

Minutes were approved on September 11, 2023, by the City Council.

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

8/28/2023 - Minutes

1. CALL TO ORDER

Mayor Hosmer called the meeting to order at 7:00 PM

2. SALUTE TO THE FLAG

City Manager Beattie led the salute to the flag

3. RECORDING SECRETARY

Katie Gargano, City Clerk

4. ROLL CALL

Clerk Gargano called the roll of the following councilors: Councilor Cheney, Councilor Soucy, Councilor Haynes, Councilor Lipman attended via zoom and reported to be alone in the room, Councilor Bogert and Councilor Felch

Mayor Hosmer noted that Councilor Lipman joined the meeting at 7:03 PM and because he attended the meeting remotely, all votes must be taken by roll call vote this evening.

5. STAFF IN ATTENDANCE

Kirk Beattie, City Manager; Glenn Smith, Finance Director

6. COUNCIL PROCLAMATION

7. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

7.A. City Council regular meeting minutes of August 14, 2023

Minutes of the Laconia City Council meeting of August 14, 2023, were distributed to the members of the City Council on August 23, 2023.

With one change submitted by the Clerk under item 4. Roll Call was missing that Councilor Lipman was absent and that since Councilor Bogert attended the meeting remotely that all votes were going to be taken by roll call, the minutes were accepted as amended.

7.B. Special City Council meeting minutes of July 17, 2023

Minutes of the special Laconia City Council meeting of July 17, 2023, were distributed to the members of the City Council on July 31, 2023.

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

8. **CONSENT & ACTION ITEMS**

8.A. **Temporary Traffic Order 2023-15, Runaway Pumpkin 2023**

The 2023 Runaway Pumpkin 5K Run, 5K/10K Run/Walk and Kids’ Fun Run will take place on Saturday, October 28, 2023. This event is done in conjunction with the Pumpkin Festival, and proceeds from the event will benefit the WOW Trail. This is a recurring event, and there are no changes from last year’s TTO other than the date.

Councilor Felch made a motion to approve Temporary Traffic Order 2023-15 for the 2023 Runaway Pumpkin Event, as presented. Seconded by Councilor Haynes **Discussion:** Councilor Felch invited all members of the Council and the audience to join him in this event.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The *motion passed with all in favor.* 6-0

8.B. **Recommendations for appointments to Boards and Commissions**

The Appointments Subcommittee met on August 10, 2023, and interviewed several candidates for appointment or reappointment to the City’s Boards and Commissions.

The Appointments Subcommittee strongly recommends the appointment of the following individuals for the terms shown:

Jane Laroche – Appointment as a regular member on the Zoning Board of Adjustment to a term expiring at the end of August, 2026.

Tyler Carmichael – Appointment as a regular member on the Planning Board to serve the remainder of a term created upon the recent resignation of Peter Brunette. Mr. Carmichael’s term will expire at the end of June, 2024.

Gail Ober – Appointment as an alternate member on the Planning Board to a term expiring at the end of June, 2025.

Richard Ball – Appointment as an alternate member on the Conservation Commission to a term expiring at the end of August, 2026.

Brian Wolf – Reappointment as a regular member of the Water Commission to a term expiring at the end of June, 2026.

Jane Whitehead – Reappointment as a regular member on the Heritage Commission to a term expiring at the end of March, 2026.

Brian McEvoy – Appointment as a regular member of the Putnam Fund to a term expiring at the end of March, 2028.

Councilor Soucy made a motion to approve the appointment or reappointment of candidates listed above to the City’s Boards and Commissions as presented and as recommended by the Appointments Subcommittee. Seconded by Councilor Cheney. **Discussion:** Councilor Cheney was very pleased with the number of applications received.

By Roll Call Vote:

Councilor Cheney: Yes

Councilor Soucy: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Bogert: Yes

Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

9. CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA

None.

10. INTERVIEWS

11. NOMINATIONS, APPOINTMENTS & ELECTIONS

12. COMMUNICATIONS

13. PUBLIC HEARINGS

13.A. Resolution 2023-19 - Public Hearing - Request to establish a Laconia School District LHS Stadium repair and upgrade reserve account, and appropriate \$100,000 to the reserve account

Notice of this Public Hearing was made available in the August 16, 2023, edition of the Laconia Daily Sun, and posted at Laconia City Hall, Laconia Community Center, Laconia Public Library and the offices of the SAU.

This item may be taken up later under unfinished business.

Mayor Hosmer opened the Public Hearing at 7:08 PM.

