

FINAL

**LEBANON CITY COUNCIL
MINUTES, REGULAR SESSION
Wednesday, November 4, 2020, 7:00 p.m.
Remote Via Microsoft Teams: LebanonNH.gov/Live**

MEMBERS PRESENT: Mayor Tim McNamara, Assistant Mayor Clifton Below, Bruce Bronner, Erling Heistad, Karen Liot Hill, Suzanne Prentiss, George Sykes, Jim Winny, Karen Zook

MEMBERS ABSENT: None

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager Paula Maville, Police Chief Richard Mello, HR Director Gloria Leskiewicz, Solid Waste Manager Marc Morgan, Kelly Crate (DPW), City Attorney Bernie Waugh, Jr.

1. Call to Order: Mayor McNamara called the meeting to order at 7:00 PM

A Roll Call of Council members who attended this meeting virtually are listed above.

This meeting took place virtually due to the COVID-19 Pandemic and was conducted in accordance with the Emergency Orders issued by the New Hampshire Governor according to NH RSA 91-A "Right-to-Know Law."

2. Pledge of Allegiance: Councilor Bronner lead the Council in the Pledge.

Mayor McNamara announced that on Friday afternoon (October 30, 2020) he received a note from several constituents asking him to issue a public statement declaring the Council's commitment to the democratic process that every vote be counted before winners are declared, that any irregularities in the vote counting be properly investigated, and that we publicly support the right to free protests and condemn political violence toward the voters and protesters. He informed the folks who wrote him the note that he felt this issue should be brought before the entire Council and there was no Council meeting prior to yesterday's election (November 3, 2020). He has since written them back to say he appreciated and completely supported everything they said, but he felt it was great to see how the election went and that the City did not have any of the issues come to pass that was mentioned in their note. Having said that, he thought we owed a great debt of gratitude to our professional staff and to our volunteer poll workers for conducting a flawless election. When he voted in Ward 1, and later visited Ward 2, he was incredibly impressed that there was calm, comradery even amongst people who disagreed, and politeness. This speaks volumes, both with the folks who helped run the election and to the folks from Lebanon who participated. Lebanon has set a very high standard in how we conduct our elections.

The Council congratulated Councilor Prentiss, now Senator Prentiss, on her new position and look forward to having her represent us, and all the other towns in the district, in Concord.

3. Public Forum Announcement by the Mayor: Mayor McNamara made the Public Forum announcement.

4. Open to the Public: No one came forth.

5. Recognitions: None

6. Approval of Minutes

- A. October 21, 2020, Regular Meeting
- B. October 21, 2020, CIP Meeting

Councilor Liot Hill MOVED to approve the October 21, 2020 (Regular Session) minutes and the October 21, 2020 CIP minutes as written and presented in the November 4, 2020 City Council agenda packet.

Seconded by Councilor Bronner.

Roll Call Vote:

Assistant Mayor Below, and Councilors Bronner, Heistad, Liot Hill, Prentiss, Sykes, Winny, Zook and Mayor McNamara, all voting Yea.

None voted Nay.

****The Vote on the Motion was unanimously approved (9-0).***

7. Appointments: None

8. Public Hearing Items: None

9. Old Business

- A. Presentation of Second Reading: Amendment to Ordinance #18, Salary Plan to amend Article II.A, Regular Full-Time and Part-Time Benefit Eligible Employees; and Article II.B, Seasonal/Temporary & Stipend Employees**

Included in the agenda packet were the Amendments to Ordinance No. 18, Article II.A – Regular Full-Time and Part-Time Benefit Eligible Positions; and Article II.B – Seasonal/Temporary & Stipend Employees.

Ms. Gloria Leskiewicz, Human Resources Director, came forth representing the proposed amendments to Ordinance 18. The Council is being asked to continue the process of amending Ordinance No. 18, Salary Plan, as follows:

1. Amend Article II.A, Regular Full-Time and Part-Time Benefit Eligible Positions by moving the Utilities Superintendent Position from Grade 11 to Grade 10, deleting the position of Field Inspector I (Grade 7), and retitling the position of “Field Inspector II” (Grade 8) to “Field Inspector;” and
2. Amend Article II.B, Seasonal/Temporary & Stipend Employees to include the positions of part-time Call Firefighter and part-time Communication Specialist.

