



**LEBANON CITY COUNCIL
APRIL 19, 2023 - 6:00 PM
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE**

1. Call to Order

To participate in this meeting, please [join live via Microsoft Teams](#) or call 929-229-5356 (access code: 705 869 411#). If you have trouble accessing this meeting, please [email Shaun Mulholland](#).

The April 19, 2023 Lebanon City Council Meeting is hereby called to order.

2. Pledge of Allegiance

3. Boards and Committees Reports (1st Quarter 2023)

4. Public Forum Announcement by the Mayor

Any member of the public who desires to speak on any item may do so when the item is taken up by the Council and will be allowed to speak on the subject for not more than three minutes. **(Note: Speakers are asked to state their name, ward of residence, and to use the microphone provided.)**

5. Open to the Public

6. Recognitions

A.

- Resolution in honor of Kristin Kenniston (City Clerk/Tax Collector)
- Resolution in honor of Lori Gould (Deputy City Clerk)

7. Approval of Minutes

A. MOTION TO approve the minutes as presented in the April 19, 2023 agenda packet.

8. Appointments

A.

- Arts & Culture Commission, Nick Gaffney (Ward 3 Citizen Representative)
- Arts & Culture Commission, Linda Copp (Arts Representative)
- West Lebanon Revitalization Advisory Committee, Jim Winny (Ward 1 Citizen Representative)
- West Lebanon Revitalization Advisory Committee, Erik Endrulat (Ward 1 Citizen Representative)

- Planning Board, Bruce Garland (Reappointment Regular Member)
- Upper Valley Lake Sunapee Regional Planning Commission, Bruce Garland (Reappointment Regular Member)

9. Public Hearing Items

- A. AMEND ORDINANCE 18, SALARY PLAN – A public hearing for the purpose of receiving public input and taking action to amend Ordinance No. 18, Salary Plan, Article II, Non-Affiliated & LPASE Employees, as follows:

1. Add new Asset Manager position
 2. Add new Solid Waste Foreperson position
- i. Presentation:
 - ii. Opening of the Public Hearing:
 - iii. Questions & Comments by the Public:
 - iv. Closing of the Public Hearing:
 - v. Council Deliberation & Action:

10. Old Business: None

11. New Business

- A. Introduction of and remarks from Executive Councilor District 2, Cinde Warmington
- B. Request from Lalo's Taqueria for an Exemption (per §14-5) of City Code Chapter 14, Alcoholic Beverages, to permit the serving of alcoholic beverages on City property
- C. Release of Collected Public School Impact Fees
- D. Authorization for the City Manager to transfer appropriated funds from the Finance Department in the amount of \$55,000 to the Planning & Development Department to fund a Project Development and Grants position
- E. Discuss revised membership for West Lebanon Revitalization Advisory Committee
- F. Vote to approve annual compensation for the City Manager

12. City Manager Report

13. Council Representatives to Other Bodies Report

14. Future Agenda Items

15. Non-Public Session

16. Adjournment

public will be able to participate and ask questions through the City's virtual platform or by phone. Please note: Should technical difficulties occur during the meeting that disrupts virtual or phone connection(s), the meeting will continue without remote access capabilities.

FUTURE BOARD/COMMITTEE/COMMISSION APPOINTMENTS

Board/Committee: Zoning Board of Adjustment
Position: Alternate Member
Applicant: J. Walker
Assigned Councilor: D. Whittlesey
Assigned Date: 02/07/2023

Board/Committee: Planning Board
Position: Regular Member
Applicant: P. Kennelly
Assigned Councilor: S. Mulholland
Assigned Date: 04/04/2023

Board/Committee: Planning Board
Position: Regular Member
Applicant: L. Gilbert
Assigned Councilor: S. Mulholland
Assigned Date: 04/04/2023

PROPOSED FUTURE AGENDA ITEMS: Dates may be tentative and this list is not considered all-inclusive.

APRIL 25, 2023 – WORK SESSION
APRIL 27, 2023 – WORK SESSION

MAY 03, 2023

NEW BUSINESS:

- A. Review and approval of Strategic Plan
- B. Discussion & Set Public Hearing for May 17, 2023: Community Revitalization Tax Relief Program (RSA 79-E) Application – Lebanon Woolen Mill, LLC for rehabilitation of former Kleen Laundry facilities at 1 Foundry Street and replacement of structures at 25 Mechanic Street and 43 Mechanic Street

MAY 10, 2023 - WORK SESSION

MAY 17, 2023

PUBLIC HEARING ITEMS:

- A. COMMUNITY REVITALIZATION TAX RELIEF PROGRAM APPLICATION – A public hearing for the purpose of receiving public input and taking action on a Community Revitalization Tax Relief Program Application (per NH RSA 79-E) by Lebanon Woolen Mill, LLC for rehabilitation of former Kleen Laundry facilities at 1 Foundry Street and replacement of structures at 25 Mechanic Street and 43 Mechanic Street.

NEW BUSINESS:

- A. Presentation of Grafton County Commissioners' Proposed Budget with Wendy Piper, Chair of Grafton County Board of Commissioners
- B. Review and Discussion of 2022 Year End and 2023 1st Quarter Budget Reports
- C. Discussion and presentation of collection and analysis of data on homelessness

**AGENDA
LEBANON CITY COUNCIL
APRIL 19, 2023**

6. RECOGNITIONS:

- Resolution in honor of Kristin Kenniston (City Clerk/Tax Collector)
- Resolution in honor of Lori Gould (Deputy City Clerk)

Included in this Section:

1. Resolution Honoring Kristin Kenniston
2. Resolution Honoring Lori Gould



RESOLUTION HONORING KRISTIN KENNISTON

WHEREAS, Kristin Kenniston has devoted herself to a career in public service, having served the residents and businesses of the City of Lebanon and the region for more than fifteen years;

WHEREAS, Kristin began her service to the City in December of 2007 as an Assistant City Clerk. Upon recognition of her leadership skills, she was promoted to Deputy City Clerk in June of 2014 and then to City Clerk in May of 2020; and

WHEREAS, during her time as City Clerk, Kristin achieved the levels of New Hampshire Certified City Clerk through the New Hampshire City and Town Clerks/Tax Collectors Joint Certification Program, Certified Municipal Clerk through the International Institute of Municipal Clerks, and Certified Public Supervisor through the State of New Hampshire Bureau of Education and Training, overseeing 22 successful elections, having trained and supervised hundreds of election officials; and

WHEREAS, Kristin has served thousands of Lebanon residents and businesses over the past 15 years in a courteous and helpful manner, always going above and beyond to assist them in a fair and equitable manner, which has earned her the respect, confidence and friendship of her fellow coworkers and citizens in the community; and

WHEREAS, Kristin has been an avid team player, always willing to lend a hand when needed, assisting co-workers and employees from all City Departments; and

WHEREAS, Kristin's dedication, thoughtfulness and sense of humor have been instrumental in the success of her career with the City and made her a pleasure to work with;

NOW, THEREFORE, BE IT RESOLVED, that we, the members of the Lebanon City Council, on behalf of the citizenry of Lebanon, Kristin's friends, and her fellow employees and associates, express our admiration of and respect for the career of our outstanding and faithful employee, and extend to her our sincere gratitude and wish her well in her future endeavors,

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

Dated this 19th day of April 2023, in Lebanon, New Hampshire.

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



RESOLUTION HONORING

Retiring Deputy City Clerk

LORI GOULD

WHEREAS, Lori Gould has devoted herself to a lifelong career in public service, having served the residents and businesses of the City of Lebanon and the region for more than sixteen years; and

WHEREAS, Lori began her service with the City in 2006 as an Assistant City Clerk, eventually being appointed as the Deputy City Clerk in 2020 for the City of Lebanon; and

WHEREAS, during her time with the City, Lori has been an essential member of the City Clerk's Office Team, providing excellent customer service and brightening everyone's day with her sense of humor; and

WHEREAS, during her time as Deputy City Clerk, Lori ensured the quality of the work produced in the City Clerk's Office; and

WHEREAS, Lori always worked diligently to ensure accuracy and integrity in all aspects of duties; and

WHEREAS, Lori's leadership has kept the City Clerk's office running smoothly, even during the most challenging of times,

NOW, THEREFORE, BE IT RESOLVED, that we, the members of the Lebanon City Council, on behalf of the citizenry of Lebanon, Lori's friends, and her fellow employees and associates, express our admiration of and respect for the career of our outstanding and faithful employee, and extend to her our sincere gratitude and wish her well,

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

Dated this 19th day of April 2023.

TIMOTHY J. MCNAMARA, MAYOR
City of Lebanon

**AGENDA
LEBANON CITY COUNCIL
APRIL 19, 2023**

7. ACCEPTANCE OF MINUTES:

MINUTES TO BE ACCEPTED

- March 29, 2023 (Organizational Meeting)
- April 5, 2023 (Regular Meeting)

MOVED, to approve the minutes as presented in the April 19, 2023 agenda packet.

DRAFT

**LEBANON CITY COUNCIL
MINUTES
Wednesday, March 29, 2023, 7:00 p.m.
Council Chambers or**

Remote Via Microsoft Teams: LebanonNH.gov/Live

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

MEMBERS ABSENT: Erling Heistad

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager David Brooks,
City Clerk Kristin Kenniston, Finance Director Vicki Lee, Deputy
Finance Director Alesia Williams

1. CALL TO ORDER: Mayor McNamara called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE: Councilor Simon led the Council in the Pledge.
• City Manager Shaun Mulholland announced the meeting criteria for the public.

3. PUBLIC FORUM: Mayor McNamara made the Public Forum announcement.

4. OPEN TO PUBLIC: No one came forth to speak.

Mayor McNamara announced the following Proclamation:

**PROCLAMATION
WEEK OF THE YOUNG CHILD**

WHEREAS, the first years of a child's life are the period of the most rapid brain development and lay the foundation for all future learning. High-quality early care and education can help improve the effects of poverty, detect and remediate delays, and identify and help prevent child neglect. Every child deserves equal access to a high-quality educational foundation that will prepare them to grow, learn, and succeed, and

WHEREAS, many New Hampshire businesses are struggling to recruit and retain their workforce. Business owners have identified the availability of high-quality, affordable, safe, and reliable childcare as an important component of solving the burgeoning workforce crisis. Early childhood education:

- allows parents to remain in the workforce
- builds a strong and future-focused economy, and

WHEREAS, the lack of early childhood education is a serious problem in New Hampshire:

- Currently, 71% of children from birth through five have all available parents in the workforce
- Women of color and other disadvantaged populations bear the most significant burden and women are disproportionately impacted by the lack of childcare options, are more likely to leave the workforce to provide childcare stunting their ability to earn income, advance in their career field, build their future retirement security, and

1 **WHEREAS**, early childhood educators served on the frontline during the pandemic, demonstrating how
2 important their work is. Young children deserve high-quality, developmentally appropriate, accessible
3 early care that reflects a rich diversity of linguistic, racial, and cultural identities. Members of our
4 community are urging support of efforts that increase compensation and respect for the work of early
5 childhood educators, and equitable access to high-quality, affordable early childhood education.
6

7 **NOW, THEREFORE**, I, Timothy McNamara, Lebanon City Mayor, hereby, proclaim April 1–7, 2023 as
8 the WEEK OF THE YOUNG CHILD in Lebanon, New Hampshire.
9