No one from the public wished to speak.

Mayor Hosmer closed the Public Hearing at 7:09 PM.

13.B. Resolution 2023-20 - Public Hearing - Request to authorize acceptance of ARPA funds from Belknap County in the amount of \$25,000 to fund E-bikes for the Laconia Police Department's Bicycle Patrol Unit

Notice of this Public Hearing was made available in the August 16, 2023 edition of the Laconia Daily Sun, and posted at Laconia City Hall, Laconia Community Center, Laconia Public Library and the offices of the SAU.

This item may be taken up later under unfinished business.

Mayor Hosmer opened the Public Hearing at 7:09 PM.

No one from the public wished to speak.

Mayor Hosmer closed the Public Hearing at 7:10 PM.

13.C. Resolution 2023-21 - Public Hearing - Laconia Fire Department - Request to accept and expend a Federal Emergency Management Agency (FEMA) Assistance to

Firefighters Grant

Notice of this Public Hearing was made available in the August 16, 2023 edition of the Laconia Daily Sun, and posted at Laconia City Hall, Laconia Community Center, Laconia Public Library and the offices of the SAU.

This item may be taken up later under unfinished business.

Mayor Hosmer opened the Public Hearing at 7:10 PM.

No one from the public wished to speak.

Mayor Hosmer closed the Public Hearing at 7:11 PM.

14. PRESENTATIONS

15. MAYOR'S REPORT

None.

16. COUNCIL COMMENTS

Councilor Cheney mentioned he spoke to the manager about sports equipment earlier this evening, he'd also like to know an update on the traffic issue at the Elm Street School from the Superintendent. Manager Beattie said the traffic issue is still being worked on, but it's not finalized yet.

Councilor Felch spoke about the Leavitt Park Carnival that was this past weekend, there was a great turnout.

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)

Councilor Soucy noted that the Government Operations and Ordinances met this past Friday (August 25, 2023) and met on several subjects. The Parks and Rec department came forward with a number of changes, and it will be brought forth to the council for a public hearing. There was a discussion with the DPW director on the issue of drive-offs and they discussed an on-street parking issue on Girard Street. They discussed dilapidated and hazardous buildings, the fireworks ordinance, and casinos being allowed in the City.

The mayor asked for his update to added to the City Website.

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**

None.

20. **CITY MANAGER'S REPORT**

20.A. **Project Updates Report**

Manager Beattie went over the project updates report with the Council. He stated that paving and sidewalk projects are getting completed, there will be an Academy Street bridge meeting here at City Hall, another meeting on the Centenary Street bridge project, an update on the Highland Street bridge; the membrane failed but the decking passed; the project won't be taking as long as expected. Messer Street bridge is moving along ahead of schedule and they will be moving to the other side of the bridge soon. An update on the Native American sculpture was given as well. They are having engineering issues with stabilizing it to the base.

20.B. **Monthly Economic Development Report**

Manager Beattie went over the Monthly Economic Development Report with the Council. The CPI number went up a little bit compared to last month.

Councilor Felch asked about when Elm Street paving and Bell Street down towards Franklin Street is going to get done too. Director Anderson explained that it's going to be paved from Bell Street to Hickory Stick Lane.

Mayor Hosmer mentioned some calls he's gotten from people concerned about crossing the street at the Country Club. Director Anderson explained that they have been working with the Country Club for months now and they will be putting in a crosswalk for pedestrians that is further down the hill. The fees are being shared with the Country Club. Time frame of completion has not been determined yet.

Councilor Bogert asked about the Winnepesaukee River Basin Project meeting on Sept 7th, Director Anderson said that the date and time got changed. It is likely going to be the 19th. Director Anderson will forward the information when available.

Councilor Haynes asked about Summer Street, if there was curbing included. Manger Beattie said no.

21. NEW BUSINESS

At this time the mayor took the following agenda Items out of order:

22. A

22.B

22.C

21.A. Transfer of \$131,100 to the Non-Capital Reserve Account

Resolution 2023-16 authorized the carryforward of funds in specific accounts from FY23 into FY24. Several of these carryforwards were for the expressed purpose of moving funds into the non-capital reserve to maintain the availability of funds for the purposes established by City Council if proposed expenses occur after June 30, 2024. These are:

Playground Revitalization \$25,000.00

Stormwater Eng & Design \$50,000.00

Litigation Reserve \$30,000.00

DPW Building Replacement \$26,100.00

Total \$131,100.00

Councilor Soucy made a motion to approve the transfer of \$131,100 into the Non-Capital Reserve Account as presented. Seconded by Councilor Bogert **Discussion:** Councilor Haynes asked about the playground revitalization, are they trying to build one? Manager Beattie said it was work that was already talked about that just hadn't been done yet. Councilor Lipman asked about when the funds are set to come out, and if they need to be voted on again. Yes they do.

