

FINAL

**LEBANON CITY COUNCIL
MINUTES, REGULAR SESSION
Wednesday, July 7, 2021, 7:00 p.m.
Remote Via Webex: LebanonNH.gov/Live**

MEMBERS PRESENT: Mayor Tim McNamara, Assistant Mayor Clifton Below, Erling Heistad, Karen Liot Hill, George Sykes, Douglas Whittlesey, Devin Wilkie, and Karen Zook

MEMBERS ABSENT: Jim Winny

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager Paula Maville, City Clerk Kristin Kenniston, Director of Planning & Zoning David Brooks, GIS Coordinator Mark Goodwin

- 1. CALL TO ORDER:** Mayor McNamara called the meeting to order at 7:01 p.m.
 - Councilor Zook was given permission to attend the meeting remotely for medical reasons.
- 2. PLEDGE OF ALLEGIANCE:** Assistant Mayor Below led the Council in the Pledge.
- 3. PUBLIC FORUM:** Mayor McNamara made the Public Forum announcement.

4. OPEN TO PUBLIC:

Councilor Hill thanked the Recreation, Arts & Parks Department for the July 4th celebration festivities. No one from the public came forth.

5. RECOGNITIONS:

- A. Resolution in Honor and Memory of Paul Boucher

RESOLUTION IN HONOR AND MEMORY OF PAUL BOUCHER

WHEREAS, Paul Boucher served the City of Lebanon as Director of the Lebanon Area Chamber of Commerce beginning in 1979; becoming Board Chairman in 1983; and then serving as President and CEO from 2000 until his retirement in 2016; and

WHEREAS, Paul Boucher was a 48-year member of the Rotary Club of Claremont and Lebanon and served as Lebanon's President from 1983-1984; and

WHEREAS, Paul Boucher served as a board member for organizations to include the Alice Peck Day Memorial Hospital Board of Trustees, Dartmouth Hitchcock Medical Center Board of Overseers, Advisory Board for River Valley Community College, CATV, Lebanon College, Grafton County Regional Development Corporation, and the Lebanon Airport Advisory Committee; and

WHEREAS, Paul Boucher served in other capacities such as Counselor for SCORE, Treasurer of the Community Colleges of New Hampshire Foundation, and Trustee for the Marion Carter House; and

WHEREAS, Paul Boucher was the recipient of Citizens Bank and WMUR “Heart of Your City” award in 2012, and Lebanon Citizen of the Year in 2014; and

WHEREAS, Paul Boucher contributed immense time and energy toward the betterment of the Lebanon Community through his service and highest standards of personal ethics, love, and devotion to the City and its citizens.

NOW, THEREFORE BE IT RESOLVED, that the Lebanon City Council on behalf of the citizens of Lebanon extend their sincere appreciation and gratitude to the family of Paul Boucher in honor of his lifetime service to Lebanon and his representation and example of leadership to other communities in both New Hampshire and Vermont.

BE IT FURTHER RESOLVED, that this resolution be written upon the minutes of the Lebanon City Council meeting.

Dated this 7th day of July 2021.

Timothy J. McNamara, Mayor
on behalf of the Lebanon City Council

Mrs. Karen Boucher was present and accepted the Resolution in honor of her husband, Paul Boucher.

B. Resolution in Honor of Rebecca and Raymond Book

RESOLUTION HONORING REBECCA & RAYMOND BOOK

WHEREAS, Rebecca and Raymond Book have steadfastly served on the City of Lebanon Heritage Commission and have benefitted the community, from 2001 through June 2021, with Rebecca as a regular member for 12 years, and Raymond as an alternate member for 7 years; and

WHEREAS, Rebecca was a member of the Dana House Committee, for which she was a committed promoter of the Dana House’s history, upkeep, preservation, and integrity, as well as its educational opportunities, and Raymond was the Heritage Commission representative to the original Class VI Roads Committee; and

WHEREAS, it is important to celebrate the role of history in our lives and contributions made by individuals such as Rebecca and Raymond Book; and

WHEREAS, the Books are devoted students of early American history and have granted significant time and efforts to enhance awareness in the City’s past, including extensive research for the Lyman Bridge dedication, downtown Mall kiosk installation and displays, Certified Local Government projects, and Heritage Commission outreach; and

WHEREAS, Rebecca and Ray have been active, long-time residents of the West Lebanon community, following, for Rebecca, a career in local real estate and education from nursing programs at the Mary Hitchcock Memorial Hospital; and

WHEREAS, Rebecca continues to serve as the Regent of the Thomas Chittenden Chapter, Vermont State Society of the Daughters of the American Revolution, providing valuable community engagement services and historic research through that organization and for the region.

NOW THEREFORE BE IT RESOLVED, that the Lebanon City Council, on behalf of the City of Lebanon, extends its sincere appreciation to the Books for their dedicated service and contributions to the community over the past 20 years.

BE IT FURTHER RESOLVED, that this Resolution be written upon the minutes of the Lebanon City Council meeting and a copy be presented to the Books.

Dated this 7th day of July 2021 at Lebanon, New Hampshire.

Timothy J. McNamara, Mayor
on behalf of the Lebanon City Council

Mr. & Mrs. Book were present and accepted the Resolution in their honor.

6. ACCEPTANCE OF MINUTES:

A. June 16, 2021 (Regular Session)

Amendments: Page 11, line 48 (agenda packet): For clarification, the end of the last sentence should read: “while other communities do not have a Mask Ordinance.”

Councilor Heistad MOVED to approve the June 16, 2021 (Regular Session) minutes as written/amended and presented in the July 7, 2021 City Council agenda packet.
Seconded by Councilor Whittlesey.

Roll Call Vote:

Assistant Mayor Below, and Councilors Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara all voting Yea.

None voted Nay.