Due to recent retirements of long-term employees, the City has recognized the need to reorganize the Utilities Division as there is great need for an experienced superintendent to oversee construction projects and to supervise emergency situations.

The Utilities Superintendent position is an existing position within the Lebanon Professional, Administrative, Salaried Employees (LPASE) Bargaining Unit but has been vacant for several years. Based on current needs, the job description has been reviewed, revised, and regraded to bring it into alignment with three other Public Works Superintendent’s positions. The proposed regrading of the

position has been reviewed with the LPASE membership and they are in agreement with the recommended change.

The structure of the Planning and Development Department does not dictate the need for two separately graded Field Inspector Positions. Field Inspector I (Grade 7) was envisioned as an “entry level” position and is being eliminated. As there will no longer be a “Field Inspector I” position, there is no need for a “Field Inspector II,” so it is to be retitled “Field Inspector.”

The positions of part-time Call Firefighter and part-time Communication Specialist are existing positions but were inadvertently left off the list of Seasonal/Temporary & Stipend Employees. We are asking that they be included so the listing of “all” City positions in Ordinance 18 is complete.

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.

ACTION:

ACKNOWLEDGE SECOND PRESENTATION:

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

1. Amend Article II.A, Regular Full-Time and Part-Time Benefit Eligible Positions by moving the Utilities Superintendent Position from Grade 11 to Grade 10, deleting the position of Field Inspector I (Grade 7), and retitling the position of “Field Inspector II” (Grade 8) to “Field Inspector;” and
2. Amend Article II.B, Seasonal/Temporary & Stipend Employees to include the positions of part-time Call Firefighter and part-time Communications Specialist as noted on pages 25-28 of the agenda packet.

Changes to the compensation and classification schedules are shown in *blue italics* type; position deletions are shown *red-italics* type.

REGULAR FULL-TIME/REGULAR PART-TIME NON-AFFILIATED & LPASE EMPLOYEES – 2020 SALARY GRADES 1.6% GWI

<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	\$16.52	\$22.31	-	-
2	Custodian	\$17.52	\$23.64	-	-
	Department Secretary	-	-	-	-
3	Airport Maintenance Worker	\$18.56	\$25.06	-	-
	Custodian I	-	-	-	-
4	Library Assistant	\$19.68	\$26.57	-	-

5		\$20.86	\$28.15	-	-
6	-	\$22.11	\$29.84	-	-
7	Administrative Secretary	\$23.43	\$31.97	-	-
	Assessing Clerk	-	-	-	-
	Assistant City Clerk	-	-	-	-
	Assistant Human Services Director	-	-	-	-
	Communications Specialist	-	-	-	-
	Field Inspector I	-	-	-	-
	Library Administrative/Technical Assistant	-	-	-	-
8	Administrative Assistant	\$24.84	\$33.54	-	-
	Benefits Coordinator/Payroll Specialist	-	-	-	-
	Deputy City Clerk	-	-	-	-
	Deputy Tax Collector	-	-	-	-
	Field Inspector	-	-	-	-
	Field Inspector II				
	Electrical Inspector	-	-	-	-
	Young Adult Librarian	-	-	\$993.65	\$1,341.53
	Outreach Librarian	-	-	-	-
9	Code Health Inspector	-	-	-	-
	Executive Assistant	\$27.32	\$36.88	-	-
	Digital Media Officer	-	-	-	-
	Information Technology Technical Specialist	-	-	-	-
	Real Estate Appraiser II	-	-	-	-
	Associate Planner	-	-	\$1092.81	\$1,475.23
	Systems Librarian	-	-	-	-
	Information Technology Librarian	-	-	-	-
	Children's Librarian	-	-	-	-
10	Assistant City Engineer	\$30.05	\$40.57	-	-
	Cemetery Sexton	-	-	-	-
	Financial Analyst	-	-	-	-
	Fleet Maintenance Supervisor	-	-	-	-
	Maintenance Superintendent	-	-	-	-
	Utilities Maintenance Superintendent				
	Police Communications Specialist	-	-	-	-
	Tax Collector	-	-	-	-
	Human Services Director	-	-	\$1,202.11	\$1,622.84
	Recreation Program Coordinator	-	-	\$1,202.11	\$1,622.84
11	Technical Advisor I	\$33.09	\$44.67	-	-
	Utilities Maintenance Superintendent	-	-	-	-
	Administrative Services Manager	-	-	\$1,323.45	\$1,786.70
	Airport Operations Supervisor	-	-	-	-
	Assistant Recreation Director	-	-	-	-
	Code Enforcement Director	-	-	-	-
	Deputy Library Director	-	-	-	-
	Fire Marshall	-	-	-	-
	Planner/GIS Coordinator	-	-	-	-
	Senior Planner	-	-	-	-
12	Wastewater Treatment Superintendent	\$35.07	\$47.34	-	-