10 Proclaimed this 29th Day of March in the year 2023.

11
12 _____
13 Timothy J. McNamara

14 **5. RETIREMENT OF OUTGOING COUNCILOR: NONE**
15

16 **6. WELCOMING RE-ELECTED COUNCILORS:**

17 Mayor McNamara welcomed back the following re-elected Councilors:

- 18 – Assistant Mayor Below (Re-Elected Ward 3)
 - 19 – Karen Liot Hill (R-Elected At-Large)
 - 20 – Devin Wilkie (Re-Elected Ward 2)
 - 21 – Douglas Whittlesey (Re-Elected Ward 1)
- 22

23 City Clerk Kristin Kenniston administered the Oath to all City Councilors and they were officially seated.
24

25 **7. NOMINATION AND ELECTION OF TEMPORARY CHAIR**
26

27 *Kristin Kenniston, City Clerk, opened the Nominations for Temporary Chair.*
28

29 *Councilor Simon put forth the NOMINATION of Councilor Liot Hill as Temporary Chair.*
30

31 **Hearing no further nominations for Temporary Chair, City Clerk Kristin Kenniston closed the**
32 **nominations and called for a vote.**
33

34 **The Vote on the NOMINATION to elect Councilor Liot Hill as Temporary Chair was approved by*
35 *those present (8-0).*
36

37 **8. NOMINATION AND ELECTION OF MAYOR AND ASSISTANT MAYOR:**
38

39 **MAYOR:**
40

41 **Councilor Liot Hill, Temporary Chair, opened the Nominations for Mayor.**
42

43 *Councilor Below put forth the NOMINATION of Tim McNamara as Mayor.*
44

45 **Hearing no further nominations for Mayor, Councilor Liot Hill, Temporary Chair, closed the**
46 **nominations and called for a vote.**
47

48 **The Vote on the NOMINATION of Councilor Tim McNamara for Mayor was approved by those*
49 *present (7-0-1). Councilor McNamara abstained.*
50

1 **ASSISTANT MAYOR**

2
3 Mayor McNamara opened the Nominations for Assistant Mayor.

4
5 *Mayor McNamara put forth the NOMINATION of Councilor Clifton Below as Assistant Mayor.*

6
7 **Hearing no further Nominations for Assistant Mayor, Mayor McNamar closed the nominations and**
8 **called for a vote.**

9
10 **The Vote on the NOMINATION of Councilor Clifton Below as Assistant Mayor was approved by*
11 *those present (7-0-1). Councilor Below abstained.*

12
13 **9. PUBLIC HEARING ITEM: NONE**

14
15 **10. NEW BUSINESS:**

16 A. Adoption of Council Rules

17
18 1. Included in agenda packet: **Council Rules as adopted on 11/16/22 (Pages 3-10).**

19
20 **ACTION:**

21 *Councilor Whittlesey MOVED to approve Chapter A191, Council Rules as written and presented in the*
22 *March 29, 2023 City Council agenda packet.*
23 *Seconded by Councilor Wilkie.*

24
25 **The Vote on MOTION was approved by those present (8-0).*

26
27 **11. MAYORAL APPOINTMENTS OF COUNCILORS TO BOARDS & COMMITTEES:**

28 Mayor McNamara made no appointments at this time. He will be speaking to all Councilors individually
29 about what their preferences are and is planning on having a vote on the appointments at the Council
30 Meeting on April 19, 2023.

31
32 A list of all Boards/Commissions/Committees will be sent to Councilors for their review.

33
34 **Brief Updates:**

- 35
 - Meeting with NH DOT regarding West Lebanon.
 - Extension on the Greenway: Have made some progress in the area of the State Park. A dimensional plan has been put together by the City's engineers for the NH DOT.
 - NH Executive Councilor, Cinde Warmington, business tour throughout the district. She toured the Upper Valley and would like to return. Plans are being made to make this happen.

40
41 **12. NON-PUBLIC SESSION**

42 A. RSA 91-A:3, II(a) "The dismissal, promotion, or compensation of any public employee..."

43
44 *Councilor Wilkie MOVED to go into Non-Public Session for the purpose of discussing RSA 91-A:3,*
45 *II(a) "The dismissal, promotion, or compensation of any public employee..."*

46
47 *Seconded by Councilor Whittlesey.*

48
49
50 **Roll Call Vote:**

1 Assistant Mayor Below, and Councilors Liot Hill, Simon, Sykes, Whittlesey, Wilkie, Zook and Mayor
2 McNamara all voting Yea.
3 None voted Nay.

4
5 ****The Vote on the MOTION was approved by those present (8-0)***

6
7 Staff Present: City Manager Mulholland

8
9 **The Council went into Non-Public Session at 7:30 PM**

10
11 The Council briefly discussed compensation of the City Manager

12
13 ***Councilor Sykes MOVED to come out of Non-Public Session.***
14 ***Seconded by Assistant Mayor Below.***

15 ****The Vote on the MOTION was approved by those present (8-0).***

16
17 **The Council went out of Non-Public Session at 8:30 PM**

18
19 **13. ADJOURNMENT:**

20
21 **The Organizational meeting was adjourned at 8:30 PM.**

22
23 Respectfully submitted,
24 Dona E. Gibson
25 Recording Secretary

**LEBANON CITY COUNCIL
REGULAR SESSION MINUTES
Wednesday, April 5, 2023, 7:00 p.m.
Council Chambers**

Remote Via Microsoft Teams: [LebanonNH.gov/Live](https://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, Public Relations Coordinator Beth Beraldi, Chief of Police Phillip Roberts, Deputy Chief of Police Matthew Isham, Assistant Director of Public Works Jay Cairelli, Retiring LPD Captain Tim Cohen, Retiring HR Director Gloria Leskiewicz, New HR Director Samantha Lauzon, DPW Administrative Services Manager Kelly Crate, LFD Chief/Emergency Management Director James Wheatley, LPD Assistant Fire Chief Jeffrey Libby

1. CALL TO ORDER: Mayor McNamara called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE: Assistant Mayor Below led the Council in the Pledge.

- City Manager Shaun Mulholland announced the meeting criteria for the public.

3. PUBLIC FORUM: Mayor McNamara made the Public Forum announcement.

4. OPEN TO PUBLIC:

- *Andrew Garthwaite (Ward 3, Chair, Tree Advisory Board):* He spoke about his reasons for concern over the felling of the School Street Cemetery's trees, noting **all** the trees were cut down. This has really upset the neighborhood. He felt there needs to be a comprehensive and thorough communications plan with the residents of the City and a plan for the trees replacement.

City Manager Mulholland noted there is a plan to replace those trees. We had trees that were diseased/damaged and there was considerable concern over the cemetery stones in place, which cannot be replaced because of their age (over 100 years). Tree planting is in the Tree Advisory Board Charter. He also spoke about Lebanon hiring a Tree Warden, noting we need to do a much better job to take care of the trees that we have in our public spaces. We also need to work with private property owners to help them take care of their trees since climate change will be impacting trees making them more susceptible to disease and damage in the future. We will try to communicate better in the future.

- Eric Sheller (Ward 2, Plant Biologist): He spoke about his concerns with the felling of the School Street Cemetery trees. He wanted folks to go to the School Street Cemetery and look at the stumps, noting most of those trees were quite healthy. He also wanted folks to recognize that most of the trees in the cemetery were planted a century ago and have become integrated with the loved ones buried in the cemetery.

- Councilor Wilkie congratulated Assistant Mayor Below and LEAC for an excellent presentation regarding the Lebanon Community Power Coalition. There was standing room only and it was apparent the public was excited.
- Councilor Heistad encouraged Mr. Garthwaite and the Tree Advisory Board to think about the tree specimens to be planted in the cemetery because some are invasive species. He would like to see native species planted there and throughout Lebanon.
- Councilor Liot Hill spoke about the sense of loss she shares with the loss of the cemetery trees.

5. RECOGNITIONS: The following recognitions were taken out of order and are listed in the order as presented. (Pages 4-9, Council agenda packet)

- RESOLUTION IN HONOR OF KEVIN FOLLENSBEE (FIRE DEPARTMENT LIEUTENANT)

WHEREAS, Kevin Follensbee has devoted himself to a career in public service, having served as both a Firefighter/AEMT and Lieutenant-AEMT of the Lebanon Fire Department since December 11, 2001; and

WHEREAS, Kevin has demonstrated those many attributes essential to his position as Lieutenant-AEMT of the Lebanon Fire Department, playing an intricate part in ensuring the highest level of public safety within the City; and

WHEREAS, Kevin has conducted himself in an open and forthright fashion, reflecting credit upon himself and his profession, always demonstrating the many attributes essential to his position, continually giving of himself freely and unselfishly; and

WHEREAS, Kevin has earned the respect, confidence and friendship of his fellow coworkers, business associates and the many citizens he has served in his 21 years as a Firefighter-AEMT and Lieutenant-AEMT with the Lebanon Fire Department; and

THEREFORE, BE IT RESOLVED, that we, the members of the Lebanon City Council, on behalf of the citizens of Lebanon, Kevin's friends, fellow employees, and associates, express our admiration of, and respect for the service of an outstanding and faithful employee and extend to him our sincere gratitude and wish him well in his future endeavors.

BE IT FURTHER RESOLVED that this resolution be written upon the minutes of the Lebanon City Council meeting and a copy be presented to Kevin Follensbee.

Dated this 5th day of April 2023 at Lebanon, New Hampshire.

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

- RESOLUTION IN HONOR OF TIMOTHY COHEN (POLICE DEPARTMENT CAPTAIN)

WHEREAS, Timothy A. Cohen is retiring from the City of Lebanon on March 31, 2023, having served in the Lebanon Police Department for over 17 years and within the State of New Hampshire for 27 years; and

WHEREAS, Captain Cohen demonstrated remarkable commitment and passion to making a positive impact in the lives of others by responding to emergencies, rendering assistance and helping those in perilous situations. He went above and beyond to make a meaningful contribution to the City of Lebanon and has served as an example of dedication to his profession, and;

WHEREAS, Captain Cohen, as the Accreditation Manager, was instrumental in the Lebanon Police Department attaining its first ever CALEA Accreditation Award from the Commission on Accreditation for Law Enforcement. Through hard work, he assisted Lebanon to being one of only 20 agencies in New Hampshire to achieve this award, and;

WHEREAS, Captain Cohen has served thousands of the region’s residents over the past 17 years in a courteous and helpful manner, often going above and beyond his duties to assist them, investing his heart and soul in official matters, and often volunteering his personal time for numerous community events when otherwise staff shortages would have left them unattended by a police officer, and;

WHEREAS, during his law enforcement career, Captain Cohen would often volunteer the use of his sound equipment, his emceeing abilities and his professional drumming skills to various non-profit organizations and community programs, usually outside of his regular work hours.

NOW, THEREFORE, BE IT RESOLVED, that we, the members of the Lebanon City Council, on behalf of the citizenry of Lebanon, Captain Cohen’s friends, fellow employees, and associates, express our admiration of and respect for the career of our outstanding and faithful employee and extend to him our sincere gratitude and wish him well in his retirement.

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

Dated this 5th day of April 2023 at Lebanon, New Hampshire.