***The Vote on the MOTION was approved (8-0).**

7. APPOINTMENTS:

- Heritage Commission, Matthew Smith (Regular Member)

Councilor Sykes put forth the NOMINATION of Matthew Smith as a regular member of the Heritage Commission. Three Year Term (7/21-7/24)

Roll Call Vote:

Assistant Mayor Below, and Councilors Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara all voting Yea.

None voted Nay.

***The Vote on the NOMINATION was approved (8-0).**

8. PUBLIC HEARING ITEMS:

- A. AMEND ORDINANCE NO. 18, SALARY PLAN** – A public hearing for the purpose of receiving public input and taking action to Amend Ordinance #18, Salary Plan as follows:

1. Amend Article II, Non-Affiliated & LPASE Employees, Section A - Regular Full-time and Part-time Benefit Eligible Positions to reclassify the position of Human Services Director from a Grade 10 to a Grade 12; and to add the position of Deputy Assessor (Grade 9)
2. Amend Article II, Non-Affiliated & LPASE Employees, Section B – Seasonal/Temporary & Stipend Employees to increase the wage ranges for Seasonal Laborers and CDL Seasonal Drivers.

The City Council scheduled this public hearing at their June 2, 2021 regular meeting. The public hearing was properly noticed in the Valley News on June 26, 2021 in accordance with City Code and State Law.

BACKGROUND

RECLASSIFY THE POSITION OF HUMAN SERVICES DIRECTOR

The Human Services Director supervises the Assistant Human Services Director and works closely with staff of outside Human Services Agencies to create and maintain a wrap-around set of services, referred to as a “safety net” for the betterment of jointly served clients. This position coordinates partnerships to comprehensively address issues that may adversely affect/impact the ability to serve clients (i.e., homelessness, lack of affordable housing, access to medical services, etc.)

Over the past few years, the Human Services Director’s responsibilities have expanded in several different directions caused by configurations of geographical circumstances. These configurations included the lack of affordable housing, homelessness, economics, and the effects of COVID 19. This position has assumed additional duties and responsibilities due to the changing demographics of the Upper Valley and the effects placed on the changes in the housing market, and the global pandemic.

Additionally, the Human Services Director represents the City Manager and acts as the representative of the City on statewide and regional coalitions, committees and working groups focusing on human services issues.

Due to the evolution of the position and supervisory duties not previously considered, a review of the job description was conducted, and revisions were made to accurately reflect the additional duties and responsibilities. This resulted in the reclassification of the position from a Grade 10 to a Grade 12.

ADD DEPUTY ASSESSOR

Due to the reorganization of the Finance Department - encapsulating the Assessing Department and contracting with Municipal Resources, Inc., to oversee the physical assessment changes to residential and commercial property values, we have discovered a need for elevated assessing functions in the day-to-day administration of the department. For this reason, we are recommending the position of Deputy Assessor be added to the department. A job description has been created and is classified as a Grade 9 position.

We are fortunate to have an experienced Assessing Clerk with the knowledge and credentials needed to fill the position. Therefore, we are proposing that our existing Assessing Clerk be promoted to Deputy Assessor and the position of Assessing Clerk be vacated. While the role of the Assessing Clerk is needed, the Deputy Assessor would be charged with those duties while taking on the more elevated tasks required

to manage the upper-level needs of the department adequately and efficiently. For example, incorporating a Deputy position will enable the department to communicate effectively and more timely with the State Department of Revenue and other State or outside agencies; process the necessary tax, property, and exemption changes more efficiently, and better manage difficult tax situations posed by members of the public.

SEASONAL/TEMPORARY & STIPEND EMPLOYEES

Due to the nationwide shortage and difficulties hiring and attracting seasonal, temporary and stipend staff; the City is recommending increasing the hourly wages and/or stipends of seasonal CDL drivers and seasonal laborer positions identified in red below.

Process to Amend Ordinance No. 18

Amending Ordinance No. 18 requires three separate presentations (see City Charter subsections 419:22, 419:24, 419:25, 419:52) followed by a public hearing and the vote of at least two-thirds (2/3) of all members of the City Council – six (6) members - to adopt.

The first presentation was recognized by the Council on June 2, 2021; the second was June 16, 2021. The Council is asked to finalize the process by acknowledging the third presentation and acting to amend the Salary Plan at the close of the public hearing.

Mayor McNamara opened he Public Hearing. Hearing no comments from the public, the Public Hearing was closed.

ACTION:

1. PRESENTATION:

Councilor Liot Hill MOVED that the Lebanon City Council acknowledges the third of three presentations to amend Ordinance No. 18, Salary Plan, as follows:

- 1. Amend Article II, Non-Affiliated & LPASE Employees, Section A – Regular Full-time and Part-time Benefit Eligible Positions to reclassify the position of Human Services Director from a Grade 10 to a Grade 12; and to add the position of Deputy Assessor, (Grade 9); and**
- 2. Amend Article II, Non-Affiliated & LPASE Employees, Section B – Seasonal/Temporary & Stipend Employees to increase the wage ranges for Seasonal Laborers and CDL Seasonal Drivers**

Changes in the table below shown in **red**.

