



**LACONIA CITY COUNCIL MEETING
DECEMBER 8, 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 Armand Bolduc's son, General Donald Bolduc of the US Army, led the salute to the Flag.

ROLL CALL:

Deputy City Clerk Anders called the roll with the following Councilors present: Councilor Baer, Hamel, Doyle and Bolduc and Mayor Engler. Also, City Manager Myers and Finance Director Donna Woodaman.

ADOPTION OF MINUTES OF PREVIOUS MEETINGS:

1. Regular and meeting minutes and non-public minutes of November 24, 2014

*Councilor Bolduc moved to adopt both sets of minutes from November 10, 2014. Seconded by Councilor Hamel. **The motion passed unanimously.***

CONSENT AND ACTION CALENDAR:

1. Request by Weirs Community Park Association to Raise Funds at the Weirs Park Parking Lots from June 13 through June 21, 2015 from 8 am to 11 pm

*Motion made by Councilor Bolduc to approve the request by Weirs Community Park Association to Raise Funds at the Weirs Park Parking Lots from June 13 through June 21, 2015 from 8 am to 11 pm. Councilor Doyle seconded the motion. **The motion passed unanimously.***

2. Temporary Traffic Order 2014-14, Community Blood Drive, Penny Pitou Travel/American Red Cross

*Motion made by Councilor Hamel to approve the temporary Traffic Order 2014-14, Community Blood Drive, Penny Pitou Travel/American Red Cross. Councilor Bolduc seconded the motion. **The motion passed unanimously.***

DISCUSSION: NONE

CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA:

Mayor Engler stated this is the portion of the agenda when anyone present could offer comment on any item not on the agenda.

There were no comments.

INTERVIEWS: NONE

COMMUNICATIONS: NONE

PUBLIC INPUT:

1. Public input regarding options for the future of the Belknap Mill

Mayor Engler noted that the City Council would be acting only as facilitators in the discussion and introduced Paul Fitzgerald.

Paul Fitzgerald addressed the Council by speaking about the setting of the discussion. It has been rare to see crowds like this. The Mill is important to many in the Lakes Region. It has been deemed an official meeting house in the state of New Hampshire by past Governors. Over the past few weeks he watched the correspondence in the local press and has been heartened by the degree of interest of the fate of the Mill. However, he has also been disheartened by the tone or particular issue chosen. He is not there to advocate a particular position, but hoped that people remember that the discussion is what is good for the facility and what can be done for the City with this particular facility. He would like to look forward and learn from the past as Laconians, and discuss what is best for the Mill and the City. He turned the rest over to Christine Santaniello.

Christine Santaniello, President of Trustees of the Belknap Mill Society, spoke. She stated the Society isn't dissolving. The plan is to stay intact as a nonprofit corporation. They are not abandoning the mission, just looking for an alternative with the building so they can continue. Because the public is used to the public access of the building, it made sense to the Board of Trustees to approach the City to see if there could be a partnership. Many cities and towns have public/private partnerships. It is the desire of the Trustees to keep the building in the hands of the public but the public must want it and the City must accept it; if not, they will attempt to work with another nonprofit and if that doesn't work then they will search for a private investor. In 2008, due to decreased public support and lack of strategy coupled with the need to make repairs and renovations, the Board tapped into their cash reserves and has never been able to get that back from that. There were years of regular ongoing maintenance that wasn't being done. There are few grants for operation expenses. There is funding for programs but not operations. The Mill is down to bare bones in staffing. There is rental space available. There is an historic easement on the building, so any successor is bound by the easement. It takes \$150,000 annually to run operations. It has been a struggle for years. They

are looking for a partner so the Mill can remain a museum to keep the history alive and keep it in the hands of the public.

Mayor Engler asked that all public comments be respectful of the crowd as to let everyone have time to speak. He asked that when people come to the microphone they identify themselves and where they live for the record.

