

Minutes were approved on 11/28/22

**CITY OF LACONIA - CITY COUNCIL MEETING
7:00 P.M.**

11/14/2022 - Minutes

1. CALL TO ORDER

Mayor Hosmer called the meeting to order at 7:02 PM

2. SALUTE TO THE FLAG

Councilor Cheney led the salute to the flag

3. RECORDING SECRETARY

Katie Gargano, City Clerk

4. ROLL CALL

City Clerk Gargano called the roll of the City Council: Councilor Cheney, Councilor Soucy, Councilor Haynes, Councilor Felch and Mayor Hosmer. Mayor Hosmer stated that 4 members of the Council were present, and a quorum was established.

Absent: Councilor Lipman and Councilor Hamel

5. STAFF IN ATTENDANCE

Kirk Beattie, City Manager; Glenn Smith, Finance Director

6. COUNCIL PROCLAMATION

6.A. Proclamation - Small Business Saturday

Mayor Hosmer read the following Proclamation recognizing Small Business Saturday

PROCLAMATION

WHEREAS, the government of Laconia, New Hampshire, celebrates our local small businesses and the contributions they make to our local economy and community; and

WHEREAS, according to the United States Small Business Administration, there are 32.5 million small businesses in the United States. Small businesses represent 99.7% of firms with paid employees, small businesses are responsible for 62% of net new jobs created since 1995, and small businesses employ 46.8% of the employees in the private sector in the United States; and

WHEREAS, 79% of consumers understand the importance of supporting the small businesses in their community on Small Business Saturday, 70% report the day makes them want to encourage others to Shop Small, independently-owned retailers, and 66% report that the day makes them want to Shop Small all year long; and

WHEREAS, 58% of shoppers reported they shopped online with a small business and 54% reported

they dined or ordered takeout from a small restaurant, bar, or café on Small Business Saturday in 2021; and

WHEREAS, Laconia, New Hampshire supports our local businesses that create jobs, boost our local economy, and preserve our communities; and WHEREAS, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

NOW THEREFORE, I, Andrew J. Hosmer, Mayor of City of Laconia, New Hampshire, do hereby proclaim, November 26, 2022, as Small Business Saturday in the City of Laconia, and urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

7. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

7.A. Regular City Council meeting minutes of October 24, 2022

Minutes of the regular City Council meeting of October 24, 2022 were distributed to the City Council on November 9, 2022.

With no corrections or changes submitted to the Clerk, the minutes were accepted as distributed.

8. CONSENT & ACTION ITEMS

8.A. Request from the Weirs Action Committee to use Endicott Rock Parking Lot for Laconia Motorcycle Week parking from June 10, 2023 through June 18, 2023, and to waive all special event fees in connection with the requested use

Weirs Action Committee has requested the use of the Endicott Rock Parking Lot for Laconia Motorcycle Week parking from June 10, 2023 through June 18, 2023 from 8:00 am to 8:00 pm. City Council approval is being requested because this fundraising event is anticipating revenues above \$2,000.

The Weirs Action Committee is also requesting that all Special Event fees in connection with the event be waived.

Councilor Cheney made motion to approve the request by the Weirs Action Committee to use Endicott Rock Parking Lot for Laconia Motorcycle Week parking from June 10, 2023 through June 18, 2023, and to waive all Special Event fees in connection with the requested use. Seconded by Councilor Felch. Discussion: None.

The *motion passed with all in favor.*

9. CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA

Patrick Wood notified the City Council that on 11/15/22 the National Honor Society is hosting a women's football game. All proceeds benefit the Guilda's club. The Guilda's club is a cancer support center. Tickets are \$5 a piece and he'd be happy to cover all the ticket fees for the Council. He also said thank you to the City for allowing the parade for Max, he mentioned the Sunday following Thanksgiving Celebrate Laconia is having the annual holiday parade. He also mentioned given the recent on November 8th, the state rep races for Laconia Wards 1,3,4,5 & 6 seats, he knows 3 out of the 4 winners who are very good and he's looking forward to knowing the 4th candidate that was elected.

Steven Bogert introduced himself to the City Council as one of the new State Representatives for wards 1, 3, 4, 5 & 6. He wanted to offer the City his services in any way he can help. He plans to come to the

Council meetings to update the City on what is happening in the State legislature.

Anthony Santagate talked to the City Council about placing a sign below the Weirs Beach sign to let people know that there are year-round businesses in the Weirs.

