

FINAL

**LEBANON CITY COUNCIL
REGULAR SESSION MINUTES
Wednesday, November 16, 2022, 7:00 p.m.
Remote Via Microsoft Teams: LebanonNH.gov/Live**

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

MEMBERS ABSENT:

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager David Brooks, City Clerk Kristin Kenniston, Senior Planner Tim Corwin, Finance Director Vicki Lee, Deputy Finance Director Alesia Williams, Human Resources Director Gloria Leskiewicz

1. **CALL TO ORDER:** Mayor McNamara called the meeting to order at 7:00 p.m.
 - City Manager Shaun Mulholland announced the meeting criteria for the public.
2. **PLEDGE OF ALLEGIANCE:** Councilor Simon led the Council in the Pledge.
3. **PUBLIC FORUM:** Mayor McNamara made the Public Forum announcement.
4. **OPEN TO PUBLIC:**
 - Councilor Simon received an email from a constituent who had some problems with the mail and was charged a late fee when his water bill was not received in time. He questioned if it would be possible to receive billing from the City via electronic services (email). He learned from Councilor Whittlesey that it is possible to have an email sent out so he forwarded the constituent's email to the City Manager for him to have staff direct/assist the citizen on how he can receive electronic billing.
5. **RECOGNITIONS: NONE**
6. **ACCEPTANCE OF MINUTES:**
 - November 1, 2022 (Budget Work Session)
Amendments: NONE
 - November 2, 2022 (Regular Meeting)
Amendments: Page 20, Line 16: Strike entire line. Page 20, Line 20: Change "HDHR" to "NH HDR"

Councilor Heistad MOVED to approve the November 2, 2022, Budget Work Session minutes and the November 2, 2022 Regular Meeting minutes as amended and presented in the November 16, 2022 City Council agenda packet.

Seconded by Councilor Whittlesey.

****The Vote on the Motion was approved (7-0). Assistant Mayor Below and Councilor Zook were not present at the time of this vote.***

7. APPOINTMENTS:

- Library Board of Trustees, Jeffrey Damren, Alternate Member

Councilor Simon put forth the NOMINATION of Jeffrey Damren as an Alternate Member of the Library Board of Trustees. Term: (11/22-11/23)

The Vote on the NOMINATION was approved (7-0). Assistant Mayor Below and Councilor Zook were not present at the time of this vote.

8. PUBLIC HEARING ITEMS:

- A. CITY CHARTER AMENDMENT** – A public hearing for the purpose of receiving public input and taking action to amend City Charter relative to changing gender-based pronouns to gender-neutral pronouns.

Included in the agenda packet ([*Pages 45-84, City Council agenda packet*](#)):

1. Draft Proposed Charter Amendment Language
2. Memorandum of Recommendations from the Diversity, Equity, and Inclusion Commission
3. November 1, 2022 Legal Opinion by Attorney Matthew C. Decker, RE: RSA 49-B City Charter Amendment

City Manager Mulholland reviewed the draft proposed Charter Amendment Language.

BACKGROUND

As part of its overall mission, the Diversity, Equity, and Inclusion Commission (DEI) has recommended that the City update its Charter with the intention of making the language of the Charter gender neutral. DEI members have reviewed the Lebanon Charter and provided a detailed and precise list of suggested changes in language to various sections as reflected in the attached redline document. DEI has taken care not to suggest changes that would alter the meaning of the Charter in any other way.

To change the Lebanon Charter, the City Council must first schedule and hold a public hearing concerning the proposed amendment. Following the public hearing, if the Council votes to proceed with the amendment process, the Council must cause a report to be filed with the City Clerk containing the final draft of the proposed Charter amendment(s). The City Clerk must then file a certified copy of the report with the NH Secretary of State, the NH Attorney General, and the Commissioner of the NH Department of Revenue Administration, each of whom has 45 days to review the proposed amendment to ensure that it is consistent with the general laws of the state. Only after the three state agencies have approved the proposed amendment can the Council take action to have the proposed Charter amendment placed on the ballot at the next municipal election to be held on March 14, 2023. The Charter amendment will be effective July 1, 2023, if passed by voters at the municipal election.

There were also proposed amendment changes to change lower case letters in “city manager” to upper case letters “City Manager.” However, after feedback from legal counsel, there needs to be a separate Article in order to do this, and we will not meet the timelines to make the March 14, 2023 ballot.

Mayor McNamara opened the Public Hearing.

Mayor McNamara noted he received an email from a constituent in opposition to this and was uncertain if the constituent fully understood how this (proposed language change) was going to work. He will advise the constituent this City Charter Amendment will go before the voters.

Mr. Richard Ford Burley (DEI Commission Member) came forth and spoke about what he considered was a misleading article in the newspaper regarding the proposed language change in the Charter to make it gender neutral. What we really are doing is just getting rid of gender pronouns.

Hearing no further comments from the public, Mayor McNamara closed the Public Hearing.

Assistant Mayor Below arrived at approximately 7:06 PM: Councilor Zook arrived at approximately 7:12 PM.

Council Discussions:

Councilor Wilkie mentioned he also received a message from the same constituent as Mayor McNamara and had a very nice exchange with said constituent who now seems to be much less concerned.

ACTION:

Councilor Wilkie MOVED the following RESOLUTION:

BE IT RESOLVED that the Lebanon City Council hereby determines that the proposed amendment to the Lebanon City Charter to replace gender-specific pronouns and terms with gender-neutral pronouns and terms is necessary and appropriate.

Proposed City Charter Amendment: Change pronouns and terms in the City Charter as follows:

Amend Section II, Elections, §C419:8-10 by deleting gender-specific pronouns and terms and replacing them with gender-neutral pronouns and terms.

Amend Section III, Administration, §C419:16-18, §C419:26-33, §C419:38-40, §C419:44-45, and §C419:48 by deleting gender-specific pronouns and terms and replacing them with gender-neutral pronouns and terms.

Amend Section IV, Merit Plan, §C419:54 by deleting gender-specific pronouns and terms and replacing them with gender-neutral pronouns and terms.

Amend Section VI, Miscellaneous Provisions, §C419:59-60, §C419:62, §C419:70 by deleting gender-specific pronouns and terms and replacing them with gender-neutral pronouns and terms.

Each deletion and replacement to be done as specifically shown in the “Lebanon Charter Gender Neutral Language Recommendations” document included in the packet for this agenda item.

Explanation: The purpose of this amendment is to replace the existing use of gender-specific pronouns and terms with gender-neutral pronouns and terms.

BE IT FURTHER RESOLVED that the Lebanon City Council hereby directs the City Manager to cause a report to be filed with the City Clerk containing the final draft of the proposed Charter amendment to replace gender-specific pronouns and terms with gender-neutral pronouns and terms in the Sections referenced above as summarized in the agenda packet materials for the City Council’s November 16, 2022 meeting, after which the City Clerk, in accordance with NH RSA 49-B:4-a, I, shall cause a certified

copy of such report to be filed with the New Hampshire Secretary of State, the New Hampshire Attorney General, and the Commissioner of the New Hampshire Department of Revenue Administration.

This change will be effective July 1, 2023, if passed by voters at the March 14, 2023 Municipal Election.

Seconded by Councilor Liot Hill.

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

9. OLD BUSINESS

A. Action to adopt amendments to Council Rules, §A191-15, as presented on November 2, 2022.

Included in packet:

1. Chapter §A191-15 Council Rules (with proposed amendments as presented on 11/02/2022) ***Pages 86- 87 , City Council agenda packet***

City Manager Mulholland reviewed the proposed amendments to the City Council Rules.

BACKGROUND

In accordance with §A191-13 of the Council Rules, proposed amendments must be presented in writing at the preceding regular meeting, prior to adoption. Adoption requires a 2/3 vote of all members of the Council.

On November 2, 2022, the Council reviewed and discussed a proposed amendment to §A191- 15, to amend the process for reappointment of members to City boards, committees, and commissions. Currently, the Council's process for both new appointments and reappointments requires that one member of the City Council shall interview the applicant within 30 days of receiving the application from the City Clerk and report to the full Council prior to any nomination for appointment or reappointment.

The proposed amendment to §A191-15 would remove the requirement for a member of the City Council to interview applicants for reappointment to the same board, committee, or commission on which they currently serve. Council interviews would still be required for initial appointments of new applicants to boards, committees, or commissions.

Council Discussions: None

ACTION:

Councilor Liot Hill MOVED, that the Lebanon City Council hereby amends the Council Rules to include the amendments to §A191-15, as presented on November 2, 2022.

Seconded by Councilor Whittlesey.

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

10. NEW BUSINESS

A. Presentation of First Reading & Set Public Hearing for December 14, 2022: Amendments to Ordinance #18, Salary Plan, to include implementation of a 3% General Wage Increase, and to retitle, reclassify, and add positions to the existing salary plan.

