

FINAL

**LEBANON CITY COUNCIL
REGULAR SESSION MINUTES
Wednesday, May 1, 2024 7:00 p.m.
Council Chambers**

Remote Via Microsoft Teams: LebanonNH.gov/Live

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

MEMBERS ABSENT: Mayor Tim McNamara

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager David Brooks, City Clerk/Tax Collector Jaseya (Josie) Ewing, City Engineer Rod Finley, Planning Administrative Assistant Crystal Taplin, Fire Chief/Emergency Management Director Jim Wheatley, Assistant Fire Chief Jeff Libbey

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

2. PLEDGE OF ALLEGIANCE: Councilor Heistad led the Council in the Pledge.

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

3. PUBLIC FORUM: Assistant Mayor Below made the Public Forum announcement.

4. OPEN TO PUBLIC:

- Mr. Ben Spero (Ward-1): He spoke about and read the UN's Adoption of Resolution # 181 from State Department's website and an editorial he came across, noting he will return in two weeks to give another history lesson on foreign policy.
- Ms. Kidder (Ward-3): She spoke about handicapped parking in Lebanon and noticed there were no extra parking spaces in the downtown area.

5. RECOGNITIONS:

- **Top Dog Contest Winners:** City Clerk Jaseya Ewing explained the history and criteria for this contest, noting that Assistant Mayor Below would randomly draw the names of three (3) dog owners who will then be contacted by her department and invited to the May 16th Farmer's Market where they will receive their gift baskets that have been generously donated by local businesses. Dog winners in order picked are listed below:
 1. Franklin Gould
 2. Jennifer Ann Weber
 3. Robert Kerin-Herrick

• **RESOLUTION HONORING LINDA COPP**

WHEREAS, Linda Copp has dedicated more than 30 years to the local dance community through her leadership of the Lebanon Ballet School, established in 1984, and City Center Ballet, which Linda co-founded in 1999; and

WHEREAS, City Center Ballet is dedicated to realizing the full potential of ballet dancers through

outstanding preparation in classical ballet and exceptional performance opportunities with professional dancers, striving within the company and the community to foster awareness of, and an appreciation for the passion, grace, and beauty of classical ballet, and City Center Ballet is celebrating 25 years of training local dancers in the art of classical ballet and presenting extraordinary performances to the Lebanon and Upper Valley Communities; and

WHEREAS, Lebanon Ballet School is committed to providing excellence in dance education and to instilling a love of dance by teaching a challenging, engaging curriculum designed to inspire and transform students, inside and out; and

WHEREAS, Linda is an advocate for lifelong learning, believing that dancers and teachers alike never stop learning in the studio; she graduated from the Hartford Conservancy, CT and was a former soloist with the Connecticut Valley Regional Ballet Company; and she has taught throughout New England in Connecticut and Massachusetts since 1971 before finding her home in the Upper Valley community; and

WHEREAS, the City of Lebanon is dedicated to enhancing the vitality of arts and culture in the City in cooperation with the arts community in the Upper Valley, including energizing the arts economy and supporting a vibrant partnership with arts organizations to enhance opportunities for equitable participation and inclusion.

NOW, THEREFORE BE IT RESOLVED, that the Lebanon City Council, on behalf of the City of Lebanon, extends its sincere appreciation to Linda Copp for her dedicated commitment to the performing arts in the City of Lebanon and for her service to the community in creating and fostering the valuable community institution of City Center Ballet.

BE IT FURTHER RESOLVED, that this Resolution be written in the minutes of the Lebanon City Council meeting and a copy be presented to Linda Copp.

Dated this 1st day of May 2024.

Clifton Below, Assistant Mayor
on behalf of the Lebanon City Council

Ms. Copp and her students were present and accepted a copy of this Resolution and accolades from the Council and audience.

6. ACCEPTANCE OF MINUTES:

- April 17, 2024 (Site Visit)
- April 17, 2024 (Regular Meeting)

Councilor Whittlesey *MOVED* to approve the April 17, 2024 (Site Visit) and the April 17, 2024 (Regular Session) minutes as written and presented in the May 1, 2024 City Council agenda packet.

Seconded by Councilor Wilkie.

****The Vote on the Motion was approved by members present (7-0).*** Councilor Sykes was not present at the time this vote was taken. Mayor McNamara was absent.

7. APPOINTMENTS:

- Pedestrian & Bicyclist Advisory Committee, Ben Swanson (Alternate Member)

Assistant Mayor Below MOVED to NOMINATE Ben Swanson as an Alternate Member of the Pedestrian & Bicyclist Advisory Committee. Term: 05/24-05/27

***The Vote on the NOMINATION was approved (7-0).** Councilor Sykes was not present at the time this vote was taken. Mayor McNamara was absent.