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

- **RESOLUTION IN HONOR OF ZACH BRYAN (FIRE DEPARTMENT LIEUTENANT)**

WHEREAS, Zach Bryan has devoted himself to a career in public service, having served as both a Firefighter/Paramedic and Lieutenant-Paramedic of the Lebanon Fire Department since September 28, 2000; and

WHEREAS, Zach has demonstrated those many attributes essential to his position as Lieutenant-AEMT of the Lebanon Fire Department, playing an intricate part in ensuring the highest level of public safety within the City; and

WHEREAS, Zach has conducted himself in an open and forthright fashion, reflecting credit upon himself and his profession, always demonstrating the many attributes essential to his position, continually giving of himself freely and unselfishly; and

WHEREAS, Zach has earned the respect, confidence and friendship of his fellow coworkers, business associates and the many citizens he has served in his 22.5 years as a Firefighter-Paramedic and Lieutenant-Paramedic with the Lebanon Fire Department; and

1
2 **THEREFORE, BE IT RESOLVED**, that we, the members of the Lebanon City Council, on behalf of the
3 citizens of Lebanon, Zach's friends, fellow employees, and associates, express our admiration of, and
4 respect for the service of an outstanding and faithful employee and extend to him our sincere gratitude and
5 wish him well in his future endeavors.

6
7 **BE IT FURTHER RESOLVED** that this resolution be written upon the minutes of the Lebanon City
8 Council meeting and a copy be presented to Zach Bryan.

9
10 Dated this 5th day of April 2023 at Lebanon, New Hampshire.

11
12 _____
13 Timothy J. McNamara, Mayor
14 *On behalf of the Lebanon City Council*
15

16 - **RESOLUTION IN HONOR OF GLORIA LESKIEWICZ (HUMAN RESOURCES**
17 **DIRECTOR)**

18 **WHEREAS**, Gloria Leskiewicz has faithfully served the City of Lebanon for five years with dedication,
19 commitment and professionalism as the Human Resources Director and devoted herself for a total of 27
20 years in public service, and;

21 **WHEREAS**, Gloria successfully managed numerous critical responsibilities that have contributed
22 significantly to the growth and development of the City's approximately 200 employees, and;

23 **WHEREAS**, Gloria upheld the City's values and promoted a positive workplace culture, facilitating the
24 growth and success of the City of Lebanon as an employer, and;

25 **WHEREAS**, Gloria was responsible for developing recruitment strategies and processes, conducting
26 interviews and identifying the most qualified candidates for various positions, and;

27 **WHEREAS**, the City of Lebanon employees appreciate the knowledge and experience that Gloria shared
28 with them and will continue to benefit from the contributions she made for years to come.

29 **NOW THEREFORE, BE IT RESOLVED**, that we, the members of the Lebanon City Council, on behalf
30 of the citizenry of Lebanon, Gloria's friends, fellow employees and associates, express our admiration of
31 and respect for the career of our outstanding and faithful employee and extend to her our sincere gratitude
32 and wish her well in her retirement.

33 **BE IT FURTHER RESOLVED**, that this resolution be written upon the minutes of the Lebanon City
34 Council meeting and a copy be presented to Gloria Leskiewicz.

35
36 Dated this 5th day of April 2023, in Lebanon, New Hampshire.

37
38 _____
39 Timothy J. McNamara, Mayor
40 *On behalf of the Lebanon City Council*
41

42 - **REFILL NOT LANDFILL PROCLAMATION**
43

44 **WHEREAS**, the City of Lebanon owns and operates the Lebanon landfill that has a permitted disposal

capacity of another 9 years; and

WHEREAS, the City is concerned about conserving natural resources and with preserving the landfill disposal capacity for future Lebanon residents; and

WHEREAS, the City recognizes that the waste from single-use items like plastic water bottles, coffee cups, grocery bags et cetera, uses natural resources and consumes landfill disposal capacity; and

WHEREAS, the City also recognizes that eliminating waste through reuse is cost effective and environmentally beneficial; and

WHEREAS, choosing to reuse items like refillable containers for water, coffee and other beverages have the potential of reducing waste that will require disposal in the Lebanon Landfill; and

WHEREAS, choosing to reuse cloth grocery bags, cloth napkins and packing a lunch for school or work has a positive impact on the environment; and

WHEREAS, to encourage waste reduction, the month of April 2023 will be designated as “Refill NOT Landfill Month”.

NOW, THEREFORE, BE IT RESOLVED, that the City of Lebanon hereby proclaims the month of April 2023 as Refill NOT Landfill Month and encourages residents to join in observing this month to reduce waste that is ultimately disposed of in the Lebanon Landfill by using reusable items like travel mugs, water bottles, and grocery bags.

Proclaimed this 5th day of April in the year Two-Thousand Twenty-Three.

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

6. ACCEPTANCE OF MINUTES:

- March 15, 2023 (Regular Meeting)
- March 16, 2023 (Canvass of Vote)

Councilor Wilkie MOVED to approve the March 15, 2023 (Regular Session) and the March 16, 2023 (Canvass of the Vote) minutes as written and presented in the April 5, 2023 City Council agenda packet.

Seconded by Councilor Whittlesey.

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

7. APPOINTMENTS:

- Conservation Commission, Barbara Hirai (Reappointment Alternate Member) for a three-year term. Term: (4/23-4/26). Recommended by Chair Riley.

Councilor Heistad put forth the NOMINATION of Barbara Hirai as an Alternate Member to the Conservation Commission for a three-year term (4/23-4/26).

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

8. PUBLIC HEARING ITEMS:

A. ORDINANCE #2023-02: A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 179, Vendors, Section 179-4, Permits and fees

Included in the agenda packet:

1. Ordinance 2023-02 (*Pages 33-35*)

David Brooks, Deputy City Manager, reviewed the background and the reason(s) for amending Ordinance #2023-02.

BACKGROUND

This is a proposal to amend Chapter 179 of the City Code. The proposal stems from an inquiry that the City Manager’s Office received from one of our regular street vendors who operates on South Park Street. They reached out to inquire about their ability to connect to the City’s power supply and asked how much it was going to cost. Currently, there are fees for daily, weekly, seasonal, and abutting business vendor permits, but there is no fee structure for street vendors using city electricity in lieu of a portable generator.

To reduce the noise and exhaust caused by portable generators, the City would like to enable and promote the use of electrical outlets installed adjacent to the vendor spaces along South Park Street. With electric rates increasing, the City proposes to charge a nominal fee for the use of electricity.

For clarification, the Farmers’ Market vendors already have the option of using City electricity when needed and a fee schedule for such use is in place. The proposed electricity fees for street vendors along South Park Street are based, in part, on the electricity usage fees charged to Farmers’ Market vendors on a daily or seasonal basis.

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

ACTION:

Assistant Mayor Below MOVED, that the Lebanon City Council hereby adopts Ordinance #2023-02 to amend the Code of the City of Lebanon, Chapter 179, Vendors, §179-4, Permits and fees, to authorize a vendor electricity use fee.

Seconded by Councilor Whittlesey.

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

NOTE: Changes to Ordinance #2023-02 are highlighted in **red**.

CITY OF LEBANON ORDINANCE #2023-02

AN ORDINANCE TO AMEND the Code of the City of Lebanon, Chapter 179, Vendors, by amending §179-4, Permits and fees, to include a vendor electricity use fee.

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 179, Vendors, §179-4, Permits and fees, as follows:

§179-4. Permits and fees.

A. Daily permits: The fee for a daily vendor permit is \$10. Applicants wishing to obtain daily permits shall apply to the City Manager prior to the desired event at a time designated by the City Manager. All applications shall include the following conditions:

- (1) Applicants must meet the requirements of the City Manager for size of vehicle/operation, noise, state permit(s), hours of operation and other conditions as may be set by the City Manager.
- (2) When more applications are received for spaces than are available, the City Manager shall determine the allocation by lottery.
- (3) Permits and assigned locations are nontransferable, and the fee is nonrefundable.
- (4) The daily fee for use of electricity from a city-owned power supply is \$3.

B. Weekly permits: The fee for a weekly vendor permit is \$50. Weekly permits shall be issued for the week beginning Monday and ending Sunday, and may run consecutively. All applications shall include the following conditions:

- (1) Applicants must apply to the City Manager for a space at least two weeks prior to the date that is needed and must meet the requirements of the City Manager for size of vehicle/operation, noise, state permit, hours of operation and other conditions as may be set by the City Manager.
- (2) When more applications are received for spaces than are available, the City Manager shall determine the allocation by lottery.
- (3) Permits and assigned locations are nontransferable, and the fee is nonrefundable.
- (4) The weekly fee for use of electricity from a city-owned power supply is \$15.

C. Seasonal permits: The fee for a seasonal vendor permit is \$100. Seasonal permits shall be issued for four three-month periods of the calendar year as follows: January/February/March; April/May/June; July/August/September; and October/November/December. All applications shall include the following conditions:

- (1) Applicants must apply to the City Manager for a space before the end of the preceding quarter (December 15 for first quarter; March 15 for second quarter; June 15 for third quarter; and September 15 for fourth quarter) and meet the requirements of the City Manager for size of vehicle/operation, noise, state permit, hours of operation and other conditions as may be set by the City Manager.
- (2) When more applications are received for spaces than are available, the City Manager shall determine the allocation by lottery.
- (3) Permits and assigned locations are nontransferable, and the fee is nonrefundable.
- (4) Seasonal vendors must utilize their assigned space at least 15 days of each month.
- (5) A vendor may, upon written permission from the City Manager, utilize the assigned space on less than 15 days in any month due to vacation, illness or other extenuating circumstance. However, during the entire period of time the space is vacated by the vendor, due to the approved absence, the City reserves the right to rent the space on a daily permit basis.

(6) Noncompliance will result in the assigned vendor losing the space and disqualifying the vendor from applying for any space for the period of one year.

(7) The seasonal fee for use of electricity from a city-owned power supply is \$40.

D. Abutting business permit: The annual fee for an abutting business permit shall be \$125. Abutting businesses shall be entitled to a permit for the use of an area in the vicinity of their established place of business. All applications shall include the following conditions:

(1) Applicants must apply to the City Manager for a space at least two weeks prior to the date that is needed and must meet the requirements of the City Manager for size of vehicle/operation, noise, state permit, hours of operation and other conditions as may be set by the City Manager.

(2) Permits shall be for the period of time designated by the applicant in the application for a permit. Permits must be renewed annually and are subject to all other applicable state and City regulations.

(3) Permitted areas shall not exceed 625 square feet in area, unless specifically approved by the City Manager, and may be prescribed, mapped and modified from time to time by the City Manager, depending on the needs of the City.

(4) The City Manager, in his/her reasonable discretion, may waive or modify the provisions of §179-7A, and B as they may apply to permits for abutting businesses granted under this section.

(5) Permits and assigned locations are nontransferable, and the fee is nonrefundable.

E. As an alternative to the annual abutting business permit under Subsection D above, abutting businesses may also apply for daily or weekly vendor permits under Subsection A or B above. Such permits shall be subject to the same conditions as any other daily or weekly permit, except that the numerical permit limitations of this section shall not apply to abutting businesses.

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.

9. OLD BUSINESS

A. Presentation of Second Reading: Amendments to Ordinance #18, Salary Plan, Article II, Non-Affiliated & LPASE Employees, as follows:

1. Add new Asset Manager position
2. Add new Solid Waste Foreperson position

Included in Agenda Packet: *(Pages 37-38)*

1. Ordinance #18, Salary Plan

Samantha Lauzon, Human Resources Director, presented the proposed amendments Ordinance #18, Salary Plan, Article II, Non-Affiliated & LPASE Employees.