	Water Treatment Superintendent	-	-	-	-
	City Assessor	-	-	\$1,402.68	\$1,893.45
	City Clerk	-	-	-	-
	City Engineer	-	-	-	-
	City Planner	-	-	-	-
	Deputy Finance Director	-	-	-	-
	Energy & Facilities Manager	-	-	-	-
	Police Lieutenant	-	-	-	-
	Prosecuting Attorney	-	-	-	-
	Solid Waste Manager	-	-	-	-
13	Airport Manager	-	-	\$1,486.91	\$2,007.28
	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	-	-	\$1,576.13	\$2,127.78
	Chief Assessor	-	-	-	-
	Library Director	-	-	-	-
15	Information Technology Director	-	-	\$1,670.78	\$2,255.37
16	Technical Advisor II	\$44.27	\$59.76		
	Chief of Police	-	-	\$1,770.86	\$2,390.47
	Director of Planning and Zoning	-	-	-	-
	Director of Public Works	-	-	-	-
	Finance Director	-	-	-	-
	Fire Chief	-	-	-	-
	Deputy City Manager	-	-	-	-

B. SEASONAL/TEMPORARY& STIPEND EMPLOYEES

Seasonal, temporary and part-time positions with less than 20 hours are not placed into grades. These positions are based upon comparable municipal positions and wages and/or local current market values. These positions are NOT eligible for employee benefits. Seasonal positions are up to 6 months in duration; part-time positions are less than 20 hours weekly and may be year round or by event; temporary positions vary in length of service (less than 1 year).

The following pay plan shall be in effect for the first pay period of 2020

POSITION TITLE	HOURLY	
ELECTION POSITIONS (HOURLY)		
Ballot Clerk		\$10.00
Election Assistant		\$10.00