Included in the agenda packet:

1. Amendments to Ordinance #18, Salary Plan ***(Pages 88-100, City Council agenda packet)***

The City Council was asked to take action to amend Ordinance #18, Salary Plan, as follows:

1. Article II, Non-Affiliated and LPASE Employees, to:
 - a. Implement a 3% General Wage Increase for 2023;
 - b. Increase the wage and stipend pay scales for Seasonal/Temporary & Stipend Employees;
 - c. Reclassify the following Non-Affiliated positions:
 - i) Systems Librarian and Information Technology Librarian from Grade 9 to Grade 11.
 - ii) Deputy Library Director from Grade 11 to Grade 12.
 - iii) Chief Innovation Officer and Deputy Finance Director from Grade 12 to Grade 13.
 - iv) Airport Manager, Assistant Fire Chief, and Human Resources Director from Grade 13 to Grade 14.
 - v) Deputy Police Chief from Grade 14 to Grade 15.
 - d. Reclassify the following LPASE positions:
 - i. Assistant City Engineer from Grade 9 to Grade 10.
 - ii. Cemetery Sexton, Fleet Maintenance Supervisor, Maintenance Superintendent, and Utilities Maintenance Superintendent from Grade 10 to Grade 11.
 - iii. Administrative Services Manager from Grade 11 to Grade 12.
 - e. Retitle the following positions:
 - i. Two (2) Benefits Coordinator/Payroll Specialist positions to be separated into a Benefits Coordinator position (Human Resources) and a Payroll Specialist position (Finance).
 - ii. Director of Planning and Zoning retitled as Planning and Development Director.
 - iii. Director of Public Works retitled as Public Works Director.
 - f. Reclassify and retitle the following position:
 - i. Recreation Director retitled as Recreation, Arts & Parks Director and reclassified from Grade 13 to Grade 14.
 - g. Add the following Non-Affiliated positions:
 - i. Accounting Clerk III (Finance Department) added as Grade 8.
 - ii. A combined Deputy City Clerk/Deputy Tax Collector (City Clerk) added as grade 8.
 - iii. Public Relations Coordinator (City Manager) added as grade 9.
 - iv. Deputy Human Resources Director (Human Resources Department) added as Grade 13.
 - v. Deputy Planning and Development Director (Planning and Development Department) added as Grade 13.
 - vi. Human Resources Specialist (Human Resources Department) added as Grade 14.
 - h. Add the following Seasonal/Temporary & Stipend positions:
 - i. Tree Warden (Recreation, Arts & Parks Department) added as a Stipend position.
 - ii. Lead Recording Secretary (City Clerk) added as an hourly position.
2. Article III, Bargaining Unit Employees, Section A, AFSCME LOCAL #1348/COUNCIL 93 AFL-CIO, to:
 - a) Implement a 3% General Wage Increase for 2023;
 - b) Reclassify the following positions:
 - i) Parks and Grounds Crew Foreman from Grade 7 to Grade 8.

- ii) Electrician from Grade 8 to Grade 9.
- 3. Article III, Bargaining Unit Employees, Section B, Lebanon Permanent Firefighters' Association, LOCAL 3197/International Association of Fire Fighters (IAFF), to implement a 3% General Wage Increase for 2023.
- 4. Article III, Bargaining Unit Employees, Section C, Lebanon Police Benevolent Association Police Benevolent Association (NEPBA), to implement a 3% wage Increase for 2023.

Gloria Leskiewicz, Human Resources Director, reviewed and discussed the background and reasons behind all proposed amendments to Ordinance #18, Salary Plan as listed below.

BACKGROUND

ARTICLE II NON-AFFILIATE EMPLOYEES

The City Manager is responsible for maintaining the City's Compensation and Classification Plan. Within Ordinance #18, compensation for exempt (salaried) and non-exempt (hourly) Non-Affiliated employees is expressed as a minimum and maximum grade range – hourly rates for non-exempt employees and weekly rates for exempt (salaried) employees. Movement within ranges is achieved through annual general wage and merit or step adjustments applicable for employees who are not already at the top of their wage range. To be useful, it is imperative that compensation and classification systems be kept current. This is achieved primarily by revising compensation ranges through regular general wage adjustments and by systematically reviewing all positions on a regular basis relative to meaningful sampling of the labor market and internally relative to other positions.

For general wage adjustments for Non-Affiliated (non-union) employees, the City's practice is to use the percentage change in the Northeast Urban CPI for June from 12 months prior, with a minimum adjustment of 1% (floor) and a maximum adjustment of 3% (ceiling). The same basis of adjustment is used for each of the bargaining units. The increase in the Northeast Urban CPI for the period of June 2021-June 2022 was 7.6%. As a result, the City Council is asked to take action to implement a 3% General Wage Increase for Non-Affiliated employees as part of the 2023 City Budget.

In addition, due to the increasingly competitive employment market, the City contracted with Municipal Resources, Inc. to conduct an updated Market Analysis Survey of Non-Affiliated, LPASE, and AFSCME positions included in the Ordinance #18 salary plan. Based on the results of the Market Analysis, the administration is proposing to adjust salary ranges for each pay grade and to retitle and/or reclassify identified positions to provide equitable and adequate wages for employees.

For Non-Affiliated employees, the minimum and maximum wage rates for each of the sixteen (16) pay grades have been expanded and the ranges for all grades overlap, which will assist in keeping wages competitive. Several management and director-level positions are proposed to be renamed and/or reclassified as outlined above. The administration is also proposing several new Non-Affiliated positions to be added to Ordinance #18 as summarized above.

The table below reflects the changes in position title and classification as shown in red text. Changes in wages reflects both the expansion of each range as well as the 3% GWI for Non-Affiliated employees, which would be effective as of the first pay period of 2023.

ARTICLE II, LPASE EMPLOYEES

The City and Lebanon Professional, Administrative, and Salaried Employees (LPASE) have a collective bargaining agreement that covers the three-year period of 2022-2024. According to the agreement, annual General Wage Increases (GWIs) for the life of the contract will be based on the percentage change in the Northeast Urban CPI for June from 12 months prior, but shall be no less than 1% (floor) and no greater than 3% (ceiling). Based on a 7.6% increase in the CPI as of June 2022, the applicable GWI for 2023 will be 3%. Corresponding wage schedules for 2024 are not provided as the GWI for 2024 will not be known until July of 2023.

When negotiating the current agreement, LPASE (and the other bargaining units) agreed to forgo step and merit increases for 2023, but to continue to receive the GWI for 2023. The purpose of forgoing step and merit increases was intended to help the City absorb anticipated increases in debt service projected for 2023. However, as capital project schedules have been delayed, the anticipated debt service increases are now projected to occur in 2024 or later. As a result, the administration expects to negotiate sidebar agreements with each of the bargaining units to allow members to receive step and merit increases in 2023 upon their annual evaluation.

Based on the results of the Market Analysis Survey, six (6) positions within LPASE are proposed to be reclassified within Ordinance #18 as outlined above.

The table below reflects the changes in position grades as well as the 3% GWI for LPASE employees, which would be effective as of the first pay period of 2023.

ARTICLE II, SEASONAL/TEMPORARY & STIPEND EMPLOYEES

Due to the competitive employment market and the difficulty departments have experienced in filling seasonal and temporary positions, the administration is recommending a 6% increase to the hourly wage and stipend rates for seasonal, temporary, and stipend employees. In addition, the administration is proposing two (2) new Seasonal/Temporary and Stipend positions to be added to Ordinance #18 as outlined above.

The table below reflects proposed new positions and the 6% GWI for Seasonal/Temporary and Stipend employees, which would be effective as of the first pay period of 2023.

ARTICLE III, BARGAINING UNIT EMPLOYEES

SECTION A, AFSCME LOCAL #1348/COUNCIL 93 AFL-CIO

The City and the American Federation of State, County, and Municipal Employees (AFSCME) have a collective bargaining agreement that covers the three-year period of 2022-2024. According to the agreement, annual General Wage Increases (GWIs) for the life of the contract will be based on the percentage change in the Northeast Urban CPI for June from 12 months prior, but shall be no less than 1% (floor) and no greater than 3% (ceiling). Based on a 7.6% increase in the CPI as of June 2022, the applicable GWI for 2023 will be 3%. Corresponding wage schedules for 2024 are not provided as the GWI for 2024 will not be known until July of 2023.

Similar to LPASE mentioned above, when negotiating the current agreement, AFSCME agreed to forgo step and merit increases for 2023 to help the City absorb anticipated increases in debt service projected for 2023. Since the anticipated debt service increases are now projected to occur in 2024 or later, the administration expects to negotiate sidebar agreements with each of the bargaining units to allow members

to receive step and merit increases in 2023 upon their annual evaluation.

Based on the results of the Market Analysis Survey, the administration is proposing to adjust the wage scale for AFSCME by dropping the first one or two steps in each of the nine (9) grades and adding one or two additional steps to the end of each grade. In addition, two (2) AFSCME positions are proposed to be reclassified within Ordinance #18 based on the Market Analysis.

The table below reflects the changes in position grade and wage ranges, as well as the 3% GWI for AFSCME employees, which would be effective as of the first pay period of 2023.

**SECTION B, LEBANON PERMANENT FIREFIGHTERS' ASSOCIATION, LOCAL 3197/
INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (IAFF)**

The City and the Lebanon Permanent Firefighters' Association, Local 3197/International Association of Fire Fighters (LPFFA/IAFF) have a collective bargaining agreement that covers the three-year period of 2022-2024. According to the agreement, annual General Wage Increases (GWIs) for the life of the contract will be based on the percentage change in the Northeast Urban CPI for June from 12 months prior, but shall be no less than 1% (floor) and no greater than 3% (ceiling). Based on a 7.6% increase in the CPI as of June 2022, the applicable GWI for 2023 will be 3%. Corresponding wage schedules for 2024 are not provided as the GWI for 2024 will not be known until July of 2023.

Similar to LPASE mentioned above, when negotiating the current agreement, LPFFA/IAFF agreed to forgo step and merit increases for 2023 to help the City absorb anticipated increases in debt service projected for 2023. Since the anticipated debt service increases are now projected to occur in 2024 or later, the administration expects to negotiate sidebar agreements with each of the bargaining units to allow members to receive step and merit increases in 2023 upon their annual evaluation.

The table below reflects the 3% GWI for LPFFA/IAFF employees, which would be effective as of the first pay period of 2023.