BACKGROUND

Recently, the Department of Public Works (DPW) has undergone several mid-management changes, which have directly impacted functions at the Lebanon Solid Waste/Recycling Facility and with the fixed asset management program. As a result, DPW has analyzed its internal organization and processes and is recommending the following changes to Ordinance #18.

Add Asset Manager – Grade 10, Non-Affiliated. Asset Management is an essential function needed to assist departments citywide to prolong the service life and reliability of all assets utilized or managed by the City. Asset management streamlines processes allowing fixed assets to be managed and maintained from different locations in an accurate and cost-effective manner. Asset management has previously been performed by the Assistant City Engineer; a position which is currently vacant. Adding a dedicated Asset Manager position will ensure the further progression of the City’s asset management program and functions.

Add Solid Waste Foreperson – Grade 9, LPASE. This is a supervisory position that will work under the Solid Waste Manager and assist in the management and execution of day-to-day Solid Waste/Recycling Facility operations. This position will be responsible for coordinating and supervising the activities of subordinate staff in the landfill and will manage and oversee the landfill gas collection and control systems. This position is proposed to be a member of the Lebanon Professional, Administrative, and Salaried Employees (LPASE) bargaining unit to allow for supervisory authority over subordinate AFSCME staff and control over the day-to-day landfill functions in the absence of the Solid Waste Manager. Once a final decision on affiliation with the bargaining unit is made by the Public Employee Labor Relations Board (PELRB), the position will be properly denoted as a LPASE position within Ordinance #18.

Process to Amend Ordinance #18

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 March 15, 2023. The Council is now asked to recognize the second of three presentations. The third presentation will occur on April 19th, along with a public hearing to adopt the amendments as proposed.

ACTION:

1. ACKNOWLEDGE SECOND PRESENTATION:

Councilor Liot Hill MOVED, that the Lebanon City Council acknowledges the second of three presentations to amend Ordinance #18, Salary Plan, Article II, by adding the positions of Asset Manager (Grade 10) and Solid Waste Foreperson (Grade 9, LPASE) in the Non-Affiliated & LPASE Employee compensation and classification schedules as presented on page 38 of 72 of the City Council’s April 5th, 2023 agenda packet.

Below is an excerpt of the Non-Affiliated & LPASE Employees compensation and classification schedule impacted by the proposed changes described above. Changes to the compensation and classification schedules are shown in red type; new 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	
		<u>Minimum</u>	<u>Maximum</u>	<u>Minimum</u>	<u>Maximum</u>
9	Code Health Inspector**	\$32.36	\$43.69	-	-
	Executive Assistant	-	-	-	-
	Public Relations Coordinator	-	-	-	-
	Digital Media Officer	-	-	-	-
	Deputy Assessor	-	-	-	-
	Cyber Services Technical Specialist	-	-	-	-
	Real Estate Appraiser II**	-	-	-	-
	Solid Waste Foreperson(**) (LPASE designation proposed)	-	-	-	-
	Associate Planner**	-	-	\$1,294.40	\$1,747.70
10	Asset Manager	\$35.64	\$48.10	-	-
	Assistant City Engineer**	-	-	-	-
	Financial Analyst	-	-	-	-
	Community Nurse	-	-	-	-
	Police Communications Supervisor**	-	-	-	-
	Recreation Program Coordinator**	-	-	\$1,425.52	\$1,924.05
	Youth Services Librarian	-	-	-	-

**Denotes LPASE Employees

2. RE-SCHEDULE PUBLIC HEARING:

Councilor Liot Hill FURTHER MOVED, that the Lebanon City Council hereby re-schedules a public hearing for Wednesday, April 19, 2023, beginning at 6:00 pm, Council Chambers, City Hall, and Remote via City's Virtual Platform, for the purpose of receiving public input and taking action to amend Ordinance #18, Salary Plan, Article II, Non-Affiliated & LPASE Employees, to add the positions of Asset Manager (Grade 10) and Solid Waste Foreperson (Grade 9) in the Non-Affiliated & LPASE Employee compensation and classification schedules.

Seconded by Councilor Whittlesey.

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

10. NEW BUSINESS

A. Appointment of Darlene Cook as Municipal Agent for Motor Vehicle Registrations (*Page 39*)

Deputy City Manager David Brooks reviewed the background and reasons behind the appointment of Darlene Cook as listed above, noting that City Clerk, Kristin Kenniston, who is currently serving as

1 Municipal Agent for Motor Vehicle Registrations, will be leaving us. This is a step to appoint the next
2 Municipal Agent for Motor Vehicle Registrations.

3
4 **BACKGROUND**

5 Each municipality in the State of New Hampshire that processes motor vehicle registrations is required to
6 have a designated Municipal Agent. The Municipal Agent is responsible for all motor vehicle related
7 inventory, including but not limited to, official stamps, decals, registration materials, license plates, etc. The
8 Municipal Agent is also the point of contact for audits conducted by the State of New Hampshire, and is
9 charged with ensuring compliance, integrity, and confidentiality of all motor vehicle transactions performed
10 within the City of Lebanon.

11
12 The process for appointing a Municipal Agent is found in NH State RSA 261:74-a, which reads as follows:

13
14 **261:74-a Agents Appointed.** – With the approval of the governing body of a city or town and subject to
15 the direction and approval of the commissioner, the director may appoint municipal officials as agents to
16 issue, renew or transfer motor vehicle registrations. The director shall determine the optimum number of
17 registration agents that the division can reasonably accommodate. The appointment of any municipal
18 official as a registration agent for the purposes of this subdivision shall continue while the agent holds his
19 office or employment with the municipality, except as provided in RSA 261:74-b and 261:74-f.

20
21 The City Clerk's department is charged with motor vehicle registrations for the City of Lebanon. As such,
22 City Clerk Kristin Kenniston was previously appointed as the Municipal Agent for the City. The role of
23 Municipal Agent is not inherent to the position of City Clerk, and as stated in RSA 261:74-a, requires
24 approval of the governing body before the Director of the Division of Motor Vehicles can be appointed.

25
26 Ms. Kenniston is leaving the City effective April 20, 2023. Deputy Tax Collector Darlene Cook has been
27 appointed by City Manager Shaun Mulholland as the Interim City Clerk pending the completion of a hiring
28 process. City Manager Mulholland is requesting that the City Council support and approve the appointment
29 of Ms. Cook as the City's Municipal Agent for Motor Vehicle Registrations.

30
31 **ACTION:**

32 ***Councilor Sykes MOVED, that the Lebanon City Council hereby supports and approves the***
33 ***appointment of Darlene Cook as Municipal Registration Agent for the City of Lebanon to be effective***
34 ***April 20, 2023.***

35 ***Seconded by Councilor Whittlesey.***

36
37 ****The Vote on the Motion was approved (9-0).***

38
39 **B. Capital Improvement Project update**

40
41 Included in the agenda packet: *(Page 40-68)*

- 42 1. Childcare Facility Project Schedule (Complete details of this project can be found on *pages 41-42*
43 in the April 5th, 2023 City Council agenda.)
44 2. Lebanon Fire Department Deployment and Needs Assessment Presentation (Complete presentation
45 for this project can be found on *pages 43-68* in the April 5th, 2023 City Council agenda.)
46

47 **BACKGROUND:**

48 The City conducts a process to update the Capital Improvement Plan (CIP) on an annual basis. This
49 process is managed by the Planning & Development Department with review by the Planning Board. The
50 projects are presented to the City Council at the end of October as part of the annual budget process.

At the request of the Council, City Manager Mulholland provided and explained status updates (i.e., project bidding timelines; proposed construction start times; and estimated construction completion dates) for some of the ongoing Capital Improvement Plan (CIP) projects. The following only includes the projects discussed and in some cases only a brief summary of what was presented:

- Baker's Crossing: Final design in August this year.
- Hanover Street was identified as the top regional project for inclusion in the State's 10 Year Plan by the Upper Valley Lake Sunapee Regional Planning Commission's Transportation Advisory Committee.
- Kimball Street/Forest Ave: Bid process is underway.
- Lahaye Drive/Mt. Support Road: Working on final design.
- Lebanon/Hanover Water Interconnect: Preliminary design done in March 2023. Mayor McNamara noted this is a joint collaborative project with DHMC. The major funding for this project is the hospital.
- The Mechanic Street Sidewalk: Scheduled for topographic survey in June 2023.
- Mechanic/Mascoma Street Roundabout. Advertised for bids in February of 2024.
- Miracle Mile Water Main Improvement Project: Starting work in a couple of weeks. Came in \$1.9M less than projected because City staff was able to do some of the work.
- New Water Source: We expect permitting to begin this fall. The cost spent so far is approximately \$144,600. The well's water quality will be evaluated. This will be a production well.
- Slayton Hill/Mechanic St. Roundabout: The City does not have any control over when construction will begin. This is up to the NH DOT.
- South Main Street Bridge: This is 27 years in the making and is uninsured because the City's insurance company refuses to insure it. We also have a problem with the Northern Long-Eared Bat (state-wide issue) which is holding up multiple State Bridge Projects. Mayor McNamara noted the long-eared bat may be placed on the Federal Endangered list, which would cause more delays in restoring this bridge. Everyone here is concerned about liabilities because who knows when the steel will fail.
- Landfill Gas-to-Energy Project: Assistant Mayor Below helped us get through some of the log jam to get this project moving. There is still an issue with the National Grid, but progress is being made. Construction timeline is yet to be determined, but installation of the concrete bases will be installed this spring.
- Trues Book Road Project: One year delay. Decking is the issue for this project.
- West Lebanon Main St. Streetscape Improvements Project. Construction is likely to take place in 2025.
- West Lebanon Main St. Multi-use Path to Bridge Street Park.
- Skate Park/Greenway Extension.

Lebanon Fire Department Deployment and Needs Assessment Presentation

(Complete presentation for this project can be found on [pages 43-68](#) in the April 5th, 2023 City Council agenda.)

City Manager Mulholland invited Lebanon's Fire Chief Wheatley to speak about response times in order to get a better understanding of why it is important for the City to have multiple Fire Stations.

Fire Chief Wheatley gave a PowerPoint presentation and spoke about the Lebanon Fire Department's Deployment and Needs Assessment. What he wanted to do was to give the Council a snapshot of LFD's needs that tied four pieces together, which involved response times; station locations; available resources to the LFD, and how those resources can most effectively provide public safety for the citizens of West Lebanon. He reviewed the LFD call volume increases from 2000 to 2023 (this year they have seen a 10%-11% increase over last year-4,400 runs); simultaneous overlapping incident increases and total calls from 2019-2023. The most essential service they offer every day is the ambulance service.

Mutual Aid Request increases from 2019-2023;

Mutual Aid Requests

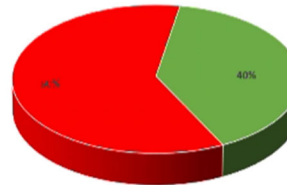
YEAR	TOTAL CALLS	MUTUAL AID REQUESTS	PERCENTAGE OF REQUESTS
2019	3868	64	1.65%
2020	3528	52	1.47%
2021	3810	47	1.23%
2022	4090	85	2.07%
2023 (YTD)	995	39	3.9%

Note: EMS does 71% of what the LFD does.

