



**LACONIA CITY COUNCIL MEETING  
DECEMBER 28, 2015  
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 Ava Doyle led the Salute to the Flag.

**RECORDING SECRETARY:** City Clerk Mary Reynolds

**ROLL CALL:** City Clerk Reynolds called the roll with the following Councilors in attendance: Councilor Ava Doyle, Councilor David Bownes, Councilor Henry Lipman, Councilor Brenda Baer, Councilor Robert Hamel, and Councilor Armand Bolduc.

Mayor Engler noted that all Councilors are in attendance and a quorum is established.

**STAFF IN ATTENDANCE:** City Manager Scott Myers and Finance Director Donna Woodaman.

**ACCEPTANCE OF MINUTES OF PREVIOUS MEETINGS:**

1. Regular and non-public meeting minutes of December 14, 2015

Minutes of the non-public session were distributed to the Council on December 16. Minutes of the regular session were distributed on December 18. One correction was received from Councilor Bownes for the regular minutes and it was recorded as requested.

With no further corrections being requested the minutes were accepted as distributed.

**CONSENT AND ACTION CALENDAR:**

1. Temporary Traffic Order 2016-01, Community Blood Drive

*Councilor Bolduc moved to approve Temporary Traffic Order 2016-01, Community Blood Drive. Seconded by Councilor Hamel. **Vote was 6-0 and the motion passed.***

2. Request to establish rental for Boardwalk, Lakeport Fire Station and Weirs Boulevard Spaces for Laconia Motorcycle Week 2016

Councilor Hamel commented that he would not object to increasing the fee to \$1,500 and would like to have the opinions of the other Councilors. There was discussion about reasoning for lowering the rental fees in 2011 and the demand for the spaces in recent years, which has been very favorable. A vendor from this past year will be offered a space and it will be opened up to

others if they decline. City Manager Myers did not feel increasing the fees would price the City out of the market.

Councilor Doyle recommended increasing at a lower percentage rate, because the rate proposed is a 20% increase. Councilor Doyle recommended increasing by 10% this year and 10% next year in light of the prior discussion of the downfall of Motorcycle Week and this would be contributing to the problem. City Manager Myers advised that this is done each year and is always open for discussion by the Council and a decision needs to be made so the vendors from last year can be contacted.

Councilor Baer asked how many spaces the City has. City Manager Myers replied that the City has five (5) food vendors and the remainder are 10 non-food spaces.

Councilor Hamel commented that the concerns with Motorcycle Week are not the cost of vendor spaces but the need for increasing attendance. Councilor Doyle commented that there needs to be a variety of vendors and this is not going to encourage a more quality vendor with variety to attend.

Councilor Bownes commented that a small increase, of perhaps 5%, would be appropriate.

*Councilor Hamel moved that the 10x12 vendor spaces be increased to \$1,500 and to accept the other rental rates for 2016 as submitted. Seconded by Councilor Baer.*

Councilor Lipman recalled that the fees were reduced in 2011 and noted that the motion does not preclude the Council from authorizing flexibility to the City Manager for rental of the spaces. City Manager Myers confirmed this is correct.

Mayor Engler called the question. **Vote was 4-2 and the motion passed. (For: Baer, Hamel, Bolduc, Lipman; Against: Doyle, Bownes)**

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

**INTERVIEWS: NONE**

**COMMUNICATIONS: NONE**

**PRESENTATIONS:**

1. Findings of the CDBG funded Level 2 ASHRAE energy audit at the Scott & Williams Building, 22 Stafford Street

Donna Lane reviewed the energy audit for the Council.

Dana Nute, from Resilient Buildings Group, advised the Council that this building is 41% efficient compared to other like buildings in NH. This transfers to approximately \$30,000 in efficiency.

Dick Weaver, Laconia Housing Authority, advised that the cost for heating the building in the last year was approximately \$90,000 and the extra expense would be \$30,000. D. Nute explained that a combined heat and power unit is being recommended for electricity and heat and save approximately \$25,000 each year.

Councilor Bolduc asked why this was not done when the building was constructed less than 10 years ago. D. Nute advised that the large glass windows were a contributor and the remaining factors are outlined in the study.

Councilor Bownes asked what savings were realized at the Stafford House. D Nute advised the project saved \$23,500 annually.

Councilor Lipman asked how the savings come back to the Laconia Housing Authority. D Weaver advised the savings benefit the tenants because of the services they can provide at the property. The Scott & Williams building may have a savings in the payments from the tenants.

Councilor Bownes asked how the savings application will be determined. D Weaver replied that this is a calculation done annually to determine the expenses and will change over time. This property is currently operating at a deficit from a special assessment last year. This was contributed to by the harsh winter weather the last few years.

