

FINAL

**LEBANON CITY COUNCIL
REGULAR SESSION MINUTES
Wednesday, December 7, 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, Director of Planning & Development Nathan Reichert, Senior Planner Tim Corwin, Finance Director Vicki Lee, Deputy Finance Director Alesia Williams, Human Resources Director Gloria Leskiewicz, Chief of Police Phillip Roberts, Assistant Fire Chief Jeff Libbey, Public Works Assistant Director Jay Cairelli, Solid Waste Manager Erica Douglas, Recreation, Arts & Parks Director Paul Coats, Recreation, Arts & Parks Program Coordinator Meagan Henry, Airport Director Carl Gross, Human Services Director Lynne Goodwin, Chief Innovation Officer Melanie McDonough, Cyber Services Director Perry Eaton

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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:** Assistant Mayor Below led the Council in the Pledge.
 3. **PUBLIC FORUM:** Mayor McNamara made the Public Forum announcement.
 4. **OPEN TO PUBLIC:** No one came forth.
 5. **RECOGNITIONS:** NONE
 6. **ACCEPTANCE OF MINUTES:**
 - November 9, 2022 (Budget Work Session)
 - November 10, 2022 (Budget Work Session)
 - November 14, 2022 (Budget Work Session)
 - November 16, 2022 (Regular Meeting)

Councilor Heistad MOVED to approve the November 9, 2022, Budget Work Session, the November 10, 2022 Budget Work Session, the November 14, 2022 Budget Work Session, and the November 16 Regular Session minutes as written and presented in the December 7, 2022 City Council agenda packet.

Seconded by Councilor Whittlesey.

**The Vote on the Motion was approved by members present (8-0).*

7. APPOINTMENTS:

- Diversity, Equity & Inclusion, Keiselim Montas (Reappointment Regular Member)

Councilor Wilkie put forth the NOMINATION of Keiselim Montas (Reappointment Regular Member) to the Diversity, Equity & Inclusion Committee. Two Year Term: (12/22-12/24)

Seconded by Councilor Whittlesey.

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

- Zoning Board of Adjustment, Paul McDonough (Appointment as Regular Member; currently serving on ZBA as an Alternate Member)

Councilor Liot Hill put forth the NOMINATION of Paul McDonough (Appointment as a Regular Member) to the Zoning Board of Adjustment. Two Year: (12/22-12/25)

Seconded by Councilor Whittlesey.

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

- Conservation Commission, Bruce James (Reappointment Regular Member)

Councilor Heistad put forth the NOMINATION of Bruce James (Reappointment Regular Member) to the Conservation Commission. Two Year Term: (12/22-12/25)

Seconded by Councilor Whittlesey.

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

- Conservation Commission, Christopher Johnson (Reappointment Regular Member)

Councilor Heistad put forth the NOMINATION of Christopher Johnson (Reappointment Regular Member) to the Conservation Commission. Two Year Term: (12/22-12/25)

Seconded by Councilor Heistad.

****The Vote on the NOMINATION was approved by members present (8-0)***

- Board of Cemetery Trustees, Antonio Palazzo (Reappointment Ward 3 Representative)

Councilor Liot Hill put forth the NOMINATION of Antonio Palazzo (Reappointment Ward 3 Representative) to the Board of Cemetery Trustees. Two Year Term: (12/22-12/25)

Seconded by Councilor Sykes.

****The Vote on the NOMINATION was approved by members present (8-0)***

- Arts & Culture Commission, Jessica Giordani (Changing appointment of current term (8/22-8/25) from Ward 3 Representative to Ward 2 Representative, due to address change and recent vacancy)

Councilor Wilkie put forth the NOMINATION of Jessica Giordani to change her current term (8/22-8/25) from Ward 3 Representative to Ward 2 Representative, due to address change and recent vacancy)

Seconded by Councilor Liot Hill.

****The Vote on the NOMINATION was approved by members present (8-0)***

8. PUBLIC HEARING ITEMS:

A. ORDINANCE #2022-05 – A public hearing for the purpose of receiving public input and taking action 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 73-80 , 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 opened the Public Hearing to the public. Hearing no comments from the public, the Public Hearing was closed.

Council Comments:

In response to Assistant Mayor Below's question regarding when ambulance mileage fees start, Chief Wheatley explained those begin at the time the patient is picked up at the scene (regardless of location) and ends when the patient arrives at the hospital.

ACTION:

Councilor Wilkie MOVED, that the Lebanon City Council hereby adopts 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 Simon.

****The Vote on the Motion was approved by members present (8-0)***

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.

Councilor Zook arrived at approximately 7:17 PM.