Supervisors of the Checklist		\$10.00
Moderator		\$12.50
Ward Clerk		\$12.50
FIRE DEPARTMENT POSITIONS		
<i>Call Firefighter</i>	\$11.25	\$28.12
PARK AND RECREATION POSITIONS		
Camp Counselors	\$10.00	\$12.00
Front Desk Attendants – Pool	\$10.00	\$12.00
Head Front Desk Attendants	\$11.00	\$13.50
Site Assistant	\$10.00	\$13.00
Lifeguards	\$10.00	\$12.00
Head/Lead Counselors	\$13.00	\$16.00
Site Assistant	\$10.00	\$13.00
Head & WSI Lifeguards	\$12.00	\$15.00
Head Front Desk Attendant - Pool	\$12.00	\$15.00
Outdoor Adventurer - Educator	\$12.50	\$16.00
Softball Coordinator	\$12.50	\$16.00
Camp Director	\$13.00	\$16.00
Day Camp Counselors	\$10.00	\$14.00
Arts & Craft Director	\$13.00	\$16.00
Farmers Market Coordinator	\$14.00	\$18.00
Market Assistant	\$12.00	\$15.00
Tennis Instructor	\$15.00	\$19.00
Stomp & Romp	\$15.00	\$19.00
Asst. Pool Director	\$15.00	\$19.00
Pool Director	\$16.00	\$20.00
LIBRARY POSITIONS		
Circulation Substitutes		\$13.21
Reference Librarian Substitutes		\$22.32
PUBLIC WORK POSITIONS		
Engineering Clerk	\$11.00	\$14.00
GIS Clerk - (or Intern)	\$15.00	\$17.00
Seasonal Laborers – Summer & Fall DPW, Parks & Rec. & Airport	\$16.00	\$19.00
CDL Seasonal Drivers	\$22.81	\$27.30
PLANNING POSITIONS		
Park Ranger	\$15.00	\$17.00
POLICE DEPARTMENT POSITIONS		
Crossing Guard		\$16.29
<i>Communications Specialist</i>	\$23.43	\$31.97
Police Administrative Aide	\$20.00	\$23.00
Parking Control Officer	\$20.00	\$23.00
Police Officers	\$26.46	\$31.91
CITY CLERK POSITIONS		
Assistant City Clerks (Part-Time/Temp. <20)	\$23.06	\$31.14
Recording Secretary	\$21.50	\$23.50
Recording Secretary Coordinator	\$22.00	\$24.00
SHARED POSITION		
General Intern I	\$13.00	\$16.50
STIPEND POSITIONS		
Sport Coaches – Seasonally (Lacrosse, Track, Youth – Basketball, Field Hockey, Football, Cheerleader Coach etc. – may vary due to Programs)	\$200	\$700

(Chair) Supervisors of the Check List	\$150	\$250
Supervisor of the Voter Checklist	\$150	\$250

Seconded by Councilor Heistad.

Roll Call Vote:

Assistant Mayor Below, and Councilors Bronner, Heistad, Liot Hill, Prentiss, Sykes, Winny, Zook and Mayor McNamara, all voting Yea.

None voted Nay.

****The Vote on the Motion was unanimously approved (9-0).***

B. Action to adopt amendment to Council Rules as presented on October 21, 2020.

Included in the agenda packet was Chapter A191 Council Rules (as amended and presented on 10/21/2020).

Deputy City Manager Paula Maville came forth representing the proposed City Council's "Order of Business." This is being proposed so the numbering on agendas will coincide with the new software for the creation of agendas on the website and the recording of City meetings.

In accordance with §A191-13 of the Rules, amendments must be presented in writing at the preceding regular meeting, prior to adoption. As such, these amendments will be presented for adoption at the November 4th meeting. Adoption requires a 2/3 vote of all members of the Council.

ACTION:

Councilor Prentiss MOVED, that the Lebanon City Council hereby amends City Code Chapter A191, Council Rules, to include amendments to Section 191-8, Order of Business, as presented on October 21, 2020.

Seconded by Councilor Bronner.

Roll Call Vote:

Assistant Mayor Below, and Councilors Bronner, Heistad, Liot Hill, Prentiss, Sykes, Winny, Zook and Mayor McNamara, all voting Yea.

None voted Nay.

****The Vote on the Motion was unanimously approved (9-0).***

10. New Business

A. Action on request by the Carter Witherell Center for abatement of sewer charges due to pool leak.

Included in the agenda packet were the September 30, 2020 Application for Water & Sewer Bill Abatement by the Carter Witherell Center; the July 31, 2020 Water & Sewer Bill for Carter Witherell Center, and; the Utility Billing Statement for Carter Witherell Center (printed 10/28/2020)

City Manager Shaun Mulholland explained the process for granting an abatement on water/sewer bills that come to the City Manager's office for review. Recommendations from DPW are also reviewed. He read the provisions of the City Code for abatement of fees charged.