By Roll Call Vote:

Councilor Cheney: Yes

Councilor Soucy: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Bogert: Yes

Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

21.B. **Resolution 2023-22 - Establishment of a Bridge Repair and Reconstruction Capital Reserve Fund and to transfer \$140,500 to the fund**

Due to engineering, design and construction schedules bridge projects are often spread over several years and are subject to frequent delays. In the past funding for bridge projects have been carried forward from year to year. Establishment of the reserve fund will allow for better accounting of bridge project funds by eliminating the need to carry forward such funds numerous times.

The requested transfer into this reserve has previously been appropriated as part of the FY24 approved budget.

Councilor Cheney made a motion to waive a reading of Resolution 2023-22 in its entirety and to read by title only. Seconded by Councilor Soucy **Discussion:** Councilor Lipman noted that again the approval to take these funds out it will have to come back before the council. Councilor Bogert asked about the difference of dollar amounts listed on the resolution and the motion in the staff report. Manger Beattie said the resolution is correct.

By Roll Call Vote:

Councilor Cheney: Yes Councilor Soucy: Yes Councilor Lipman: Yes

Councilor Haynes: Yes Councilor Bogert: Yes Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

Councilor Felch made a motion to move a first reading of Resolution 2023-22 relative to the establishment of a Bridge Repair and Reconstruction Capital Reserve fund, and to transfer \$65,500 to the fund. Seconded by Councilor Cheney **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes Councilor Soucy: Yes Councilor Lipman: Yes

Councilor Haynes: Yes Councilor Bogert: Yes Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

Councilor Soucy made a motion to schedule a Public Hearing on September 11, 2023, during the regular City Council meeting to gather public input prior to any action being taken. Seconded by Councilor Haynes **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes Councilor Soucy: Yes Councilor Lipman: Yes

Councilor Haynes: Yes Councilor Bogert: Yes Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

21.C. **Resolution 2023-23 - Establishment of a Street and Highway Project Capital Reserve Fund and transfer \$52,400.00 to the fund**

Each year the City Council raises and appropriates funds for the repair of city streets and highways.

For various reasons, such as weather, coordination with outside parties, and unforeseen engineering obstacles, funds are sometimes not spent by year end. In the past the city has addressed the problem through a series of carryforwards from year to year. Establishment of the reserve provides a more efficient means of managing these funds while ensuring that they will be used for the purpose established by the City Council.

The requested transfer into this reserve has previously been appropriated as part of the FY24 approved budget.

Councilor Soucy made a motion to waive a reading of Resolution 2023-23 in its entirety and to read by title only. Seconded by Councilor Cheney **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

Councilor Felch made a motion to move a first reading of Resolution 2023-23 relative to the establishment of a Street and Highway Project Capital Reserve Fund and transfer \$52,400.00 to the fund. Seconded by Councilor Bogert **Discussion:** Councilor Lipman noted that again the approval to take these funds out it will have to come back before the council.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

Councilor Soucy made a motion to schedule a Public Hearing on September 11, 2023, during the regular City Council meeting to gather public input prior to any action being taken. Seconded by Councilor Cheney **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

21.D. **Resolution 2023-24 - Approval of bonding for the purpose of purchasing a replacement fire engine**

The FY24 budget adopted by the City Council on June 27, 2023, included a provision for replacement of Fire Engine #2, which is 32 years old, in poor condition, and has reached the end of its useful life.

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 3.0%. Using this rate, the interest cost over the life of the bond is estimated to be \$294,000 over the 20-year term of the bond and \$28,100 in FY24.

Discussion: Mayor Hosmer asked Finance Director Smith, if they were to take out a bond today what would the rate be? If it was through a bond bank it would be roughly 3%. For the purposes of estimating they are using the 3% number.

Councilor Soucy asked when the payment is made to the manufacturer. Chief Joubert explained that the bid process is going to start soon, and it will include clarification of what the term will be. Mayor Hosmer asked Manager Beattie what the payment plan has been like in his experience. Down payment now or one lump sum at the end. Manager Beattie said they have paid upfront but it didn't have a two-year build time. Each time has been a little bit different, but they will find out all possible scenarios. Manager Beattie clarified for Councilor Soucy that they will get the bond details. It will then go before the Finance Committee and then come back to the full council for final approval. Director Smith also clarified that the purpose of the following motions is to give them permission to take the next step with the RFP's and get all of those specific details sorted to bring back to the council.