Tom Tardif, a lifetime resident of Laconia spoke. He noted the article of agreement and read it. It states all remaining assets to be used by the City. The problem is that it is an amendment from 1970 that was filed with the State. According to the easement which was first granted to the City of Laconia in 1974, but Council refused to accept the grant and it was revoked in October. In December that year the Society granted the easement to the County. The Belknap Mill is protected by the Historic Preservation Easement which will expire in 20 years. The County is responsible for the care and custody of the Mill and the City has no control or jurisdiction of the Mill. The sale must be approved by the NH Division of Historical Resources. The covenant mandates the grantor, the Mill, must maintain the historical character of the Mill's interior, exterior, the stairs, the bell, cupola, the flag pole, the wood trim and the finial that isn't up there anymore. He agrees the City has vested interest in the Mill but not as taxpayers or individual citizens. The benefit of the Mill is the County.

George B Roberts Jr, originally from Gilmanton, spoke. He noted the building was a struggle to get from the government. There is a lot of history and personality in the organization. He appreciates the fact that the Council will take on the matter that belongs to the members of the non-profit organization. However, he resents and is disturbed that the members weren't asked for input or the option for a special meeting before this meeting. As a long term member, he feels the members should be involved in the decision of transfer or rights of ownership. He finds it disturbing to have Council facilitate this meeting instead of the members voting on a plan. The first step should come from the members, not the Council and City of Laconia. He does appreciate the fact of the meeting.

Mayor Engler stated the Trustees didn't ask City Council to host the meeting. The Trustees approached the City Council in terms of possibly buying the building and it was the Council that volunteered to host the meeting.

Adrienne Johnson of 199 Country Club Road spoke. She asked why this was not presented to members or Trustees in the form of researching grants. She noted that in trusts people can leave funds to the Mill. She felt the public had short notice that there was a problem. She asked if they did any research for grants or asked volunteers to write grants. She felt that if exhausted the public could have done something.

David Stamps a resident of Laconia spoke. He was treasurer for the Mill for 3 years and appreciates the input. He noted the grant writers were hired and others volunteered their time and hundreds of hours have been spent on the problems. The majority of grants are for capital projects and the bulk of grants for operating are for startup costs for new programs. The Mill has slowly been decaying. PSNH and others have been in to look around for money saving ideas like changing the lights. Window sills are starting to rot and the reason the finial isn't done is because there were leaks around the base of the cupola and it started leaking. They lost tenants for that reason. Only carpenters certified by the Department of Historical

Resources could work on the building and it was found that the support of the finial was rotten and needed to be removed. They are on the third LCHIP grant. The Board has been involved for many years and it's taking more capital. There have been membership drives and membership has gone up. He is not a member anymore. He believes the City owns the land the building sits on and the electrical and water run through the Mill to the park. The second floor has been redone and is ready for tenants.

Rod Dyer of 280 Morrill Street spoke. He noted that many years ago when he was Mayor, the issue of Busiel Mill and Belknap Mill came about. In 1973 the City agreed to sponsor the "Save the Mills" effort. Tom Tardif is correct about the new Council rescinding that action. The Mill is a gem and has both historical and architectural significance and he feels it is a keystone for the downtown area. The City could lend support in continuance of the Mill.

Councilor Lipman asked Christine Santaniello if she could tell how the Board had been seated. She has been on the Board for less than two years and believes there are some thoughts about moving the Mill forward and recognizing that they are not sustainable. The Board has to make a plan for the future.

David Stamps stated the Board has merged over time. Christine Santaniello said there are no term limits so plans to bring in new members wasn't a strategy. Mayor Engler noted that he heard the Board is currently below members and Christine Santaniello said the bylaws say you can have 18 Trustees, which she felt was an unmanageable amount so there are nine members currently. The Board has paused on recruiting until the future is known.

David Stamps noted that the building is decaying and that adds the burden to raise money and focus on decaying structure. The Board is looking for a substantial partner, someone that can relieve the pressure on maintaining the building. The Mill is losing business to the Beane Center because they are new and have the right facility.

Councilor Baer asked what the unbreakable clauses are. David Stamps said the tenants have five year leases, which are basically contracts. Rent can't be raised until the lease ends. Councilor Lipman noted rents still wouldn't be enough. David Stamps stated that income would have to be \$15,000 a month to break even, so rent wouldn't cover all expenses.