Councilor Sykes arrived at approximately 7:15 PM.

8. PUBLIC HEARING ITEMS:

A. Complete Discontinuance of Western, Partially-Built Portion of Barrows Street between Parcels M/L 77-106 and 77-107, Lebanon – A public hearing for the purpose of receiving public input and taking action to discontinue completely, and in its entirety, the western, partially-built portion of Barrows Street between Tax Parcels 77-106 and 77-107, Lebanon

Included in the agenda packet: [\(All supportive documents and information can be found on pages 30-32, Council agenda packet\)](#)

1. Barrows Street Public Right-of-Way Discontinuance plan, dated March 25, 2024



Deputy City Manager David Brooks reviewed the background for this Public Hearing.

BACKGROUND

On February 7, 2024, the City Council acted, in accordance with City Council Policy, CC-102, Real Property Transactions, to determine that several City-owned parcels, including two located along Barrows Street (Tax Parcels 77-106 and 77-107), have redevelopment potential and are suitable for redevelopment as part of designated Redevelopment Areas.

As part of considering redevelopment possibilities, the City Manager is recommending that the Council discontinue the westerly, partially-built portion of Barrows Street that currently separates the two City-owned parcels. Upon completion of the discontinuance process, the center line of

the former right-of-way will become the new boundary line between the City-owned parcels and will allow them to be formally merged into a single contiguous property.

No other properties would be impacted by the proposed discontinuance of this portion of Barrows Street.

Assistant Mayor Below opened the Public Hearing and the following came forth to speak:

- Ms. Rebecca Kidder (Ward-3) spoke about her reasons against the Barrows Street Right-of-Way Discontinuance and questioned why other City residents (i.e., her kids who have lived in the City all their lives) could not be included in this raffle. Assistant Mayor Below noted this Public Hearing is part of the inclusion on this matter. In general, it is an issue we have been talking about for a long time and further explained his reasons for affordable housing in the City. Deputy City Manager Brooks noted there are a lot of steps yet to be taken in the redevelopment of this site but tonight we are only talking about the discontinuance of this road.
- Mr. Kirun Sankaran (Ward-3): He lives on Mt. Support Road and wanted to note that this seems like a good idea to encourage more housing in the Upper Valley.
- Jeff Tomlinson (Lives on Hanover Street): As a former assistant principal at Hanover Street School, he was concerned about child safety if this moved forward and further explained his reasons.

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

Council Comments:

Councilor Heistad spoke about his reasons for moving forward with the proposal, noting he felt we were going in the right direction.

Councilor Sykes said he has received numerous emails regarding the need for more housing in the Upper Valley and talked about the pricing of housing in Lebanon and how it affects local businesses and the accessibility of housing for lower income people.

ACTION:

Councilor Liot Hill MOVED, that the Lebanon City Council hereby discontinues completely, and in its entirety, the western, partially-built portion of Barrows Street, situated between City- owned tax parcels M/L 77-106 and M/L 77-107, as shown on the GIS Map with associated grid coordinate points (NAD 1983 NH State Plane), entitled “Barrows Street, Public Right- of-Way Discontinuance”, included in the May 1, 2024 City Council Agenda Packet.

Seconded by Councilor Whittlesey

Councilor Liot Hill spoke to her motion noting the housing crisis. She was proud the Council was taking measures to try and improve the situation. Finding housing solutions is a responsible thing that the Council is doing and further explained her reasoning.

Councilor Wilkie thought the proposal is not necessarily a jarring change in that it is already a residential neighborhood with smaller homes. This proposal seems appropriate to the area, and it fills a void we are missing in the current development market.

Councilor Simon noted that while he does want to see employees have a chance to be able to live in the community that they work in, he felt the lottery system should be opened to all residents of the City.

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

9. OLD BUSINESS: NONE

10. NEW BUSINESS:

A. Receive public input on Strategic Plan

Included in Agenda Packet: **(Please note that all supportive documents and information on the City's Strategic Plan can be found on pages 34-173, Council agenda packet)**

1. 2024-2027 Strategic Plan Draft Update

Assistant Mayor Below opened the discussion to the public. Hearing no input from the public, the public discussion was closed.

Council Comments: None

ACTION: None taken. For discussion purposes only.

