



**LACONIA CITY COUNCIL MEETING  
OCTOBER 28, 2013  
CITY HALL – CONFERENCE ROOM 200A  
7:00 P.M.**

**CALL TO ORDER:**

Mayor Michael 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 Lahey, Lipman, Baer and Bolduc. Also present City Manager Scott Myers and Finance Director Donna Woodaman.

Councilors Doyle and Hamel were excused.

**ADOPTION OF MINUTES OF PREVIOUS MEETINGS:**

1. Regular and Non-Public Minutes of October 15, 2013

*Councilor Bolduc to approve then regular and non-public meeting minutes of October 15, 2013. Seconded by Councilor Baer. **Motion passed unanimously.***

**CONSENT AND ACTION CALENDAR:**

1. Temporary Traffic Order 2013-16, Holiday Parade

*Councilor Bolduc move to approve Temporary Traffic Order 2013-16, Holiday Parade. Seconded by Councilor Lahey. **Motion passed unanimously.***

**CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA:      NONE**

**INTERVIEWS:**

- **Planning Board:** (2 alternate vacancies)
  1. Hamilton McLean - seeking appointment as an alternate for a 3-year term expiring 2016

Mr. McLean addressed the Council. Mr. McLean explained that he has been active in New York, Connecticut and New Jersey in various planning, zoning and conservation areas. Mr. McLean was previously a resident of Moultonboro and is a construction project manager and feels this is a good way to get to know the City.

Councilor Baer asked what ward Mr. McLean is in. Mr. McLean replied that he resides in Ward 1.

Councilor Bolduc thanked Mr. McLean for coming forward.

Mayor Seymour explained that the appointment will be taken up at the Council meeting of November 12, 2013.

**COMMUNICATIONS: NONE**

**PUBLIC HEARING:**

1. Declaration of City-owned property of Gilford Ave (Parcel #428-88-22) as surplus with the consideration of sale to John and Ann Dawson

Mayor Seymour opened the public hearing at 7:03 p.m. with the reading of the notice of public hearing made in the October 26, 2013 edition of the Laconia Daily Sun, at City Hall and the Gail Memorial Library.

City Manager Myers reviewed the process to date with the Council. This small parcel of land is landlocked between two properties and was previously used by the City as a sand pit. In checking with various City departments it was determined that the City has not short or long term use for the parcel. A written offer has been received from the Dawson's.

Mayor Seymour opened the discussion to the attendance.

Councilor Bolduc stated that he feels this is the right direction for the City.

With no members of the public choosing to speak Mayor Seymour closed the public hearing at 7:05 p.m.

2. Amending existing pole licenses pursuant to RSA 231:163

Mayor Seymour opened the public hearing at 7:05 p.m. with the reading of the notice of public hearing made in the October 26, 2013 edition of the Laconia Daily Sun, at City Hall and the Gail Memorial Library. Notice was also made in hand pursuant to RSA 43:2 on October 7, 2013 to Public Service of NH, Northern New England Telephone d/b/a Fairpoint Communications, NH Electric Cooperative and Metrocast Cablevision.

City Manager Myers explained that the opinion of the City attorneys, as well as the City Manager, is to make this amendment for the common good. In this case the telecommunications industry had exemptions to paying taxes on property in the City right of ways that lapsed a few years ago. Fairpoint Communications has challenged the legality of the tax assessments but the amendment of the language would allow the taxing in the purpose of the common good.

Mayor Seymour opened the discussion to the attendance.

With no members of the public choosing to speak Mayor Seymour closed the public hearing at 7:07 p.m.

**Public Service of NH provided a written statement to be included in the minutes (attached).**

**PRESENTATIONS:**

## 1. Laconia Police Department and New Hampshire Interlocal Trust Health & Wellness

Captain Bill Clary and Meredith Roy from the NH Interlocal Trust addressed the Council. Capt. Clary explained that the Police Department approached the NH Interlocal Trust to find a way to purchase a treadmill for the Police Department. They put together a wellness program with incentives for the officers and NH Interlocal Trust would in turn pay for a percentage of the treadmill.

Ms. Roy explained that the six (6) month long program was developed based on wellness initiatives, which included worksite wellness challenges, fitness and biometric screenings, cooking demonstrations and educational classes. The Police Department did an outstanding job with the program and had 80% participation with 77% completing the program successfully; typical participation is 30%. Ms. Roy presented a check to the Laconia Police Department in the amount of \$3,468.

Capt. Clary stated that the Police Department started this as a way to find funding for a treadmill and within the department it is recognized that one of the ways to help control healthcare cost is by having healthier employees. The participation was outstanding and they NH Interlocal Trust has been a pleasure to work with. Capt. Clary commended the City on the choice to join the NH Interlocal Trust.