Councilor Lipman mentioned at the last finance meeting the possibility of lumping this together with an ambulance to try to get the best deal. Manger Beattie said that they couldn't find a manufacturer they could work with on getting both a firetruck and an ambulance at one time. They are however looking at doing a package of two ambulances to get a better rate there. Councilor Lipman hopes to see some finance packages to be inclusive of all the separate vehicles to get a better rate.

Councilor Soucy made a motion to waive a reading of Resolution 2023-24 relative to approval of bonding for the purpose of purchasing a replacement fire engine. Seconded by Councilor Felch **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

Councilor Soucy made a motion to move a first reading of Resolution 2023-24 relative to approval of bonding for the purpose of purchasing a replacement fire engine. Seconded by Councilor Felch **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

Councilor Felch made a motion to schedule a Public Hearing on September 11, 2023, during the regular City Council meeting to gather public input prior to any action being taken. Seconded by Councilor Bogert **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The *motion passed with all in favor.* 6-0

21.E. **Resolution 2023-25 - Approval of bonding to fund Sanitary Sewer Fund capital projects for the period of Fiscal Year 2024 through Fiscal Year 2026**

The long-term funding plan associated with the sewer rate increases approved in February 2023 restricted capital expenditures to \$1,000,000 per year, and called for all sanitary sewer fund capital expenses to be funded through the issuance of bonds. Prior to adoption of the plan, minor capital expenses, such as vehicle purchases and recurring programs such as pipe lining and pump station reconstruction were funded through the ratepayer payments and major projects were funded through bonding. Consequently, the current budget adopted in June contained no funding for sewer fund capital projects. The proposed bond provides funding for sanitary sewer fund capital expenses over the next three fiscal years in a manner consisted with the adopted plan. Projects anticipated to be funded with this bond are:

	FY23-24	FY24-25	FY25-26	Total
Asset Management Program			\$ 20,000	
	\$ -		\$ -	\$ 20,000
Black Brook Pump Station-Generator/Upgrades			\$ 80,000	\$ -
			\$ -	\$ 80,000
Chapin Terrace Pump Station Upgrade			\$ -	\$
		100,000	\$ -	\$ 100,000
Gravity Sewer Mains Upgrade			\$ 100,000	\$
		110,000	\$ 120,000	\$ 330,000
Pump Station Engineering			\$ 150,000	
	\$ -		\$ -	\$ 150,000
Pipe and Manhole Lining Program			\$ 550,000	\$
		690,000	\$ 770,000	\$ 2,010,000
Pump Station Control/Data System			\$ 30,000	\$ -
			\$ -	\$ 30,000
Pump Station Building Improvements			\$ 70,000	\$ -
			\$ -	\$ 70,000
Pump Station Debris Removal Equipment			\$ -	\$
		100,000	\$ 110,000	\$ 210,000
TOTAL SSF CAPITAL OUTLAY			\$ 1,000,000	\$
		1,000,000	\$ 1,000,00	\$ 3,000,000

It is understood that unforeseen repair and reconstruction projects may require that funds be diverted from these projects to other priorities.

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 3.0%. Using this rate, the interest cost over the life of the bond is estimated to be \$945,000 over the 20-year term of the bond, with the first payment of \$90,000 occurring in FY25.

Discussion: Manager Beattie explained that during the budget preparation when looking at what was

needed to cover the cost to be able to do what's needed resulted in an increase to the users. After working with the Finance Committee and working with the budget, it was decided to get a bond this year and next year to cover some of the capital expenses. The report shows potential anticipated projects that will be covered. We know that things may change based on priority. Manager Beattie stated they are seeking to put together a bond information package and give it to the Finance Committee for review and then get it back before the full council for approval so that it can go into the sanitary sewer fund capital improvement projects.

Councilor Bogert asked if this will create an increase to the rate payers, Councilor Lipman explained that a lot of these upgrades will far exceed the lifetime of some of the residents of the city so by financing it, what we're making sure is that everybody who is going to benefit from it is going to pay something into it rather than put it all on current rate payers. While this plan does cost more to finance this, it will spread the cost over a longer period of time so that future people who use the sewer system are not getting it for free and the current rate payers aren't paying 100% of it.