REGULAR FULL-TIME/REGULAR PART-TIME NON-AFFILIATED & LPASE EMPLOYEES – 2021 SALARY & GRADES					
<u>Grade</u>	<u>Position Title</u>	<u>Hourly</u>		<u>Weekly</u>	
		<u>Minimum</u>	<u>Maximum</u>	<u>Minimum</u>	<u>Maximum</u>
1	General Intern II	\$16.77	\$22.64	-	-
2	Custodian	\$17.78	\$23.99	-	-

	Department Secretary	-	-	-	-
3	Airport Maintenance Worker	\$18.84	\$25.44	-	-
	Custodian I	-	-	-	-
	Accounting Clerk				
4	Library Assistant	\$19.98	\$26.97	-	-
5		\$21.17	\$28.57	-	-
6	-	\$22.44	\$30.29	-	-
7	Administrative Assistant	\$23.78	\$32.45		
	Administrative Secretary			-	-
	Assessing Clerk	-	-	-	-
	Assistant City Clerk	-	-	-	-
	Assistant Human Services Director	-	-	-	-
	Communications Specialist	-	-	-	-
	Library Administrative/Technical Assistant	-	-	-	-
8	Administrative Assistant	\$25.21	\$34.04	-	-
	Benefits Coordinator/Payroll Specialist	-	-	-	-
	Deputy City Clerk	-	-	-	-
	Deputy Tax Collector	-	-	-	-
	Field Inspector**	-	-	-	-
	Electrical Inspector**	-	-	-	-
	Utility Billing Clerk	-	-	-	-
	Outreach Librarian	-	-	\$1,008.55	\$1,361.65
	Young Adult Librarian	-	-	-	-
9	Code Health Inspector**	\$27.73	\$37.43	-	-
	Executive Assistant	-	-	-	-
	Deputy Assessor	-	-	-	-
	Digital Media Officer	-	-	-	-
	Cyber Services Technical Specialist	-	-	-	-
	Real Estate Appraiser II**	-	-	-	-
	Children's Librarian			\$1,109.20	\$1,497.36
	Associate Planner**	-	-	-	-
	Systems Librarian	-	-	-	-
	Information Technology Librarian	-	-	-	-
10	Assistant City Engineer**	\$30.50	\$41.18	-	-
	Cemetery Sexton**	-	-	-	-
	Financial Analyst	-	-	-	-
	Fleet Maintenance Supervisor**	-	-	-	-
	Maintenance Superintendent**	-	-	-	-
	Utilities Maintenance Superintendent**				
	Police Communications Supervisor**	-	-	-	-
	Human Services Director	-	-	\$1,220.15	\$1,647.20
	Recreation Program Coordinator**	-	-		
11	Technical Advisor I	\$33.59	\$45.34	-	-
	Administrative Services Manager**	-	-	\$1,343.60	\$1,813.60
	Airport Operations Supervisor**	-	-	-	-
	Assistant Recreation Director**	-	-	-	-
	Code Enforcement Director**	-	-	-	-
	Deputy Library Director	-	-	-	-

	Fire Marshal**	-	-	-	-
	Planner/GIS Coordinator**	-	-	-	-
	Senior Planner**	-	-	-	-
12	Wastewater Treatment Superintendent**	\$35.60	\$48.05	-	-
	Water Treatment Superintendent**	-	-	-	-
	City Assessor**	-	-	\$1,424.00	\$1,922.00
	City Clerk/Tax Collector	-	-	-	-
	City Engineer**	-	-	-	-
	City Planner**	-	-	-	-
	Deputy Finance Director	-	-	-	-
	Energy & Facilities Manager**	-	-	-	-
	Human Services Director	-	-	-	-
	Police Lieutenant**	-	-	-	-
	Prosecuting Attorney	-	-	-	-
	Solid Waste Manager**	-	-	-	-
13	Airport Manager	-	-	\$1,509.21	\$2,037.39
	Assistant Fire Chief	-	-	-	-
	Deputy Fire Chief	-	-	-	-
	Deputy Police Chief	-	-	-	-
	Human Resources Director	-	-	-	-
	Information Systems Manager**	-	-	-	-
	Maintenance Manager**	-	-	-	-
	Recreation Director	-	-	-	-
	Police Captain**	-	-	-	-
	Systems and Information Technology Administrator				
14	Assistant Director/Public Works	-	-	\$1599.77	\$2,159.70
	Chief Assessor	-	-	-	-
	Library Director	-	-	-	-
15	Cyber Services Director	-	-	\$1,695.84	\$2,289.20
16	Technical Advisor II	\$44.93	\$60.66		
	Chief of Police	-	-	\$1,797.42	\$2,426.40
	Director of Planning and Zoning	-	-	-	-
	Director of Public Works	-	-	-	-
	Finance Director	-	-	-	-
	Fire Chief	-	-	-	-
	Deputy City Manager	-	-	-	-

**denotes LPASE Positions.

Changes to the compensation and classification schedules are shown in *red* below. Strikeout text represents a deletion of the position due to consolidation or to remove duplicates.

POSITION TITLE	HOURLY
ELECTION POSITIONS (HOURLY)	
Ballot Clerk	\$10.15
Election Assistant	\$10.15
Supervisors of the Checklist	\$10.15
Moderator	\$12.69
Ward Clerk	\$12.69

FIRE DEPARTMENT POSITIONS		
Call Firefighter	\$11.25	\$28.54
PARK AND RECREATION POSITIONS		
Front Desk Attendants – Pool	\$10.15	\$15.25
Lifeguards	\$10.15	\$17.50
Head/Lead Counselors	\$13.20	\$16.24
Head & WSI Lifeguards	\$12.18	\$18.25
Head Front Desk Attendant - Pool	\$12.18	\$15.50
Outdoor Adventurer - Educator	\$12.69	\$16.24
Softball Coordinator	\$12.69	\$16.24
Camp Director	\$13.20	\$20.00
Day Camp Counselors	\$10.15	\$15.25
Arts & Craft Director	\$13.20	\$17.00
Farmers Market Coordinator	\$14.21	\$18.27
Market Assistant	\$12.18	\$15.23
Tennis Instructor	\$15.23	\$19.29
Stomp & Romp	\$15.23	\$19.29
Asst. Pool Director	\$15.23	\$21.00
Pool Director	\$16.24	\$24.00
LIBRARY POSITIONS		
Circulation Substitutes		\$13.41
Reference Librarian Substitutes		\$22.65
PUBLIC WORK POSITIONS		
Engineering Clerk	\$11.17	\$14.21
GIS Clerk - (or Intern) These are the landfill interns	\$15.23	\$17.26
Seasonal Laborers – Summer & Fall DPW, Parks & Rec. & Airport	\$16.24	\$19.29 \$20.52
CDL Seasonal Drivers	\$22.81	\$27.30 \$50.00
PLANNING POSITIONS		
Park Ranger	\$15.23	\$17.26
POLICE DEPARTMENT POSITIONS		
Crossing Guard		\$16.53
Communications Specialist	\$23.78	\$32.45
Police Administrative Aide	\$20.30	\$23.35
Parking Control Officer	\$20.30	\$23.35
Police Officers	\$26.86	\$32.39
CITY CLERK POSITIONS		
Assistant City Clerks (Part-Time/Temp. <20)	\$23.41	\$31.61
Recording Secretary	\$21.82	\$23.85
Recording Secretary Coordinator	\$22.82	\$24.36
SHARED POSITION		
General Intern I	\$13.20	\$16.75
STIPEND POSITIONS		
Sport Coaches – Seasonally (Lacrosse, Track, Youth – Basketball, Field Hockey, Football, Cheerleader Coach etc. – may vary due to Programs)	\$205	\$715
(Chair) Supervisors of the Check List	\$155	\$255
Supervisor of the Voter Checklist	\$155	\$255