Tom Tardif stated the land is not owned by the City but by the Mill. The sign was donated fully. It replaced an existing sign that rotted and meets the requirements of the easement. If there is a problem it had to have been with the City.

David Stamps corrected himself and said he did hear from Department of Historical Resources and they were upset, not with sign but felt there should have been an archeological dig. The issue was not with the City.

G. Roberts stated that legally the City can abate the taxes on the property. Mayor Engler noted that is about \$6,000 a year. G. Roberts would ask the Society to go back to the members for suggestions. Councilor Lipman asked about provisions for meetings and was told that the Society can wait until a regular meeting or have a special meeting. G. Roberts noted that there has to be a mix with nonprofit for fundraising to attract different levels of income from the public. Councilor Hamel asked when the general meeting was and about the

number of dues paying members. Christine Santaniello said the annual meeting is in February and there are 150 dues paying members and 37 of those are businesses.

Stewart Ramsey of Loudon spoke. He was a member and volunteer for many years. He asked what the peak membership and was told 800 in the mid-2000s. The least amount of membership had been 35. Councilor Hamel asked how many members were at the last meeting and was told zero.

Lisa Mager, a resident of Belmont, worked at the Mill until August. She noted the peak membership was 800 in the 1990s and two years ago the number of members at the meeting in February was in the mid-20s. The Board members had all been notified. Since 2010, there has been a conscious effort to get new members by word of mouth, emails, newsletters, etc.

Mary Jane Hoey of Lakeport spoke. She noted that in the past couple of years she has not received a reminder of membership dues. She would have liked that, even an email would work.

Lou Gabon, a resident of Laconia, spoke. He sat on the fundraising committee for years. Every year money was made on the events. Private citizens got involved and money was raised. As a taxpayer he would not want to see the City put money into the building. Councilor Bownes asked when he was last on the Board and was told three or four years ago. At that time there were about 10-20 on the committee.

Charlie St Clair, a resident of Laconia, noted that other County areas like Gunstock get support and organizations like the WOW Trail and they seem to raise money when needed. The Mill is important to the City and the loss of the building and its use would be disadvantage to downtown. His taxes go to the County also. He feels whatever needs to be done to preserve the Mill should be done.

David Stamps said the Commission has bonding authorization. The Board had seen this coming for years. The reason they didn't write articles is because it would be a disadvantage if the Mill was seen to be in trouble. He thanked the City for hosting the input session and hopes the Board will have a member meeting. Lots of people have put in the hours and now youth is needed. Each year there are fewer people to show up to help. He had put in 12,000 volunteer hours in the last year.

Adrienne Johnson noted that she is in the Quilters Guild and was a founding member. It came to a point where the Quilters Guild was asked to leave the Mill. The Guild is regional, not just in Laconia, so members are from surrounding towns. You are automatically a members of the Mill when you join the Guild. She noted that her Guild went to the Convention Center.

Paul Fitzgerald talked about the City and County rights. The Mill Society is not disbanding or dissolving. The rights referred to are only in a dissolution situation. All of the documents will be examined. He noted that with the talk about membership and the amount of people in the crowd, he expects the membership numbers to go up this week. He thanked the Council for the opportunity to have the public input session. He ended by noting the Trustees do have the power to convey the building.

Tom Tardif said the easement has a lot of important items and states the historical basis has to remain.

Mayor Engler closed the public input session at 8:18 pm and explained the matter was further on the agenda, but he didn't expect more discussion.

PUBLIC HEARING: NONE

PRESENTATIONS: NONE

MAYOR'S REPORT:

Mayor Engler recognized the efforts of Councilor Hamel and Councilor Bolduc and the volunteers from of Christmas Village. He showed the key that he was able to keep as being Mayor which was signed by a college sophomore, Morgan Johnston, who was in her 13th year volunteering at Christmas Village. Mayor Engler thanked all that put the time into the successful event.