The Carter Witherell Center is requesting an abatement of a substantial portion of their sewer use charges (plus accrued interest) for the service period of March 1 – June 30, 2020. Upon investigation of the facility due to receipt of a larger than normal water and sewer bill, a major leak was discovered in their indoor pool. A partial abatement in the amount of \$2,593.20 was approved by the City Manager on October 14, 2020. The calculation for the partial abatement was based on the average water usage over the same quarter for the past four years (interest was not abated). The Witherell Center Staff does not agree that this should be the basis for the abatement and are requesting additional relief.

Director Kerry Artman, Executive Director at the Carter Witherell Center, came forth to review and discuss the abatement of sewer charges request as listed above. Due to the COVID situation, the facility was closed on March 16, 2020 and was reopened on June 15, 2020. We were only in there to do maintenance and check on the building, noting that as a result of checking the building we realized we had to keep filling the pool with water. When we received our water bill for the second quarter in early July, we expected it to be well below normal, but instead it was \$17,000 (\$10,000 would be normal in a full use quarter). After notifying the City about a potential leak somewhere, the DPW sent over one of their employees to take a look at their meter. After the meter was checked out, he told them something was going on that was not normal. At that time, an abatement was discussed and they were told to not seek an abatement until a leak could be proven. A few months was spent figuring out they did have a leak and have since drained the pool, re-grouted it, fixed the pipe, and refilled the pool.

Director Artman asked the City to give the Carter Witherell Center some leniency on the sewer portion of their bill, noting they have used the water and are happy to pay for the water we use, but we know the pool was leaking into the ground and not leaking into the sewer system. She felt it was reasonable for them to pay 17% of the sewer fee for a normal quarter based on Q2 2019, which was a typical 2nd quarter water usage for them.

Mayor McNamara asked Ms. Artman what 17% would come out to for a typical Q2 and Ms. Artman noted it comes out to \$1,252.

Mayor McNamara's understanding was the original amount that offered to be abated was \$2,593.20 out of a total bill net of 17,530.45. He informed Ms. Artman that the City Manager, Assistant Mayor Below and he took a second look at this issue and came up with an abatement of \$5,494.33, which is more than the \$2,593.20 originally approved. That would bring the total abatement to \$8,928.06, and what the Carter Witherell Center is looking for is an abatement of \$16,000 out of a \$17,000 bill.

Ms. Artman said they do want to pay for the water, it was just the sewer portion they were asking for the abatement on. The sewer portion was \$10,970.58 and she believed the CCBA owed about \$1,250. She was also concerned because she had been in touch with the City repeatedly about their problem, and was told that because the bill was not paid by September 1, 2020, they were facing interest charges. When she again spoke with someone from the City, they were told they should not pay their bill by September 1st because that would make the abatement even trickier. She felt she was operating in good faith with the City, but now she is being charged interest (approximately \$499) on top of everything else.

In response to Mayor McNamara's question about who, in the City, gave her that information, Ms. Artman said she spoke with Graham (field person), Peggy, and was in touch with Jay, noting it was Graham who told her to wait on the abatement until she had actual evidence. When she spoke with Peggy, she was told that if she had paid the bill earlier, it would have made things more confusing. Jay was brought in once she had actual evidence to show what the CCBA leak was.

Councilor Liot Hill requested clarification on the City's revised abatement offer; Why, if people were inspecting the building, was this not looked into earlier, and; Does the City have mechanisms in place to identify substantial water/sewer usage?

Mr. Mulholland said DPW actually needs to go out in the field to read meters and noted the computer sends out the water bills.

Ms. Artman explained the details of what happened during the shutdown of all of Carter Witherell Center systems and the assumption from the aquatics manager, noting it wasn't until the pool was opened when they realized there was an unusual amount of water being used.

Mayor McNamara's understanding is that the Carter Witherell Center is requesting \$9719.00 plus \$499.90 in interest. The City is offering \$8928.00, which is a \$1291.00 difference.

Mr. Mulholland said the standard that is used by the City is to look at the last three years of a particular quarter and take an average to determine what the sewer usage is. The difference is that the Carter Witherell Center was closed down for a longer period of time than other businesses, so their situation is different.