For the purpose of Amending Ordinance #18, Salary Plan:

NOW THEREFORE BE IT RESOLVED that the Lebanon City Council Amends Ordinance #18, Salary Plan as follows:

- 1. Amend Article II, Non-Affiliated & LPASE Employees, Section A – Regular Full-time and Part-time Benefit Eligible Positions to reclassify the position of Human Services Director from a Grade 10 to a Grade 12; and to add the position of Deputy Assessor, (Grade 9); and**
- 2. Amend Article II, Non-Affiliated & LPASE Employees, Section B – Seasonal/Temporary & Stipend Employees to increase the wage ranges for Seasonal Laborers and CDL Seasonal Drivers**

Seconded by Councilor Wilkie

Roll Call Vote:

Assistant Mayor Below, and Councilors Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara all voting Yea.

None voted Nay.

****The Vote on the MOTION was approved (8-0).***

9. OLD BUSINESS: None

10. NEW BUSINESS

A. GRAFTON COUNTY GOVERNMENT UPDATE WITH GRAFTON COUNTY COMMISSIONER WENDY PIPER

Included in agenda packet: Breakdown of Community Tax Impacts - 2022 Proposed Grafton County Commissioners' Budget (**page 46, agenda packet.**)

Ms. Wendy Piper, Grafton County Commissioner, came forth and presented the Council with two handouts and reviewed the 2022 Proposed Grafton County Commissioner's Budget. Her two handouts included a profile of Grafton County and the effects of the COVID-19 pandemic on the county, and a breakdown of Lebanon's tax bill, noting the Board of Commissioners wanted to be very considerate of taxpayers this budget season and voted unanimously to level-fund the budget, even though the county's revenues took an enormous hit due to the pandemic and its effect on the Grafton County Nursing Home. She spoke about the funding for Medicaid Services which had been increased to the State due to COVID, noting the State did not pass down this increase to the State's counties. The counties ultimately worked with the State and were able to reach a compromise as provided in HB-2. For Lebanon's tax rate, it is a negative - 6.38%, as posted on page 46 of the agenda packet.

Assistant Mayor Below noted that the latest round of funding from the State did appropriate a lot of funds directly to the county and was wondering how this impacts their budget looking forward and what opportunities Ms. Piper sees coming from this.

Ms. Piper stated these funds are coming from ARPA (American Rescue Plan Act) and the county has received \$8M to date out of the \$17M awarded to them. The goal of County Government is to increase resiliency, so funds will be spent on revenue losses, essential workers' pay, broadband, and infrastructure investments for electricity, water/sewer. Their objective is to also decrease the taxpayer burden. ARPA funding has to be allocated by December 2024 and spent by December 2026.

City Manager Mulholland suggested that if all the ARPA Grant funds were not spent before the deadline due to federal regulations that the county should pass it down to cities/towns instead of sending the funds back to the State. Ms. Piper concurred.

Ms. Piper updated the Council on the following:

- Grafton County Nursing Home: Revenue is doing well, and visitation has opened up.
- Grafton County Drug Court: Start-up is being reviewed.
- LPN Program: In order to curb nursing expenses, the Grafton County Nursing Home is offering a 12-month tuition free certification program if candidates offer their services for two years.
- Grafton County Government will be sponsoring a Broadband Committee.
- Grafton County Court House: The building is out of compliance with building codes and will cost approximately \$17M to bring it up to code. New building construction costs and leasing options are currently being reviewed.

ACTION:

No action is required by Council; item is for discussion purposes only

B. REVIEW AND DISCUSSION ON DRAFT OPEN SPACE PLAN

Included in agenda packet: Lebanon Open Space Plan (**pages 48-73**).

The Planning and Development Department and Conservation Commission are seeking review and comments from the City Council on the final draft of the Lebanon Open Space Plan, prior to adoption by the Conservation Commission and eventual endorsement by the Council and Planning Board.

Director of Planning & Development David Brooks and Senior Planning & GIS Coordinator Mark Goodwin came forth to review the Draft Open Space Plan.

The preparation of an Open Space Plan has been a long-standing goal of the Planning and Development Department. The City's 2012 Master Plan includes multiple references to the importance of open space planning for ensuring responsible and respectful development and for identifying and protecting the existing resources and biodiversity that Lebanon enjoys. [2|D-1g; 5|D-5a]

The Master Plan explicitly recommends the development of an Open Space Plan, with public participation, that will inventory natural and cultural features, and recommend green space corridors for continued wildlife habitat and for the benefit of residents. [5.1.A1] Further, it is recommended that the Open Space Plan should set priorities for acquiring or otherwise protecting privately-held land from willing sellers/owners, establish incentives for landowners to voluntarily place conservation easements on their land, and include recommendations on the use of City-owned parcels. [2.3.A1]

In March of this year, the Planning and Development Department received a final draft version of the Open Space Plan following initial review and comment by the Conservation Commission. Prior to final adoption of the Plan by the Conservation Commission, the Department is seeking review and discussion on the Plan from both the Planning Board and the City Council. The Planning Board reviewed and commented on the Open Space Plan at its meeting on April 26th with several members of the Conservation Commission in attendance.