Councilor Haynes made a motion to waive a reading of Resolution 2023-25 relative to approval of bonding to fund Sanitary Sewer Fund capital projects for the period of fiscal year 2024 through fiscal year 2026. Seconded by Councilor Soucy **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

Councilor Felch made a motion to move a first reading of Resolution 2023-25 relative to approval of bonding to fund Sanitary Sewer Fund capital projects for the period of fiscal year 2024 through fiscal year 2026. Seconded by Councilor Soucy **Discussion:** Councilor Lipman noted that the budget contemplated that we would be doing this.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

Councilor Cheney made a motion to schedule a Public Hearing on September 11, 2023, during the regular City Council meeting to gather public input prior to any action being taken. Seconded by Councilor Haynes **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

21.F. **Approval of 2026 Weirs Boulevard (Route 3) bridge over Langley Brook NHDOT Project Agreement**

The State's current ten-year transportation improvement plan (2023-2033) included the reconstruction of the Weirs Blvd (Route 3) bridge over Langley Brook with the work to be constructed in 2026.

The Weirs Blvd (Route 3) bridge over Langley Brook is on the State's municipal bridge redlist.

In November of 2014; the City requested the Weirs Blvd Bridge over Langley Brook (Bridge No. 135/128) be included in the NHDOT Municipal Bridge Aid Program.

The bridge is in the Federal Municipally Owned Bridge Rehabilitation and Replacement (MOBRRR) Program created under the Federal Bipartisan Infrastructure Law (BIL). The City's share is 20%.

Anticipated project cost \$2,915,923

Federal Share (80%) \$2,332,739

City Share (20%) \$583,184

Hoyle Tanner Engineer has been selected as the preliminary engineering design firm. CMA Engineers have been selected to be the construction engineering firm.

The Langley Cove Development Project by Brady Sullivan has committed to participating in 1/3 of the City's share of the project. Brady Sullivan would then write a check to the City of Laconia for 33.3% of the City's \$583,184 resulting in a net cost to the City of approximately \$388,789.

Discussion: Director Anderson explained the above agreement. Construction could be as early as 2025.

Councilor Felch asked if it was a state bridge, it was confirmed it is not.

Councilor Cheney made a motion to waive a reading of Resolution 2023-26 relative to approval of 2026 Weirs Boulevard (Route 3) Bridge over Langley Brook NHDOT Project Agreement. Seconded by Councilor Haynes **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

Councilor Soucy made a motion to move a first reading of Resolution 2023-26 relative to approval of 2026 Weirs Boulevard (Route 3) Bridge over Langley Brook NHDOT Project Agreement. Seconded by Councilor Felch **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

Councilor Felch made a motion to schedule a Public Hearing on September 11, 2023, during the regular City Council meeting to gather public input. Seconded by Councilor Cheney **Discussion:**

None.

By Roll Call Vote:

Councilor Cheney: Yes

Councilor Soucy: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Bogert: Yes

Councilor Felch: Yes

The *motion passed with all in favor.* 6-0

21.G. **Approval of donation of \$5,000 to the Laconia Youth Soccer League to help replace damaged equipment**

The Laconia Youth Soccer League is seeking funds to help replace approximately \$13,000 of damaged equipment used in their program. They are seeking donations from other groups, as well as from the City.

This agenda item proposes to provide a donation of \$5,000 to the Laconia Youth Soccer League.

Mayor Hosmer provided some background, they have been using a storage shed that belonged to the City. There was a small amount of rent being paid yearly. There was a door left open and there was extensive damage from heavy rains and there was a lot of mold and mildew in the shed. Piche's provided an estimate of the cost to replace the equipment. Primex would not cover the cost of the damage because there was no written rental agreement in place. Manager Beattie will be working with Director Lovisek to create rental agreements that require private insurance by the renter in case something were to happen. Manger Beattie stated that for the purpose of the motions on the table is to be able to use ARPA money that we still have remaining if approved,

Councilor Haynes asked if we were setting a precedence? Mayor Hosmer agreed because after speaking with Manager Beattie about having a better process in place going forward. Also, even though the renters were paying something, they need to have liability insurance on what they are storing there. Manager Beattie explained that they did have a rental use agreement form, but it didn't specifically get into rental insurance. The documents will be adjusted.

Councilor Bogert said he's involved of the youth football, and they have used the basement in the community center for a number of years, there have been a couple occasions where they have experienced a loss and they took the responsibility on themselves and never once approached the city requesting any time of money.

Councilor Felch said that there was something under the door that prevented it from closing completely.