### **PUBLIC HEARING:**

1. Community Development Block Grant
  - a. A proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant funds for energy improvements to Scott & Williams Building, 22 Stafford Street in Laconia. The building houses four non-profit sponsored condominium units providing affordable workforce housing, community health care, wellness center, and child care services

Mayor Engler opened the public hearing at 7:31 p.m. with the reading of the notice of public hearing was made in the Wednesday, December 16, 2015 edition of the Laconia Daily Sun, at City Hall, the Gale Memorial Library, the Laconia Community Center and the offices of the Laconia School District.

Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available for economic development projects, up to \$500,000 for public facility and housing projects, up to \$350,000 in emergency activities and up to \$12,000 is available per each planning grants. All projects must primarily benefit low and moderate income persons.

This Project is a proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant funds for energy improvements to Scott & Williams Building, 22 Stafford Street in Laconia. The building houses four non-profit sponsored condominium units providing affordable workforce housing, community health care, wellness center, and child care services.

This project conforms with Laconia's Housing and Community Development Plan's Goal of: Encouraging Workforce Housing and the rehabilitation of Community Facilities and Services – Provide facilities and services that meet the needs of the City's population.

With no members of the public choosing to speak the public hearing was closed at 7:34 p.m.

- b. The Residential Antidisplacement and Relocation Assistance Plan.

Mayor Engler opened the public hearing at 7:35 p.m. with notice of this public hearing being made in the Wednesday, December 16, 2015 edition of the Laconia Daily Sun, at City Hall, the Gale Memorial Library, the Laconia Community Center and the offices of the Laconia School District.

Energy improvements will be made in occupied spaces as necessary. No displacement or relocation is expected to occur, but we are adopting the Antidisplacement and Relocation Assistance Plan as required. This plan outlines the measures they would take to find comparable, suitable housing if a person (or business) was displaced or relocated.

Mayor Engler asked for anyone wishing to speak to do so at this time.

With no members of the public wishing to speak the public hearing was closed at 7:36 p.m.

2. Acceptance of donated property by the Lionel R Labonte Revocable Trust of 2011 for use with Phase II of the WOW Trail

Mayor Engler opened the public hearing at 7:38 p.m. with the notice of this public hearing being made in the Thursday, December 17, 2015 edition of the Laconia Daily Sun, at City Hall, the Gale Memorial Library, the Laconia Community Center and the offices of the Laconia School District.

Mayor Engler requested any wishing to speak to do so at this time.

With no members of the public wishing to speak the public hearing was closed at 7:39 p.m.

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

Mayor Engler reported on a meeting held on December 17, 2015 with the State of NH Administrative Services Deputy Commissioner Michael Connor regarding the possible purchase of the former Laconia State School property on North Main Street. This was an informal meeting to allow for a briefing of the Mayor and City Manager regarding the process of disposal of the property. It was reminded that HB 2 called for the sale of the Laconia State School property and since that time the property has been subdivided and the buildings closest to North Main Street. The provision outlined in RSA 4:40 for disposition of State property was also waived in HB 2 which would require a long range process for the sale; at this time the Administrative Services will only need to bring a proposal to the Governor and Council for the sale. The budget calls for \$2 million to be gained by the State by the end of the biennium. The appraisal done on the property came in at slightly over \$2 million and it was advised that the State does not intend to have another appraisal done and they will be placing out requests for proposal on or around April 1 with a real estate firm. The intention is to keep the property on the market through the summer and they hope to learn what the market value of the property is of the parcel today. Mayor Engler reviewed RSA 4:40, I, which states *"the governor and council shall first offer it to the town, city, or county in which the property is located. If the town, city, or county refuses the offer, the governor and council may sell, convey, transfer, or lease the real property"*; this means that the State can offer the sale of the party to the City for the same amount that a private party would be willing to pay and the City would have precedence. This will be the subject on the Council agenda, and possibly in a non-public session, at a later time.

Discussion followed regarding the clean-up of the property, the subdivision of the two buildings being currently used, and the parcel located on the opposite side of the street and across from Robbie Mills Field that is currently leased by the City. It was also discussed that the Council will need to have a site visit to the property in the spring, with the States permission, to have a better understanding of the property and what is involved.

Mayor Engler noted the passing of Dick Breton and Don Beane. Both have passed within the last week and were stewards of our community in various active rolls which were reviewed by Mayor Engler. The condolences are sent to the families and the accomplishments of these gentleman are celebrated.

### **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) Ordinance Amending Chapter 221, Vehicles and Traffic/Parking on Sublawns
- b) Review of Chapter 167, Noise and Chapter 161, Licensing as it pertains to outdoor sound equipment and loudspeakers
- c) Procedural review for grant applications

**No report on any item in committee**

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

- a) Review of a request for a 3-way stop for Summit Ave, Wentworth Cove and Governor's Island

Councilor Bolduc asked if the 3-way stop can be removed because the vote was not to have one placed. City Manager Myers advised that a speed table is still being reviewed and a placeholder should remain on the agenda. The plan is to have some information in January.