B. Discussion and Adoption of Updated Hazard Mitigation Plan

Included in the agenda packet: **(All supportive documents and information can be found on pages 174-180, Council agenda packet)**

1. Excerpt of Hazard Mitigation Plan Update 2024, Chapter 7 (Adoption, Implementation, Monitoring).

Information available, but not included in this section:

[Hazard Mitigation Plan Update 2024, prepared by City of Lebanon Hazard Mitigation Committee and Hubbard Consulting, LLC.](#)

Lebanon Fire Chief Wheatley and Deputy Fire Chief Libbey reviewed the background information and explained the 5-year Hazard Mitigation Plan Update 2024.

BACKGROUND

The New Hampshire Bureau of Homeland Security & Emergency Management (NH HSEM) has a goal for all communities within the State of New Hampshire to establish local hazard mitigation plans as a means to reduce future losses from natural or human-made hazard events before they occur.

The Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC) wrote the first Lebanon Hazard Mitigation Plan that was approved in 2011. The current edition of the Hazard Mitigation Plan was adopted in November 2016. The NH HSEM has again provided funding to the City of Lebanon to update its local Hazard Mitigation Plan.

The Federal Emergency Management Agency (FEMA) requires communities to have a plan updated and approved every five years to assist in determining eligibility for post-disaster federal

hazard mitigation grant funding. Also, having an updated Hazard Mitigation Plan is a factor in determining eligibility for other State and Federal grant programs.

Assistant Mayor Below opened the discussion to the public. Hearing no comments, the public discussion was closed.

ACTION:

Councilor Simon MOVED the following:

WHEREAS, the City of Lebanon, NH has historically experienced severe damage from natural hazards, and it continues to be vulnerable to the effects of flooding, thunderstorm, severe wind, winter storms, earthquakes, and dam failure, resulting in loss of property and life, economic hardship, and threats to public health and safety; and

WHEREAS, public and committee meetings were held between April 2022 and September 2022 regarding the development and review of the Hazard Mitigation Plan Update 2024; and

WHEREAS, the Plan specifically addresses hazard mitigation strategies and Plan maintenance procedures for the City of Lebanon, NH; and

WHEREAS, the Plan recommends several hazard mitigation actions/projects that will provide mitigation for specific natural hazards that impact the City of Lebanon, NH, with the effect of protecting people and property from loss associated with those hazards; and

WHEREAS, adoption of this Plan will make the City of Lebanon, NH eligible for funding to alleviate the impacts of future hazards.

NOW THEREFORE BE IT RESOLVED by the Lebanon City Council:

- 1. The Hazard Mitigation Plan Update 2024 is hereby adopted as an official plan of the City of Lebanon, NH.***
- 2. The respective officials identified in the mitigation strategy of the Plan are hereby directed to pursue implementation of the recommended actions assigned to them.***
- 3. An annual report on the progress of the implementation elements of the Plan shall be presented to the City Council by April 1st of each year.***

Seconded by Councilor Liot Hill.

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

Below is a copy of the Chapter 7 ***Lebanon Hazard Mitigation Plan 2024***

Chapter 7
ADOPTION, IMPLEMENTATION, MONITORING
Adoption

The Lebanon City Council, by majority vote officially adopted the *Lebanon Hazard Mitigation Plan 2024 Update* on Wednesday, May 1, 2024. This plan identified Mitigation Actions to be implemented as outlined in Chapter 6.

Implementation

There were 22 mitigation projects that were prioritized by the Committee. For each project the Committee identified who, when and how they would be implemented. Please refer to the “Action Plan” in Chapter 6 for a description of the timeframe and persons or departments responsible for implementation of the Prioritized Projects.

It will be the future responsibility of the Emergency Management Director to ensure implementation of these Prioritized Projects.

Plan Updates

The *Lebanon Hazard Mitigation Plan 2024 Update* must be reviewed, evaluated and updated at least once every five years. The Emergency Management Director is responsible for initiating this review and needs to consult with members of the Lebanon Emergency Management Committee, in order to track progress and update the Prioritized List in Chapter 6.

The Emergency Management Director will be responsible for updating the plan every five years and incorporating the results of the City’s plan monitoring and evaluation procedures. The next anticipated update of the plan is scheduled to begin in 2028. A first meeting, initiated by the EMD, is anticipated in 2028. The plan update may begin earlier following a significant natural hazard event within the City and region, such as a federally declared disaster.

The public meetings of the planning team shall be publicized through legal notices in local newspapers, posted fliers, and on the City and regional planning commission websites. Written and email comments shall be directed to the EMD. The updated plan will incorporate input from the public, other municipalities and government agencies. The City Council is responsible for approving the plan submission to FEMA and for adoption of the plan.