Councilor Felch made a motion to approve the donation of \$5,000 to the Laconia Youth Soccer League to help replace damaged equipment. Seconded by Councilor Cheney **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes

Councilor Soucy: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Bogert: Yes

Councilor Felch: Yes

The *motion passed with all in favor.* 6-0

21.H. **Request to submit a grant application for the replacement of the Hilliard road culvert crossing over Pickerel Cove**

Federal Emergency Management Agency's (FEMA) grant programs include a Hazardous Mitigation Grant Program (HMGP). The purpose of this grant is to reduce repetitive costs of repair/reconstruction of public structures damaged or destroyed by natural disasters. This includes replacement of culverts and bridges that have experienced or may experience significant damage common with severe storms/flooding.

These grants are first reviewed and prioritized by the Division of Homeland Security & Emergency Management in New Hampshire's Department of Safety. Hilliard Road culvert crossing was one of the projects prioritized for the State's allocation of HMGP funding. The project is one of the projects FEMA is considering for funding. FEMA has requested that the City submit a formal application and additional background information on the project. This is the next step in FEMA's process before they finalize the projects selected for the current allocation of funding.

The match requirement for the grant is 10%.

Anticipated project cost \$1,261,568

Federal Share \$1,135,411

City Share \$126,157

If FEMA approves the grant, Public Works expects construction will start approximately three years after approval. Public Works will include the City's share of the project in September's CIP submission for FY 2025 and beyond.

Manager Beattie explained the above grant application request. This started just about a year and a half ago and they are seeking grant money to fund this. FEMA has requested that the City submit an official grant application.

Councilor Cheney made a motion to authorize the City Manager to submit a grant application to FEMA's Hazardous Mitigation Grant Program to replace the culvert crossing on Hilliard Road over Pickerel Cove. Seconded by Councilor Felch **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes

Councilor Soucy: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Bogert: Yes

Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

21.1. Ownership and maintenance of Pickerel Pond Road

At their meeting on August 14, 2023, the City Council discussed the ownership and maintenance of Pickerel Pond Road.

At that meeting, City Manager Beattie laid out the options available to the Council with regard to the road as follows: One option is for the City to own the road; the second option is to go through the full "accept as is" program; and the third option offered is to formulate a document to be sent out to all of the property owners on Pickerel Pond Road. A recommendation was made to follow the third option presented, to send out letters to all property owners on the road.

On August 22, 2023, a letter was sent out by certified mail to all of the property owners on Pickerel Pond Road. A copy of the letter is attached to the agenda.

About 30 letters were mailed out.

Mayor Hosmer read part of the letter for the record: *“Laconia City Council is in the process of determining the status of Pickerel Pond Road as a public way. This road has long been believed to be private but one interpretation of historic documents from the Town of Meredith, dating back to the late 1700s has been presented to the City that questions this designation. It is not entirely clear given the new information whether Pickerel Pond Road is a private road or whether it was laid out as a public way. However, the Council believes that there’s support for finding that it was laid out as a public way. Because of the conflicting information in the record there is consensus of the City Council to accept the designation of Pickerel Pond Road as a public way rather than pursue a formal process of acceptance of the road through the traditional acceptance process. However, in order for the City Council to move forward in this manner we will require a full survey of the road to determine the true width and length of the road. The Town of Meredith records show the width and length of the road to have varying measurements. Easements will be needed from the abutting property owners to ensure access for city maintenance including but not limited to, drainage, paving and repair.”*

Mayor Hosmer noted that Councilor Cheney has recused himself from this discussion and the vote.

Councilor Bogert made a motion to schedule a Public Hearing on September 11, 2023, during the regular City Council meeting to gather public input prior to any action being taken. Seconded by Councilor **Soucy Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Recused Councilor Soucy: Yes Councilor Lipman: Yes

Councilor Haynes: Yes Councilor Bogert: Yes Councilor Felch: Yes

The ***motion passed with 5 in favor.*** 5-1 recusal

21.J. Approval of the creation of, and appointing members to, The Colonial Theatre Advisory Board

A Colonial Theatre Advisory Board has been created as provided for in the Management Agreement between the City of Laconia and Spectacle Management. As outlined in that agreement, *“...the Board shall be appointed by the City Council to serve as a liaison and sounding board with Spectacle, a conduit to the City Council and City Manager, and an evaluator of ideas and recommendations concerning the facility to the City Manager.”*

Mayor Hosmer stated the following are the names of the individuals that wish to be appointed to the Board: Scott Myers, Jim Rogato, Bob Salome, Jared Guilmett, Karen Sullivan, Donna Hosmer and Cori Tessier.