- B. ORDINANCE #2022-06** – A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 72, Fire Prevention, by updating the current fee schedule

Included in agenda packet: *(Pages 81-88, Council agenda packet)*

1. 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 was requesting that the Council take action to update the current fee structure for certain fire prevention inspections, noting the amendment includes increases for three portions of this chapter which includes the following:

- Fire Alarm and Sprinkler retest inspections: Currently the charge is \$100/hr. However, they are beginning to see that when they go to do the initial inspections, and if things are not where they need to be, they need to come back and do another inspection. There will be a \$300 flat fee for a re-inspection to offset staff hours.
- Above Ground Propane Storage Tank: Currently there is no fee for this in the Chapter. We are averaging about 45/month, which is a significant cost for travel and staff hours. For the 200-499 gallons there will be a flat fee of \$35. For the above ground 500/gallon tanks They propose a \$50 flat fee.
- Blasting Permits: They have seen an increase in these permits related to a lot of the new development. Currently the initial permit is \$100 and a renewal is \$50. They propose increasing

the initial charges to \$150 for up to 31/days, and the renewal would remain at \$150.

For further explanation, please see the attached memorandum dated October 31, 2022, from Fire Chief Wheatley.

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

ACTION:

Councilor Liot Hill MOVED that the Lebanon City Council hereby adopts Ordinance #2022-06 to amend City Code Chapter 72, Fire Prevention, by updating the current fee schedule.

Seconded by Councilor Heistad.

Councilor Wilkie noted that on page 84 of the Council’s agenda packet, it looked like Fire Alarms/Suppression Acceptance Testing was listed at becoming \$300/hr. from \$100/hr. It sounded like the intention was not to increase this charge to \$300/hr. but to have a retest at a flat fee of \$300. He questioned if there should be an amendment (to the motion) or if this what is listed is intended. Chief Wheatley noted that what is listed is incorrect because they are looking at \$100/hr. for the initial visit and then if they have to go back for a reinspection, it is a \$300 flat fee.

Councilor Liot Hill noted there should be another line added to read Fire Alarm/Suppression Acceptance Retest \$300.

Councilor Liot Hill MOVED to amend the Motion so that under Service Fees, the line will state Fire Alarm/Suppression Acceptance Testing \$100/hr. and another line will be added below that says Fire Alarm/Suppression Acceptance Retesting \$300 Flat Fee..

Seconded by Councilor Heistad

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

CITY OF LEBANON
ORDINANCE #2022-06

AN ORDINANCE TO AMEND the Code of the City of Lebanon, Chapter 72, Fire Prevention, Article V, Fees, by amending §72-43, Fire Prevention 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 72, Fire Prevention, Article V, Fees, by amending §72-43, Fire Prevention Fees, for the purpose of increasing fire prevention fees as follows:

Service	Fee
Plan Review	
PURD (Site Plan)	\$125

PUD (Site Plan)	\$125
Commercial (Site Plan)	\$125
Special Hazards Plan Review (At discretion of AHJ)	\$340
New Fire Protection System Plan Review	
Water Spray or Foam Systems:	
5,000 square feet or less	\$225
5,001 to 10,000 square feet	\$370
Greater than 10,001 square feet	\$600
Sprinkler Systems	
13D Systems	\$0
13R Systems	\$135
13 Systems:	
10,000 square feet or less	\$275
10,001 to 25,000 square feet	\$400
25,001 to 52,000 square feet	\$600
New Fire Alarm Systems:	
0 to 49 devices	\$150
50 to 99 devices	\$300
Greater than 99 devices	\$450
Other Fire Suppression Systems:	
Pre-engineered	\$200
Engineered	\$300
New Fire Pump Plan Review	\$350
New Underground Cistern Plan Review	\$250
Modifications to Existing Systems Plan Review	
Water Spray or Foam:	

Service	Fee
1 to 6 heads	\$40
7 to 20 heads	\$150
Greater than 21 heads	\$300
Sprinkler Systems:	
1 to 6 heads	\$50
7 to 20 heads	\$150
Greater than 21 heads	\$300
Existing Fire Alarm:	
1 to 10 devices	\$75
11 to 100 devices	\$150
Greater than 100 devices	\$300
Fire Prevention Permits:	
Annual Flammable Liquid Permit:	

Greater than 2,500 gallons	\$475
Annual Flammable Gas Permit (CNG, LNG, LPG):	
3,000 to 30,000 water capacity gallons aggregate	\$150
Greater than 30,000 water capacity gallons aggregate	\$300
Annual Poisonous Gas:	
Greater than 60 gallons	\$160
Hot Work Permit	\$75
Blasting Permit:	
Initial Fee	\$100 <u>\$150 up to 31 days</u>
Renewal	\$50 <u>\$150</u>
Fire Prevention Inspections	
Oil Burners:	
Residential	\$0
Commercial	\$125
Propane Furnaces:	
Residential	\$0
Commercial	\$125
Underground Fuel Storage Tanks:	
Residential	\$0
Commercial	\$125
<u>New or Replacement LPG cylinders (20-499 gallons)</u>	<u>\$35</u>
<u>Above Ground 500 gallon and above</u>	<u>\$50</u>
Airport Fuel Farm Inspection	\$1
40 Day Care and Foster Care:	
Family, 1 to 6 children	\$0
Group, 7 to 12 children	\$0
Day Care Centers 13+ children	\$75
Service	Fee
Foster Care Inspections	\$0
Annual Place of Assembly Inspection:	\$110
Annual Rooming/Lodging House Inspection:	
12 rooms or greater	\$180
Fire Alarm/Suppression Acceptance Testing	\$100 <u>\$300 flat fee</u>
Tents and Membrane Structure Inspections:	
Greater than 200 square feet	\$40
Greater than 400 square feet	\$80

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.