Following the review and discussion of the Open Space Plan by the City Council, a final version will be prepared and submitted to the Conservation Commission for adoption. Following adoption by the Commission, the Planning and Development Department will seek endorsement of the Plan by the Planning Board and City Council, each of which will have an important role to play in achieving the goals of the Plan.

Mr. Goodwin gave a brief overview of the comprehensive proposed Open Space Plan for Lebanon as provided on **pages 48-73** of the agenda packet and presented screenshots of the highlights he felt were important. The intent of his presentation was to stimulate a casual conversation about where folks see Lebanon as it grows in the next 50-100 years. It has been a decade since this topic was discussed as part of the Master Plan process and reviewing the Open Space Plan now almost serves as the foundation for a return to the City's Master Plan. While this plan did not involve a lot of public input, the public will have a chance to weigh in at a future date. He also noted it was important to him that folks do not think of this plan as a conservation document, but rather as a planning document to help the Lebanon community think about all the good stuff we have become used to.

The four major take-a-way messages from the Lebanon proposed Open Space Plan are:

- There is a collective desire for Lebanon to achieve a “different” development pattern than that of the former farmlands of New Jersey, the suburban communities of Eastern Mass and Southeastern NH (i.e., how much should stay undeveloped and what is currently undeveloped should stay undeveloped).
- The higher quality currently functional ecosystems have already been identified in Lebanon and the OS plan includes both a benchmark and methodology to ensure they remain functional.
- This plan is in alignment with the Lebanon Master Plan – Infill & Redevelopment of the development pattern of choice.
- Maintaining vibrant open space lands does not conflict with the provision of adequate development opportunities.

The purpose of this Open Space Plan is to:

- Increase the visibility of the Lebanon Conservation Program;
- Articulate the city's long-term vision for land conservation;
- Attract additional support for conservation efforts;
- Set open space benchmarks that can be used to measure progress; and
- Provide useful information on the tools and process for managing the ecological integrity of open space.

Mr. Goodwin also presented and explained the following:

Land Use/Land Type Map: Circles depict Lebanon's land development trends.

Areas colored yellow to green are undeveloped forestland, protected open space, and working lands. Areas colored orange, brown, and gray are developed. Blue areas are rivers, streams, ponds, and wetlands.



Lebanon Land Development Trends

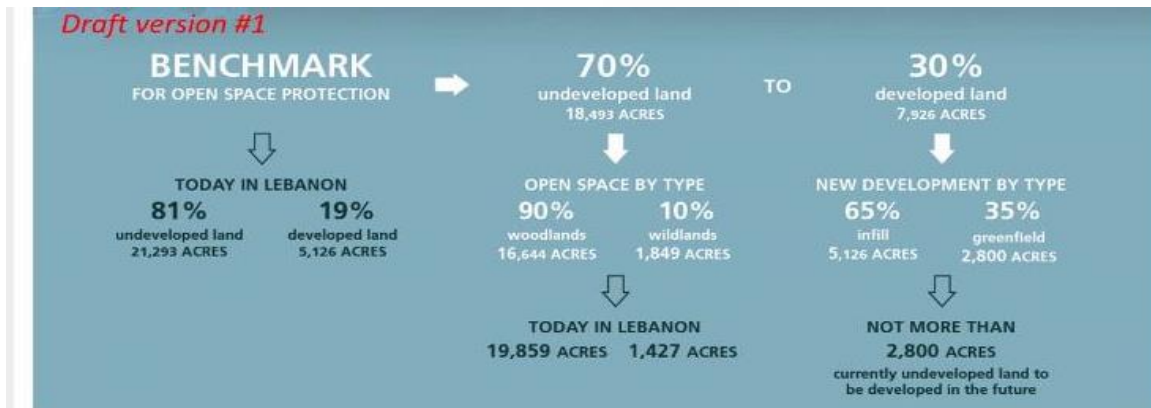
Land Use / Land Cover Type Map

Areas colored yellow to green are undeveloped forestland, protected open space, and working lands. Areas colored orange, brown, and gray are developed. Blue areas are rivers, streams, ponds, and wetlands.

The Four Elements of the Open Space Plan Are:

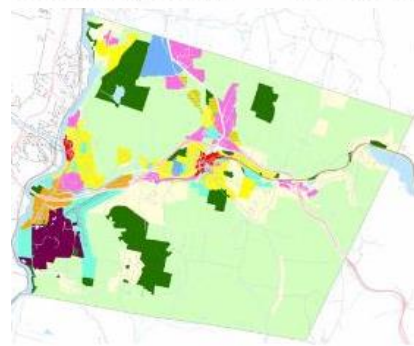
1. [Chapter 2](#) discusses the importance of open space within the community. It provides some historical context for open space preservation in Lebanon, as well as a summary of recent land use development and conservation trends in the City.
2. [Chapter 3](#) proposes a prioritization framework that establishes how much open space is needed and identifies lands that should be protected based on a 78-22 ratio of open space to developed land in the City.
3. [Chapter 4](#) provides a summary of key tools and techniques available for preserving the city's natural resources and open space areas.
4. [Appendix A](#) inventories many of the existing city-owned conservation lands.