Councilor Soucy made a motion to approve the creation of The Colonial Theatre Advisory Board, and to appoint the individuals named above as members of the Board. Seconded by Councilor Haynes **Discussion:** Councilor Felch noted this is a great group of people.

By Roll Call Vote:

Councilor Cheney: Yes Councilor Soucy: Yes Councilor Lipman: Yes

Councilor Haynes: Yes Councilor Bogert: Yes Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

21.K. Request from Lakes Region Public Access TV for \$6,000 to help with the costs of

relocation of their studio

Lakes Region Public Access TV (LRPA) has requested \$6,000 from the City to help with the relocation of their studio from the Laconia High School to another location within the City.

Mayor Hosmer stated that he has been speaking with Nancy Leroy and mentioned that she came to him a couple of years ago regarding this. Originally LRPA needed a place to land and that ended up at the high school with intent to be combined with the visual arts program. Subsequent to them arriving there, the visual arts moved to the Hewitt Technical Center. There is a significant renovation project that is commencing at the high school and they are squeezed for space. They spoke of moving LRPA to 67 Water Street. The utility cost would see an increase and rental costs.

Councilor Soucy made an amended motion to approve providing up to \$10,000 to Lakes Region Public Access TV to help with the relocation of their studio. Seconded by Councilor Bogert **Discussion:** Manager Beattie said that the money will come out of the contingency line. Councilor Lipman asked if there was another property owned by the City where they could go to avoid having to put so much money into it. Councilor Soucy explained that the main fee is running the fiber lines from the high school to any building that has to be done by the utility company. Mayor Hosmer said there may be a better spot that is just not aware of. At the time this seemed like a good fit and it was readily available. Mayor Hosmer requested the City Manager follow this closely going forward if there is a better spot. Councilor Lipman asked if the library in Lakeport would work. Mayor Hosmer said he thinks they would be pushed for space but that it can be looked into. Councilor Cheney said he thinks this motion deals with right now and the idea of looking for city space going forward should be part of the understanding but that we need this vote tonight to get started. Councilor Felch stated that as the liaison for the library there is definitely not enough room there at the Goss Reading Room.

By Roll Call Vote:

Councilor Cheney: Yes

Councilor Soucy: Yes

Councilor Lipman: Yes

Councilor Haynes: Yes

Councilor Bogert: Yes

Councilor Felch: Yes

The *motion passed with all in favor.* 6-0

22. UNFINISHED BUSINESS

22.A. **Resolution 2023-19 - Request to establish a Laconia School District LHS Stadium repair and upgrade reserve account, and appropriate \$100,000 to the reserve account**

A request to establish a reserve account for LHS stadium repair and upgrade, and to allocate and appropriate \$100,000 to the account, has been received from Steve Tucker, Superintendent of SAU#30.

The purpose of the Bank of NH Stadium Reserve Account would be to take care of any upgrades and repairs to the athletic stadium and fields at Laconia High School. Of concern at this point is the turf at the Stadium, which needs to be replaced periodically. It is anticipated that the turf will need to be replaced in three to eight years.

At the August 14, 2023, City Council meeting a motion was approved to schedule a Public Hearing on this matter; that Public Hearing was held earlier in this evening's agenda.

Adoption of this Resolution will reduce the balance in the School District FY23 Unexpended Appropriations by \$100,000.

Councilor Cheney made a motion to waive a reading of Resolution 2023-19 and to read by title only. Seconded by Councilor Haynes. **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

Councilor Soucy made a motion to move a second reading of Resolution 2023-19 relative to authorizing the City Manager to establish a Capital Reserve Account for the Laconia School District to be titled "The Laconia School District LHS Bank of New Hampshire Stadium Repair and Upgrade Reserve Account. Seconded by Councilor Haynes **Discussion:** Councilor Lipman wanted to note this is an SAU reserve account, that has approximately \$1,000,000 dollars. The request is to move \$100,000 dollars to a different reserve account to use for this.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

Councilor Soucy made a motion to approve Resolution 2023-19, relative to authorizing the City Manager to establish a Capital Reserve Account for the Laconia School District to be titled "The Laconia School District LHS Bank of New Hampshire Stadium Repair and Upgrade Reserve Account." Seconded by Councilor Haynes. **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

22.B. **Resolution 2023-20 - Request to authorize acceptance of ARPA funds from Belknap County in the amount of \$25,000 to fund E-bikes for the Laconia Police Department's Bicycle Patrol Unit**

By acceptance of these funds, the Laconia Police Department will be able to purchase five fully outfitted E-bikes to assist the Department's bicycle unit in their patrols. The E-bikes will allow the bicycle unit members to decrease their response times to calls for service by allowing them to travel a significant distance quickly and not be fatigued upon arrival at the call. It will allow them to be able to patrol a larger area and still be physically ready and able to respond to those calls.