- C. ORDINANCE #2022-07** - A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 97, Landfill Regulations, Appendix A by updating the current fee schedule

Included in agenda packet: *(NOTE: Please refer to pages 89-100, Council agenda packet for complete details on the proposed amendment to City Code Chapter 97, Landfill Regulations and to review the presentation given by Solid Waste Manager Erica Douglas)*

1. Ordinance #2022-07
2. 2023 Proposed Solid Waste Fee Increase Presentation *(Pages 93-98. Council agenda packet.)*

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.

Solid Waste Manager Erica Douglas noted that in Lebanon they 8 full-time staff operating Lebanon's facilities 6 days/week. They are serving 23 communities in NH/VT, which is about 80K people. When you look at the manpower and the equipment that it takes to handle the residential trash vs. the commercial trash, the commercial side is a much more automated process and there is very little staff time used to process this. On the residential side, we have about 1.5 employees that are currently taking care of the scale house and they also end up having to act as a heavy equipment operator and loader to maintain the dumpsters about 3x's/day. There is a lot more manpower going into the residential side.

**Employee and Equipment Cost
Comparison to handle trash**

Cost for Residential Handling: \$309,000 per year*

Cost for Commercial Handling: \$74,000 per year*

Proposed Ticket Sales for 2023= \$650,660

47% of the cost for residential waste is handling and equipment*

Mind the Gap-Maintain current price

- If Punch Cards costs are maintained at the current rate a budget shortfall will need to be made up \$163,000
- To make up the difference a Tip Fee of \$84.00 per ton would be required, a little over a 9% increase.

Resident Curbside Pickup Breakdown

- We have 2,776 single family homes in Lebanon
- We have 4,149 multifamily homes in Lebanon
- Over 33% of single family homes in Lebanon have curbside pickup*

The slide below shows what they are proposing, what the 3% increase/yr. would look like. Note: Cost per ton is referred to as a Tip Fee, and the chart presumes there will be no change in the tonnage.

Gradual Rate Increase of 3%*							
	2022	2023	2024	2025	2026	2027	2028
Projected Sales with 3 %	\$ 2,616,300	\$ 2,694,789	\$ 2,775,633	\$ 2,858,902	\$ 2,944,669	\$ 3,033,009	\$ 3,123,999
Cost per ton	\$ 76.50	\$ 78.80	\$ 81.16	\$ 83.59	\$ 86.10	\$ 88.68	\$ 91.35

Ms. Douglas noted there are advantages for people coming in to do their residential trash because they can do their residential recycling at the same time. Unfortunately, the recycling sales that are generated do not make up the difference for what it actually costs to run the recycling center, so this is actually subsidized by the landfill. They have actually seen a huge drop off in the revenues of recycling, which is very dependent on the economy.

City Manager Mulholland wanted to make it clear that 33%+/- of the City's 2,700 residents who live in single family homes have curbside pickup. The biggest issue is the number of people who live in apartments. Most of these people have either curbside pickup or they have a dumpster and are paying the commercial rate, which Lebanon residents would be subsidizing. We are proposing a 3% gradual increase instead of a flat 9% fee increase to make up the shortfall in revenue, noting we would rather see smaller increases like they have done with water/sewer to try and minimize the impact on people.

Mayor McNamara clarified that what they are proposing is basically a 3% increase per year in the tipping fee that commercial haulers pay to come across the scales at the landfill. This time, for the residential customers we are going from \$1.50/bag to \$2.00/bag and questioned if this was the only increase residents would see for a while. City Manager Mulholland noted he does not have a plan to increase residential fees, it is the commercial rate they are focusing on, but even that does not change the disparity talked about.

Mayor McNamara opened the Public Hearing to the public and the following came forth to speak:

- *Mr. David Allen, General Manager for Casella Services:* They provide services to the Upper Valley and throughout New England. He noted that whatever the price is adjusted to, they will pass that on to their customers but requested the Council give them more notice time because they have to notify their customers. They are asking for a minimum of 45 days, but thought it might be 60 days. He also offered Casella's assistance in any way they can, noting their expertise in certain areas.

City Manager Mulholland stated the City has notified all the municipalities well in advance of the 3% proposed increase. If the Council is going to change the notice that has already been provided, another notice will need to be sent out to all the providers. If the Council chooses to adjust the timeframe for rate increases, he suggested keeping the commercial 3% increase for the months of January/February 2023 so there would not be a revenue shortfall.

