

FINAL

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

Remote Via Microsoft Teams: LebanonNH.gov/Live

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

MEMBERS ABSENT:

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager David Brooks, 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

THEREFORE, BE IT RESOLVED, that we, the members of the Lebanon City Council, on behalf of the citizens of Lebanon, Zach'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 Zach Bryan.

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 GLORIA LESKIEWICZ (HUMAN RESOURCES DIRECTOR)**

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

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

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

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

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

NOW THEREFORE, BE IT RESOLVED, that we, the members of the Lebanon City Council, on behalf of the citizenry of Lebanon, Gloria's friends, 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 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 Gloria Leskiewicz.

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

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

- **REFILL NOT LANDFILL PROCLAMATION**

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 5^h 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

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

BACKGROUND

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

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

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

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

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

ACTION:

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

Seconded by Councilor Whittlesey.

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

B. Capital Improvement Project update

Included in the agenda packet: [*\(Page 40-68\)*](#)

1. Childcare Facility Project Schedule (Complete details of this project can be found on [*pages 41-42*](#) in the April 5th, 2023 City Council agenda.)
2. 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.)

BACKGROUND:

The City conducts a process to update the Capital Improvement Plan (CIP) on an annual basis. This process is managed by the Planning & Development Department with review by the Planning Board. The 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;

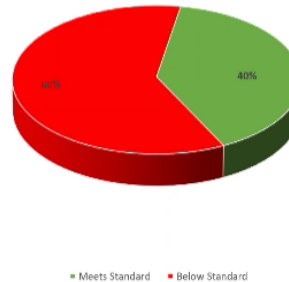
Mutual Aid Requests			
YEAR	TOTAL CALLS	MUTUAL AID REQUESTS	PERCENTAGE OF REQUESTS
2019	3868	64	1.65%
2020	3528	52	1.47%
2021	3810	47	1.23%
2022	4090	85	2.07%
2023 (YTD)	995	39	3.9%

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



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.

Fire Suppression Deployment Standard (NFPA 1710)

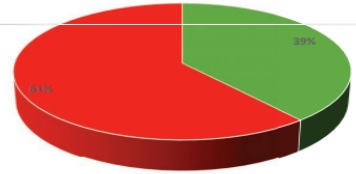
Fire engine arrival with 4 firefighters in less than 6 minutes from the time of initial call not less than 90% of the time.

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

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 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

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.

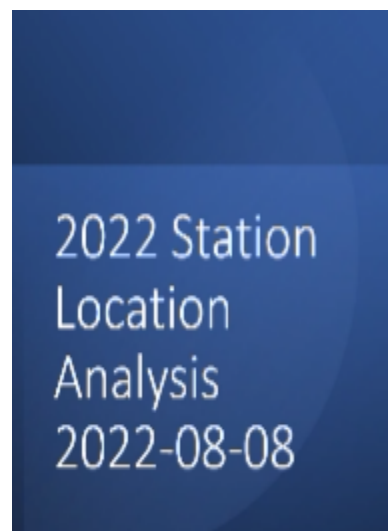
Longer delays in hospital turn around times do to increased patient volume and lower hospital resources.

Response times from locations outside the primary response district.

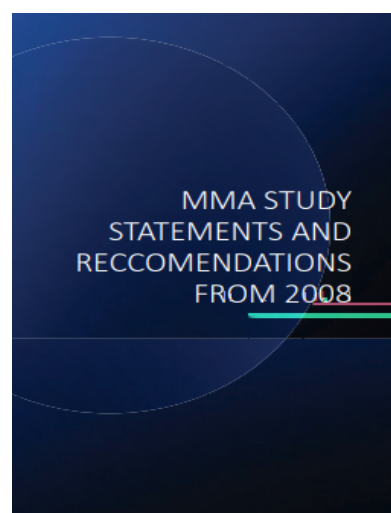
It is often common for EMS to wait at the hospital until they can find a bed because staffing in the hospital is short. The average wait time at the hospital takes around 1 hour, so two people, at least, are out of service. It is also often common for EMS to have 2-3 ambulance cots with patients on them, 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 Wheatley 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

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

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

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

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

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

ACTION:

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

11. City Manager Report:

City Manager Shaun Mulholland updated the Council on the following:

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

12. COUNCIL REPRESENTATIVES TO OTHER BODIES:

13. FUTURE AGENDA ITEMS:

14. NON-PUBLIC SESSION:

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

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

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

Seconded by Councilor Whittlesey.

Roll Call Vote:

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

None voted Nay.

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

Staff Present: City Manager Mulholland

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

The Council discussed the City Manager’s Evaluation.

Mayor McNamara declared the meeting adjourned.

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

15. ADJOURNMENT:

Councilor Wilkie MOVED for adjournment.

Seconded by Councilor Simon.

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

The meeting was adjourned at 9:56 PM.

Respectfully submitted,

Dona E. Gibson

Recording Secretary