At the August 14, 2023 City Council meeting a motion was approved to schedule a Public Hearing on this matter; that Public Hearing was held earlier in this evening's agenda.

The total cost for the five E-bikes is approximately \$27,000.00. The Police Department will take \$2,000.00 out of their operating budget to make up the shortfall.

Councilor Cheney made a motion to waive a reading of Resolution 2023-20 in its entirety and to read by title only. Seconded by Councilor Haynes. **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

Councilor Cheney made a motion to move a second reading of Resolution 2023-20, relative to the acceptance of ARPA funds from Belknap County in the amount of \$25,000 to fund E-bikes for the Laconia Police Department's Bicycle Patrol Unit. Seconded by Councilor Bogert **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

Councilor Felch made a motion to approve Resolution 2023-20, relative to the acceptance of ARPA funds from Belknap County in the amount of \$25,000 to fund E-bikes for the Laconia Police Department's Bicycle Patrol Unit as presented, and to authorize the City Manager to sign all documents related to this matter. Seconded by Councilor Bogert **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

22.C. **Resolution 2023-21 - Laconia Fire Department - Request to accept and expend a Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant**

This is a request from the Laconia Fire Department to accept a grant award of \$24,931.80 to be used for the purchase of technical rescue equipment.

At the August 14, 2023 City Council meeting a motion was approved to schedule a Public Hearing on this matter; that Public Hearing was held earlier in this evening's agenda.

The City's share of this grant is 5%, or \$1,246.60.

Councilor Cheney made a motion to waive a reading of Resolution 2023-21 in its entirety and to read by title only. Seconded by Councilor Haynes **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

Councilor Cheney made a motion to move a second reading of Resolution 2023-21 relative to authorizing the City Manager to accept and expend an Assistance to Firefighters Grant on behalf of the City in the amount of \$24,931.80. Seconded by Councilor Soucy **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

Councilor Felch made a motion to approve Resolution 2023-21 relative to authorizing the City Manager to accept and expend an Assistance to Firefighters Grant on behalf of the City in the amount of \$24,931.80, and to authorize the City Manager to sign all documents related to this matter. Seconded by Councilor Haynes **Discussion:** None.

By Roll Call Vote:

Councilor Cheney: Yes	Councilor Soucy: Yes	Councilor Lipman: Yes
Councilor Haynes: Yes	Councilor Bogert: Yes	Councilor Felch: Yes

The ***motion passed with all in favor.*** 6-0

22.D. **Request to authorize the City Manager to enter into a one-year extension of an existing cable television franchise agreement between the City and COGECO US (NH_ME), LLC, d/b/a Breezeline**

Laconia is one of ten member communities in the Lakes Region Cable Television Consortium ("Consortium"). In 2014 the Consortium successfully negotiated a franchise agreement with Metrocast Cablevision of New Hampshire LLC. That agreement expires on December 31, 2023. In 2018 Metrocast was acquired by Cogeco, which currently provides services under the name 'Breezeline'.

The Consortium started the process of negotiating a renewal of the franchise agreement in 2021. Discussions have been hampered by a lack of compliance with the current agreement. The area of greatest concern is response time for customers calling Breezeline's call centers. The franchise agreement requires an answer by a customer representative within minutes of when the connection was made 90% of the time. Customers often report hold times of several hours. Based on this failure, but realizing the deleterious impact of the Covid 19 pandemic on business operations, and also acknowledging improvements in recent months, Consortium members proposed amending the current franchise agreement to add 5 years to the term. Breezeline rejected the proposed amendment and counter proposed a one-year extension of the current franchise agreement.

The proposed one-year extension is advantageous to the City as it allows for continued monitoring of improvements to customer service response times and address other issues while maintaining the provisions of the current franchise agreement.

The City Council discussed this matter at their July 24, 2023, meeting, at which time a motion was approved to table this item to allow strategizing with legal counsel.

This item was not discussed during the meeting, the Mayor adjourned the meeting and they began a non-meeting.

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 8:34 PM

Respectfully submitted,

Katie Gargano, City Clerk