EMS RESPONSE CRITERIA (NFPA 1710)

Ambulance arrival in less than 6 minutes of the initial call no less than 90% of the time
 Call processing = 60 Seconds (1 Minute)
 Turn out time = 60 Seconds (1 Minute)
 Travel time = 240 Seconds (4 Minutes)

6 Minute Bench Mark



■ Meets Standard ■ Below Standard

Currently, we are achieving this benchmark on the EMS side of things about 40% of the time. The National goal is 90% of the time. It is important to note that the City is not meeting the goal above (highlighted in red) 60% of the time. The response times are now between 8-10 minutes.

- One-third or all non-breathing and/or cardiac arrest patients may die immediately, and the remaining individual's probability of survival decreases by up to 5.5 percent for each subsequent minute; however, the decrease can be slowed by the application of various procedures (CPR, defibrillation, Advanced Cardiac Life Support).
- 6 Minute response = 33 percent decrease

Fire Chief Wheatley noted the 6 minute call starts when the call is made. The further away responders are from these emergencies, the less time they have to intervene.

1

Fire Suppression Deployment Standard (NFPA 1710)

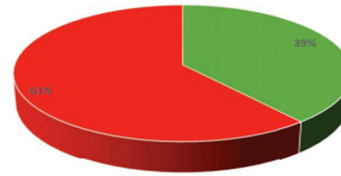
Fire engine arrival with 4 firefighters in less than 6 minutes from the time of initial call not less than 90% of the time.

Call processing = 60 Seconds (1 Minute)

Turn out time = 60 Seconds (1 Minute)

Travel time = 240 Seconds (4 Minutes)

6 Minute Bench Mark



■ Meets Standard ■ Below Standard

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The same standard that was used for EMS is also used by the LFD. This is a little more challenging because they have a lot more equipment to put on before they can get out the door (61% of the time we do not meet the NFPA benchmark). Note: The 39% (in Green) does not always include 4 firefighters: sometimes it is 1 (one) firefighter who responds to a call until more support arrives.

State and Regional Comparison

Department	Annual Call Volume	Population	Total Ready Staff	Calls per Member	Square Miles	# of Staffed Fire Stations
Hooksett NH	2606	13,716	28	93	37	2
Hartford VT	2641	10,367	24	110	45	2
Merrimack NH	3343	25,599	36	93	32	2
Hampton NH	3591	15,546	36	100	14	2
Bedford NH	3900	23,332	36	108	33	2*
Lebanon NH	4091	15,005	25	163	41	2
Londonderry NH	4448	25,826	48	92	42	3
Laconia NH	4668	17,025	40	116	26	2
Portsmouth NH	4772	21,440	56	85	15.6	3
Hudson NH	4842	24467	48	100	29	3

9

10

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14

The LFD has four (4) shifts of 6 firefighters and one daytime position. City Manager Mulholland spoke about how Lebanon's population increases to approximately 30K-35K during the day because we are the hub in the region.



Multiple incidents with insufficient staff to respond in a timely manner.

Longer delays in hospital turn around times do to increased patient volume and lower hospital resources.

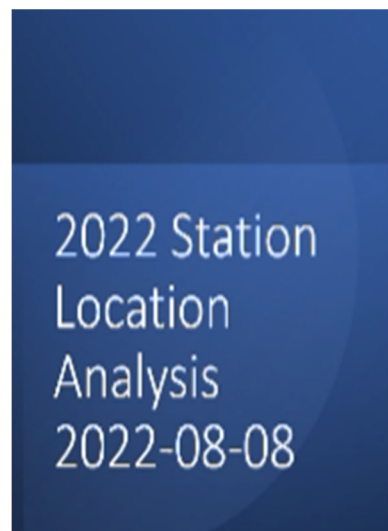
Response times from locations outside the primary response district.

15

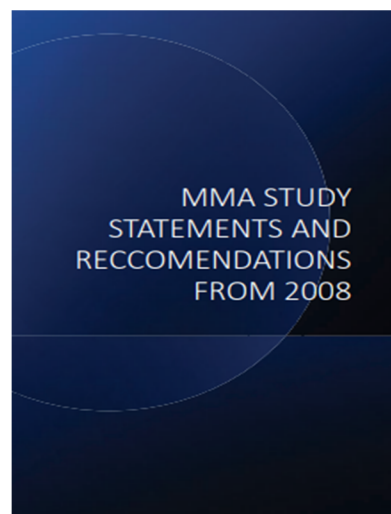
It is often common for EMS to wait at the hospital until they can find a bed because staffing in the hospital is short. The average wait time at the hospital takes around 1 hour, so two people, at least, are out of service. It is also often common for EMS to have 2-3 ambulance cots with patients on them, and 6 providers waiting in the Emergency Room for a bed assignment to become available for their patients. In the past, we could be in and out of the hospital in 10-15 minutes. The hospital's volume (of calls) is the most significant impact, along with the lack of resources to manage their call volume.

Councilor Whittlesey asked if the LFD has an active connection to their transfer center and questioned how well that communication was working. Chief Wheatley noted they are still trying ways to meet that need but felt it was the lack of resources that is the problem. Councilor Whittlesey requested the Fire Chief to keep track of this data (i.e., how much of our resources are delayed because the hospital does not have beds open, etc.)

Chief Wheatley noted there were a total of 2,094 total transports to the hospital and 1,695 of those were actually the City of Lebanon's residents. A significant portion of those transports are Lebanon residents. Resident homes and business calls equals 88% of their total call volume.



STATION	2018-2021 Incidents Total	2018-2021 Incidents 4min	2018-2021 incidents % Captured
Station #1 - S. Park St	11,383	4,512	40%
Station #2 - Main St	11,383	2,161	19%
Alta Blvd	11,383	2,321	20%
Hanover St Ext	11,383	2,861	25%
Little Heater Rd	11,383	2,925	26%
Liberty Utilities	11,383	3,949	35%
South Main St	11,383	2,368	21%



"The City's road network and dispersed population make it difficult for the Fire Department to achieve response benchmarks. However, the Department has made progress toward meeting these benchmarks".

"The placement of a station near the Hanover border will improve response to the northern area of town."

"The relocation of station 2 in a southerly direction does not improve response, unless it is accompanied by a new station in the northern area of town."

"The fire department should add 4 additional firefighters"(2008)

"The fire department should, in long-term add 4 additional firefighters per shift" (2008)

Chief Wheatley spoke about the 2008 study, noting that the replacement of a station near the Hanover border would improve response times to the northern area of the City, but that was before all the development on Mt. Support Road, Altaria, Centerra and Dartmouth Hitchcock took place. The relocation of Station #2 in a southerly direction does not improve the response unless it is accompanied by a new substation.

Councilor Liot Hill spoke about a potential substation in the future that would just be focused on a location to house an ambulance. LFD Chief Wheatley said this would be part of a long-term plan because of how the City is growing and explained his reasoning.

Councilor Whittlesey suggested they start looking at the long-term plan and recommended they bifurcate their data and split out EMS and Fire Station data to look at the responses and where they are clustered.

Fire Chief Wheatley spoke about several incidents where there was only one firefighter present within the response time requirements and managed the emergencies on their own (1-2 minutes) until the rest of the firefighters got to the scene, strongly noting these incidents present unacceptable risks to firefighters. As we look at Fire Station locations, it is about delivery and the best possible outcome for our citizens as well as protection and safety of our firefighters. We need more help and facilities.

In response to Mayor McNamara's question regarding where the optimal location for a Fire Station #1 should be located in the City if site/location constraints were not there, Fire Chief Whittlesey stated the Downtown Fire Station should be located where it is because of the high density population they serve. He also felt Station #2 should also stay right where it is.

Mayor McNamara spoke about the need to look at high density residential zoning and explained his reasoning.

Councilor Sykes suggested that we get two stations renovated as they need to be. He questioned if the Chief's priority was either personnel or Fire Stations. Chief Wheatley responded by saying he absolutely needs people but is running out of room to put those people.

Councilor Whittlesey requested the Chief put together a map showing the whole City of Lebanon and depicting what could be covered in 6-8 minutes so the Council better understand what the LFD's limitations are. Chief Wheatley will share his map with the Council, noting the Fire Department is trying to do the most with what we have.

Mayor McNamara noted this is just the beginning of the conversation about Fire Stations and gives the Council a good perspective of the 1 vs. 2 station concept. We need to keep going on this as we consider either renovations or new stations or station locations.

ACTION:

No action is required of the Council, this is informational only

CHILDCARE FACILITY PROJECT SCHEDULE

City Manager Shaun Mulholland updated the Council on the Childcare Facility, noting he sent the conceptual schedule to the Council a while ago. The final design will be forthcoming soon. We have been interviewing construction management firms and have five companies that have presented proposals. We hope to be able to select somebody shortly. Right now the architect is working on

1 program spaces to find out what the needs are for a 200 childcare facility. We are also looking at K-2
2 facility on site.

3
4 The City of Lebanon has partnered with Placework Studio to provide architectural services for a childcare
5 facility on city-owned land and the Boys & Girls Club of Central New Hampshire to operate the childcare
6 facility upon completion. This project will help address the shortage of affordable and high-quality
7 childcare options in our area and will provide employment opportunities. Construction is anticipated to
8 commence in 2025 and be completed in 2026/2027

9
10 We have applied for a second grant for in-home care providers.

11
12 As listed on the City's website, City Manager Mulholland noted that: "We invite the public to join a
13 community conversation on Monday, April 17, 2023, at 6:00pm in Council Chambers at City Hall or
14 remotely by visiting LebanonNH.gov/LIVE. This will be an opportunity for the city to provide
15 background to the project, steps that have already been taken on the childcare initiative, and the overall
16 benefits of the childcare facility project. We welcome all community members, including parents,
17 caregivers, educators, local business owners, and other stakeholders to participate in this conversation. By
18 taking a thoughtful and collaborative approach to planning, the project can lay a solid foundation for
19 success and ultimately provide much-needed support to families in the community. There will also be
20 two other public informational meetings between July to September when we actually have something to
21 look at in terms of the layout/plans, etc. This is a regional issue and we are working on this as a regional
22 issue.

23
24 The Council discussed what people are being paid in the Upper Valley and the need to speak with Upper
25 Valley businesses (i.e. the national firms of Walmart, Home Depot, Target and high-tech businesses, etc.)
26 to help change this issue and also ask them to support the childcare initiative because the lack of childcare
27 involves their employees.

28
29 **ACTION:**

30 *No action is required of the Council, this is informational only*

31
32 **11. City Manager Report:**

33 City Manager Shaun Mulholland updated the Council on the following:

- 34 - Lebanon Opera House rendering of planned outside accent lighting for City Hall (*Pages 69-72 ,*
35 *Council agenda packet.)* They plan to do their renovation this summer between August and January.
36 The City will not be providing any funds for this renovation.
37 - Rail Trail Extension.
38 - Regional Conference in Vermont.
39 - Strategic Plan: Would like the Council to focus on this over the coming week(s) because workshops
40 are coming up. He would like this to be firmed up before budget sessions begin.

41
42 **12. COUNCIL REPRESENTATIVES TO OTHER BODIES:**

43
44 **13. FUTURE AGENDA ITEMS:**

45
46 **14. NON-PUBLIC SESSION:**

- 47 A. RSA 91-A:3, II(a) "The dismissal, promotion, or compensation of any public employee..."