In response to Mayor McNamara's question, Mr. Allen noted Casella has not informed their customers of the 3% increase in fees.

Hearing no further comments from the public, the Public Hearing was closed.

Council Comments:

Mayor McNamara noted that when this first came up, he had lot of questions, and the information that Ms. Douglas provided was in response to those questions (mostly about equity for residential customers). At the time, he did not fully understand the costs associated in dealing with the different types of waste streams, but now he understands this much better. While he does not like to see any fees increase, he understands the rationale behind the differentiation on the residential punch card/commercial fees.

Councilor Sykes spoke about the increase in the punch cards, noting the increase is minimal.

Councilor Whittlesey spoke about composting and questioned if this would be free. City Manager Mulholland noted that right now it is a free service. The goal is to encourage more people to produce less trash.

Councilor Sykes questioned if there would an effort to educate people on composting. Ms. Douglas noted they would be doing a lot more outreach/campaigns in the future. There is a fantastic app. on their website called "Better Bins" where items can be scanned to determine if they can be recycled at the Lebanon Landfill. New items are constantly being added.

Councilor Wilkie was pleased to see the landfill price per ton comparison and was curious if there was any insight into what the per bag rate would be. Ms. Douglas said this would be difficult because all of the public facilities like Nashua are subsidized by the taxpayers as opposed to Lebanon's facility which is

not. She also explained why bags cannot be weighed but noted a good go-by is about a 1 lb./gal., so a 30/gal. bag would be about 30 lbs.

Councilor Liot Hill spoke about the high operating costs to run the landfill service and suggested the Council/staff should rethink some of their assumptions from the past. She also wanted to make it very clear that she does not support “pink bags” and wanted to make sure these will not be moving forward until there is further discussion.

Councilor Wilkie spoke about his reasons to incentivize/maximize recycling to keep unnecessary items out of the landfill.

City Manager Mulholland spoke about the caveats, noting the City does not have the costs for Phase III and IV for the landfill yet. We also do not have the costs for dealing with PFAS, so the 3% increase does not include those issues. When we find out what the costs will be, this will change. It will take several years for the cost of PFAS to unravel, noting the EPA is not expected to have standards for drinking water for at least 5-years, never mind soil/wastewater/sludge/etc., which will affect Lebanon’s landfill. The State, on the other hand, could enact standards that would require the City to act more quickly.

Councilor Heistad spoke about the value of the landfill and the long-term costs of what the landfill is taking up from the City of Lebanon, noting the material in the landfill will be there forever.

ACTION:

Councilor Sykes MOVED that the Lebanon City Council hereby adopts Ordinance #2022-07 to amend the Code of the City of Lebanon, Chapter 97, Landfill Regulations, Appendix A, Fee Schedule. Seconded by Councilor Heistad.

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

**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:

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 <u>\$78.80/ton</u>
MSW – Residential	\$1.50 <u>\$2.00</u> /household bag \$3 <u>\$4.00</u> /contractor bag \$15 <u>\$20.00</u> per punch card
Minimum Load – Scale Use (200lbs)	MSW - \$10.00 (6 <u>5</u> punches) C&D - \$15.00 <u>\$16.00</u> (10 <u>8</u> punches) Bulky - \$12.00 (8 <u>6</u> 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) <u>\$10 per item (5 punches)</u> \$120/ton (oversized bulky waste rate)
Furniture	\$9 per item (6 punches) <u>\$10 per item (5 punches)</u> \$120/ton
Tires	\$7.50/tire <u>\$10.00/tire (5 punches)</u> \$175/ton <u>farm/construction tires</u>
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
Equipment Assist	\$50
<u>Scale Use Fee</u>	<u>\$10</u>

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.

- D. ORDINANCE #2022-08** - A public hearing for the purpose of receiving public input and taking action 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 agenda packet: *(Pages 101-104, Council agenda packet)*

1. 1. Ordinance #2022-08

City Manager Mulholland reviewed the amendment to City Code Chapter Fees to increase the Water Service Rate by 8% and the Sewer Service Rate by 7.2%. He noted this does not include the need for the additional well for the water distribution system that would go from the well to our tanks to provide an alternate source of water to the City of Lebanon, which a critical need for the City. Those numbers will probably not be available until sometime next year.

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.

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

Council Comments:

Councilor Simon spoke about an email he received from a constituent who wanted a response from the Council to a few questions since they were unable to attend tonight's meeting. Questions/responses are as follows:

- Examine how much the City paid for the consultant and how much can the City save here by not hiring out an out-of-state consultant.
Response: City Manager Mulholland noted that Raftelis built the model for the City so we can do this ourselves.
- Has the City considered layoffs, freezing wages, or managing overtime?
Response: City Manager Mulholland said “No” to all because the City can barely keep up with the tasks that we have right now, which also relates to the overtime. It takes a certain number of staff to be able to do the work (i.e., run the water plant and the distribution system throughout the City). As far as freezing wages, it is difficult to get people to fill these technical positions as is. In terms of the overtime, dealing with emergencies is where most of the overtime is coming from. For a hiring freeze, it takes a certain number of people to run the water plant and also be able to maintain the lines each year so we do not have a problem.
- What are other cost cutting measures available and can the City put off buying new equipment for a while?
Response: City Manager Mulholland noted the biggest cost was the upgrade to the Water Treatment Plant (\$3.4M), noting pumps that had to be replaced. There was a number of cost cutting measures across the City in terms of digitization and the plant (water/sewer) upgrade to reduce the number of chemicals the City uses. There is a whole plan to reduce costs (i.e., senior staff is retiring and being replaced by people whose salaries are less, but is overshadowed by the increase in retirement costs, health insurance, etc.).