**SECTION C, LEBANON POLICE BENEVOLENT ASSOCIATION (LPBA)/NEW
ENGLAND POLICE BENEVOLENT ASSOCIATION (NEPBA)**

The City and the Lebanon Police Benevolent Association (LPBA)/New England Police Benevolent Association (NEPBA) have a collective bargaining agreement that covers the three-year period of 2022-2024. According to the agreement, annual General Wage Increases (GWIs) for the life of the contract will be based on the percentage change in the Northeast Urban CPI for June from 12 months prior, but shall be no less than 1% (floor) and no greater than 3% (ceiling). Based on a 7.6% increase in the CPI as of June 2022, the applicable GWI for 2023 will be 3%. Corresponding wage schedules for 2024 are not provided as the GWI for 2024 will not be known until July of 2023.

Similar to LPASE mentioned above, when negotiating the current agreement, LPBA/NEPBA agreed to forgo step and merit increases for 2023 to help the City absorb anticipated increases in debt service projected for 2023. Since the anticipated debt service increases are now projected to occur in 2024 or later, the administration expects to negotiate sidebar agreements with each of the bargaining units to allow members to receive step and merit increases in 2023 upon their annual evaluation.

The table below reflects the 3% GWI for LPBA/NEPBA employees, which would be effective as of the first pay period of 2023.

AMENDMENT PROCESS

Amending Ordinance #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 Council was asked to recognize the first of three presentations on November 16, 2022, and to schedule a public hearing for December 14, 2022, to amend the Ordinance. The second and third presentations will occur on December 7, and December 14, respectively.

1. ACKNOWLEDGE FIRST PRESENTATION:

Assistant Mayor Below MOVED, that the Lebanon City Council acknowledges the first of three presentations to amend Ordinance #18, Salary Plans, as follows:

1. Article II, Non-Affiliated and LPASE Employees, to:
 - a. Implement a 3% General Wage Increase for 2023;
 - b. Increase the wage and stipend pay scales for Seasonal/Temporary & Stipend Employees;
 - c. Reclassify the following Non-Affiliated positions:
 - vi) Systems Librarian and Information Technology Librarian from Grade 9 to Grade 11.
 - vii) Deputy Library Director from Grade 11 to Grade 12.
 - viii) Chief Innovation Officer and Deputy Finance Director from Grade 12 to Grade 13.
 - ix) Airport Manager, Assistant Fire Chief, and Human Resources Director from Grade 13 to Grade 14.
 - x) Deputy Police Chief from Grade 14 to Grade 15.
 - d. Reclassify the following LPASE positions:
 - iv. Assistant City Engineer from Grade 9 to Grade 10.
 - v. Cemetery Sexton, Fleet Maintenance Supervisor, Maintenance Superintendent, and Utilities Maintenance Superintendent from Grade 10 to Grade 11.
 - vi. Administrative Services Manager from Grade 11 to Grade 12.
 - e. Retitle the following positions:
 - iv. Two (2) Benefits Coordinator/Payroll Specialist positions to be separated into a Benefits Coordinator position (Human Resources) and a Payroll Specialist position (Finance).
 - v. Director of Planning and Zoning retitled as Planning and Development Director.
 - vi. Director of Public Works retitled as Public Works Director.
 - f. Reclassify and retitle the following position:
 - ii. Recreation Director retitled as Recreation, Arts & Parks Director and reclassified from Grade 13 to Grade 14.
 - g. Add the following Non-Affiliated positions:
 - vii. Accounting Clerk III (Finance Department) added as Grade 8.
 - viii. A combined Deputy City Clerk/Deputy Tax Collector (City Clerk) added as grade 8.
 - ix. Public Relations Coordinator (City Manager) added as grade 9.
 - x. Deputy Human Resources Director (Human Resources Department) added as Grade 13.

- xi. Deputy Planning and Development Director (Planning and Development Department) added as Grade 13.
- xii. Human Resources Specialist (Human Resources Department) added as Grade 14.
- h. Add the following Seasonal/Temporary & Stipend positions:
 - iii. Tree Warden (Recreation, Arts & Parks Department) added as a Stipend position.
 - iv. Lead Recording Secretary (City Clerk) added as an hourly position.
- 2. Article III, Bargaining Unit Employees, Section A, AFSCME LOCAL #1348/COUNCIL 93 AFL-CIO, to:
 - c) Implement a 3% General Wage Increase for 2023;
 - d) Reclassify the following positions:
 - iii) Parks and Grounds Crew Foreman from Grade 7 to Grade 8.
 - iv) Electrician from Grade 8 to Grade 9.
- 3. Article III, Bargaining Unit Employees, Section B, Lebanon Permanent Firefighters' Association, LOCAL 3197/International Association of Fire Fighters (IAFF), to implement a 3% General Wage Increase for 2023.
- 4. Article III, Bargaining Unit Employees, Section C, Lebanon Police Benevolent Association Police Benevolent Association (NEPBA), to implement a 3% wage Increase for 2023.

The following pay plan shall be in effect the first pay period of 2023

Changes to the compensation and classification schedules are shown in red type; new positions and retitled or reclassified positions are shown in red bold type, position deletions are shown stricken and in red italics type.

REGULAR FULL-TIME/REGULAR PART-TIME NON-AFFILIATED & LPASE EMPLOYEES 2023 SALARY & GRADES TO INCLUDE 3% GWI					
Grade	Position Title	Hourly			Weekly
		Minimum	Maximum	Minimum	Maximum
1	General Intern II	\$17.79	\$26.00	-	-
2	Custodian	\$19.99	\$26.99	-	-
	Department Secretary	-	-	-	-
3	Airport Maintenance Worker	\$21.20	\$28.61	-	-
	Custodian I	-	-	-	-
	Accounting Clerk	-	-	-	-
4	Library Assistant	\$22.46	\$30.31	-	-
	Custodial Supervisor	-	-	-	-
5		\$23.80	\$32.14	-	-
6	-	\$25.22	\$34.42	-	-
7	Administrative Secretary	\$26.75	\$37.84	-	-
	Assessing Clerk	-	-	-	-
	Assistant City Clerk	-	-	-	-
	Assistant Human Services Director	-	-	-	-

	Communications Specialist	-	-	-	-
	Library Administrative/Technical Assistant	-	-	-	-
8	Accounting Clerk III (New)	\$29.42	\$39.71	-	-
	Administrative Assistant	-	-	-	-
	Benefits Coordinator/Payroll Specialist	-	-	-	-
	Benefits Specialist	-	-	-	-
	Payroll Specialist	-	-	-	-
	Deputy City Clerk	-	-	-	-
	Deputy Tax Collector	-	-	-	-
	Deputy City Clerk/Deputy Tax Collector (New)	-	-	-	-
	Field Inspector**	-	-	-	-
	Electrical Inspector**	-	-	-	-
	Utility Billing Clerk	-	-	-	-
	Outreach Librarian	-	-	\$1,176.75	\$1,588.55
	Children's Librarian	-	-	-	-
9	Assistant City Engineer**	\$32.36	\$43.69	-	-
	Code Health Inspector**	-	-	-	-
	Executive Assistant	-	-	-	-
	Public Relations Coordinator (New)	-	-	-	-
	Digital Media Officer	-	-	-	-
	Deputy Assessor	-	-	-	-
	Cyber Services Technical Specialist	-	-	-	-
	Real Estate Appraiser II**	-	-	-	-
	Associate Planner**	-	-	\$1,294.40	\$1,747.70
	Systems Librarian	-	-	-	-
	Information Technology Librarian	-	-	-	-
10	Assistant City Engineer**	\$35.64	\$48.10	-	-
	Cemetery Sexton**	-	-	-	-
	Financial Analyst	-	-	-	-
	Fleet Maintenance Supervisor**	-	-	-	-
	Community Nurse	-	-	-	-
	Maintenance Superintendent**	-	-	-	-
	Utilities Maintenance Superintendent**	-	-	-	-
	Police Communications Supervisor**	-	-	-	-
	Recreation Program Coordinator**	-	-	\$1,425.52	\$1,924.05
	Youth Services Librarian	-	-	-	-
11	Technical Advisor I	\$37.77	\$50.98	-	-

	Cemetery Sexton**	-	-	-	-
	Fleet Maintenance Supervisor**	-	-	-	-
	Maintenance Superintendent**	-	-	-	-
	Utilities Maintenance Superintendent**	-	-	-	-
	System Administrator	-	-	-	-
	Administrative Services Manager**	-	-	\$1,510.80	\$2,039.05
	Airport Operations Supervisor**	-	-	-	-

	Assistant Recreation Director**	-	-	-	-
	Code Enforcement Director**	-	-	-	-
	Deputy Library Director	-	-	-	-
	Fire Marshal**	-	-	-	-
	Planner/GIS Coordinator**	-	-	-	-
	Senior Planner	-	-	-	-
	Systems Librarian	-	-	-	-
	Information Technology Librarian	-	-	-	-
12	Wastewater Treatment Superintendent**	\$40.03	\$54.04	-	-
	Water Treatment Superintendent**	-	-	-	-
	Chief Innovation Officer	-	-	\$1,601.12	\$2,161.47
	Administrative Services Manager**	-	-	-	-
	City Assessor**	-	-	-	-
	City Clerk/Tax Collector	-	-	-	-
	City Engineer**	-	-	-	-
	City Planner**	-	-	-	-
	Deputy Finance Director	-	-	-	-
	Deputy Library Director	-	-	-	-
	Energy & Facilities Manager**	-	-	-	-
	Human Services Director	-	-	-	-
	Police Lieutenant**	-	-	-	-
	Prosecuting Attorney	-	-	-	-
	Solid Waste Manager**	-	-	-	-
13	Airport Manager	-	-	\$1,697.19	\$2,291.22
	Assistant Fire Chief	-	-	-	-
	Chief Innovation Officer	-	-	-	-
	Cyber Security Analyst	-	-	-	-
	Deputy Finance Director	-	-	-	-
	Deputy Human Resources Director (New)	-	-	-	-
	Deputy Fire Chief**	-	-	-	-
	Human Resources Director	-	-	-	-
	Information Systems Manager**	-	-	-	-
	Maintenance Manager**	-	-	-	-
	Recreation Director	-	-	-	-
	Police Captain**	-	-	-	-
	Deputy Planning and Development Director (New)	-	-	-	-
	Systems and Operations Administrator	-	-	-	-
14	Human Resources Specialist (New)	\$44.98	\$60.72	-	-
	Airport Manager	-	-	\$1,799.12	\$2,428.62
	Assistant Director/Public Works	-	-	-	-
	Assistant Fire Chief	-	-	-	-

**Denotes LPASE Employees for which the January 1, 2023 GWI shall be based on the NE Urban CIP for June 2021 – June 2022, but in no case shall be less than one percent (1.0%) nor greater than three percent (3%).