Kori Tessier introduced herself to the City Council as the new owner of the Legacy Realty that recently purchased the previous Sawyers Jewelry building and they completed renovations. During the Holiday Parade they will be inviting Kids to come into their Village, benefits the Pass Along Project.

10. **INTERVIEWS**

11. **NOMINATIONS, APPOINTMENTS & ELECTIONS**

12. **COMMUNICATIONS**

13. **PUBLIC HEARINGS**

13.A. **Public Hearing - Request from Weirs Beach Pedal Boats to run a pedal boat business using the City docks and space on the Boardwalk in Weirs Beach**

Notice of this Public Hearing was made available in the October 24, 2022 edition of the Laconia Daily Sun, and posted at Laconia City Hall, Laconia Community Center, Laconia Public Library and the offices of the SAU.

Mayor Hosmer noted that action on this item may be taken up under Unfinished Business.

Mayor Hosmer opened the Public Hearing at 7:16 PM

Anthony Santagate thinks this a great idea and he supports it.

Patrick Wood wanted to know if they had met with the Weirs Action Committee.

Mr. Carey said an email went out about the public hearing from the Weirs Action Committee and he replied to all. He hasn't heard any responses from the committee.

Mayor Hosmer asked if there was going to be a swim line installed. Mr. Carey said that would have to go before Marine Patrol. Mayor Hosmer asked if he'd be open to having a memorandum of understanding between his business and the Mount Washington.

Councilor Cheney stated he is concerned about the Mount Washington and the safety of the boats.

Mayor Hosmer closed the Public Hearing at 7:26 PM

13.B. **Public Hearing - Resolution 2022-14 - Approval of bonding for the purpose of purchasing solid waste and recycling containers**

Notice of this Public Hearing was made available in the October 24, 2022 edition of the Laconia Daily Sun, and posted at Laconia City Hall, Laconia Community Center, Laconia Public Library and the offices of the SAU.

Mayor Hosmer noted that action on this item may be taken up under Unfinished Business.

Mayor Hosmer opened the Public Hearing at 7:27 PM

No one came up to speak.

Mayor Hosmer closed the Public Hearing at 7:28 PM

14. **PRESENTATIONS**

15. **MAYOR'S REPORT**

Mayor Hosmer noted our recent Election on November 8, 2022 and he wanted to thank the Election Workers and the City Clerk's Office Staff for running a smooth election, he has heard nothing but positive feedback.

He wanted to congratulate State Representative Elect Dave Huot, Steven Bogert, Mike Bordes, Charlie St. Clair, and all the others who ran and won seats in the Election. He wants to let them all know how important their votes in Concord are and how they affect the City. He also congratulated the new School Board Elects Karin Salome in Ward 3 and Laura Dunn in Ward 2.

16. **COUNCIL COMMENTS**

Councilor Cheney wanted to ask the City Manager about the status of the Cottonwood Ave Cul De Sac, the status of the Solar Project in Ward 6, and he had a question about the maintenance on Hadley Road, he spoke to two families who think they are no longer going to have City services. Director Anderson said that Hadley Road was not accepted. And all maintenance has been discontinued.

Councilor Haynes said the Capital Reserve Meetings have completed, he gave thanks to the Department Heads on presenting their wants and needs for their departments. He said there were several citizens that were a part of that committee, and they spent two months reviewing items and attending meetings.

17. **COMMITTEE REPORTS**

17.A. **FINANCE (Lipman (Chair), Hamel, Cheney)**

17.A.i. **WOW Trail Funding**

17.A.ii. **Downtown TIF Financing**

17.B. **PUBLIC SAFETY (Cheney (Chair), Soucy, Lipman)**

17.C. **GOVERNMENT OPERATIONS & ORDINANCES (Soucy (Chair), Felch, Cheney)**

17.C.i. **Review of Chapter 167, Noise and Chapter 161 Licensing as it pertains to outdoor sound equipment and loudspeakers**

17.C.ii. **Ordinance Amending Chapter 221, Vehicles and Traffic/Parking on Sublawns**

17.C.iii. **Procedural review of grant applications**

17.C.iv. **Regulation of Short Term Residential Rental Businesses**

17.C.v. **Proposed Historic Overlay District**

17.C.vi. **Scenic Road Motorcycle Noise Petition**

17.C.vii. **Use of public property by for-profit entities**

17.C.viii. **Short Term Rentals**

17.C.ix. **Naming privilege's to public areas**

17.D. **LAND & BUILDINGS (Hamel (Chair), Haynes, Felch)**

17.D.i. **Downtown parking garage**

17.D.ii. **Repair & maintenance of City buildings**

17.D.iii. **Plan for the DPW Compound**

17.E. **PUBLIC WORKS (Haynes (Chair), Felch, Soucy)**

17.E.i. **Retaining Wall Policy**

17.E.ii. **Discussion for converting from a manual to an automated solid waste curbside collection service**

17.F. **APPOINTMENTS (Councilors Soucy (Chair), Cheney and Haynes)**

18. **LIAISON REPORTS**

19. **CITIZENS REQUESTS TO COMMENT ON CURRENT AGENDA ITEMS**

Patrick Wood had several questions about the Welfare guidelines.