48
49 *Councilor Wilkie MOVED to go into Non-Public Session for the purpose of discussing RSA 91-A:3,*

1 ***II(a) “The dismissal, promotion, or compensation of any public employee...”***

2
3 ***Seconded by Councilor Whittlesey.***

4
5 **Roll Call Vote:**

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

8 None voted Nay.

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

11
12 Staff Present: City Manager Mulholland

13
14 **The Council went into Non-Public Session at 9:22 PM**

15
16 The Council discussed the City Manager’s Evaluation.

17
18 Mayor McNamara declared the meeting adjourned.

19
20 **The Council came out of Non-Public Session at 9:55 PM**

21
22 **15. ADJOURNMENT:**

23 ***Councilor Wilkie MOVED for adjournment.***

24 ***Seconded by Councilor Simon.***

25
26 ****The Vote on the MOTION was unanimously approved (9-0)***

27
28 **The meeting was adjourned at 9:56 PM.**

29
30 Respectfully submitted,

31 Dona E. Gibson

32 Recording Secretary

**AGENDA
LEBANON CITY COUNCIL
APRIL 19, 2023**

8. APPOINTMENTS:

APPOINTMENTS

Board/Committee Appointments as presented by City Clerk Kristin Kenniston

- Arts & Culture Commission, Nick Gaffney (Ward 3 Citizen Representative)
- Arts & Culture Commission, Linda Copp (Arts Representative)
- West Lebanon Revitalization Advisory Committee, Jim Winny (Ward 1 Citizen Representative)
- West Lebanon Revitalization Advisory Committee, Erik Endrulat (Ward 1 Citizen Representative)
- Planning Board, Bruce Garland (Reappointment Regular Member)
- Upper Valley Lake Sunapee Regional Planning Commission, Bruce Garland (Reappointment Regular Member)

Included in this Section:

1. Memo from City Clerk Kristin Kenniston dated April 6, 2023

OFFICE OF THE CITY CLERK

MEMORANDUM

DATE: April 6, 2023

TO: The Honorable Mayor & City Council

FROM: Kristin M. Kenniston, City Clerk

RE: **Appointments Proposed for Council Discussion/Action:**

If the Council wishes to proceed with action on the appointments below, a nomination should be made and voted on for each appointment. *Note: nominations do not need to be seconded.*

Arts & Culture Commission

The Arts & Culture Commission has requested the shift of two existing members to: 1) fill a vacant Ward 3 Citizen Representative seat and 2) to move an alternate member to a regular Arts Representative seat.

- **Nick Gaffney** – Appointment to Ward 3 Citizen Representative seat, for a three-year term. Requested by Kristine Flythe of Recreation, Arts & Parks.
Term: (4/23-4/26)
- **Linda Copp** – Appointment from alternate to Arts Representative seat, for a one-year term. Requested by Kristine Flythe of Recreation, Arts & Park.
Term: (4/23-4/24)

West Lebanon Revitalization Advisory Committee

- **Jim Winny** – Appointment to regular Ward 1 Citizen Representative. Currently serving as alternate; the term is not changing.
Interviewed: Councilor Simon
Term: (2/23-2/25)
- **Erik Endrulat** – Appointment as regular Ward 1 Citizen Representative, for a three-year term.
Interviewed: Councilor Simon
Term: (4/23-4/26)

Planning Board

- ***Bruce Garland*** – Reappointment as a regular member for another three-year term.
Term: (4/23-4/26)

Upper Valley Lake Sunapee Regional Planning Commission

- ***Bruce Garland*** – Reappointment as a regular member for another four-year term.
Term: (4/23-4/27)

From: [cityclerk](#)
To: [Kristin Kenniston](#)
Subject: FW: [EXTERNAL] Online Form Submission #7108 for Board Member Application
Date: Monday, April 3, 2023 1:56:59 PM

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, April 3, 2023 1:48 PM
To: cityclerk <cityclerk@lebanonnh.gov>; webmaster <webmaster@lebcity.com>
Subject: [EXTERNAL] Online Form Submission #7108 for Board Member Application

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Board Member Application

Application Process

After submitting this application, you will be contacted and interviewed by one of our City Councilors. Your application will then go before the full Council at one of their regular meetings for consideration of appointment. If you have questions, please contact City Clerk Kristin Kenniston at 603-448-3054 or cityclerk@lebanonnh.gov.

Basic Requirements

- *Lebanon/West Lebanon resident (except for those boards whose membership makeup includes non-resident)*
- *Willingness to learn*
- *Commitment to attend meetings*
- *Treat people fairly*
- *Consider the best interest of the community as a whole when making decisions*
- *Must have attended one meeting of the board that you wish to apply to within the last six months to observe the process and function of the board.*

(Section Break)

First Name Erik

Last Name Endrulat

Physical Address	35 Crafts Ave
City	West Lebanon
State	NH
Zip Code	03784
Is this your mailing address?	Yes
Home Phone Number	4016517246
Work Number	<i>Field not completed.</i>
Email Address	eendrulat@gmail.com
How long have you resided in Lebanon?	9 years
(Section Break)	
Is this an application for re-appointment?	This application is not for re-appointment.
For which board, committee, or commission are you applying?	West Lebanon Revitalization Advisory Committee
Other Committee	<i>Field not completed.</i>
Why would you like to serve?	I love West Lebanon, and am interested to get more involved and help provide input on some of the opportunities for improving our town. I'm particularly interested in development of making the city more walkable/bikeable, expanding access to the Connecticut River, and seeing Main St thrive. I've been involved with volunteering during the past two West Lebanon community days and am excited by the momentum that is building towards improving neighborhood connections and making our city an even better place to live.
State a few of what you feel your qualifications are or why you wish to be appointed to this board / committee.	Thank you for considering my application for the board/committee focused on revitalizing our city. I believe that my qualifications make me an ideal candidate for this position, including: - I am passionate about revitalization of West Leb - I have a lot of professional experience developing collaborations across competing interests and finding creative ways solutions.

- I'm detail oriented, proficient with GIS/mapping, developing online interactive applications, if that could be helpful in anyway.

Certification

I hereby certify that I meet the basic requirements for applying to a Lebanon board / committee.

Email not displaying correctly? [View it in your browser.](#)

Councilor Interview Report Form

Councilor Name: _____ Chris Simon _____ Date of Interview: _____ 04/05/2023 _____

Applicant Name: _____ Erik Endrulat _____

Board(s) to Which Applied: _____ WLRAC _____

_____ Regular Seat _____ ☒ Alternate Seat

Has Applicant Attended Meeting of Board to Which Applying? _____ ☒ Yes _____ No

(If yes, indicate date of meeting.) Date: _____ 04/03/2023 _____

Recommend Appointment: _____ ☒ Yes _____ No

_____ Regular Seat _____ ☒ Alternate Seat

General Comments: _____ Mr. Endrulat has extended experience working with focus groups and committees in the workplace. During his time here in West Lebanon he has been involved in many city and community gatherings and project workdays. _____

(PLEASE NOTE: THIS FORM WILL BE INCLUDED IN THE AGENDA MATERIALS WHEN APPLICANT IS SCHEDULED TO APPEAR BEFORE THE CITY COUNCIL.)

Standard Questions for All Applicants:

1) What do you believe is the purpose of this Board/Committee?

To make recommendations from the group's discussions of plans and ideas to improve West Lebanon.

2) Are you familiar with the meeting dates and time commitments of this Board/Committee?
Would you be available for additional meetings, site visits, or other official events when necessary?

Yes, as he attended the first meeting on 04-03-2023. Willing to attend extra sessions and trainings as needed.

3) Do you have any previous experience working with this type of Board/Committee, or in a related field, in this community or any other community?

Not in the public sector as much as the private sector for work but with the same general goals in mind. Working with stake holder and representing all interested groups.

4) Do you have any interest in attending educational presentations and seminars in order to further educate yourself relative to the work of this Board/Committee?

Yes, as needed.

5) Do you anticipate that you would have to recuse yourself from more than an occasional meeting due to a conflict of interest (perceived or real) relating to your past or present employment, organizational membership, real estate holdings, family ties, or other reasons?

None foreseen.

6) What do you think are the key challenges for this Board/Committee?

Finding priorities and focusing the boards direction.

7) What do you think are the key opportunities for this Board/Committee?

To help provide oversight and input into improving West Lebanon for working in, living in and solutions for the community.

8) What would you like to see this Board/Committee accomplish in the next year?

Provide oversight and review of the streetscapes project. As well as propelling the community's objectives for the coming year.

Specific Questions for Applicants to Land-Use Boards:

Zoning Board of Adjustment:

1) Have you ever appeared before a zoning board, personally or through a representative?

2) Do you have any personal or professional knowledge or background in the area of zoning law?

3) Do you believe you can set aside your personal opinions and make impartial decisions based on the City's adopted Zoning Ordinance?

4) Zoning Board decisions can be controversial. The Board is bound by law to work within the current zoning regulations. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

Planning Board:

1) Have you ever appeared before a planning board, personally or through a representative?

2) Do you have any personal or professional knowledge or background in the area of planning law?

3) Do you believe you can set aside your personal opinions and make impartial decisions based on the City's adopted site plan and subdivision regulations, as well as the Zoning Ordinance?

4) Planning Board decisions can be controversial. The Board is bound by law to work within the current site plan and subdivision regulations. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

Conservation Commission:

- 1) Have you ever appeared before a conservation commission, personally or through a representative?

- 2) The Conservation Commission's advisory role in New Hampshire environmental permitting can be controversial. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

**AGENDA
LEBANON CITY COUNCIL
APRIL 19, 2023**

9. PUBLIC HEARING ITEM:

**9.A – AMENDMENTS TO ORDINANCE #18, SALARY PLAN, ARTICLE II,
NON-AFFILIATED & LPASE EMPLOYEES, TO ADD NON-AFFILIATED
AND LPASE POSITIONS**

A public hearing for the purpose of receiving public input and taking action to amend Ordinance #18, Salary Plan, as follows:

1. Add new Asset Manager position
2. Add new Solid Waste Foreperson position

The City Council scheduled this public hearing at its March 15, 2023 regular meeting. The public hearing was properly noticed in the *Valley News* on April 8, 2023 in accordance with City Code and State Law.

BACKGROUND

Recently, the Department of Public Works (DPW) has undergone several mid-management changes, which have directly impacted functions at the Lebanon Solid Waste/Recycling Facility and with the fixed asset management program. As a result, DPW has analyzed its internal organization and processes and is recommending the following changes to Ordinance #18.

Add Asset Manager – Grade 10, Non-Affiliated. Asset Management is an essential function needed to assist departments citywide to prolong the service life and reliability of all assets utilized or managed by the City. Asset management streamlines processes allowing fixed assets to be managed and maintained from different locations in an accurate and cost-effective manner. Asset management has previously been performed by the Assistant City Engineer; a position which is currently vacant. Adding a dedicated Asset Manager position will ensure the further progression of the City's asset management program and functions.

Add Solid Waste Foreperson – Grade 9, LPASE. This is a supervisory position that will work under the Solid Waste Manager and assist in the management and execution of day-to-day Solid Waste/Recycling Facility operations. This position will be responsible for coordinating and supervising the activities of subordinate staff in the landfill and will manage and oversee the landfill gas collection and control systems. This position is proposed to be a member of the Lebanon Professional, Administrative, and Salaried Employees (LPASE) bargaining unit to allow for supervisory authority over subordinate AFSCME staff and control over the day-to-day landfill functions in the absence of the Solid Waste Manager. Once a final decision on affiliation with the bargaining unit is made by the Public Employee Labor Relations Board (PELRB), the position will be properly denoted as a LPASE position within Ordinance #18.