B. SEASONAL/TEMPORARY& STIPEND EMPLOYEES

POSITION TITLE	HOURLY	
ELECTION POSITIONS (HOURLY)		
Ballot Clerk	-	\$15.29
Election Assistant	-	\$15.29
Supervisors of the Checklist	-	\$15.29
Moderator	-	\$21.84
Ward Clerk	-	\$21.84
ELECTION DAY STIPEND		
Chair Supervisor of the Checklist	-	\$244.86
Supervisor of the Checklist	-	\$207.44
FIRE DEPARTMENT POSITIONS		
Call Firefighter	\$12.29	\$31.16
RECREATION, ARTS & PARKS POSITIONS		
Front Desk Attendants – Pool	\$11.08	\$16.65
Lifeguards	\$11.08	\$19.11
Head/Lead Counselors	\$14.42	\$17.73
Head & WSI Lifeguards	\$13.30	\$19.93
Head Front Desk Attendant - Pool	\$13.30	\$16.63
Outdoor Adventurer - Educator	\$13.85	\$17.73
Softball Coordinator	\$13.85	\$17.73
Day Camp Counselors	\$11.08	\$16.65
Arts & Craft Director	\$14.42	\$18.56
Farmers Market Coordinator	\$15.52	\$19.95
Market Assistant	\$13.30	\$16.63
Tennis Instructor	\$16.63	\$21.06
Stomp & Romp	\$16.63	\$21.06
Pool Operations Manager	\$16.63	\$22.93
Asst. Pool Director	\$16.63	\$22.93
Assistant Camp Director	\$16.63	\$22.93
Pool Director	\$17.73	\$26.20
Camp Director	\$17.73	\$26.20

RECREATION, ARTS & PARKS STIPEND POSITIONS:		
Sport Coaches – Seasonally (Lacrosse, Track, Youth – Basketball, Field Hockey, Football, Cheerleader Coach etc. – may vary due to Programs)	\$223.82	\$780.64
Tree Warden – Stipend (New)	\$2,500	\$5,000
LIBRARY POSITIONS		
Circulation Substitutes	-	\$14.64
Custodian Substitutes	-	\$17.41
Reference Librarian Substitutes	-	\$24.73
PUBLIC WORK POSITIONS		

Engineering Clerk	\$12.20	\$15.52
GIS Clerk – (or Intern)	\$16.63	\$18.85
Seasonal Laborers – Summer & Fall DPW, Parks & Rec.& Airport	\$17.73	\$22.41
CDL Seasonal Drivers	\$24.90	\$54.59
PLANNING POSITIONS		
Park Ranger	\$16.63	\$18.85
POLICE DEPARTMENT POSITIONS		
Crossing Guard		\$18.05
*Communications Specialist	\$26.75	\$37.84
Police Administrative Aide	\$22.17	\$25.49
Parking Control Officer	\$22.17	\$25.49
Police Officers	\$28.71	\$37.95
CITY CLERK POSITIONS		
*Assistant City Clerks (Part-Time/Temp. <20)	\$26.75	\$37.84
Lead Recording Secretary (New)	\$24.91	\$30.31
Recording Secretary	\$23.83	\$26.04
Recording Secretary Coordinator	\$24.91	\$26.60
SHARED POSITION		
General Intern I	\$14.42	\$18.29

*Denotes wages increased above 6% - These positions follow the full-time pay plan wages scale.

ARTICLE III, BARGAINING UNIT EMPLOYEES

A. AFSCME LOCAL #1348/COUNCIL 93 AFL-CIO – Employees covered by the terms and conditions of the collective bargaining agreement between the City and AFSCME (American Federation of State, County and Municipal Employees) Local #1348/Council 93 AFL-CIO, (effective January 1, 2022 to December 31, 2024) shall be paid in accordance with the accompanying pay plan covering the time period of the first pay period of 2023 through the last pay period of 2023, as provided in that agreement, and as placed on file in the office of the City Clerk.

AFSCME POSITIONS	
GRADE	POSITION(s)
1	Laborer
2	Utility Operator Trainee
3	Operator; Recycling Attendant; Construction Utility Operator I; Meter/Backflow Technician; Scale Technician
4	Light Equipment Operator; Airport Maintenance Technician;
5	Heavy Equipment Operator; Utilities Operator I; Airport Maintenance Specialist; Maintainer (Cemetery Crew Leader); Utilities Operator I;
6	Mechanic; Water Treatment Plant Operator; Wastewater Treatment Plant Operator;
7	Laboratory Technician/ Utilities Plant Operator; Airport Maintenance Foreman; Parks & Grounds Crew Foreman ; Utilities Maintenance Mechanic; Engineering Technician;
8	Electrician ; Foreman; Parks & Grounds Crew Foreman
9	Chief of Quality Assurance, Electrician

AFSCME LOCAL 1348 - 2023 SALARY GRADES								3%
GWI								
	<u>Minimum</u>	<u>Maximum</u>						
<u>Grade</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>	
1	\$19.53	\$20.08	\$20.67	\$21.25	\$21.79	\$22.47	\$23.16	
2	\$21.07	\$21.68	\$22.31	\$22.92	\$23.52	\$24.25	\$25.00	
3	\$22.75	\$23.43	\$24.12	\$24.77	\$25.48	\$26.27	\$27.08	
4	\$24.57	\$25.33	\$26.06	\$26.81	\$27.59	\$28.44	\$29.33	
5	\$26.62	\$27.43	\$28.24	\$29.05	\$29.90	\$30.83	\$31.79	
6	\$28.83	\$29.69	\$30.65	\$31.59	\$32.54	\$33.51	\$34.42	
7	\$31.23	\$32.21	\$33.23	\$34.25	\$35.27	\$36.33	\$37.31	
8	\$32.80	\$33.84	\$34.91	\$35.99	\$37.14	\$38.28	\$39.77	
9	\$35.62	\$36.73	\$37.94	\$39.12	\$40.32	\$41.53	\$43.23	

The January 1, 2023 GWI shall be based on the NE Urban CIP for June 2021 – June 2022, but in no case shall be less than one percent (1.0%) nor greater than three percent (3%).

B. LEBANON PERMANENT FIREFIGHTERS' ASSOCIATION LOCAL 3197 / INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (IAFF) - Employees covered by the terms and conditions of the collective bargaining agreement between the City and Lebanon Permanent Firefighters' Association Local 3197/International Association of Fire Fighters (IAFF), (effective January 1, 2022 to December 31, 2024) shall be paid in accordance with the accompanying pay plan covering the time period of the first pay period of 2023 through the last pay period of 2023, as provided in that agreement, and as placed on file in the office of the City Clerk.

LEBANON PERMANENT FIREFIGHTERS/IAFF - 2023 SALARY GRADES								3%GWI
	<u>Minimum</u>	<u>Maximum</u>						
<u>Position Title</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>	
Firefighter - EMT	\$24.88	\$25.68	\$26.47	\$27.30	\$28.08	\$28.88	\$29.76	
Firefighter - Paramedic	\$26.88	\$27.69	\$28.54	\$29.32	\$30.12	\$30.95	\$31.81	
Fire Alarm Technician	\$31.88	\$32.54	\$33.21	\$33.84	\$34.50	\$35.13	\$35.77	
Lieutenant	\$32.03	\$32.47	\$32.93	\$33.39	\$33.83	\$34.28	\$34.73	
Fire Inspector	\$32.05	\$32.57	\$33.12	\$33.64	\$34.19	\$34.71	\$35.28	
Lieutenant - Paramedic	\$33.92	\$34.37	\$34.81	\$35.25	\$35.72	\$36.15	\$36.61	
Captain	\$38.12	\$38.51	\$38.96	\$39.37	\$39.78	\$40.22	\$40.62	
Inspector - Paramedic	\$34.11	\$34.64	\$35.15	\$35.70	\$36.22	\$36.74	\$37.33	
Captain - Paramedic	\$39.40	\$39.82	\$40.21	\$40.63	\$41.05	\$41.45	\$41.92	

The January 1, 2023 GWI shall be based on the NE Urban CIP for June 2021 – June 2022, but in no case shall be less than one percent (1.0%) nor greater than three percent (3%).

C. LEBANON POLICE BENEVOLENT ASSOCIATION (LPBA)/NEW ENGLAND POLICE BENEVOLENT ASSOCIATION (NEPBA) - Employees covered by the terms and conditions of the collective bargaining agreement between the City of Lebanon and the Lebanon Police Benevolent Association (LPBA)/New England Police Benevolent Association (NEPBA)(effective January 1, 2022 to December 31, 2024) shall be paid in accordance with the accompanying pay plan covering the time period of the first pay period of 2023 through the last pay period of 2023, as provided in that agreement, and as placed on file in the office of the City Clerk.