Also in attendance from the Laconia Police Department were Officer Joe Marquis and Lieutenant Al Lessard.

### **MAYOR'S REPORT:**

Mayor Seymour explained that beginning in late 2011 the City Council held a series of workshops to discuss the goals and objectives they were looking to accomplish. After much work, a Goals and Objectives document was produced and is updated periodically. An important goal identified was to encourage aesthetics, plantings and routine maintenance of residential or commercial property and to provide opportunities for private property owners to become engaged in the process of improving the City's appearance.

To that end, we are pleased to announce the first "Front Porch Award" given by the City of Laconia to recognize citizens who show pride in their community by positively impacting and improving the appearance of their property and, on a larger scale, the entire City.

These positive improvements can be (but are not limited to) the following: *General Property Appearance, Landscape Appearance, General Clean-up of a Property, Improvements to Property Appearance i.e. Painting, Window Replacement, etc.*

Nominations for the "Front Porch Award" may be made by anyone to recognize a property in the City of Laconia based on improvement efforts noted above. A Nomination Committee will be created and will meet on an on-going basis to select recipients. Recipients will receive a letter of congratulations from the Mayor and City Council and a photo of their home. In addition, a "Front Porch Award" sign will be placed in front of the award winner's property for approximately a month (with the property owner's approval) to recognize their efforts in helping to improve the overall appearance of our City. Recipients will also be highlighted in a display in the front lobby of City Hall and in the City's weekly newsletter, *Laconia Links*.

Mayor Seymour recognized Combined Investments LLC at 148 Union Avenue and Harry and Priscilla Bean at 94 Messer Street with the Front Porch Award. Presentation of awards will be made on a monthly basis moving forward.

Councilor Bolduc commented that this is great and the willingness to make a difference is nice.

Mayor Seymour stated that a chain reaction has been seen when these things occur and it is hopeful that this will be the case with this program. City Manager Myers added that a link to the nomination form will be on the City website soon.

**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
- d) Downtown TIF Financing

**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
- d) Downtown TIF Infrastructure Proposal

**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:**

Councilor Lahey reported that he and Janet Brough presented to the Lakes Region Rotary last week and the Capital Campaign is moving forward. The Joint Building Committee has had their final meeting.

**MANAGER'S REPORT:**

City Manager Myers reviewed the Recycling Report and the Monthly Economic Development Report, noting that the Economic Development Report is incomplete due to the Federal Government shutdown the CPIU information is not available (attached).

Councilor Baer asked for explanation of the information provided in the Recycling Report. City Manager Myers reviewed the chart breakdown in detail for the Council. Councilor Baer commented that she had heard the increase in recycling was approximately 50% and would expect to see a reduction in tonnage. City Manager Myers replied that the tonnage will not be equivalent to percentage because of the difference in material but there is a positive sign.

City Manager Myers advised the Council the ambulance agreement with Lakes Region General Hospital has been completed and signed.

Councilor Bolduc thanked the public for their recycling efforts and encouraged the continuance.

**NEW BUSINESS:**

1. Request to declare City-owned property of Gilford Ave (Parcel #428-88-22) as surplus with the consideration of sale to John and Ann Dawson and to authorize the City Manager to take any actions necessary to exercise a Purchase & Sales agreement on behalf of the City

*Councilor Lahey moved to declare City-owned property on Gilford Ave (Parcel #428-88-22) as surplus. Seconded by Councilor Bolduc. **Motion passed unanimously.***

*Councilor Lahey moved to authorize the City Manager to take any actions necessary to exercise a Purchase & Sales agreement on behalf of the City. Seconded by Councilor Bolduc.*

City Manager Myers encourage the motion to include the specific agreement made with the Dawson's.

*Councilor Lahey moved to amend his motion to authorize the City Manager to take any actions necessary to exercise a Purchase & Sales agreement on behalf of the City with John and Ann Dawson in the amount of \$1,000.00 with conditions to merge the lots, the existing right of way running along the property line be discontinued and the professional fees associated with the sale be the responsibility of the purchaser. Seconded by Councilor Bolduc. **Motion passed unanimously.***

2. Request to schedule a Public Hearing on November 12, 2013 during the regular Council meeting regarding the declaration of City-owned property on Lexington Drive (Parcel #375-324-4) as surplus

*Councilor Bolduc moved to schedule a Public Hearing on November 12, 2013 during the regular Council meeting regarding the declaration of City-owned property on Lexington Drive (Parcel #375-324-4) as surplus. Seconded by Councilor Lahey. **Motion passed unanimously.***

