy & Specifications with the amendment to include Motorcycle Week signs having a priority for use and the City having a banner on Court Street. Seconded by Councilor Baer. **Motion passed unanimously.**

2. Request to set polling hours for the November 6, 2012 General Election

Councilor Bolduc moved to set the polling hours for the November 6, 2012 General Election as 7:00 a.m. to 7:00 p.m. Seconded by Councilor Lahey. **Motion passed unanimously.**

3. Request by LAYBL to Raise Funds at the Community Center from December 15, 2012 through March 15, 2013

Councilor Bolduc moved to approve the request by LAYBL to raise funds at the Community Center from December 15, 2012 through March 15, 2013. Seconded by Councilor Lahey. **Motion passed unanimously.**

UNFINISHED BUSINESS:

1. **An Ordinance Amending Chapter 189, Sewers**

Councilor Bolduc moved an ordinance amending Chapter 189, Sewers. Seconded by Councilor Bolduc. **Motion passed unanimously.**

2. **Council membership on the CIP Committee**

Mayor Pro Tem Hamel stated that Councilor Baer has requested appointment to the vacant position.

Councilor Bolduc moved to appoint Councilor Baer to the CIP Committee. Seconded by Councilor Lahey. **Motion passed unanimously.**

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 Lahey updated the Council on the Lakes Region Facility progress. To date, the City has made an offer for the property of \$2.6 million and the State took no action because of legislation prohibiting them to sell to the City for less than \$10 million. The State has offered the property to the County for \$1.7 million and the County has declined the offer. At this time the State has taken the position that they are required to issue a Request for Proposals (RFP) to the general public and they are undertaking the RFP process. The amount of \$75,000 has been appropriated for the RFP process and the information will go out to interested parties including the City. Since the City does not know what the process will be

or what the parameters will be of the RFP it is in the best interest of the City to formally withdraw the offer to purchase for \$2.6 million. Councilor Lahey requested to have this item placed on the agenda of the October 9 meeting.

Councilor Bolduc thanked everyone that expressed condolences of the passing of his brother, Father Bolduc. So many people all over the United States have reached out to his family and they are all thanked. Mayor Pro Tem Hamel commented that Father Bolduc was a man with a big heart and he did a lot for his parishes and he will be missed by all.

Councilor Doyle reported that the rotary in the Weirs is almost done and she has received a request that the circle no longer be referred to a "Malfunction Junction" and that the City officially name it Blackstone Rotary. The name of the area is Blackstone Square but because the junction is now round it would be better suited. Mayor Pro Tem Hamel commented that he was up there this weekend and the granite work is beautiful.

NON - PUBLIC SESSION: NONE

ADJOURNMENT:

Councilor Bolduc moved to adjourn at 7:34 p.m. Seconded by Councilor Baer. **Motion passed unanimously.**

Respectfully submitted:

Mary A. Reynolds
City Clerk