LEBANON POLICE BENEVOLENT ASSOCIATION – 2023 SALARY GRADES							3%GWI
<u>Minimum</u>	<u>Maximum</u>						
<u>Position Title</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>
Patrol Officer	\$28.71	\$30.38	\$31.43	\$32.98	\$34.64	\$36.39	\$37.95
Corporal	\$39.04						
Sergeant	\$39.04	\$39.86	\$40.88	\$41.93	\$42.95	\$43.97	\$45.05

The January 1, 2023 GWI shall be based on the NE Urban CIP for June 2021 – June 2022, but in no case shall be less than one percent (1.0%) nor greater than three percent (3%).

2. SCHEDULE PUBLIC HEARING:

Assistant Mayor Below FURTHER MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, December 14, 2022, beginning at 6:00pm, Council Chambers, City Hall, Lebanon, and Remote via City's Virtual Platform, for the purpose of receiving public input and taking action to amend Ordinance No. 18, Salary Plan, on the tables (listed above) and as referenced on pages 93-99 of the Council agenda packet.

Seconded by Councilor Whittlesey.

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

B. Presentation of Urban3 Phase 2 cost-of-services analysis for Lebanon.

Included in the agenda packet:

1. State of New Hampshire: Phase 2 Fiscal Health Analysis, Cost of Infrastructure Study Scope
2. Urban3 Cost of Infrastructure Study Presentation.

(NOTE: Complete presentation and analysis information can be found on Pages 101-162, City Council agenda packet)

Deputy City Manager David Brooks reviewed the background and the reason behind the Urban3 Phase 2 cost-of-services analysis for Lebanon as listed below.

BACKGROUND:

In 2020, the New Hampshire Housing Finance Authority (NHHFA) retained Urban3 to conduct a Phase 1 Value-per-Acre revenue analysis for several New Hampshire communities to better understand the interaction between tax rates, land use, and land values. Lebanon was one of 15 municipalities studied using revenue data and 3D visualizations to identify the types and locations of development that create the greatest tax return for a community. The results of the Phase 1 analyses for the statewide data were presented on October 15, 2020, and a more- focused presentation of Lebanon and other Upper Valley communities occurred on October 29, 2020. Presentation materials and video recordings of the Phase 1 Value-per-Acre analyses are available through the [NHHFA website](#).

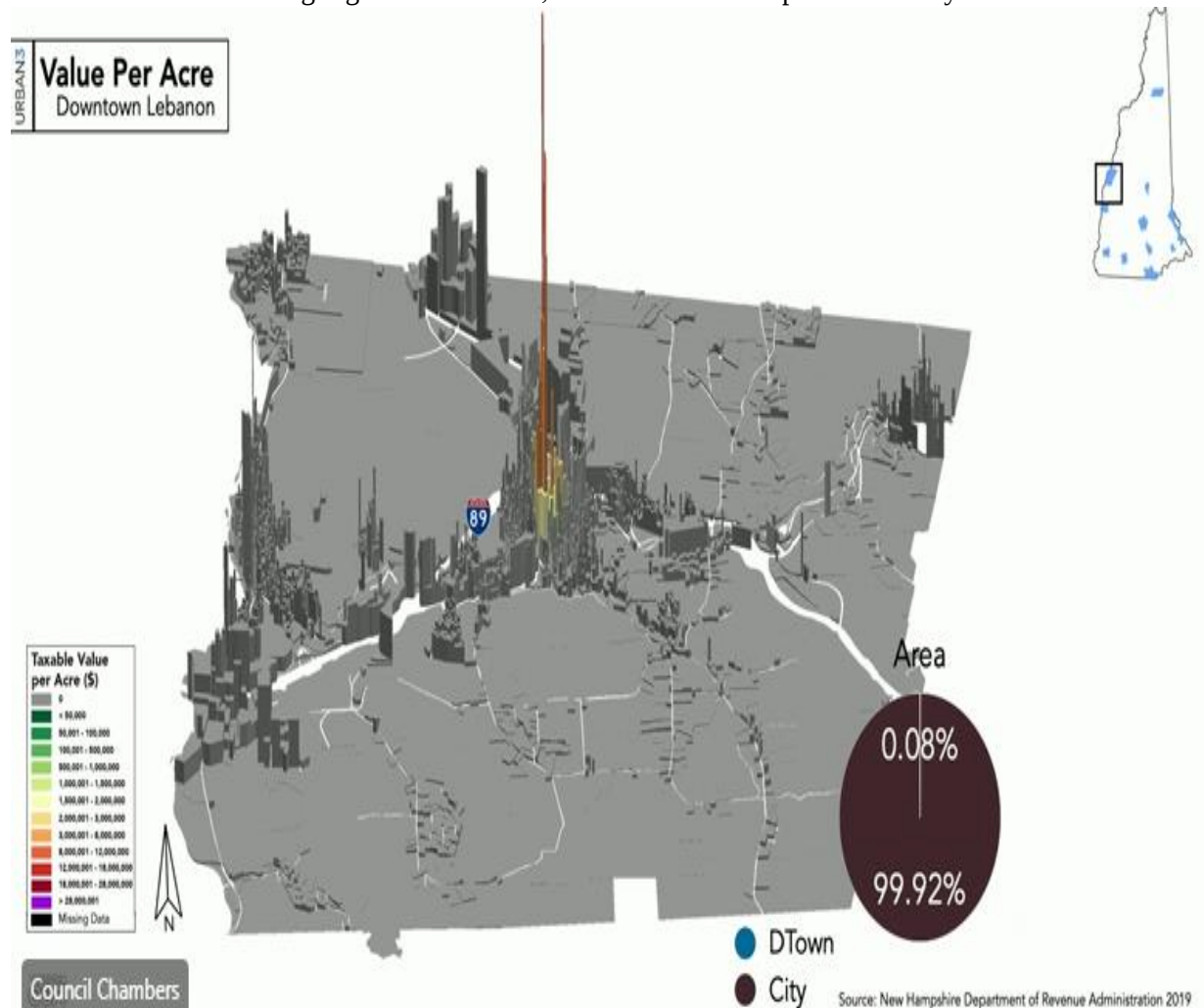
In 2022, NHHFA again contracted with Urban3 to conduct a more in-depth Phase 2 Cost-of- Infrastructure analysis for select communities. Lebanon is one of only 4 municipalities in the state for which Urban3 has completed a cost of infrastructure analysis to assist policy makers and municipal staff in better understanding the role development patterns play in influencing infrastructure costs.

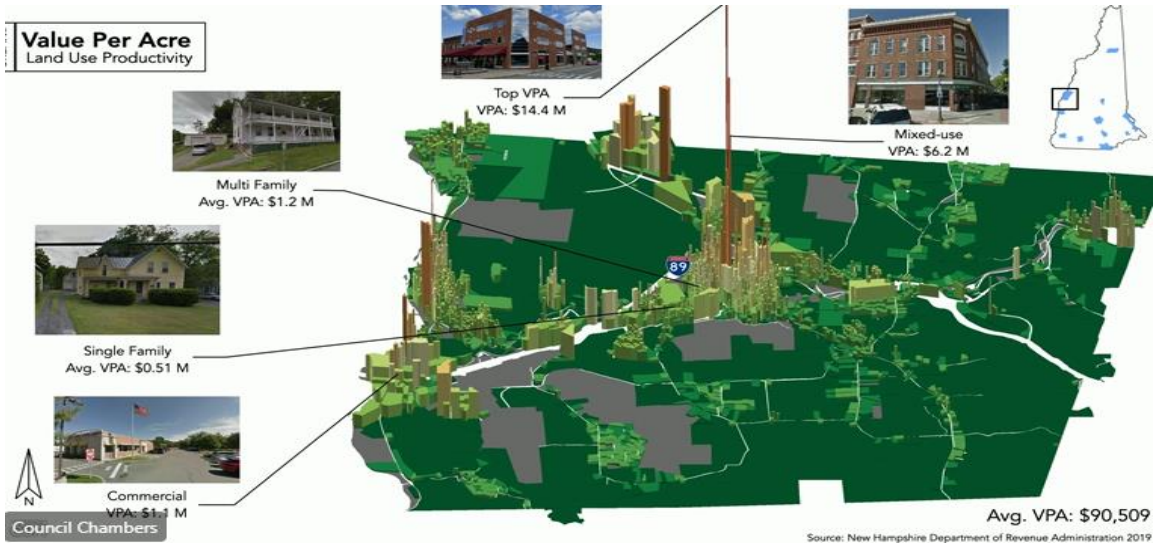
Using Lebanon-specific data and information provided by the City, Urban3 has examined municipal finances and developed a cost-of-services model focused on local services, infrastructure, and capital projects, including roadways and water, sewer, and stormwater utility networks. The analysis then reviews lifecycle costs and budgetary impacts of Lebanon's development patterns.

When paired with the results of the Phase 1 revenue analysis, the Phase 2 cost analysis gives the City a better understanding of its total infrastructure liability and its long-term fiscal health. This information allows the City to have data-driven discussions about the impacts of various patterns and locations of development.