The Council discussed whether the Carter Witherell Center should be abated \$9719 on the base sewer bill or the \$8928, as well as an interest abatement of the \$499.97 that was incurred due to the nonpayment as of September 1, 2020.

After clarification by Ms. Artman on how they came up with their abatement number (17% of the 2019 sewer piece and applying the City's current rates) Assistant Mayor Below felt this was a reasonable request given the pandemic situation and given that the Carter Witherell Center is a non-profit, community oriented organization that was closed down for almost 3 months. He supported subtracting the \$1252 from the sewer bill. As for the interest, Assistant Mayor Below noted there was a misunderstanding and felt it also was appropriate to abate the interest charges of \$499.00 for a total abatement of \$10,218.06.

Mr. Mulholland informed the Council that according to State Statute, non-profit organizations are not exempt from paying water/sewer bills and requested they not use the terminology of non-profit in their rationale for an abatement because it will cause confusion in the future.

ACTION:

Assistant Mayor Below MOVED, that, in accordance with City Code Chapter 136, Sewer Service, Section 136-80, Abatement, the Lebanon City Council hereby authorizes an abatement of sewer use charges for the Carter-Witherell Center in the amount of \$10,219.00 for the period of March 1, 2020 – June 30, 2020. (The abatement is taking the water usage and multiplying it by the current biometric rates for sewer and taking the interest that relates to the unpaid second quarter bill, if paid promptly.)

Seconded by Councilor Bronner.

Roll Call Vote:

Assistant Mayor Below, and Councilors Bronner, Heistad, Liot Hill, Prentiss, Sykes, Winny, Zook and Mayor McNamara, all voting Yea.

None voted Nay.

****The Vote on the Motion was unanimously approved (9-0).***

B. Discussion and Set Public Hearing for November 18, 2020: Ordinance #2020-18 to amend City Code Chapter 97, Landfill Regulations, Appendix A, Fee Schedule.

Included in the agenda packet was the Proposed Ordinance #2020-18.

Mr. Marc Morgan came forth to review and discuss the amendments to Ordinance #2020-18 City Code Chapter 97, Landfill Regulations, Appendix A, Fee Schedule. The fee schedule is proposed to become effective on January 1, 2021 and is detailed in the November 4, 2020 City Council agenda packet (pages 44-46).

Chapter 97, Landfill Regulations, was fully updated in July 2019 to incorporate the language from now repealed Chapter 143 (Solid Waste) and to include a fee schedule for disposal of refuse and recycling of certain materials. The fee schedule is to be reviewed annually for possible updates based on current market rates.

ACTION:

Councilor Bronner MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, November 18, 2020, beginning at 7:00pm, Remote via Microsoft Teams, for the purpose of receiving public input and taking action on proposed Ordinance #2020-18, to amend the Code of the City of Lebanon, Chapter 97, Landfill Regulations, Appendix A, Fee Schedule.

Seconded by Assistant Mayor Below.

Roll Call Vote:

Assistant Mayor Below, and Councilors Bronner, Heistad, Liot Hill, Prentiss, Sykes, Winny, Zook and Mayor McNamara, all voting Yea.

None voted Nay.

****The Vote on the Motion was unanimously approved (9-0).***

C. Discussion & Set Public Hearing for November 19, 2020: Ordinance #2020-19 to amend the City Code by adding a new Chapter 185, Welcoming Lebanon.

Included in the agenda were the Proposed Ordinance 2020-19; the October 21, 2020 Welcoming Lebanon Ordinance as reviewed and recommended by the Fair and Impartial Policing Task Force, and; the Fair & Impartial Policing Task Force Report to the Council.

Mayor McNamara noted the purpose of this meeting is not to go into the details of this Ordinance, but rather to just set the Public Hearing.