Mayor McNamara noted the City has evaluated all the opportunities for cost stabilization and acted on what we can, but cutting salaries/personnel was just not an option.

Councilor Whittlesey noted that water/sewer treatment is a very capital intensive process and some of this is the CSO. Water/sewer treatment is not what we want to cut out due to possible unintended consequences that could cause system-wide failures (i.e., other City's that have boil water orders). He would like to be drinking water out of the tap rather than cut 2% of the increase. The investment in water/sewer is critical to maintaining a quality standard of living.

Councilor Sykes concurred with Councilor Whittlesey, noting the City is forward-leaning in terms of many of the issues we face. If you look around the world and many places in the US, access to good, clean water is going to be more of a problem in the future. The City needs to be on top of this so we are not facing the kinds of crises other communities have.

City Manager Mulholland spoke about climate change, noting the number of high heat days will continue to grow and will result in more drought issues. It is important for the City to drill that well to give us an alternate source of water. He also spoke about the cyanobacteria getting worse for municipalities who use surface water. The EPA (Environmental Protection Agency) has warned the State about things we need to be thinking about in the future.

Councilor Heistad concurred with most of what has been said and noted the contamination that he has seen in the City's drinking water in the past. He congratulated the folks who keep our water coming and going and for providing a different environment than what it was in the past. We now have fresh water.

Assistant Mayor Below presented another perspective noting that if you look at the costs per gallon (i.e., breaking down the dollars per cubic feet), it comes out to about a penny per gal. If you add in the wastewater treatment costs, we are still at about 2.5 cents/gal.

ACTION:

Councilor Wilkie MOVED that the Lebanon City Council hereby adopts 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 Liot Hill.

****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.

9. OLD BUSINESS

A. Presentation of Second 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 105-116, City Council agenda packet*)

City Manager Mulholland reviewed the above with the Council. Councilor Sykes expressed his concerns and explained his reasons regarding the equity in pay between the Fire Department and the Police Department.

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.

City Manager Mulholland reviewed 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 first presentation was recognized by the City Council on November 16, 2022. The Council is now asked to recognize the second of three presentations. The third presentation will occur on December 14th, along with a public hearing to adopt the amendments as proposed.

1. ACKNOWLEDGE FIRST PRESENTATION:

Councilor Liot Hill MOVED, that the Lebanon City Council acknowledges the second of three presentations to amend Ordinance #18, Salary Plans, as follows and as shown on table on pages 110-116, City Council agenda packet:

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:
- c) Implement a 3% General Wage Increase for 2023;
 - d) 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.

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**

<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	\$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%).

Seconded by Councilor Wilkie.

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

10. NEW BUSINESS

- A.** Discussion & Set Public Hearing for January 4, 2023: Ordinance #2023-01 to amend City Code Chapter 152, Streets and Sidewalks, Article IV, Non-Public Signs in City Highway Right-of-Way, relative to political signs on public highways

Included in the agenda packet: [*\(Pages 117-121 , City Council agenda packet\)*](#)

1. Proposed Ordinance #2023-01
2. RSA 664:17 Placement and Removal of Political Advertising

City Manager Mulholland reviewed the proposed amendment to Ordinance #2023-01, noting the narrow amendment would prohibit political signs in areas where Beautification Projects are taking place, such as

traffic islands. We are trying to keep those areas where people donate funds and do work to keep those sign free.

BACKGROUND

The City Council adopted the provisions contained in Chapter 152, Article IV, Non-Public Signs in City Highway Right-of-Way on February 18, 2009. This code provision allowed for the placement of political signs as defined by NH RSA 664:2 in City rights-of-way.

This past summer, the City implemented a pilot program to beautify the traffic islands in the downtown area. Private businesses either donated funds or utilized their employees to plant and care for the flowers planted in these designated traffic islands.

It is not uncommon for municipalities to prohibit the placement of any signs for any purpose (other than traffic signs posted by governmental entities) within the municipality's right-of-way. NH RSA 664:17 specifically prohibits the placement of political advertising on or affixed to any public property including highway rights-of-way or private property without the owner's consent.

The City Manager has received complaints regarding the signs being placed on the traffic islands obscuring the flowers planted there. The proposed changes limit the period of time political signs can be placed in the right-of-way. Additionally, the amendments prohibit placement of political signs on traffic islands or other portions of public highways that are designated by the City Manager as part of the City's beautification program.