The Proposed – “How Much” (30% Developed / 70% Undeveloped)



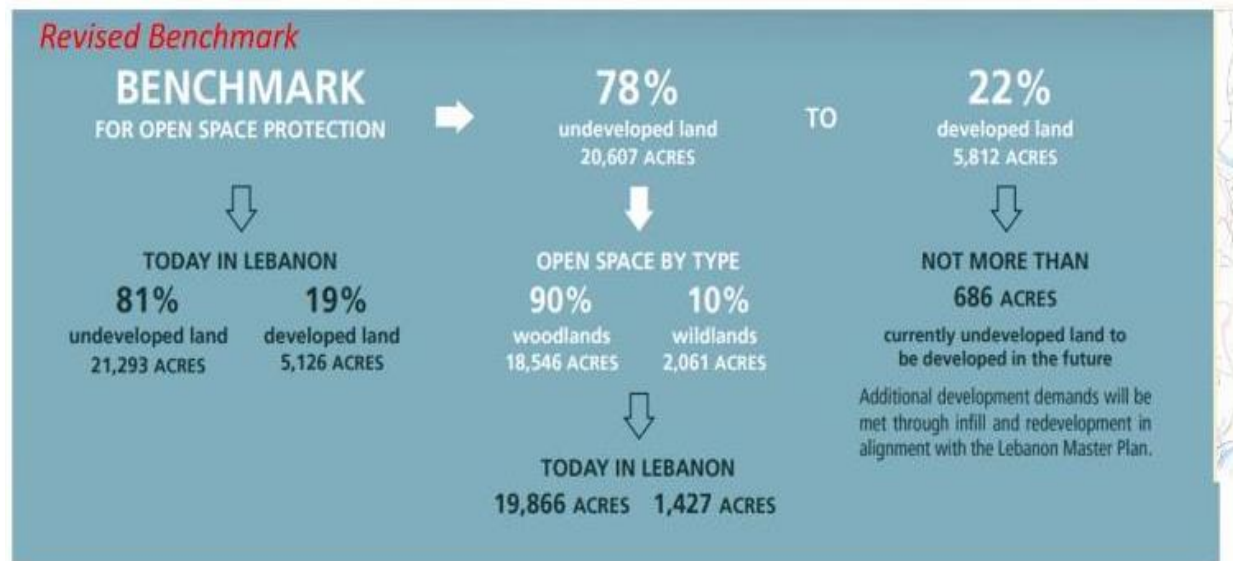
# of additional	Project	Project Acres	Total Acres	Sq Ft (non-res)	Total Res. Units
15	Centerra Business Parks	119	1,785	12,963,000	390
20	Timberwood Commons (Multi-Family)	12	232	0	5,040
6	Prospect Hills Sub-Division	64	384	0	1,020
797	Single Family Homes	0.5	399	0	797
			2,800	12,963,000	7,247

The Proposed – “How Much” (22% Developed / 78% Undeveloped)



Future Land Use Map

Open Space & Natural Resource Planning – “A forest half the size of Lebanon is required to sequester the current LGO GHG emissions; 5 forests the size of Lebanon is required to sequester the Communities GHG emissions”



# of additional	Project	Project Acres	Total Acres	Sq Ft (non-res)	Total Res. Units
3	Centerra Business Parks	119	357	2,592,600	78
10	Timberwood Commons	12	116	0	2,520
2	Prospect Hills Sub-Division	64	128	0	340
170	Single Family Homes	0.5	85	0	170
			686	2,592,600	3,108

Mayor McNamara asked if we were to go down from the 81-82% to 78% in the seven (7) areas of the city where the current bulk of development exists, do those fit within the existing developed areas or does the plan expand outside those areas (see Lebanon Development Trend map above)? It would be interesting to know if those areas are fully utilized at this point, or if not, what does full utilization look like, noting the Council has had many discussions in the past about a municipal services boundary and we were not keen on expanding water/sewer services outside of those currently developed areas? In response, Mr. Goodwin explained these numbers could, in theory, actually be on the edge of the circle around Centerra. However, some of these areas around the circles could keep moving further out in the future, but the idea is to say that we do not want development to keep moving further out in those areas.

Mr. Goodwin described the Spatial Solution Methodology that was used to locate the large patches of forests/undeveloped areas; the vegetative corridors that connect them; the special places like high value wetlands; bits of nature across the metrics; sand, strategic points in the landscape(s), noting that if you can preserve these areas, then you can preserve the ecological integrity of the city's landscape. Infill and redevelopment should be the focus for planning opportunities in Lebanon, noting that when you look at the areas that have been identified for future development in the City's Master Plan (CMP), the vision of the CMP is almost 100% in concert with the proposed Open Space Plan.

Councilor Liot Hill questioned:

1. If there was a map that shows all of the permanently conserved land in Lebanon, whether owned by the City or owned by someone else? Mr. Goodwin said the map shown in dark greens are City-owned land and the lighter greens are privately owned with varying degrees of protection and explained some of the privately owned protection circumstances.

2. Is there a map that shows Deed Restrictions on open spaces for subdivisions? Mr. Goodwin said he does have a map that will show subdivision open spaces.
3. Of the 25,000 acres in Lebanon, how many acres are in permanent preservation or highly restricted use? Mr. Goodwin said there are approximately 2,000 acres of City-owned lands that are permanently preserved.

The Council further discussed the potential that 70% of Lebanon's land is at risk for development without protections; how the Planning Board can augment preservation protections into their plans, especially in the RL/RL-3 Districts; the amount of development that could take place with the 80/20 benchmark model; development of a sustainable Lebanon Forestry Plan and using selective harvesting techniques to sequester and store carbon; using more selective woods for durable goods harvesting; selectively managing forests to encourage new growth; the State's Climate Action Plan and goals; potential creation of revenue streams for the City and landowners utilizing open spaces; considering how regulations/codes can be used to diversify/create a balance between developed/undeveloped land; adding affordable housing into future development plans; and, facilitating infill in a way that will provide a range of housing opportunities.

ACTION:

No action is required by the Council. Item is for discussion purposes only.