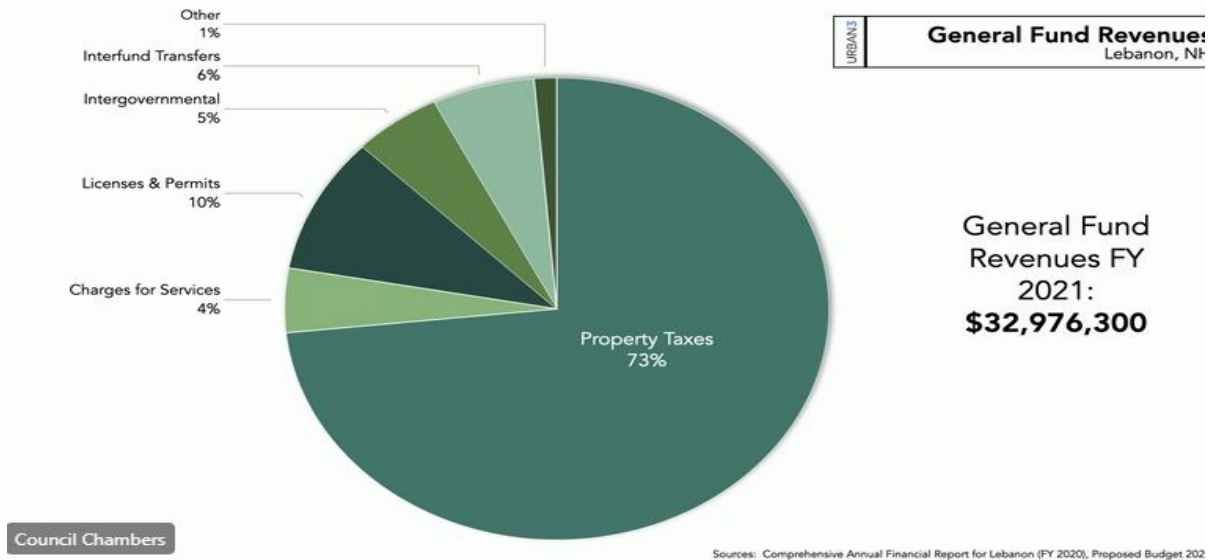
Joe Minicozzi, Urban Planner and Principal of Urban3, and George Reagan of NHHFA (New Hampshire Housing Finance Agency) were present. Mr. Minicozzi gave a detailed presentation on new ways the City can think about and visualize land use, urban design and economics. Mr. Minicozzi's company was founded to explain and visualize market dynamics created by taxes and land use policies and their work establishes new conversations across multiple professional sectors, policy makers and the public to creatively address the challenges of urbanization.

Below are a few of the highlights for Lebanon, NH included in the presentation by Mr. Minicozzi:





In the screen shot above, Mr. Minicozzi noted that a single family home average VPA (Value Per Acre) was \$0.51M and a multi-family development was worth an average of \$1.2M VPA. There is a lot of biases that people have where they say multi-family housing is not productive, but Lebanon's data shows otherwise. Commercial property is $\leq$ multi-family VPA. Mixed use is approximately \$6.2M in VPA.

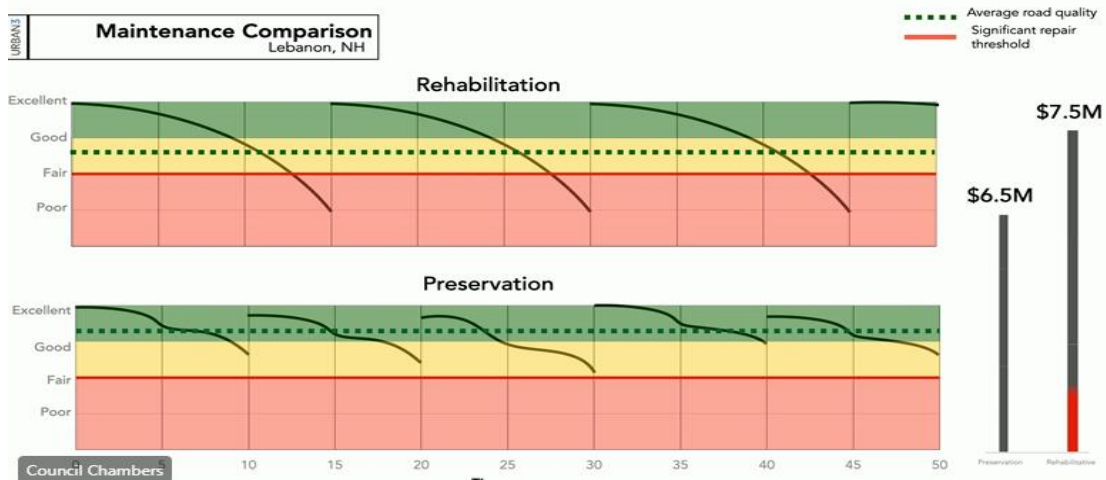


Almost $\frac{3}{4}$ of Lebanon's funds come from property taxes on the revenue side. The good thing about this is that we can control/manage this through zoning and planning.

Other things to think about are pipes, and a stormwater system. Think about these geographic commitments and think about the land uses adjacent to them. For example, if you have a mile of pipe, this is a fixed cost. If one house is put along that mile of pipe, it will be more expensive than if you put 20 houses on that pipe because the cost of that pipe can be divided by 20 rather than one.



Mr. Minicozzi also spoke about debt service through bonds and to him it is payment given to a bond company, or interest. We have been working with the Government Finance Officers Association to get this habit changed. Inside the municipal finance standards, road and pipes are counted as assets, which was odd to him. They should be liabilities because you cannot pick a road up and sell it to someone. Roads/pipes, etc. have a useful life span before they need to be replaced. It would be better to put a little proceeds away into a savings account to use as an investment so in 20-years you can pay for this. Using bonds is like using a credit card: you are paying interest on it. Think about reserve accounts for future needs.



The graph above is an example of preventative maintenance, where you may spend a little less more often overall. However, you are doing more repetitive maintenance overtime to keep it from hitting a failure situation before you get to a full reconstruction. When this is done, the actual cost is cheaper. He noted that citizens often complain about not spending more on taxes, but what they do not understand is that while you can put a cap on taxes, you are not able to cap future expenses from vendors.

Assistant Mayor Below questioned where he gets the figures for what the City should be spending, and if they took into account Lebanon's Debt Service of \$70M over the past 1-2 decades on the CSO (EPA

required) separation, noting the City has a lot of stormwater infrastructure, as well as water/sewer infrastructure. Mr. Minicozzi used the analogy of a car noting that when it is new, you do not do much to it, but eventually you are going to start having those expenses and the thought is the City should start setting aside funds for future expenses.

Mayor McNamara spoke about the relatively new infrastructure in the City and felt there should be some recognition/credit for the City's infrastructure, particularly water/sewer pipes. Mr. Minicozzi agreed but felt this is a reasonable way of looking at this, to break the (bond) cycle.

Councilor Whittlesey noted you still have to put in the maintenance and by making that investment maybe we can stretch out the initial capital cost over a longer life.

Mayor McNamara noted the City has bought into this for the roads. With regard to things like sewer/water, we have taken advantage of opportunities and not bonded for them. Mr. Minicozzi noted he cannot predict the future, and does not know how climate change will affect the City, but there will be things that happen. It is more of a mindset of understanding.

Councilor Liot Hill noted it would be very interesting to add the value of the cost of services rendered to this analysis (i.e., Fire Department/EMS Services/LPS, etc.). Mr. Minicozzi stated this would be a next level and suggested breaking the Fire Departments into districts (i.e., there will be different district differential rates based on true costs and transportation needs).

Mayor McNamara's take away from this going forward is zoning and reinforcing infill, if you can make it acceptable, in order to maximize the value per acre of what is on that land, whether it is the infrastructure under the street or just the land itself.

Mr. Minicozzi closed his presentation noting the "If you can't measure it, you can't manage it. Focus on the stuff you can measure." He knows a lot of folks bring emotional arguments to cities about things that are important to discuss, but they do not necessarily have an effect on anything you can do with it from a management perspective. He would advocate to start thinking about new tax models in the system and suggested having separate fund accounts (for preventative maintenance) for sewer, water, stormwater, electric, gas, and roads (Transportation Utilities Fees).

ACTION: *No action was required by the Council. This was for informational purposes only.*

C. Discussion & Set Public Hearing for December 7, 2022: Ordinance #2022-05 to amend City Code Chapter 68, Fees, Article III, Miscellaneous Fees, §68-15, Enumeration of Fees, to authorize an increase in Ambulance Fees.

Included in the agenda packet:

1. Proposed Ordinance #2022-05 ([*Pages 163-169, City Council agenda packet*](#))
2. October 31, 2022, memorandum from Fire Chief Wheatley regarding Ambulance Service Rate Increase
2. Lebanon Fire Department Ambulance Fee Schedule Change Proposal
3. Ambulance Service Comparative Rate Study

LPD Chief Wheatley and Assistant LPD Chief Jeff Libbey were present. Fire Chief Wheatley reviewed the proposed Ambulance Service rate increases.

BACKGROUND

A comprehensive review of existing ambulance fees and a comparison to other EMS transport services throughout the state and region was completed by the Lebanon Fire Department in 2021, and an 8% increase in ambulance services rates occurred for 2022. Since then, calls for service have increased 5% and there has been an increase in ambulance amortization schedules and maintenance. Fire Chief Wheatley proposed a 7.9% increase to keep up with the cost of living in ambulance service rates for 2023 bringing the City's fees closer to the average. Even with this increase we are still going to be just below the average of all the other communities providing this service. Please see memo from Chief Wheatley in the City Council agenda packet for more details.

Mayor McNamara asked if there was any reason not to increase these fees further. Chief Wheatley felt this was a responsible number to use based on the economy and the situation we are in right now. We can revisit fees again next year.