Other proposed amendments included in Ordinance #2023-01 are intended to update and correct cross-references to the signage regulations within the Lebanon Zoning Ordinance.

Council Discussions:

Mayor McNamara noted the Council will not be making a decision on this tonight, they are simply scheduling a Public Hearing.

Councilor Liot Hill spoke about the political signs that went up earlier this year, noting it was visual litter. She is a huge fan of political signs and calls them "The Flowers of Democracy," but felt it reasonable to have some limitations about when and where they can be planted and suggested 60 days would be a reasonable timeframe for the City's primaries and the general elections.

Mayor McNamara fully supported this proposal noting that during the past several election cycles, political signs have been getting worse. He also spoke about signs being left up for years.

Assistant Mayor Below favored shortening the 60 days to 30 days and further gave his reasons for doing so.

Councilor Wilkie supports either the 60 day or 30 day proposal. However, he questioned if there should also be a designated period after the election(s) when signs should be picked up, and if this would put an additional burden on the City Manager. The City Manager noted that the terms of political sign removals are already covered by the State.

Councilor Sykes supported the 30 day removal proposal.

ACTION:

Assistant Mayor Below MOVED that the Lebanon City Council hereby schedules a public hearing for Wednesday, January 4, 2023, 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 #2023-01 to amend City Code Chapter 152, Streets and Sidewalks, Article IV, Non-Public Signs in City Highway Right-of-Way as presented in the December 7, 2022 City Council agenda packet except to change the provision in proposed §152 – 34, A (-1) so that it reads “political advertising may only be placed within public highways “30 days” prior to the election(s) in which the measure or elected offices have been acted upon.

Seconded by Councilor Liot Hill.

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

CITY OF LEBANON ORDINANCE #2023-01

AN ORDINANCE TO AMEND the Code of the City of Lebanon, Chapter 152, Streets and Sidewalks, Article IV, Non-Public Signs in City Highway Right-of-Way, by amending §152- 34, Exceptions.

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 152, Streets and Sidewalks, Article IV, Non-Public Signs in City Highway Right-of-Way, §152-34, Exceptions, as follows:

§ 152-34 Exceptions.

(1) The following are excepted from the prohibition in this § 152-32, above:

A. Political advertising, as defined in RSA 664:2, is permitted to be located on public highways if and only if in accordance with RSA 664:14 through RSA 664:17, ~~and~~ all other applicable laws or regulations including the provisions below:

- 1.** Political advertising may only be placed within public highways ~~60~~ (change to 30 days) prior to the election in which the measure or elected office is being acted upon.
- 2.** Political advertising may not be placed on traffic islands or other portions of public highways that are designated as part of the City’s beautification program designated by the City Manager.

B. Any activity properly licensed by the City to take place on public highways, including street vendors under City of Lebanon Code Chapter 179, street fairs under RSA 31:100, or parades licensed under RSA Ch. 286 may include signs relating to the licensed activity, to the extent permitted by the respective licensing authority.

C. The prohibition in this article shall not apply to official signs and devices properly erected by agents of the City itself for purposes of directing and controlling traffic, or other valid public safety or welfare purpose.

D. The prohibition in this article shall not apply to leaflets or placards held at all times by a human being, or to messages or information printed on clothing or other items worn by a human being, so long as said persons are not interfering with traffic and are not in violation of any other laws or ordinances.

E. The prohibition in this article shall not apply to signs painted on or otherwise affixed to motor vehicles being operated upon public highways; provided, however, that vehicles which have commercial signs painted on or otherwise attached to them shall not remain or be parked for more than three hours at any one location on any public highway right-of-way in the City, unless said vehicle is being actively used at that location for some business purpose other than parking or advertising, including but not limited to loading, unloading or utility installation or repair, and is not in violation of any other laws or ordinances. The three-hour time restriction in this subsection shall be in addition to other restrictions such as those contained in City of Lebanon Code Chapter 168.

F. The prohibition in this article shall not apply to sandwich board signs permitted under Section 608.56(~~GA~~)(5) of the Zoning Ordinance, which are located on public sidewalks in the Central Business and Lebanon Downtown Districts only, and are otherwise in conformity with that section and all other applicable ordinances and regulations, nor to promotional banners under Section 608.82(A)(2) of the Zoning Ordinance which are explicitly permitted by the City Licensing Board.

G. The prohibition in this article shall not apply to signs which announce and give directions to yard sales which are in compliance with Section 207 of the Lebanon Zoning Ordinance; provided, however, that:

- (1) No such sign shall exceed four square feet in area;
- (2) There shall be no more than a total of three signs for any one yard sale;
- (3) The date(s) of the yard sale shall be written on each sign;
- (4) The exception in this subsection shall apply only upon the actual date of such a yard sale and the date prior to the yard sale; and
- (5) City authorities may remove or relocate any such sign which impedes traffic or visibility, or otherwise impairs the safety and convenience of the traveling public.