20. **CITY MANAGER'S REPORT**

20.A. **Financial and Operational Trends Report**

Manager Beattie presented the Financial and Operational Trends Report to the City Council. Highlights include construction permits are still going well, fire numbers are standard, public assistance data- noted the emergency rental assistance program is ending at the end of this year, police numbers are standard, property tax information is right on track, motor vehicle registration numbers are up, overtime is nothing substantial, impact fees are standard as well. Boat tax is down a little bit and ambulance billing is up.

Mayor Hosmer asked about ambulance billings and he's looking for a trend analysis for it. Manager Beattie will get it to the Mayor.

21. **NEW BUSINESS**

21.A. **Resolution 2022-15 relating to a supplemental appropriation to accommodate acceptance of an exceptional needs grant by the Laconia School District**

SB 420 was signed into law by Governor Chris Sununu in July of 2022. The intent of this law was to "improve the educational achievement and growth of students" by making up for a shortfall in adequacy for qualifying school districts. The formula to calculate the amount in grant funds each school district would qualify for is based on the formula that is used to calculate the aid from the state that school districts receive each year. The Laconia School District is eligible to receive \$367,796 from this grant for this school year. Because this is revenue that is in addition to what was approved by the City Council in our FY23 budget, the school district is seeking approval for a supplemental appropriation to be able to access these funds.

The Laconia School District is planning on using the funds on the following:

? A dual-purpose van to transport students and food supplies

? Technology

? Instructional supplies

? Professional development for staff

These funds are Unanticipated Revenue and per RSA 31:95-b and City Code Section 5:06 a public hearing is required to accept and expend these funds.

Approval of this request will increase appropriations and offsetting revenues by \$376,796. There is no local match requirement.

Councilor Haynes made a motion to waive reading of this Resolution and to read by title only. Seconded by Councilor Felch. Discussion: None

The ***motion passed with all in favor.***

Councilor Felch made a motion for a first reading of Resolution 2022-15, relative to making a supplemental appropriation for the Fiscal Year beginning July 1, 2022 and terminating June 30, 2023. Seconded by Councilor Haynes. Discussion: None

The ***motion passed with all in favor.***

Councilor Soucy made a motion to schedule a public hearing on November 28, 2022 during the regular City Council meeting to gather public input prior to adoption. Seconded by Councilor Cheney. Discussion: None

The ***motion passed with all in favor.***

21.B. **Parks and Recreation Facility User Fees Update**

The Laconia Parks & Recreation Commission voted to approve the attached updated Facility User Fee Schedule at their October 2022 meeting. All changes to the schedule are highlighted in yellow for easy viewing. Also attached for comparison is the previous version of the Fee Schedule before the suggested changes. The updates offer Facility Users full knowledge of what the fee will be before they apply to use a park or facility.

Not only are the facility user fees being updated, but there is also a facility deposit being placed on each event. The fee for that will be half of their user fee. This deposit will be kept until the facility is inspected and the area is cleaned appropriately, no damage was done, and the keys are back with the department.

Once approved by the City Council, the update will be in effect for the next Commission meeting. This will not pertain to any facility use requests that have already been approved by the Commission to use the facilities. Their fees will remain as stated during their approval process.

Councilor Felch made a motion to approve the updated Facility User Fee Schedule as presented. Seconded by Councilor Soucy. Discussion: Mayor Hosmer stated he does not support this.

The ***motion passed with all in favor.***

21.C. **Approval of revised City Welfare Guidelines**

RSA 165:1 II requires that each New Hampshire municipality adopt written guidelines relative to the provision of general assistance.

The City Council last adopted Welfare Guidelines on February 25, 2020. Over the last several months staff has reviewed these guidelines and updated them as needed to ensure efficient operation. These guidelines were reviewed by the Finance Committee on October 24, 2022. This revision incorporates feedback received from Committee members during that review. Major revisions include:

- The guidelines have been rewritten to improve clarity and ease of use.
- Allowance for electronic filing and review of applications
- Clarification of job search requirements
- Standards relating to staff protection during home visits have been strengthened
- Reference to the 2021 Advance Child Tax Credit as income
- Allowable levels for rent and burial expenses have been adjusted to reflect current market conditions
- Definitions have been updated.