*Councilor Bolduc moved to remove item a, "Review of a request for a 3-way stop for Summit Ave, Wentworth Cove and Governor's Island", and place with "Review of proposed speed table on Summit Avenue". Seconded by Councilor Baer. **Vote was 6-0 and the motion passed.***

**5. LAND & BUILDINGS: (Hamel, Lipman, Bolduc) (report on item b from the meeting held this evening at 6:15 p.m.)**

- a) Repair & maintenance of City Buildings
- b) Downtown parking garage

Councilor Hamel reviewed that the meeting was a general discussion regarding the need to continue testing and discuss a timeline. The committee will likely meet again after they have a better estimate from the contractor which is hopeful to be around the end of January.

Councilor Baer asked if the contract would need to be negotiated with the private party. City Manager Myers replied that this is not a contract but a deeded ownership and the requirement for maintenance has not been outlined. Going forward it is the desire to have a maintenance agreement in place to have a clear expectation for both parties. At this time there needs to be clearing of various aspects of the property, including electrical.

Councilor Hamel replied that this will be a challenge but it can be done. Councilor Lipman added that the goal is to have a committee recommendation by April to ensure the buyer of the private property does not forgo funding of the purchase.

Councilor Bownes confirmed that there is not agreement for the maintenance of the property. City Manager Myers confirmed that other than the deed there

### **LIAISON REPORTS: NONE**

**CITIZEN REQUESTS TO COMMENT ON CURRENT AGENDA ITEMS:** Charlie St Clair commented on the rate changes for the City rental spaces for Motorcycle Week. C St Clair expressed that he does not feel the rate increase is unreasonable and encouraged the City to invest in better lighting in the area for the vendors because it is very dark once the sun goes down.

**MANAGER'S REPORT:** City Manager Myers reviewed the Project Updates.

### **NEW BUSINESS:**

1. First reading of a resolution relative to authorizing the City Manager to accept and expend grants on behalf of the City in the amount of \$19,956.30 for Laconia DWI Patrols and to schedule a public hearing on January 11, 2016 during the regular Council Meeting

City Manager Myers reviewed the proposal with the Council as provided in a memo from the Laconia Police Department.

Mayor Engler advised that copies of the resolution were made available in the City Clerk's Office, posted at City Hall on the bulletin board, and this evening at the entrance to the Council Chambers.

*Councilor Lipman moved to waive the reading of this Resolution in its entirety and to read by title only. Seconded by Councilor Baer. **Vote was 6-0 and the motion passed.***

*Councilor Bolduc move a first reading of a resolution relative to authorizing the City Manager to accept and expend grants on behalf of the City in the amount of \$19,956.30 for Laconia DWI Patrols and to schedule a public hearing on January 11, 2016 during the regular Council Meeting. Seconded by Councilor Baer. **Vote was 6-0 and the motion passed.***

2. Community Block Grant Application

- a. Request to approve the submittal of the CDBG application for Energy Improvements at Scott & Williams Building and votes to authorize the City Manager to sign and submit the application, , and any amendments thereto, and upon approval of the CDBG application, authorize the City Manager to execute any documents which may be necessary to effectuate the CDBG contract
- b. Request to adopt the Residential Antidisplacement and Relocation Assistance Plan for the Energy Improvements at Scott & Williams Building CDBG Application

*Councilor Bownes moved to approve the submittal of the CDBG application for Energy Improvements at Scott & Williams Building and votes to authorize the City Manager to sign and submit the application, and any amendments thereto, and upon approval of the CDBG application, authorize the City Manager to execute any documents which may be necessary to effectuate the CDBG contract. Seconded by Councilor Baer . **Vote was 6-0 and the motion passed.***

*Councilor Bolduc moved to adopt the Residential Antidisplacement and Relocation Assistance Plan for the Energy Improvements at Scott & Williams Building CDBG Application. Seconded by Councilor Hamel. **Vote was 6-0 and the motion passed.***

### 3. Transfer Request

City Manager Myers reviewed the request for the Council.

*Councilor Lipman moved to transfer \$39,425 from account 01-433-125-0000, Workers Compensation, to account 01-497-500-0048, Parking Garage/Deck Repairs. Seconded by Councilor Bolduc. **Vote was 6-0 and the motion passed.***

### 4. Review of City Manager's Compensation

Mayor Engler noted that the Council has met in non-public session regarding this subject and this evening the measures will need to be approved. The City Manager's current salary is \$120,000 and for the calendar year 2016 the proposed salary is \$125,000 (4.25%). The City currently contributes to a retirement account 11% and will be increasing to 12%.