Process to Amend Ordinance #18

Samantha Lauzon, Human Resources Director, will be present to discuss all proposed amendments and answer any questions the Council may have.

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 acknowledged on March 15, 2023; the second was on April 5th. The Council is asked to finalize the process by acknowledging the third presentation and acting to amend the Salary Plan at the close of the public hearing.

ACTION

The following motion is offered for consideration:

1. PRESENTATION:

MOVED, that the Lebanon City Council acknowledges the third of three presentations to amend Ordinance #18, Salary Plan, Article II, by adding the positions of Asset Manager (Grade 10) and Solid Waste Foreperson (Grade 9, LPASE) in the Non-Affiliated & LPASE Employee compensation and classification schedules.

Below is an excerpt of the Non-Affiliated & LPASE Employees compensation and classification schedule impacted by the proposed changes described above. Changes to the compensation and classification schedules are shown in red type; new 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>
9	Code Health Inspector**	\$32.36	\$43.69	-	-
	Executive Assistant	-	-	-	-
	Public Relations Coordinator	-	-	-	-
	Digital Media Officer	-	-	-	-
	Deputy Assessor	-	-	-	-
	Cyber Services Technical Specialist	-	-	-	-
	Real Estate Appraiser II**	-	-	-	-
	Solid Waste Foreperson(**) (LPASE designation proposed)	-	-	-	-
	Associate Planner**	-	-	\$1,294.40	\$1,747.70
10	Asset Manager	\$35.64	\$48.10	-	-
	Assistant City Engineer**	-	-	-	-
	Financial Analyst	-	-	-	-
	Community Nurse	-	-	-	-
	Police Communications Supervisor**	-	-	-	-
	Recreation Program Coordinator**	-	-	\$1,425.52	\$1,924.05
	Youth Services Librarian	-	-	-	-

****Denotes LPASE Employees**

2. RESOLUTION:

FOR THE PURPOSE OF amending Ordinance #18, Salary Plan.

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

1. **Add new Asset Manager position, Grade 10, Non-Affiliated**
2. **Add new Solid Waste Foreperson position, Grade 9, LPASE**

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
9	Code Health Inspector**	\$32.36	\$43.69	-	-
	Executive Assistant	-	-	-	-
	Public Relations Coordinator	-	-	-	-
	Digital Media Officer	-	-	-	-
	Deputy Assessor	-	-	-	-
	Cyber Services Technical Specialist	-	-	-	-
	Real Estate Appraiser II**	-	-	-	-
	Solid Waste Foreperson(**) (LPASE designation proposed)	-	-	-	-
	Associate Planner**	-	-	\$1,294.40	\$1,747.70
10	Asset Manager	\$35.64	\$48.10	-	-
	Assistant City Engineer**	-	-	-	-
	Financial Analyst	-	-	-	-
	Community Nurse	-	-	-	-
	Police Communications Supervisor**	-	-	-	-
	Recreation Program Coordinator**	-	-	\$1,425.52	\$1,924.05
	Youth Services Librarian	-	-	-	-

**Denotes LPASE Employees

This Resolution shall be effective upon passage.

Included in this Section:

1. Notice of Public Hearing as Published in the April 8, 2023 Edition of the *Valley News*



LEBANON CITY COUNCIL

NOTICE OF PUBLIC HEARING Wednesday, April 19, 2023 - 6:00pm Council Chambers, City Hall or REMOTE VIA VIRTUAL PLATFORM [LebanonNH.gov/LIVE](https://lebanonnh.gov/LIVE)

The Lebanon City Council will hold a public hearing on April 19, 2023, beginning at 6:00pm for the following:

A. AMEND ORDINANCE 18, SALARY PLAN – A public hearing for the purpose of receiving public input and taking action to amend Ordinance No. 18, Salary Plan, Article II, Non-Affiliated & LPASE Employees, as follows:

- 1. Add new Asset Manager position**
- 2. Add new Solid Waste Foreperson position**

The April 19, 2023 City Council agenda packet and documents pertaining to the above-described public hearing will be available on the City's website beginning April 14, 2023: [LebanonNH.gov/Agendas](https://lebanonnh.gov/Agendas)

Meetings are open for in-person and remote attendance. Members of the public that wish to attend remotely may do so by going to [LebanonNH.gov/Live](https://lebanonnh.gov/Live) where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the City's virtual platform or by phone. Please note: Should technical difficulties occur during the meeting that disrupts virtual or phone connection(s), the meeting will continue without remote access capabilities.

NE-415802

The foregoing notice was published in the *Valley News*, a newspaper of general circulation in the City of Lebanon, in accordance with the Code of the City of Lebanon on Saturday, April 8, 2023.

Kristin M. Kenniston, City Clerk

**AGENDA
LEBANON CITY COUNCIL
APRIL 19, 2023**

11. NEW BUSINESS:

**11.A – INTRODUCTION AND REMARKS,
EXECUTIVE COUNCILOR CINDE WARMINGTON**

BACKGROUND

The Executive Council is a five-member body in New Hampshire's state executive branch that serves as a check on the governor's power. Executive Council District 2 reaches across the state from the Massachusetts border, up the Connecticut River and Vermont border, to north of the Franconia Notch. It is comprised of four cities, including Lebanon, and seventy-seven towns.

District 2 Executive Councilor Cinde Warmington assumed office on January 6, 2021.

ACTION

This agenda item is for informational purposes only.

**AGENDA
LEBANON CITY COUNCIL
APRIL 19, 2023**

11. NEW BUSINESS:

**11.B – REQUEST FROM LALO’S TAQUERIA FOR EXEMPTION OF
CITY CODE CHAPTER 14, ALCOHOLIC BEVERAGES, TO PERMIT THE SERVING
OF ALCOHOLIC BEVERAGES ON CITY PROPERTY**

BACKGROUND

Lalo’s Taqueria, located at the west end of the pedestrian mall, established an outdoor dining area in 2021 and is planning to continue the service in 2023. As the restaurant serves alcoholic beverages as part of their dining menu, they would like to serve alcohol as part of their outdoor dining service. In order to do so, an exemption from City Code Chapter 14 is required.

City Code Chapter 14, Alcoholic Beverages, regulates the consumption of alcohol on City-owned property. Section 14-5, Exemption, states that, “Any person, publicly recognized organization, organized group, family group or business may be exempted from the provisions of this article for a short period of time not exceeding 12 hours, upon first obtaining permission from the City Manager after consultation with and approval by the Chief of Police. For a period of time exceeding 12 hours but not exceeding one year, permission must first be obtained from the Lebanon City Council and reviewed on an annual basis.”

ACTION

If the Council decides to grant the exemption to Lalo’s Taqueria, the following motion is offered for consideration:

MOVED, that the Lebanon City Council hereby grants an exemption pursuant to §14-5 of City Code Chapter 14, Alcoholic Beverages, to Lalo’s Taqueria to serve alcoholic beverages on the Lebanon Pedestrian Mall within the area shown on the maps included in the April 19, 2023 City Council Agenda Packet.

Exemption shall be valid beginning April 20, 2023 and shall expire on December 31, 2023.

Included in this Section:

1. Letter from Nick Yager, Lalo’s Taqueria requesting exemption pursuant to City Code Chapter 14 (Letter undated. Received by the City Manager’s Office April 7, 2023)
2. Map depicting proposed outdoor seating area

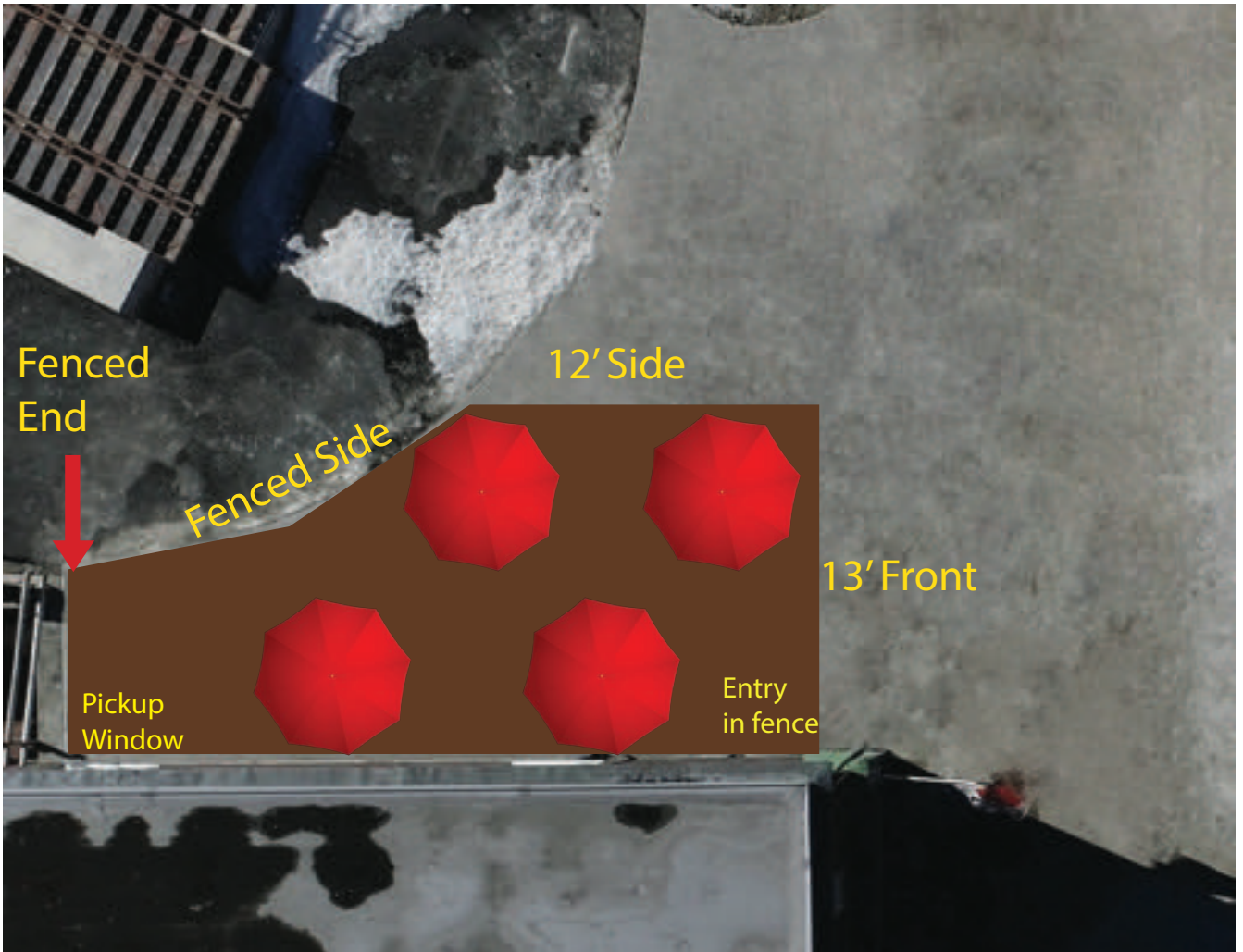
City of Lebanon
Lebanon City Council

Lalo's Taqueria is requesting an amended exemption of City Code Chapter 14, Alcoholic Beverages, to permit the serving of alcoholic beverages on City Property, within our expanded seating, until December 31st, 2023.