3. Proposed Resolution 2013-16 Relative to Amending Pole Licenses Pursuant to RSA 231:163

*Councilor Bolduc moved to approve Resolution 2013-16 Relative to Amending Pole Licenses Pursuant to RSA 231:163. Seconded by Councilor Lipman. **Motion passed unanimously.***

4. Request to re-purpose funds for a City Hall Generator to a Natural Gas Boiler Upgrade

City Manager Myers explained that the desire was to have a generator installed for City Hall and it was discovered that the process is going to be more complex than was anticipated. In the discussions it was

expressed that the possibility of converting the building to natural gas would be looked into with the consideration of the cost of oil being higher and the option of natural gas being economically appealing. The approximate pay back on the installation cost of the boiler would be less than five (5) years.

Councilor Baer asked what the total cost for the natural gas boiler would be. City Manager Myers replied that the anticipated cost is approximately \$16,000 but the bid process has not begun on this. The generator would cost approximately \$70,000.

Councilor Baer commented that with her calculation it appears money was spent from the fund. City Manager Myers replied that an expert was brought in to review the generator process and it was this expert that brought forward the challenges that would need to be addressed. Councilor Baer noted that there would be funding left over. City Manager Myers replied that this is possible and it can be moved to fund the generator at that time.

Councilor Bolduc asked how the natural gas would be coming into the building. City Manager Myers explained that it would be trenched from Beacon Street East through the lower parking lot, under the sidewalk along City Hall and punch through the building. Additionally, One Mill Plaza will have the opportunity to join the line at that time if they choose, for which they have expressed an interest in doing. There will be no cost for the line to be run from the main line because the City will be a significant user.

*Councilor Lipman moved to transfer from account 01-499-401-0015, City Hall Generator, \$8,719 and from account 01-497-431-0002, City Hall Generator, \$16,489 to account 01-497-431-0003, City Hall Natural Gas Boiler Upgrade. Seconded by Councilor Bolduc. **Motion passed unanimously.***

5. Request to approve Parking Committee Recommendations previously approved as temporary

Mayor Seymour reviewed the temporary parking that was approved which includes prohibiting on street parking on Harvard St from N. Main St to Dartmouth St, converting all parking directly behind the train station on New Salem Street to full day parking with the exception of four spaces on the center of the parking area which would remain two (2) hour parking for patrons of the businesses in the train station to enter the rear entrance. The City Manager has not received any complaints or concerns regarding this parking arrangement and would recommend the Council take action to continue.

Mayor Seymour advised that the City has received communication from Jon Moriarty, representing the Laconia Main Street Initiative, has sent an email requesting the changes on Harvard Street be continued but the other changes be vacated and returned to two (2) hour parking. Mr. Moriarty was asked to elaborate on the concerns. Mr. Moriarty advised that he was made aware the Council would be taking this item up on Friday of last week and they have not had to opportunity to circulate the information and receive feedback. Some time was spent today canvassing the area immediate to the railroad station and the comments heard were that the parking would lapse on October 1 which would give time for other actions to take place, such as the addition of 25 parking spaces at other establishments, and the parking would return to the prior with the concentration being on the overall parking and not one space at a time. Mr. Moriarty added that with the overall objective being to revitalize Downtown the Laconia Main Street Initiative would like to see the spaces directly behind the train station to revert back to two (2) hour parking.

City Manager Myers advised that Lakes Region Community Services added six (6) parking spaces with a recent project completed and not 25 as indicated. Mr. Moriarty acknowledged that there were 25 counted but there may only be a few new.

Mayor Seymour asked that, acknowledging that there was not sufficient time to solicit feedback, if taking into consideration that no unsolicited negative feedback was brought forward and that they could be changed at a later time, the Council will still take the view of the Laconia Main Street Initiative into consideration.

Councilor Baer agreed with the Laconia Main Street Initiative and would not like the temporary status to be reverted to permanent because it appears that the Downtown area needs to be looked at as a whole and not done in pieces. Additionally there has been efforts by the Downtown TIF and the City to invest in the advancement of Downtown and the overall plan should be looked at more closely to accommodate the potential growth.

Councilor Lipman commented that two (2) major employers in Downtown, the Laconia Clinic and Lakes Region Community Services Council, have indicated that the parking arrangement works well. To be fair to all involved it should be considered to not take any action this evening and to give the opportunity to provide feedback.

Mayor Seymour requested that this item be placed on the November 12, 2013 agenda to allow for sufficient feedback. City Manager Myers asked if the current parking order would stand until such time the Council makes an indication to change it. Mayor Seymour confirmed this is correct.