H. The prohibition in this article shall not apply to temporary directional signs advertising residential property for sale and located in the public right-of-way, provided that:

- (1) There shall be no more than two directional signs placed at the nearest street intersections, in each direction, to the property for sale;
- (2) Each sign shall not exceed four square feet in area;
- (3) The signs shall be removed upon completion of the transaction; and
- (4) City authorities may remove or relocate any such sign which impedes traffic or visibility, or otherwise impairs the safety and convenience of the traveling public.

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 upon passage.

664:17 Placement and Removal of Political Advertising. – No political advertising shall be placed on or affixed to any public property including highway rights-of-way or private property without the owner's consent. All political advertising shall be removed by the candidate no later than the second Friday following the election unless the election is a primary and the advertising concerns a candidate who is a winner in the primary. Signs shall not be placed on or affixed to utility poles or highway signs. Political advertising may be placed within state-owned rights-of-way as long as the advertising does not obstruct the safe flow of traffic and the advertising is placed with the consent of the owner of the land over which the right-of-way passes. No person shall remove, deface, or knowingly destroy any political advertising which is placed on or affixed to public property or any private property except for removal by the owner of the property, persons authorized by the owner of the property, or a law enforcement officer removing improper advertising. Political advertising placed on or affixed to any public property may be removed by state, city, or town maintenance or law enforcement personnel. Political advertising removed prior to election day by state, city, or town maintenance or law enforcement personnel shall be kept until one week after the election at a place designated by the state, city, or town so that the candidate may retrieve the items.

Source. 1979, 436:1. 1994, 4:28. 2006, 273:1. 2013, 24:1, eff. July 15, 2013.

B. Discussion & Set Public Hearing for January 4, 2023: To re-adopt the Optional Veterans' Tax Credit and the All Veterans' Tax Credit

Included in the agenda packet: ([Pages 122-128, Council agenda packet](#))

1. New Hampshire Department of Revenue Administration, Technical Information Release, Updated TIR 2022-005, dated October 24, 2022
2. NH RSA 72:27-a; RSA 72:28; RSA 72:28-b ([See pages 124-128, Council agenda packet](#))

City Manager Mulholland reviewed the complicated legislative history, noting the legislature made some changes that requires us to re-adopt their language. He was not recommending the Council change the benefits the City provides to people so they can get the same tax credits that they have received in the past.

BACKGROUND

The Optional Veterans' Tax Credit and the All Veterans' Tax Credit are programs made available by the City for Lebanon's veterans and/or their spouses. The tax credit reduces the total property taxes owed on the veteran's residential property by the amount of the credit.

The Optional Veterans' Tax Credit was last amended on October 16, 2019 when the Council voted to increase the amount of the tax credit from \$100 to \$250 in accordance with NH RSA 72:28. At the same meeting, the City Council voted to adopt the All Veterans' Tax Credit pursuant to NH RSA 72:28-b in the amount of \$250. Veterans and/or their spouses may qualify for either the Optional Veterans' Tax Credit or the All Veterans' Tax Credit, but cannot receive both.

Earlier this year, the New Hampshire Legislature passed, and Governor Sununu signed into law, House Bill 1667 (Chapter 121, Laws of 2022) amending the eligibility criteria for certain veterans' property tax credits. Effective on July 26, 2022, the bill amended NH RSA 72:28, the "Standard and Optional Veterans' Tax Credit", and NH RSA 72:28-b, the "All Veterans' Tax Credit", to expand the eligibility requirements of the veterans' tax credit to include individuals who have not yet been discharged from service in the armed forces.

Under NH RSA 72:27-a, IV, amendments to tax credits and exemptions which require adoption will apply “in a municipality which previously adopted the provision only after the municipality complies with the procedure” specified in NH RSA 72:27-a, II. As a result, the legislation requires the City to re-adopt the Optional Veterans’ Tax Credit and/or the All Veterans’ Tax Credit at the existing amount of \$250, or at a new amount, in order for them to remain in place and include the expanded eligibility effective for the April 1, 2023 tax year. If either the Optional Veterans’ Tax Credit or the All Veterans’ Tax Credit, or both, are not re-adopted by the City, then only the Standard Veterans’ Tax Credit (NH RSA 72:28, I) in the amount of \$50, including the expanded eligibility requirements, will be in place for the April 1, 2023 tax year.

ACTION:

Assistant Mayor Below MOVED that the Lebanon City Council hereby schedules a public hearing for Wednesday, January 4, 2023, 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 to re-adopt the Optional Veterans’ Tax Credit in the amount of \$250 in accordance with NH RSA 72:28 and the All Veterans’ Tax Credit in the amount of \$250 in accordance with NH RSA 72:28-b. Seconded by Councilor Whittlesey.

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

C. Public Input on Proposed 2023 Municipal Budget

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

Council comments:

Councilor Liot Hill requested if there was any additional information regarding her question about West Lebanon.