Mayor Engler spoke on behalf of Council to thank all the efforts done over the Thanksgiving weekend, with the power loss and cleanup as well.

CITIZEN REQUESTS TO COMMENT ON CURRENT AGENDA ITEMS:

Mayor Engler stated this section of the agenda is for anyone in the public to comment on any item on the agenda at any point in the agenda, including under "New Business".

There was no public comment.

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. Ordinance Amending Chapter 221, Vehicles and Traffic/Parking on Sublawns
- e. Review of Department of Public Works Road Cuts Policy

No report on any item in committee

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

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 Bownes stated the issue of the modified approach to accepting public streets was before the Planning Board at the last meeting. There was some debate and controversy and it was not voted on but will be taken up at the next meeting. There was a vote on Linny Lane to waive the requirements of having the base down for a year. That was a split vote.

MANAGER'S REPORT:

1. Monthly Economic Development Report

City Manager Myers stated the report was in the packet this month. The Consumer Price Index (CPIU) calculations that are tied into the tax cap are trending at approximately 1.75%

2. Financial and Operational Trends Report

Outpacing in Building Permits have a net gain at 23 million year to date April to March. Last year the City was at \$14 million. Motor vehicles registration has increased. That should be just under 42%. The winter storm cost summary has been started.

3. Project Updates Report

All the timelines with the Main Street Bridge have been met and Phase 4 will start in the spring, weather permitting. Paving in the downtown and surrounding areas has been wrapped up for the winter. Tax bills went out today and the tax rate was set last week at \$22.40. That is \$.07 over projection. He shares the Mayor's appreciation for all the efforts done through the Thanksgiving storm.

Councilor Baer asked if she and he could have a discussion about the emergency facilities regarding emergency food. City Manager Myers will schedule a meeting with Councilor Baer and Chief Erickson on food and shelter in emergency situations.

Councilor Hamel would like to discuss roads. On the agenda he would like Item e under Government Operations moved to be under Public Works. Councilor Hamel added the problem with the failing manhole structures, to look into the manhole structure and repairs. On Winter Street there is talk about adding a speed bump to slow vehicles down. Councilor

Hamel suggested the City do something similar to Highland Street by the hospital with the solar walk lights. City Manager Myers will check on the lights, and noted the speed table is for traffic calming. They are being seen more throughout the rural areas. There are no plowing challenges with the speed tables. Councilor Hamel asked if the bridge had more increase in engineering costs and City Manager Myers said early on there were a few challenges but Phases 2 and 3 went smooth and they are still well within the scope of the project.

NEW BUSINESS:

1. Restoring a lot on Barbara Boulevard to its pre-merger status

City Manager Myers explained the situation to Council. He noted they saw this on Country Club Road last meeting. It is the same property owner. Lots 33 and the Lagoon lot would be one lot and 34 would be a stand-alone lot. The two lots would be restored as with the transferred deed.

*Motion made by Councilor Hamel to return lots 33 and 34 as shown on Tax Map 461-329-3 to their pre-merger status as requested by the Adrienne M Johnson Trust pursuant to RSA 674:39-aa . Councilor Baer seconded the motion. **The motion passed unanimously.***

2. Discussion regarding options for the future of the Belknap Mill

Councilor Lipman asked about the future direction and Mayor Engler said he will have a discussion with the Trustees. Council Lipman would like to see a member meeting and see how members feel before coming back to the City. Christine Santaniello said she can call a meeting and have e-mails sent of notification of the issue.

3. Request to approve the proposed Inter municipal Agreement for a Regional Animal Control Officer, and to authorize the City Manager to execute the agreement on behalf of the City

City Manager Myers gave a background. There was an animal control officer previously and the position still exists but it is not filled. There is still a need. The current officers on patrol are handling issues and Fish and Game get involved also for wild animals. The position would be a 28 hour a week that would be shared among the communities of Belmont, Gilford and Laconia. Laconia has a larger demand than Belmont and Gilford. It was agreed that Laconia would hire and pay the individual but the expenses would be equally shared. There would be a one year agreement without benefits. The proposal went to the Attorney General's office for review and they are fine with it. There is support from both committees. The liability would go with the community, not just Laconia. The total cost range would be \$45,000 -\$50,000 a year and Laconia would pay a third of that. The earliest the position would be filled would be late February to early March. Councilor Hamel asked how it would be paid and was told it will be paid quarterly. This position does not replace the Humane Society. Councilor Baer asked about the scheduling with on call and City Manager Myers stated that the person hired will need to have flexibility of hours to have an average of 28 hours.