Councilor Cheney made a motion to Table.

The ***motion was tabled with all in favor.***

21.D. **First reading of Ordinance 2022-195-10 to amend City Code Chapter 195, Special Events and Outdoor Assembly, Section 195-10, Fee Schedule, and to schedule a Public Hearing for November 28, 2022**

An increase in the fee schedule for special events and outdoor assembly is proposed as shown in the attached Ordinance. If approved, the proposed changes would bring our fees more in line with those of events similar to Laconia Motorcycle Week occurring across the country.

Councilor Soucy made a motion to waive a reading of this Ordinance in its entirety and to read by title only. Seconded by Councilor Cheney. Discussion: None

The ***motion passed with all in favor.***

Councilor Felch made a motion for a first reading of Ordinance 2022-195-10. Seconded by Councilor Haynes. Discussion: None

The ***motion passed with all in favor.***

Councilor Felch made a motion to schedule a Public Hearing on November 28, 2022, during the regular City Council meeting to gather input prior to any action being taken. Seconded by Councilor Soucy. Discussion: None

The ***motion passed with all in favor.***

21.E. **Use of unassigned ARPA funds for the purchase of Laconia Fire Department protective clothing**

As per the FY23 approved budget, the Laconia Fire Department plans on adding four new personnel in January. Due to the lack of unassigned PPE at the Fire Department, it is necessary to purchase protective clothing for the new first responders.

On July 29, 2022 the Governor's Office for Emergency Relief and Recovery confirmed the City's FY23 allocation of \$867,929.53 in ARPA funding. On August 28, 2022, the Council approved a list of proposed projects to be completed using these funds. The projects as approved at that time left an unassigned balance of \$196,236.53. It is proposed that \$16,444.80 of these funds be used to purchase the proposed protective clothing and radios as follows:

Qty	Item	Cost Per	Total
4	Full Set PPE	\$4,111.20	\$16,444.80

Full Set PPE Includes - Coat, Pants, Helmet, Hood, and Glove

Councilor Cheney made a motion to approve the use of unassigned ARPA funds for the purchase of Laconia Fire Department protective clothing as proposed. Seconded by Councilor Haynes.
Discussion: None

The *motion passed with all in favor.*

21.F. **Use of impact fees to fund the purchase of portable radios for four additional Laconia Fire Department personnel**

As per the FY23 approved budget, the Laconia Fire Department plans on adding four new personnel in January. Due to the lack of unassigned portable radios at the Fire Department it is necessary to purchase new radios for these first responders. Funds are available within the Department's impact fee allocations to offset this acquisition. The Department is requesting use of these funds.

Qty	Item	Cost Per	Total
4	Portable Radios	\$2,377.54	\$9,510.16

Approval of this request will reduce the amount to be paid from the general fund by \$9,510.16. It will reduce the amount of Impact Fee funds available to the Fire Department by a like amount, leaving a balance of \$8,138.85.

Councilor Cheney made a motion to approve the use of impact fees to fund the purchase of portable radios for four additional Laconia Fire Department personnel as proposed. Seconded by Councilor Soucy. Discussion: None

The *motion passed with all in favor.*

21.G. **Temporary Traffic Order 2022-16, Holiday Parade, and request to waive fees associated with the event**

The Holiday Parade Temporary Traffic Order is being presented to the Council under "New Business" as the event organizers have requested the use of the Main Street parking lot this year for the location of some food trucks in connection with the event.

Celebrate Laconia, the organizer of the parade, is requesting the Council to consider waiving all City fees associated with the event.

Councilor Felch made a motion to approve Temporary Traffic Order 2022-16 for the Holiday Parade to

be held on November 27, 2022 as presented, and to approve the request to waive all City fees associated with the event. Seconded by Councilor Haynes. Discussion: Daryl Dawson from Celebrate Laconia spoke about 150 trees that are available to be sponsored in the park.

The *motion passed with all in favor.*

21.H. **Request from the U.S. Postal Service to lease parking spaces in the City parking lot behind St. Joseph's Church**

The City Manager's office was contacted recently by a representative of the U.S. Postal Service wishing to discuss leasing spaces in the City parking lot behind St. Joseph's Church. They are requesting to lease nine to fifteen spaces in this location to be used by U.S. Postal Service vehicles.