*Councilor Bolduc moved to increase the salary of the City Manager for 2016 to \$125,000 and to increase the contributions to his retirement account to 12%. Seconded by Councilor Hamel. **Vote was 6-0 and the motion passed.***

Mayor Engler thanked City Manager Myers for his continued efforts and commitment to the City.

## **UNFINISHED BUSINESS:**

### **1. Second reading of a resolution relative to acceptance of donated property by the Lionel R Labonte Revocable Trust of 2011 for use with Phase II of the WOW Trail**

Copies of the resolution were made available in the City Clerk's Office, posted at City Hall on the bulletin board, and this evening at the entrance to the Council Chambers.

*Councilor Doyle moved to waive the reading of this Resolution in its entirety and to read by title only. Seconded by Councilor Hamel. **Vote was 6-0 and the motion passed.***

*Councilor Bownes moved a second reading of a resolution relative to acceptance of donated property by the Lionel R Labonte Revocable Trust of 2011 for use with Phase II of the WOW Trail. Seconded by Councilor Doyle. **Vote was 6-0 and the motion passed.***

**2. Consideration of a resolution relative to encouraging the protection and maintenance of the monumental oak tree located at 1092 Union Ave**

Mayor Engler advised that this is being brought forward at the request of the Council at a prior meeting.

Mayor Engler read the following resolution into the record:

“In the Year of Our Lord two thousand and fifteen

**A RESOLUTION RELATIVE TO ENCOURAGING THE PROTECTION AND MAINTENANCE OF THE MONUMENTAL OAK TREE LOCATED AT 1092 UNION AVENUE**

Resolved by the City Council of the City of Laconia as follows:

WHEREAS, the property owner of 1092 Union Avenue in Laconia, NH had a site plan conditionally approved on August 5, 2014 where the condition of approval stated that the large oak tree near the northeast corner of the property is a monumental shade tree, and as such shall be protected and maintained during and after construction; and

WHEREAS, there are ongoing conversations about whether or not the tree should be removed in the future.

NOW THEREFORE, the Laconia City Council encourages the Planning Board to maintain their original position of requiring the tree to stay in place and be protected and maintained.

This Resolution shall take effect upon its passage.”

*Councilor Hamel moved the resolution as presented. Seconded by Councilor Lipman. **Vote was 5-1 and the motion passed. (For: Doyle, Bownes, Lipman, Hamel and Bolduc; Opposed: Baer)***

3. Ordinance amendment relative to Chapter 167, Noise and Chapter 161, Licensing as it pertains to outdoor sound equipment and loudspeakers (tabled at the meeting of 9/28/15)
4. Second reading of a resolution relative to the adoption of RSA 31:95-b, Appropriation of funds made available during the year (tabled at the meeting of 11/23/15 pending the outcome of legal matters)
5. Milfoil Treatment Funding Request
6. WOW Trail
7. Master Plan
8. EPA Update
9. Sewer & Water Master Plan
10. Single Stream Recycling/Concord Co-Op/Solid Waste Disposal Cost Reduction
11. Strategic Planning/Goal Setting

Mayor Engler asked if the Council would be willing to remove any items from the agenda. Councilor Lipman stated that he feels these items are necessary for tracking.

*Councilor Hamel moved to remove the EPA Update from the agenda. Seconded by Councilor Doyle. **Vote was 6-0 and the motion passed.***

Councilor Lipman reviewed each item and his reasoning for the need to keep them on the agenda. City Manager Myers advised that some of them are reviewed in the various reports submitted each month.

Councilor Hamel requested to have an architectural update from the WOW Trail. Mayor Engler gave an update from the WOW Trail committee in regards to the project progress at this time.

**NOMINATIONS, APPOINTMENTS & ELECTIONS: NONE**

**COUNCIL COMMENTS:** Councilor Bolduc presented the Congressional Proclamation for Laconia Christmas Village to the Mayor for display within the City.

**NON - PUBLIC SESSION:** *Councilor Bownes moved to enter into 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. Seconded by Councilor Bolduc. **City Clerk Reynolds called the roll of the Council and all members responded in the affirmative.***

Mayor Engler noted that only members of the Council would be present for the non-public session and no further action would be taken at the conclusion of the non-public session. Non-public session was entered at 8:38 p.m.

*Councilor Bolduc moved to come out of non-public session at 9:02 p.m. Seconded by Councilor Baer. **Vote was 6-0 and the motion passed.***

*Councilor Hamel moved to seal the minutes of the non-public session for eight (8) months. Seconded by Councilor Bolduc. **Vote was 6-0 and the motion passed.***

**ADJOURNMENT:** *Councilor Bolduc moved to adjourn at 9:03 p.m. Seconded by Councilor Hamel. **Vote was 6-0 and the motion passed.***

Respectfully Submitted

Mary A Reynolds  
City Clerk

These minutes were accepted by the City Council as distributed on January 11, 2016.