ACTION:

Councilor Liot Hill MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, December 7, 2022, beginning at 7:00 pm, in Council Chambers, City Hall, and Remote via the City's Virtual Platform, for the purpose of receiving public input and taking action on proposed Ordinance #2022-05 to amend City Code Chapter 68, Fees, Article III, Miscellaneous Fees, §68-15, Enumeration of Fees, to authorize an increase in ambulance fees.

Seconded by Councilor Wilkie.

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

CITY OF LEBANON ORDINANCE #2022-05

AN ORDINANCE TO AMEND the Code of the City of Lebanon, Chapter 68, Fees, Article III, Miscellaneous Fees, by amending §68-15, Enumeration of Fees.

BE IT ORDAINED, by the City Council of the City of Lebanon, as follows:

Section 1:

The Code of the City of Lebanon is hereby amended to revise Chapter 68, Fees, Article III, Miscellaneous Fees, by amending §68-15, Enumeration of Fees, for the purpose of increasing ambulance fees as follows:

E. Ambulance fees shall be as follows:

- (1) Basic Life Support, resident: ~~\$577.37~~ **\$622.98**
- (2) Basic Life Support, nonresident: ~~\$643.26~~ **\$694.08**
- (3) Advanced Life Support 1, resident: ~~\$1,062.29~~ **\$1,146.20**
- (4) Advanced Life Support 1, nonresident: ~~\$1,140.72~~ **\$1,230.84**
- (5) Advanced Life Support 2, resident: ~~\$1,594.74~~ **\$1,720.72**
- (6) Advanced Life Support 2, nonresident: ~~\$1,707.95~~ **\$1,842.88**
- (7) Specialty Care Transport: ~~\$2,083.78~~ **\$2,248.40**
- (8) Mileage: ~~\$13.88~~ **\$14.98**
- (9) Co-pay Waiver, resident: ~~\$108.70~~ **\$117.29**
- (10) Advanced Life Support, no transport: ~~\$489.15~~ **\$527.79**

Section 2: Severability

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

Section 3: Effective Date

This ordinance shall become effective January 1, 2023.

D. Discussion & Set Public Hearing for December 7, 2022: Ordinance #2022-06 to amend City Code Chapter 72, Fire Prevention, by updating the current fee schedule.

Included in the agenda packet (*Pages 170-176, City Council agenda packet*):

1. Proposed Ordinance #2022-06
2. October 31, 2022, memorandum from Fire Chief Wheatley re: Fire Prevention Inspection Fee Schedule Updates
3. October 2022 Fire Inspection Comparative Fee Schedule

BACKGROUND

Fire Chief Wheatley requested the Council take action to update the current fee structure for certain fire prevention inspections. He noted the last time this was visited was in 2015. What we really want to do is take a look at what the LPD is spending most of their time on and what is driving the services that they are seeing. He spoke about the increasing Fire Alarms and sprinkler retesting inspections, propane above ground storage tanks (45/mo.), and blasting permit application increases due to the increase in construction.

For further explanation, please see the memorandum from Fire Chief Wheatley dated October 31, 2022 in the City Council agenda packet.

In response to Councilor Simon's question regarding how many blasting permits are being issued, Chief Wheatley stated they are seeing on average approximately 5/month. It has picked up a little more over the last 2-3 years due to construction. We got this fee by comparing what other communities are doing.

ACTION:

Councilor Whittlesey MOVED that the Lebanon City Council hereby schedules a public hearing beginning at 7:00pm on December 7, 2022 in Council Chambers, City Hall, and Remote via the City's Virtual Platform, for the purpose of receiving public input and taking action on proposed Ordinance #2022-06 to amend City Code Chapter 72, Fire Prevention, by updating the current fee schedule as shown in the November 16, 2022 agenda packet.

Seconded by Councilor Simon.

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

E. Discussion & Set Public Hearing for December 7, 2022: Ordinance #2022-07 to amend City Code Chapter 97, Landfill, by updating the current fee schedule.

Included in the agenda packet (*Pages 177-179, City Council agenda packet*):

1. Proposed Ordinance #2022-07

City Manager Mulholland explained the background for this proposed ordinance change, noting this is more detailed. The commercial tonnage is going from \$76.50 to \$78.80 (3% >) and the residential bag price is going from \$1.50 to \$2.00 per household bag and spoke briefly about the other changes.

BACKGROUND

City Code Chapter 97, Landfill Regulations, was fully updated in July 2019 to incorporate the language from the former Chapter 143, Solid Waste, (which was repealed on July 24, 2019), 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.

Below is the fee schedule proposed to be effective starting January 1, 2023.

**CITY OF LEBANON
ORDINANCE #2022-07**

AN ORDINANCE TO AMEND Chapter 97, Landfill Regulations of the Code of the City of Lebanon, Appendix A, Fee Schedule.

BE IT ORDAINED, by the City Council of the City of Lebanon as follows:

Section 1.

The Code of the City of Lebanon, Chapter 97, Landfill Regulations, Appendix A, Fee Schedule for Disposal at the Landfill Solid Waste Facility, is amended as follows:

Item	Fee
MSW – Commercial	\$76.50/ton \$78.80/ton
MSW – Residential	\$1.50 \$2.00 /household bag - \$3 \$4.00 /contractor bag \$15 \$20.00 per punch card
Minimum Load – Scale Use (200lbs)	MSW - \$10.00 (6 5 punches) C&D - \$15.00 \$16.00 (10 8 punches) Bulky - \$12.00 (8 6 punches)
Construction and demolition debris – commercial NOTE: This does not include mixed aggregates	\$150/ton
Construction and demolition debris – residential	1 punch = 20 lbs. of C&D 1 card = 200 lbs. of C&D
Mattresses	\$9 per item (6 punches) \$10 per item (5 punches) \$120/ton (oversized bulky waste rate)
Furniture	\$9 per item (6 punches) \$10 per item (5 punches) \$120/ton
Tires	\$7.50/tire \$10.00/tire (5 punches) \$175/ton farm/construction tires
Yard trimmings and brush	\$15/ton for loads larger than 2 cubic yards
Bulk loads of glass, asphalt, brick and concrete and mixed aggregate	\$30/ton

Electronic waste – monitors and TVs	\$21/item (14 punches) <u>\$20/item (10 punches)</u> \$0.30/lb. on CRTs larger than 27"
Electronic waste – solar panels	\$30/ panel <u>\$40/panel (20 punches)</u>
Electronic devices – DVD, VCR, stereo, etc.	\$9/item (6 punches) <u>\$10/item (5 punches)</u>
Freon-containing devices	\$21/unit (14 punches) <u>\$20/unit (10 punches)</u>
Fluorescent bulbs	\$0.15/ft.
Compact fluorescent lamps (CFLs)	\$0.60/each
Cover materials	\$15/ton
Food waste	\$50/ton
Food scraps – household	1 punch card (10 punches) until June 30 ½ punch card (5 punches) July 1 and after <u>No charge for food scrap composting</u>
Pressurized cylinders – fire extinguishers and propane tanks	\$12/tank
Small pressurized tanks	\$1.50/each

Section 2. Severability

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

Section 3. Effective Date.

This ordinance shall become effective January 1, 2023.

Mayor McNamara noted the only question he has relates to the discrepancy between residential, which is 33% more vs. a 3% for commercial trash collectors. He felt that in order to be equitable the commercial rate should be going up more than 3% or the residential rate should not be going up by 33%.

City Manager Mulholland explained that the cost to handle household trash bags was infinitely more expensive. Even though they are only 5% of the volume in the landfill, their cost is due to the handling staff does with those bags (i.e., checking for permits; checking where people are from; do they have the proper documents, punching the tickets, etc.). For commercial users, the trucks that go over the scales do not require any staff at all.

Councilor Liot Hill felt this was comparing apples to oranges because while residential users only make up 5% of the volume in landfill and most of the operating costs, they make up very little of the landfill lifecycle cost. Whereas Casella, for example, is getting a better deal than the residents and are taking up more room in the landfill.

Councilor Heistad felt the big cost is through the value of the land, which is being filled. He did not think the City's labor volume was anywhere near the cost of what it is to the City because that land has a value and we are selling it out to other people. That is the major cost and Lebanon's landfill is being depleted.

While Mayor McNamara understands the cost for staff, he noted (for commercial vehicle) the cost and what it takes to spread that trash, compact it, put covers over it and, like Council Heistad said, what is the value of

1 the volume that this trash is taking up.

2
3 Councilor Whittlesey spoke about why he felt the pricing structure should reflect utilizations and explained
4 his reasoning. The pricing structure should be reflective of the increased cost of managing that commercial
5 trash and not look at those percentage increases relative to each other but look at them separately and say:
6 what is the cost of utilization on the commercial side vs. costs of personnel staffing on the residential side?

7
8 Councilor Heistad reiterated that the real cost is to the City. We cannot go back and reclaim that land,
9 which has now been filled. That is gone as far as the City's asset goes, and a lot of other communities do
10 not have this asset and are not spending part of their land to take care of their own trash: we are taking care
11 of it (trash) for them and putting it into our own land. Most towns do not have their own facility and we
12 (Lebanon) is selling ours at a cost.

13
14 Councilor Simon agreed with what City Manager Mulholland was saying as far as it is cheaper/easier to
15 drive a big truck across (the scales) than it is to have 100 cars go through. It sounds like what we want is to
16 not have people driving their own trash individually here. It is not as simple as that because then we will be
17 saying we will not be taking recycling, composting, etc. There are more things provided at the facility than
18 just doing punch cards for a bag of trash. As Councilor Heistad pointed out, it is a community resource. At
19 some point in time, we started sharing our community resource and now we are making it more and more
20 expensive and difficult for our residents to utilize this resource by raising the fees. He felt this was a much
21 larger discussion regarding operations that we should be having at some point in time and agreed with the
22 Mayor that this is disproportionate, especially since he feels it would be cheaper for him to hire a trash
23 hauler than it would be to take his own trash to the landfill.