6. First Reading of a Resolution relative to Authorizing Bonds and Notes of the City for Capital Projects in the amount of \$1.828 million

*Councilor Bolduc moved a First Reading of a Resolution relative to Authorizing Bonds and Notes of the City for Capital Projects in the amount of \$1.828 million. Seconded by Councilor Lipman.*

Councilor Baer commented that she does not feel it is appropriate to have a first reading when a public hearing has not happened yet and that one is being proposed for the same meeting that a second reading will take place. This has not been discussed sufficiently among the Council and it is rather strange that it is being done after the election.

Councilor Baer referred to an article in the newspaper that quoted Ed Emmond, Business Administrator for the Laconia School District, indicating the required match could be taken out of the amount received in donation from the community for the prior bond. Councilor Baer stated that it is surprising there is funding left over to be used for a down payment. Councilor Lipman recommended asking Mr. Emmond before making assertions.

Councilor Baer continued that the Council is going to have to approve payments of \$78,000 a year for the next 23-years if the City accepts the loan. This could put the City over the debt flow of \$3.2 million.

Councilor Lipman stated that at the last meeting it was discussed that the payment of this bond would be with the redirection of operating funds and would have no effect on the ability to do any additional borrowing that would go against the debt flow. This is the same way the Public Works equipment was handled. The School District is not asking for more funding but to invest in the plan to address life safety issues in the least burdensome way for the tax payers. Councilor Baer commented that the least burdensome way would have been to do the life safety items in the beginning with the funding that was available. The health and safety of the children has been present and moneys could have been directed to this earlier.

Councilor Lipman countered that this is a way to address the health and safety needs of the children in a way that will have no direct effect on the taxpayers. Councilor Baer replied that if they can redirect the

funds to pay for this loan they are clearly getting too much funding with their budget which is taxpayer money.

Councilor Lipman stated that the Council has previously criticized the School District for not maintaining there buildings and now they are in a cost effective way and there is criticism; mixed direction is being given. The School District took a \$500,000 cut in school aid last year and they did not ask for an increase in their budget. Councilor Lipman added that Councilor Baer has an established objection to the football field but asked if she feels the sprinkling should be done to protect the investment. Councilor Baer replied that it should have been done originally and this is a subject that should not be brought forward until the public has had an opportunity to speak. Councilor Lipman commented that there will be one scheduled for the next meeting and this has been well established and publicized.

Councilor Lipman commented that this is a plan to protect the investment in a prepared way that spreads the burden among taxpayers for a longer time without going against the tax cap.

Mayor Seymour invited Mr. Emmond to address the concerns.

Mr. Emmond explained that the 10% match for the bond is a private partner funding match. This was met and exceeded with the capital campaign and can be applied to the required match. There are no funds left over that can be spent and the statement was misunderstood. The effort that it takes to do the fundraising is very time consuming and not many school districts accept these types of bonds.

Councilor Lipman noted that in regards to time frames and notices the correct timeline is being followed.

Mayor Seymour called the question. ***Motion passed 3-1 with Councilor Baer opposed.***

Councilor Baer challenged that the vote did not pass because four (4) Councilors are required to affirm spending. City Manager Myers replied that there is no spending happening with the first reading therefore the motion carries.

7. Request to schedule a Public Hearing on November 12, 2013 during the regular Council meeting regarding acceptance of a QZAB for Laconia High School Renovations in the amount of \$1.828 million

*Councilor Lahey moved to schedule a Public Hearing on November 12, 2013 during the regular Council meeting regarding acceptance of a QZAB for Laconia High School Renovations in the amount of \$1.828 million. 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:** NONE

**COUNCIL COMMENTS:**

Councilor Bolduc that the Mayor send a letter to Executive Councilor Ray Burton wishing him well and thanking him for his years of service. Mayor Seymour agreed.

**NON - PUBLIC SESSION:**

Councilor Bolduc moved to enter into non-public session according to RSA 91-A:3, II: (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled. Seconded by Councilor Lahey.

Mayor Seymour noted that not actions will be taken after the non-public session.

On a roll call vote of the Council it was entered into non-public session at 7:54 p.m.

*Councilor Bolduc moved to come out of non-public session at 8:03 p.m. Seconded by Councilor Lipman. **Motion passed unanimously.***

*Councilor Bolduc moved to seal the minutes of the non-public session for two (2) years. Seconded by Councilor Baer. **Motion passed unanimously.***

**ADJOURNMENT:**

*Councilor Bolduc moved to adjourn at 8:05 p.m. Seconded by Councilor Lipman. **Motion passed unanimously.***

Respectfully Submitted:

Mary A. Reynolds  
City Clerk