Councilor Liot Hill came forth to speak about and give an overview of what would be presented at the November 19, 2020 Public Hearing, which was detailed in great length on pages 47-87 in the City Council's November 4, 2020 agenda packet. She introduced the Fair & Impartial Policing Task Force Members who are:

- Karen Liot Hill, City Council Rep. & Co-Chair
- Suzanne Prentiss, City Council Rep & Co-Chair
- Barry Schuster, Public Rep.
- Keiselim Montas, Public Rep.
- Diane Root, Public Rep.
- Devin Wilkie, Petitioner Rep.
- Kathleen Beckett, Petitioner Rep

- Bernie Waugh, City Attorney

In March 2020, the voters of Lebanon passed the “Welcoming Lebanon” Ordinance which began through a binding referendum process in October 2019.

In May 2020, the City Council established the Fair and Impartial Policing Task Force to study and propose amendments to the ordinance in an effort to make it compliant with applicable Federal and State laws, rules, and regulations, while maintaining the intent and purpose of the ordinance as adopted by voters.

Attached are the recommendations by the Task Force along with Ordinance #2020-19 which formats the recommendations for codification as part of the City Code.

Ordinance 2020-19 has been sent for legal review in accordance with City Code Chapter 115, Enactment of Ordinances. If the opinion is available prior to the November 4 meeting, it will be provided under separate cover and posted to the City’s website. If it is not available for November 4, it will be available on or before the time the Ordinance is posted for the public hearing on November 19.

The following came forth to speak:

Kathy Beckett read, in its entirety, the formation history of the Fair & Impartial Policing Task Force (FIPTF) and the work the Petitioners Committee did prior to the ordinance being put on the ballot (pages 58-62, November 4, 2020, City Council agenda packet).

Devin Wilkie read, in its entirety, the work completed by the Fair & Impartial Policing Task Force (FIPTF) over the last six months (pages 62-87, November 4, 2020, City Council agenda packet).

ACTION:

Councilor Prentiss *MOVED*, that the Lebanon City Council hereby schedules a public hearing for Thursday, November 19, 2020, beginning at 7:00 pm, Remote via Microsoft Teams, for the purpose of receiving public input and taking action on proposed Ordinance #2020-19, to amend the Code of the City of Lebanon, by adding new Chapter 185, Welcoming Lebanon.

Seconded by Sykes.

Roll Call Vote:

Assistant Mayor Below, and Councilors Bronner, Heistad, Liot Hill, Prentiss, Sykes, Winny, Zook and Mayor McNamara, all voting Yea.

None voted Nay.

****The Vote on the Motion was unanimously approved (9-0).***

11. City Manager Report:

City Manager Shaun Mulholland came forward to update the Council on the following:

- Barriers between Park and Court Streets have been removed.
- Paving of parking lot above the tunnel will be taking place.
- Sewer Lining Project: 70% has been completed for the year.
- Moving back to the renovated City Hall has begun and the plan is to be open for normal business to the public by November 16, 2020. PPE protections will be in place.
- Kilton Library will be opening soon.

- Pavement behind City Hall will be done before it turns too cold.
- Seminary Hill Road is expected to be completed in the spring.
- Westboro Yard: Will continue to look at options with the State.
- The pile of PCBs materials on Spencer Street have been removed.
- Tax Bills will go out on November 5, 2020.
- COVID-19 Update.

12. Council Representatives to Other Bodies Report:

Assistant Mayor Below was given the Council's consent to represent the City in the upcoming Public Utilities Commission's proceedings that relates to work LEAC is doing.

13. Future Agenda Items:

14. Non-Public Session:

15. Adjournment:

Councilor Bronner MOVED for adjournment.

Seconded by Councilor Prentiss.

Roll Call Vote:

Assistant Mayor Below, and Councilors Bronner, Heistad, Liot Hill, Prentiss, Sykes, Winny, Zook and Mayor McNamara, all voting Yea.

None voted Nay.

**The Vote on the Motion was unanimously approved (9-0).*

The meeting was adjourned at 8:44 PM.

Respectfully submitted,

Dona E. Gibson

Recording Secretary