If the Council wishes to move forward with this discussion, a Public Hearing will be scheduled to gather public input, and the City Manager will provide details of a proposed lease agreement at that time.

The City Council's consensus is for the City Manager to continue the conversation with the postal service about the spaces behind the church.

22. **UNFINISHED BUSINESS**

22.A. **Request from Weirs Beach Pedal Boats to operate a pedal boat business using the City docks and space on the Boardwalk in Weirs Beach**

The City Manager's office was contacted in July, 2022 by Charles Carey regarding his proposal to operate a family friendly paddle boat attraction from the Weirs docks.

At their October 24, 2022 meeting the City Council voted to schedule a Public Hearing. That Public Hearing was held earlier in this evening's meeting. Per Section 229-3.C. of the City's Code (attached to the agenda), the City Council may lease public dock space to a commercial enterprise. Prior to entering into such a lease, at least one Public Hearing is required.

Please refer to the Agenda to see the attached information describing the proposal, photos of the types of paddle boats that would be used, and a map showing the location of the designated areas for both the smaller children's boats and the larger boats. A small EZ-Up type canopy/tent would be set up on the Boardwalk to sell tickets and would be taken down each evening.

Shipping time for the pedal boats can range anywhere from 12 to 20 weeks; if approved, Mr. Carey would plan to begin operation of the business in the summer of 2023.

Councilor Felch made a motion to table until the next meeting and for the City Manager to have a lease made for Council to review. The Council would also like to see a Memorandum of Understanding between both parties (the Mount Washington and the Carey's).

The *motion was tabled with all in favor.*

22.B. **Resolution 2022-14 - Second Reading - Approval of bonding for the purpose of purchasing solid waste and recycling containers**

At its meeting of August 8, 2022, the City Council approved a proposal to implement automated curbside collection of solid waste and recycling materials as of April 1, 2023. Implementation of this proposal requires the purchase of containers for residences and commercial addresses. At its meeting of September 26, 2022, the City Council approved a cart allocation plan designating the number and size of containers for single family residences, multi-unit residences and commercial businesses. The Department of Public Works estimates that purchase of the necessary carts,

accounting for carts already owned by Laconia residents and available Recycling Partnership grants, is \$850,000.

An allocation of \$700,000 for this purpose was included in the FY23 budget. A public hearing for the budget was held on June 13, 2022 and approval was granted on June 27, 2022 and on July 11, 2022. The purpose of this Resolution is to adjust the total allocation from \$700,000 to \$850,000 to accommodate for inflationary increases.

At their meeting on October 24, 2022, the City Council voted to schedule a Public Hearing. That Public Hearing was held earlier in this evening's agenda.

Exact fiscal impact is conditional on interest rates at the date of issuance. Current estimates are that interest rates at the time the bond is issued will be approximately 4.5%. Using this rate, the interest cost over the life of the bond is estimated to be \$210,000 over the 10-year term of the bond and \$38,500 in FY23.

Councilor Cheney made a motion to waive a reading of this Resolution in it's entirely and to read by title only. Seconded by Councilor Felch. Discussion: None

The ***motion passed with all in favor.***

Councilor Felch made a motion to approve a second reading of Resolution 2022-14, a Resolution relative to authorizing the City Manager to take any actions necessary to issue bonds for the purpose of purchasing solid waste and recycling containers. Seconded by Councilor Haynes. Discussion: None

The ***motion passed with all in favor.***

Councilor Soucy made a motion to approve Resolution 2022-14 as presented and authorize the City Manager to sign all related documents. Seconded by Councilor Felch. Discussion: None

The ***motion passed with all in favor.***

Manager Beattie stated the Finance Committee will be meeting on this subject on 11/28/22 at 6 PM.

23. **FUTURE AGENDA ITEMS**

23.A. **Master Plan**

23.B. **Milfoil Treatment funding requests**

23.C. **Sewer & Water Master Plan**

23.D. **Single Stream Recycling/Concord Co-op/Solid Waste disposal cost reductions**

23.E. **Strategic Planning/Goal Setting**

23.F. **WOW Trail**

23.G. **Weirs Beach Restoration Project**

23.H. **Fair St/Court St traffic problems and accidents**

24. **Any other business that may come before the Council**

25. **NON-PUBLIC SESSION (According to RSA 91-A:3, II)**

26. **ADJOURNMENT**

Mayor Hosmer adjourned the meeting at 8:38 PM

Respectfully submitted,

Katie Gargano, City Clerk