**C. DISCUSSION & SET PUBLIC HEARING FOR JULY 21, 2021: ORDINANCE
#2021-06 TO AMEND CITY CODE CHAPTER 31, BOARDS, COMMITTEES &
COMMISSIONS, ARTICLE VII, HERITAGE COMMISSION**

Included in agenda packet: Proposed Ordinance #2021-06 (page 75).

The Lebanon Heritage Commission's membership requirements are established by the Code of the City of Lebanon, Chapter 31, Boards, Committees and Commissions, Article VII, Heritage Commission. Current code § 31-32 requires the Heritage Commission to "consist of seven members plus not more than five alternate members as provided by law who shall be appointed by the City Council. One Commission member shall be a member of the local governing body. One member may be a member of the Planning Board. One Commission member shall be the City Historian." Current code § 31-32 also cites RSA Section 673:4-a, "Heritage Commissions", and states that "The heritage commission shall consist of not less than 3 members and no more than 7 members who shall be appointed in a manner as prescribed by the local legislative body."

In recent years, the Heritage Commission has found it challenging to consistently fulfill the seven membership seats. Between 2020-2021, several turnovers occurred that brought the question of membership requirements to a head. There are currently inadequate membership numbers to meet quorum requirements and as a result, at least one meeting may have to be canceled in the near term. The Heritage Commission is a regulatory body and as such, in addition to its other duties, it is important for the Commission to be prepared to meet when necessary. At the June 2021 Commission meeting, members voted unanimously to approve a reduction in membership from seven (7) to five (5) regular members.

The City Council is asked to consider an amendment to Chapter 31 to reduce the required number of regular Heritage Commission members from seven (7) to five (5).

ACTION:

Councilor Wilkie MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, July 21, 2021, beginning at 7:00pm in Council Chambers, City Hall, and Remote via

City’s Virtual Platform, for the purpose of receiving public input and taking action on proposed Ordinance #2021-06, to amend the Code of the City of Lebanon, Chapter 31, Boards, Committees and Commissions, Article VII, Heritage Commission, to reduce required regular members from seven (7) to five (5).

Seconded by Councilor Whittlesey.

Roll Call Vote:

Assistant Mayor Below, and Councilors Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara all voting Yea.

None voted Nay.

****The Vote on the MOTION was approved (8-0).***

D. DISCUSSION & SET PUBLIC HEARING FOR JULY 21, 2021: ORDINANCE #2021-07 TO AMEND CITY CODE CHAPTER 31 TO ESTABLISH A DIVERSITY, EQUITY & INCLUSION (DEI) COMMISSION

Included in agenda packet: Proposed Ordinance 2021-07 (pages 77-78).

The City Manager recommended the Council create a commission to address the issues of diversity, equity, and inclusion in the City. The objective is to create a body that can work to educate and develop conversations in the community regarding these issues. The purpose is to bring the community together and bridge the divide to the extent it exists regarding diversity, equity, and inclusion.

The commission would assist the city administration, the City Council, and other City boards, committees, and commissions in achieving this goal. Similar Diversity, Equity & Inclusion (DEI) commissions have been effective in achieving these goals in Edmond, WA; Federal Way, WA; and Leesburg, VA.

The appointment of commissioners will be very important. In communities where DEI commissions, or similarly named bodies have been effective, members include those who have a desire to bring the community together. Commission members who have credibility in the community and a reputation for working with others who may have a different point of view will be critical to the success of a DEI commission in the City of Lebanon.

Mayor McNamara suggested the Council take some time to do outreach to communities in order to get a more balanced representation.

Councilor Wilkie requested that the word “citizen” (page 77 of agenda packet) be replaced with “public representatives.”

Councilor Liot Hill would like to see the Diversity, Equity & Inclusion (DEI) work on changing the name of the Columbus Day Holiday to Indigenous People’s Day.

ACTION:

Councilor Wilkie MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, July 21, 2021, beginning at 7:00pm in Council Chambers, City Hall, and Remote via City’s Virtual Platform, for the purpose of receiving public input and taking action on proposed

Ordinance #2021-07, to amend the Code of the City of Lebanon, Chapter 31, Boards, Committees and Commissions, to establish the Diversity, Equity & Inclusion Commission with the understanding that the word “Citizen” will be replaced with “Public Representatives.”
Seconded by Councilor Liot Hill.

Roll Call Vote:

Assistant Mayor Below, and Councilors Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara all voting Yea.

None voted Nay.

****The Vote on the MOTION was approved (8-0).***

THE CITY OF LEBANON ORDAINS AS FOLLOWS (corrections are shown in [blue](#) below):

ORDINANCE NO. 2021-07

An Ordinance to Amend the Code of the City of Lebanon, Chapter 31, Boards, Committees and Commissions, to add a new section to establish the Diversity, Equity and Inclusion Commission.

Section 1. Chapter 31 of the Code of the City of Lebanon is hereby amended to add a new section, Article XIII as follows:

ARTICLE XIII, DIVERSITY, EQUITY and INCLUSION COMMISSION

§31-52. ESTABLISHMENT; MEMBERSHIP; QUALIFICATIONS.

Pursuant to Chapter C419:23 of the Lebanon City Charter, there is hereby established a Diversity, Equity and Inclusion Commission. The Commission shall be comprised of no more than nine (9) voting members appointed by the City Council, including: two (2) City Councilors and seven (7) members of the public. The City Manager or his/her designee shall be a permanent non-voting member of the commission.

The ~~Citizen Representatives~~ [Public Representatives](#) shall be appointed by the City Council and their terms shall be staggered for periods of two years. The City Council representatives shall be appointed by the Mayor annually.

In determining each member’s qualifications, the appointing authority shall take into consideration the appointee’s ability to assist in the purpose of the commission and their willingness to serve. The appointing authority will seek a broad representation of the community at large.

Commission members will serve without compensation and subject to applicable City policies. Commission members must comply with the City’s ethics policies and shall refrain from promoting or pursuing personal interests while acting as a member or representing the City.