24
25 The Council continued lengthy discussions that included: landfill utilization and what costs/assets are being
26 utilized; costs for residential trash vs. commercial cost; what is the cost to maintain the landfill for the space
27 commercial haulers are utilizing; is the \$78.80/ton reflective of the asset commercial vehicles are using up;
28 how, from a perception standpoint, residents would be paying 33% per unit of trash than they would be
29 today but the commercial trash hauler would most likely be passing on their entire 33% to their clients;
30 should the Council be thinking about raising the commercial rate; how the landfill is a marketplace and the
31 City does not know, yet, what the cost of PFAS cleanup will be; what should the City be doing as far as
32 encouraging our citizens to compost their trash – what is the end game and what does the City want to
33 encourage; the extra costs for the equipment/equipment operator to move the trash bins; is there an
34 inadvertent effect of causing some people to do less recycling; how recycling is bringing in a revenue
35 stream for the City; continuing to fill the capacity of Lebanon's landfill and what should be done down the
36 road when the capacity is reached and Lebanon needs to find more capacity (designating more land/natural
37 resources for trash); by keeping the commercial rates low, are we neglecting to cover any other fees.

38
39 Councilor Liot Hill felt it was not right to go above a number that has been publicly noticed and suggested
40 the Council pick a number (i.e., \$85/ton for commercial) and then at the Public Hearing we will have Erica
41 Douglas, Solid Waste Manager tell us if this is a bad idea. We can adjust the number down if need be.

42
43 Mayor McNamara noted he would like commercial adjusted up to 6%.

44
45 Councilor Wilkie expressed his concerns and reasons why an increase in commercial rates would be
46 confusing to the public, especially if they would be decreased at the time of the Public Hearing.

47
48 Councilor Sykes noted that from his discussions with residents, what they care about is: 1) Cost, and 2) the
49 idea of the colored bags as a new way of operating. City Manager Mulholland explained the ordinance is
50 written as a fee per bag, whether or not is a grocery bag or other type of bag.

51

The Council continued discussions and asked questions about the increase in landfill fees and the short/middle/long-term needs of the landfill and the potential high cost of PFAS cleanup.

ACTION:

Councilor Liot Hill MOVED that the Lebanon City Council hereby schedules a public hearing for Wednesday, December 7, 2022, beginning at 7:00 pm, in Council Chambers, City Hall, and Remote via the City’s Virtual Platform, for the purpose of receiving public input and taking action on proposed Ordinance #2022-07, to amend the Code of the City of Lebanon, Chapter 97, Landfill Regulations, Appendix A, Fee Schedule.

Seconded by Councilor Simon.

Councilor Liot Hill spoke to her motion noting it would be very helpful to have Solid Waste Manager Erica Douglas present at the next meeting and hopefully she will be prepped based on tonight’s discussion. We did just raise the landfill costs for residents last year. One question she will have for Erica is: If resident’s are only 5% of the tonnage, then how much would we have to increase the commercial tonnage in order to allow a 0% increase for residents?

Mayor McNamara noted that a change on either end will impact residents. For him, it is a question of understanding the economics behind this and what makes the most sense.

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

F. Discussion & Set Public Hearing for December 7, 2022: Proposed City Charter Amendment relative to making the term “City Manager” capitalized throughout the charter.

Included in the agenda packet ([Pages 180-205, City Council agenda packet](#)):

1. Draft Proposed Charter Amendment Language

ACTION: *No action taken due to advice from legal counsel that there needs to be a separate amendment for this and there is no time to get this done in time to be placed before the voters on March 4th, 2023*

G. Discussion & Set Public Hearing for December 7, 2022: Ordinance #2022-08 to amend City Code Chapter 68, Fees, Article III, Miscellaneous Fees, §68-15, Enumeration of Fees, to authorize an 8% increase to the Water Service Rate and a 7.2% increase to the Sewer Service Rate.

Included in the agenda packet ([Pages 206-208, City Council agenda packet](#)):

1. Proposed Ordinance #2022-08

City Manager Mulholland reviewed the changes to proposed Ordinance #2022-08.

BACKGROUND

An increase of 8.0% to the Water Service Rate (base user rate and minimum charge) and 7.2% to the Sewer Service Rate (base user rates, minimum charge, and residential flat rate), effective January 1, 2023, is being requested.

The proposed increases are in-line with projections offered by Raftelis as part of the 2018 Water and Sewer Rate Study and are suggested in order to provide current and future resources to absorb projected operations and maintenance and debt service expenses in both enterprise funds.

There is a caveat about the infrastructure about the planned well that we are going to be producing to the waters. This number has not been finalized. There is a rough estimate but it is likely to increase.

ACTION:

Councilor Wilkie MOVED that the Lebanon City Council hereby schedules a public hearing for Wednesday, December 7, 2022, beginning at 7:00 pm, 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 #2022-08 to amend City Code Chapter 68, Fees, Article III, Miscellaneous Fees, §68-15, Enumeration of Fees, to authorize an 8.0% increase to the water service rate and a 7.2% increase to the sewer service rate.

Seconded by Councilor Whittlesey.

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

CITY OF LEBANON ORDINANCE #2022-08

AN ORDINANCE TO AMEND the Code of the City of Lebanon, Chapter 68, Fees, Article III, Miscellaneous Fees, by amending §68-15, Enumeration of Fees, to increase water and sewer service rates.

BE IT ORDAINED, by the City Council of the City of Lebanon, as follows: Section 1:

The Code of the City of Lebanon is hereby amended to revise Chapter 68, Fees, Article III, Miscellaneous Fees, §68-15, Enumeration of Fees, for the purpose of effecting changes to water and sewer rates, as follows:

§68-15.B Public Utilities (water/sewer) fees shall be as follows:

§68-15.B(1) Water service rates:

§68-15.B(1)(a) Per 100 cubic feet:

[1] Single-family residential: 0 to 1,200 cubic feet: ~~\$3.77~~ \$4.07

[2] Single-family residential: greater than 1,200 cubic feet: ~~\$7.54~~ \$8.14

[3] Non-residential and non-single-family residential: ~~\$5.66~~ \$6.11

§68-15.B(1)(b) Fixed charge per quarter:

[1] 5/8-inch: ~~\$19.79~~ \$21.37

[2] 3/4-inch: ~~\$63.23~~ \$68.29

[3] One inch: ~~\$94.02~~ \$101.54

[4] 1.5-inch: ~~\$165.35~~ \$178.58

[5] Two-inch: ~~\$273.88~~ \$295.79

[6] Three-inch: ~~\$704.94~~ \$761.34

[7] Four-inch: ~~\$2,735.32~~ \$2,954.15

[8] Six-inch: ~~\$5,215.43~~ \$5,632.66

[9] Eight-inch: ~~\$10,020.23~~ \$10,821.85

§68-15.B(7) Sewer service rates:

§68-15.B(7)(a) Fixed charge per quarter:

[1] 5/8-inch: ~~\$29.60~~ \$31.73

[2] 3/4-inch: ~~\$94.63~~ \$101.44

[3] One inch: ~~\$140.71~~ \$150.84

[4] 1.5-inch: ~~\$247.45~~ \$265.27

[5] Two-inch: ~~\$409.89~~ \$439.40

[6] Three-inch: ~~\$1,055.01~~ \$1,130.97

[7] Four-inch: ~~\$4,093.68~~ \$4,388.42

[8] Six-inch: ~~\$7,805.46~~ \$8,367.45

[9] Eight-inch: ~~\$14,996.34~~ \$16,076.08

§68-15.B(7)(b) Per 100 cubic feet of metered water usage: ~~\$11.18~~ \$11.98

§68-15.B(7)(c) Flat rate (limited to consumers who are not provided water service or a meter for computing flow):

[1] Residential: ~~\$365.18~~ \$391.47 per quarter.

[2] Commercial: estimated flow to be computed by the Department of Public Works based on facility use and occupancy at the rate contained in Subsection **B(7)(b)** above.

§68-15.B(10) Town of Enfield Sewer Rental Rate

§68-15.B(10)(a) ~~\$13.48~~ \$14.45 per 100 cubic feet.

§68-15.B(10)(b) New or expanded sewer users within the Town of Enfield are subject to the Sewer Development Charge at the same rate charged to sewer users within the City of Lebanon.

Section 2: Severability

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

Section 3: Effective Date

This ordinance shall become effective January 1, 2023.

11. City Manager Report:

Mayor McNamara spoke about the meeting between 13 Mayors and the Governor to discuss additional funding for hotel rooms, fuel, etc. We did hear back from the Governor's Office and he would like us to meet first with the DEA, so this meeting is set for Monday, November 21st, 3:00PM. We should have a report for the Council at our next meeting.

City Manager Shaun Mulholland updated the Council on the following:

- Westboro Yard
- Spencer Street: Deputy City Manager Brooks noted he spoke with Ken Braverman and they are in the process of extending the timelines due to the cleanup taking so long, which exhausted the deadlines that were built into the original agreement. We are also working in building in some

interim milestones and thresholds of activity to show progress towards an application/construction.

12. COUNCIL REPRESENTATIVES TO OTHER BODIES: NONE

13. FUTURE AGENDA ITEMS: NONE

14. NON-PUBLIC SESSION: NONE

15. ADJOURNMENT:

Councilor Simon MOVED for adjournment.

Seconded by Councilor Heistad.

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

The meeting was adjourned at 9:52 PM.

Respectfully submitted,

Dona E. Gibson

Recording Secretary