City Manager Mulholland informed the Council a memo is being drafted about a new proposal for the additional position in Human Services and referenced the position that Councilor Simon talked about at the last meeting. The memo has been sent out to staff for their review. He did not generate a memo regarding West Lebanon.

Councilor Liot Hill spoke about the Streetscape Improvements in West Lebanon and asked what the City’s plan would be if the Federal funding is not available.

City Manager Mulholland said he cannot propose any more spending above the City Council’s Policy that would put us above our debt limit. The Council has a few options:

- The Council could waive the debt limit to allow that project to go through at a cost of \$2.3M. (Total cost for this project is +/- \$4.3M.)
- If the Council did not waive the debt limit, and just made a motion to approve that project, then it would force the circuit breaker provision in the City Council’s Debt Policy and he would have no choice but to stop other projects (to address the West Lebanon Project). If the Council chooses this option, he would recommend they amend the debt limit.
- The Council could create a Special Assessment District, but this would be very unpopular for the people who live in that area. He did not feel this option would be appropriate, noting the whole City should be paying for this.

If the (US) Congress does not pass the spending bill in the next couple of weeks, things may change due to

the (national) primary election results. We are operating under the assumption that the City will get the grant because it did pass the House and is now in the Senate. If they do not approve the spending bill, then who knows how long this will drag on. Even if the spending bill passes, the earliest the City can start on the West Lebanon Project would be 2024.

In response to Councilor Liot Hill's request to keep things moving in West Lebanon, City Manager Mulholland explained the City can still proceed with the appropriated funds for the final design but would need to come back to the Council before spending the appropriated funds, as there may be potential breakout options in the final design the Council could consider.

11. City Manager Report:

City Manager Shaun Mulholland updated the Council on the following:

- Strategic Plan: In January, the Council will have their two regular meetings and at both of those meetings there will be items that will deal with the Strategic Plan. The goal is that as we move into February, there will be at least two general conversations with the public and then there will be additional meetings with the School Board, the Lebanon Housing Authority and any other groups he can find to get feedback.

A meeting is being planned with other regional municipalities to get our local elected officials together with our State delegation to push a more aggressive legislative approach for funding (i.e., transportation, Child Care Center, etc.). We need to use our collective political power to try and influence things in Concord. He noted this is in the Council's realm and would allow them to push the collective (regional) objectives to have better influence in the State. It would also help drive the 2024 budget process.

The Council would like to move forward with the City's Strategic Plan.

12. COUNCIL REPRESENTATIVES TO OTHER BODIES:

- A.** Diversity, Equity & Inclusion Commission recommendation to City Council for land acknowledgments relative to Native Americans (*Page 130, City Council agenda packet*)

Councilor Wilkie reviewed and explained the DEI Commission recommendations to the Council.

In consultation with a local Abenaki chief, we created the following land acknowledgement that applies to Lebanon, NH. We are posting this on our DEI website for public information, and we urge anyone who uses the land acknowledgement to do so judiciously and sparingly. If land acknowledgements are overused or voiced without action, they can lose their gravity and meaning.

It might be appropriate to read the land acknowledgment before meetings or events that relate to topics such as: lands considered sacred, race relations, holidays and celebrations, or historical/heritage representations. We caution that the repercussions of historical and contemporary discrimination are still very present in the lives of the Abenaki peoples today, and misusing/overusing the land acknowledgment may only serve to open wounds without offering any meaningful resolution.

Councilor Wilkie read the recommendations preamble as listed below:

Every community owes its existence and vitality to generations from around the world who contributed their hopes, dreams, and energy to making the history that led to this moment. Some were brought here or removed against their will, some were drawn to leave their distant homes in the hope of a better life, and some have lived on this land for more generations than can be counted.

The City of Lebanon is situated upon ancestral and unceded lands of the Abenaki people, known as the Alnôbak in their own language. The land, known as Koas (place of the Pines), sits within the greater ancestral territory of the Abenaki and Wabanaki homeland, called Ndakinna. This acknowledgement reminds us of the significance of place, the continued existence of Abenaki people, and our commitment to building respectful relationships with those who call these lands home today.

The Mayor and Council supported the DEI recommendations and Councilor Liot Hill suggested the City Council adopt this acknowledgement at their organizational meeting in March 2023 and ask other Boards/Committees/Commission to do something similar at least once each year.

City Manager Mulholland noted a video is being created to talk about the Native Americans who lived in this area.

Mayor McNamara suggested the School Board might like to make this topic available as part of their curriculum.

13. FUTURE AGENDA ITEMS:

- **March City Council Organization Meeting:** Add Diversity, Equity & Inclusion Commission recommendation (above) to City Council for land acknowledgments relative to Native Americans to agenda.

14. NON-PUBLIC SESSION: NONE

15. ADJOURNMENT:

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

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

The meeting was adjourned at 9:10 PM.

Respectfully submitted,
Dona E. Gibson
Recording Secretary