Please let me know if you have any questions.

Thank you.

Nick Yager
nyager2@delicious603.com
Delicious 603 LLC dba Lalo's Taqueria



**AGENDA
LEBANON CITY COUNCIL
APRIL 19, 2023**

11. NEW BUSINESS:

11.C - RELEASE OF COLLECTED PUBLIC SCHOOL IMPACT FEES

BACKGROUND

A Memorandum of Understanding (MOU) was developed in 2010 between the City and the School District for the quarterly transfer of collected Public School Impact Fees to the Lebanon School District for application toward the payment of debt on the (then) new middle school.

On October 12, 2021, the Planning Board authorized a broader use of Public School Impact Fees to include construction, renovation, improvement, or expansion of K-12 school buildings and related building systems, equipment, and furnishings. A revised MOU was developed and signed on November 22, 2021.

To date \$818,840.52 has been disbursed to the Lebanon School District.

7/17/2013	\$83,690.78	11/6/2013	\$14,651.99	5/21/2014	\$19,407.00
8/6/2014	\$2,122.75	2/18/2015	\$723.00	5/20/2015	\$2,819.00
7/15/2015	\$1,627.50	11/4/2015	\$936.00	3/2/2016	\$3,156.00
5/18/2016	\$864.00	5/17/2017	\$5,230.00	12/6/2017	\$6,140.75
2/7/2018	\$41,262.70	9/5/2018	\$12,564.45	2/6/2019	\$1,833.10
8/7/2019	\$8,822.20	4/15/2020	\$40,432.02	7/15/2020	\$123,709.65
12/2/2020	\$57,567.42	1/21/2021	\$102,409.40	8/4/2021	\$12,695.86
1/19/2022	\$9,035.45	4/20/2022	\$3,216.15	10/19/2022	\$261,738.35
2/1/2023	\$2,185.00				

This request is for the City Council to authorize disbursement of \$3,824.44 in collected Public School Impact Fees (through 03/31/2023) to the Lebanon School District.

ACTION

The Council is requested to take action on the following motion:

MOVED, that in accordance with Section 213.10 (Administration of Impact Fees) of the Lebanon Zoning Ordinance, and the November 22, 2021 Memorandum of Understanding between the City of Lebanon and the Lebanon School District, SAU 88, the City Council hereby authorizes the disbursement of \$3,824.44 in collected Public School Impact Fees to the Lebanon School District to be applied toward the construction, renovation, improvement or expansion of K-12 school buildings and related building systems, equipment, and furnishings.

Included in this Section:

1. Impact Fee Report as of 03/31/2023
2. November 22, 2021 Memorandum of Understanding between the City of Lebanon and The Lebanon School District, SAU#88

PUBLIC SCHOOL IMPACT FEES

	PAID BY/LOCATION	MAP/LOT/PLOT	<u>School</u>
12/31/2022	Interest		\$ 192.59
1/5/2023	Robert Oakes	93/94/100	\$ 1,463.00
2/14/2023	Rock Ridge Lebanon LLC	74/3/158	\$ 2,168.85
		Balance 03/31/2023	\$ 3,824.44

MEMORANDUM OF UNDERSTANDING
between
THE CITY OF LEBANON
and
THE LEBANON SCHOOL DISTRICT, SAU 88

WHEREAS, New Hampshire RSA 674:21,V authorizes municipalities to adopt impact fees to offset municipal costs occasioned by new residential and non-residential development, and

WHEREAS, New Hampshire RSA 674:21,V requires that a municipality have enacted a Capital Improvement Program pursuant to RSA 674:5-7 before adopting impact fees, and

WHEREAS, the City of Lebanon annually reviews and adopts a Capital Improvement Program, and

WHEREAS, the Lebanon City Council duly amended Section 213 of its Zoning Ordinance, adopting impact fees and authorizing the Lebanon Planning Board to assess impact fees on new development in proportion to its demand on the public capital facilities of the City of Lebanon and the Lebanon School District, and

WHEREAS, the Lebanon Planning Board commissioned Bruce C. Mayberry, working as BCM Planning LLC, to provide a foundation document justifying the basis for the assessment of impact fees and to provide a schedule of fees, and

WHEREAS, the Lebanon Planning Board on October 12, 2021 duly adopted a report entitled “City of Lebanon Impact Fee Update 2021, Basis for School, Recreation, Police and Fire Department Impact Fees”, dated August 30, 2021 and prepared by BCM Planning LLC (copy attached) and City of Lebanon Impact Fee Schedule 2021 (copy attached), and

WHEREAS, the Impact Fee Schedule 2021 assigns fees for School Facilities, Recreation Facilities, Police Department Facilities, and Fire Department Equipment and Apparatus, and

WHEREAS, through the adoption of the Impact Fee Schedule 2021, the Lebanon Planning Board authorized the use of impact fees collected for School Facilities to be applied toward the construction, renovation, improvement or expansion of K-12 school buildings and related building systems, equipment, and furnishings;

NOW THEREFORE, the City of Lebanon and Lebanon School District, parties to this Memorandum of Understanding, agree as follows:

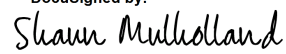
1. The City of Lebanon shall collect and manage all impact fees pursuant to Section 213 of the Lebanon Zoning Ordinance and in accordance with the report entitled “City of Lebanon Impact Fee Update 2021, Basis for School, Recreation, Police and Fire Department Impact Fees”, dated August 30, 2021 and the City of Lebanon Impact Fee Schedule 2021, which

may be amended from time-to-time.

2. The City of Lebanon shall maintain all monies received as impact fees in separate accounts, each dollar identified by contributor, date received, and fund (School Facilities, Recreation Facilities, Police Department Facilities, and Fire Department Equipment and Apparatus).
3. The City of Lebanon shall transfer, once each quarter of the calendar year, all monies in the School Facilities Fund to the Lebanon School District.
4. The Lebanon School District shall apply all monies received from the School Facilities Fund toward the construction, renovation, improvement, or expansion of K-12 school buildings and related building systems, equipment, and furnishings.
5. The Lebanon School District shall provide an annual report to the City of Lebanon accounting for the use of such monies from the School Facilities Fund.
6. This Memorandum of Understanding shall supersede the prior Memorandum of Understanding between the parties executed on September 21, 2010 by Interim City Manager Leonard W. Jarvi on behalf of the City of Lebanon and executed on September 30, 2010 by Superintendent Gail E. Paludi on behalf of the Lebanon School District, SAU 88.

APPROVED BY:

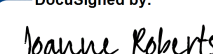
City of Lebanon

DocuSigned by:

 11/22/2021
 Name Date

Lebanon City Manager

Title

Lebanon School District, SAU 88

DocuSigned by:

 11/22/2021
 Name Date

Superintendent, SAU #88

Title

**AGENDA
LEBANON CITY COUNCIL
APRIL 19, 2023**

11. NEW BUSINESS:

**11.D – AUTHORIZATION FOR THE CITY MANAGER TO TRANSFER
APPROPRIATED FY2023 FUNDS IN THE AMOUNT OF \$55,000 FROM THE
FINANCE DEPARTMENT TO THE PLANNING & DEVELOPMENT DEPARTMENT**

BACKGROUND

With the recent and forthcoming increases in federal and state funding for local projects and programs, the City's ability and readiness to compete for grant funding is more important than ever. The City's grant writing capacity has for many years been fulfilled by Shelley Hadfield on a contractual basis through the Finance Department. As Ms. Hadfield gradually winds down her services to the community, the City has decided to bring grant writing and administration in-house by promoting Associate Planner Rebecca Owens to a Senior Planner position overseeing project development and funding within the Planning & Development Department. Ms. Hadfield has agreed to continue to provide guidance and assistance to Ms. Owens for a limited transition period.

Funding appropriated in the current fiscal year (FY2023) for contractual grant writing services is proposed to be moved from the Finance Department to the Planning & Development Department to cover the in-house project development and funding position and to allow for the rehiring of an Associate Planner before the end of the year.

ACTION

The following resolution is offered for Council consideration:

MOVED, that in accordance with City Charter §C419:45, Transfer of Appropriations, the City Council hereby authorizes the City Manager to transfer unencumbered appropriated FY2023 funds in the amount of \$55,000 from the Finance Department to the Planning & Development Department to facilitate the development of in-house grant writing and administration capability.

AGENDA LEBANON CITY COUNCIL APRIL 19, 2023

11. NEW BUSINESS:

11.E – DISCUSS REVISED MEMBERSHIP COMPOSITION FOR WEST LEBANON REVITALIZATION ADVISORY COMMITTEE

BACKGROUND

On March 2, 2022, the City Council voted to re-establish the West Lebanon Revitalization Advisory Committee as a permanent committee to continue the work of the former short-term committee of the same name. Appointed membership on the permanent committee has only recently reached the point at which the committee can begin to meet again.

At its first meeting on April 3, 2023, the members discussed changing the composition of the committee to enable more interested residents to participate. The current membership of the committee consists of one member each from the City Council, Planning Board, and the Economic Development Commission along with two Ward 1 residents and two Ward 1 business owners. The committee may also have up to three alternate members representing Ward 1 residents and/or business owners.

To date, the City has received no applications from business owners to join the committee, but three residents have already been appointed (two regular members and one alternate) and applications or expressions of interest have been received from other Ward 1 residents. In an effort to enable all interested residents to join and participate on the committee and to ensure that all committee positions can be filled, the West Lebanon Revitalization Advisory Committee recommends that the membership composition be changed to allow four Ward 1 residents and/or business owners, instead of requiring two residents and two business owners.

ACTION

The following resolution is offered for Council consideration:

MOVED, that the Lebanon City Council hereby amends the membership composition of the West Lebanon Revitalization Advisory Committee to include:

1 - City Councilor (to be appointed by the Mayor)

1 - Member of the Planning Board (to be appointed by the Board)

1 - Member of the Economic Development Commission (to be appointed by the Commission)

4 - Ward 1 Residents and/or Business Owners

Up to 3 Alternate members comprised of Ward 1 Residents and/or Business Owners

The Resident and Business Owner representatives shall be appointed by the City Council and their terms shall initially be staggered for periods of two and three years. Thereafter, all Resident and Business Owners shall be appointed to terms of three years. The City Council, Planning Board, and Economic Development Commission representatives shall serve for their respective terms.

Not more than two (2) members of the Advisory Committee shall serve on any private civic association(s) that might be created for the West Lebanon area in order to avoid

membership and Right-to-Know conflicts, but to ensure adequate communication and coordination among the groups, as appropriate.

The Committee Chairperson shall coordinate with the Planning & Development Director for staff support. The Advisory Committee is solely an advisory body created to provide recommendations to the City's Administration and City Council for possible consideration. The Advisory Committee shall comply with all applicable provisions of RSA 91-A.

**AGENDA
LEBANON CITY COUNCIL
APRIL 19, 2023**

11. NEW BUSINESS:

**11.F – VOTE TO APPROVE ANNUAL COMPENSATION
FOR CITY MANAGER**

BACKGROUND

City Manager Shaun Mulholland was appointed as the City Manager on January 22, 2018. The City Council sets the level of compensation for the City Manager on an annual basis.

ACTION

MOVED, that in accordance with City Charter §C419:24, Salaries, the City Council hereby increases the compensation of the City Manager by 4.5% with an effective date of January 1, 2023.