Motion made by Councilor Baer to approve the Intermunicipal Agreement for a Regional Animal Control Officer to serve the municipalities of Belmont, Gilford, and Laconia and to

authorize City Manager Myers to execute any required documents in connection with the agreement. Councilor Bolduc seconded the motion. **The motion passed unanimously.**

4. Request to schedule a Public Hearing for December 22, 2014 during the regularly scheduled City Council meeting as follows: Progress update on The Stafford House CDBG energy improvement project

*Motion made by Councilor Lipman to schedule a Public Hearing for December 22, 2014 during the regularly scheduled City Council for a progress update on The Stafford House CDBG energy improvement project. Councilor Hamel seconded the motion. **The motion passed unanimously.***

5. Request to schedule a Public Hearing for December 22, 2014 during the regularly scheduled City Council meeting for acceptance of Linny Lane as a City Street

Motion made by Councilor Bownes to schedule a Public Hearing for December 22, 2014 during the regularly scheduled City Council meeting for acceptance of Linny Lane as a City Street. Councilor Lipman seconded the motion.

Mayor Engler reminded Council that the Planning Board was given a fast track on this item. City Manager Myers noted that the Planning Board has authorization to waive the regulations.

The motion passed unanimously.

6. Acceptance of Nature's View Drive and Port Way as City Streets

City Manager Myers noted the packet of information in the Council's packet. There is a letter from Public Works signing off, Planning Board recommendation and letter from Planning Director Saunders, also a copy of the Quit Claim Deed and as built plan of the roads. He concurs with Planning Board's recommendation. Councilor Bolduc agrees that development has been well done.

Councilor Bownes' view was to have a public hearing through City Council. Councilor Lipman's goal is to make it easier to do business with the City and felt only one public hearing was sufficient.

*Motion made by Councilor Bolduc to approve Nature's View Drive and Port Way as City Streets. Councilor Baer seconded the motion. **The 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 Hamel added that the Public Works did a good job with the storm. He went up to the brush dump and it was good that it was open.

Councilor Lipman asked about the drug situation. Chief Adams spoke to it. He wished he could report that things have improved. Over the weekend there were three overdoses and one fatality in a local hotel; heroin overdoses are suspected. Eric Adams has been busy with outreach. He has been meeting with people and families to give support throughout the process. The issue is not just Laconia, but the county. The common theme is with heroine and fentanyl. Councilor Lipman feels satisfied with the outreach. Councilor Baer asked if Narcan is a big budget item or grant and asked if everyone carries it when they go out. Chief Adams said the Fire Department has Narcan on the ambulances, but the Police Department does not. The issue is currently in discussion, and if they did have it with them it would be a nasal spray. Chief Adams does not know the cost of it. Chief Adams said WMUR is doing a special on that and encouraged all to watch. Manchester is having a tremendous problem also. Chief Adams noted that he will bring Eric Adams in mid-January to discuss what has been going on.

Councilor Bolduc thanked Chief Adams for the help with the Christmas Village. It is a lot of fun and takes a lot of time, but seeing the smiles make it worth it.

NON - PUBLIC SESSION: According to RSA 91-A:3, II:

(a) The dismissal, promotion or compensation of any public employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.

(b) The hiring of any person as a public employee.

(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting.

(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.

(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.

(i) Consideration of matters relating to the preparation for and the carrying out of emergency functions including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.

ADJOURNMENT:

*Councilor Bolduc moved to adjourn at 9:21 pm. Seconded by Councilor Hamel. **The motion passed unanimously.***

Respectfully Submitted,
Kalena Graham

Acting Recording Secretary