The Commission shall have assistance from City staff, as designated by the City Manager. The Commission shall comply with the rules of decorum as established by the City Council.

§31-53. PURPOSE/CHARGE/MISSION.

The Diversity, Equity and Inclusion Commission is hereby established for the purposes of:

1. Enhancing the City’s support for a welcoming environment encouraging cooperation, tolerance, and respect among and by all persons living, working and visiting the city
2. Serving as a resource for City government and the community by providing information, education, and communication that facilitates a better understanding and celebrates our differences.
3. Advising the City government to ensure the community is united amongst diversity, where everyone is equally respected, valued, needed, and cherished.

§31-54. DUTIES AND RESPONSIBILITIES.

The duties and responsibilities of the Diversity, Equity and Inclusion Commission will include:

1. Providing recommendations to the City Manager and City Council that would identify opportunities to address diversity and equity issues, promote inclusion/diversity programs, and provide guidance to create a more accessible, safe, welcoming and inclusive government and community.
2. Enhancing communication across and among the community to promote awareness, understanding and the value of cultural, ethnic and religious differences.
3. Promoting equity among all persons relative to gender, race, ethnicity, religion, age, gender identity, sexual orientation.
4. Promoting inclusion in the workplace, the community and City government.
5. Coordinating economic development activities amongst City representatives and private organizations at the request and direction of the City Council.
6. Establishing a dialogue with City residents to understand the needs and concerns of the community, with local business owners to understand challenges and hindrances to the enhancement of diversity, equity and inclusion.
7. Reporting quarterly to the City Council in accordance with Council directives.
8. Working in partnership with the City Manager and Staff to achieve the objectives of ensuring diversity, equity and inclusion in the City.

Section 2. Severability

The provisions of this ordinance are delated to be severable, and if any section, subsection, sentence, clause or part thereof, for any reason, is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses or part of this ordinance.

Section 3. Effective Date

This Ordinance shall become effective upon passage.

E. PRESENTATION & DISCUSSION OF PROPOSED AMENDMENT TO CITY COUNCIL RULES, SECTION A191-5, ROBERT’S RULES OF ORDER

Included in agenda packet:

Chapter A191 City Council Rules (as amended and presented on 7/7/2021) (*Pages 80-88, agenda packet*)

The level of civility by members of public bodies across our country and our state is a matter of growing concern. We are fortunate, in the City of Lebanon, to have, for the most part, members who act appropriately and serve the citizens of our city very well. The purpose of the proposed amendment to Section A191-5 of the Council Rules was to set clear expectations for volunteer board, committee, commission members and elected officials to ensure civility in our public meetings.

Mayor McNamara informed the Council that there was an issue involving a City Board several months ago where it was determined the interactions between Board members and the public were outside of appropriate decorum and adversely impacted the activities of that particular commission. As a result, he and the City Manager put together a simple set of rules they hoped would bring things back in line with the 5 C's which was ultimately adopted unanimously by that particular commission, as well as the Planning Board and Zoning Board. He noted he has never seen a problem and the Council has always treated each other and the public with respect, but felt consistency was a good idea among all the various boards/committees/commissions.

The Council discussed concerns they had regarding the use of the word "civility" and its innocuous meaning for particular individuals and people of particular backgrounds since this term has been used throughout history as a tool for suppressing dissenting conversations and opinions; if there was a real need for this amendment; other ways to list and define behaviors that are not acceptable; posting the 5 C's ground rules more appropriately; appointing members from the Council to review and make recommendations on this proposed amendment; is this a solution in search of a problem; comments made in the MS Teams Chat Room by the public during one of the Council's meetings that were racially/gender inappropriate; how does the Council address inappropriate behavior from City Council members and other boards, committees, and commissions; assigning this amendment proposal to the Governance Committee and the Diversity, Equity, and Inclusion Commission for their review/comments and then bringing it back to the Council for further discussion; providing an orientation for new board, committee, and commission members, including City Council, on the ground rules; and, what does the Council do in the case of threatening, violent behavior, which is unfortunately becoming common throughout the State and nationally.

Councilor Heistad commented he has felt threatened by those packing a gun and retreated from his position when he was acting on behalf of the City on a committee.

The Council agreed this proposed amendment should go before the Governance Committee and the Diversity, Equity, and Inclusion Commission for their review/comments/recommendations before any action is taken, so these amendments will **NOT** be presented for adoption at the July 21st meeting.

ACTION: No further action was required at this time.

11. City Manager Report:

City Manager Shaun Mulholland updated the Council on the following:

- The City received another Federal Government Grant in the amount of \$3M.
- Airport: A new restaurant will be opening and Landing fees are being reviewed.
- Debt Management Policy: Working on a new draft that will be sent out to the Council when it's ready.

- Community Nursing/Paramedic Program: Will be up and running soon and a request was received for them to become City employees.
- July 19th, 6 PM, Catholic Church: Fire Station #2 discussion will be taking place for the public.
- Tunnel: Grand Opening was postponed due to the rain and will be taking place July 15.
- Landfill Permit Process is now open. Deadline to have permits is Sept. 1, 2021, which will be needed to get into the facility. No charge for online applications- \$10 fee for those who apply in person.
- City Hall renovations.
- Summer street/maintenance projects.
- Mall area maintenance.
- Valley Cemetery Street building has been demolished and a foundation is being poured for a new building.
- Lebanon/West Lebanon Downtown Beautification projects.

12. Council Representatives to Other Bodies Reports: None

13. Future Agenda Items: None

14. Non-Public Session: None

15. Adjournment:

***Councilor Heistad MOVED for adjournment.
Seconded by Councilor Whittlesey.***

Roll Call Vote:

Assistant Mayor Below, and Councilors Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara all voting Yea.

None voted Nay.

****The Vote on the MOTION passed (8-0).***

The meeting was adjourned at 10:00 PM.

Respectfully submitted,
Dona E. Gibson
Recording Secretary