The update will likely follow a similar planning process and outline to the current planning process, making deviations when needed, and will be expanded to better address existing goals.

Plan Evaluation

The City’s Emergency Management Director will call meetings of all responsible City parties to review plan progress annually on the anniversary of plan adoption and as needed, based on occurrence of hazard events, and report outcomes to the Select Board. The public will be notified of these meetings in advance through a posting of the agenda at City Hall. Responsible parties identified for specific mitigation actions will be asked to submit their reports in advance of the meeting. Meetings will entail the following actions:

- Review previous hazard events to discuss and evaluate major issues, effectiveness of current mitigation, and possible mitigation for future events.
- Assess how the mitigation strategies of the plan can be integrated with other City plans and operational procedures, including the Zoning Bylaw and Emergency Management Plan.
- Review and evaluate progress toward implementation of the current mitigation plan based on reports from responsible parties.
- Amend current plan to improve mitigation practices.
- Meetings will involve evaluation and assessment of the plan, regarding its effectiveness at achieving the plan's goals, stated purpose, and priorities. The following questions will serve as the criteria that is used to evaluate and update the plan:

Plan Mission and Goal

- Is the Plan's stated goal and mission still accurate and up to date, reflecting any changes to local hazard mitigation activities?
- Are there any changes or improvements that can be made to the goal and mission?

Hazard Identification and Risk Assessment

- Have there been any new occurrences of hazard events since the plan was last reviewed? If so, these hazards should be incorporated into the Hazard Identification and Risk Assessment.
- Have any new occurrences of hazards varied from previous occurrences in terms of their extent or impact? If so, the stated impact, extent, probability of future occurrence, or overall assessment of risk and vulnerability should be edited to reflect these changes.
- Is there any new data available from local, state, or Federal sources about the impact of previous hazard events, or any new data for the probability of future occurrences? If so, this information should be incorporated into the plan?

Existing Mitigation Strategies

- Are the current strategies effectively mitigating the effect of any recent hazard events?
- Has there been any damage to property since the plan was last reviewed?
- How could the existing mitigation strategies be improved to reduce the impact from recent occurrences of hazards?

Proposed Mitigation Strategies

- What progress has been accomplished for each of the previously identified proposed mitigation strategies?
- How have any completed mitigation strategies reduced the City's vulnerability and impact from hazards that have occurred since the strategy was completed? If not and if they have been tested, what changes need to make them more effective?
- Should the criteria for prioritizing the proposed strategies be altered in any way?
- Should the priority given to individual mitigation strategies be changed, based on any recent changes to financial and staffing resources, or recent hazard events?

Review of the Plan and Integration with Other Planning Documents

- Is the current process for reviewing the Hazard Mitigation Plan effective? How could it be improved?
- Are there any City plans in the process of being updated that should have the content of this Hazard Mitigation Plan incorporated into them or integrated with other City planning tools and operational procedures, including the zoning bylaw, the Comprehensive Emergency Management Plan, and the Capital Improvement Plan?

Annual Hazard Mitigation Plan Update, Monitor & Evaluate Schedule and Public Involvement			
Meeting Schedule	Task	City of Lebanon Responsibilities	Public Involvement (neighboring communities)
Annually or as needed	Hold a public meeting to assess current status of funding for mitigation projects. Discuss any new projects/plans that should be obtained for your community.	Dept. heads and City Council to locate and apply for sources of funding and implement the proposed strategies and plans.	Residents, businesses, and neighboring / watershed communities.
Annually or as needed	Hold a public meeting to discuss the Hazard Mitigation Plan content and any updates needed for the plan	Department Heads or other agencies.	Residents, businesses, and neighboring / watershed communities.
Annually or as needed	Hold a public meeting to discuss and evaluate Training Programs and public outreach efforts. New public outreach methods discussed.	Department Heads or other agencies.	Residents, businesses, and neighboring / watershed communities.

The Hazard Mitigation Committee shall oversee the development, update, and implementation of the City's Hazard Mitigation Plan (HMP). The HMP must be maintained by the Committee to ensure the City remains eligible for federal mitigation grant fund opportunities. The Town intends to update its HMP with current information to ensure conformity with the latest standards and to receive new approvals.

The Plan update and development will be a public processes where multiple perspectives are valued and encouraged. The following positions should be considered for participation on the Committee.

Municipal Positions:

Emergency Management
Director Town Administrator

Fire Department
Police
Department
Public Works Department
Building Inspector
Planning Board
Water/Sewer
Library
School Board

Community Stakeholder Positions:

Safety and
Security. Food,
Water, Shelter
Health and Medical.
Energy
Communication
Transportation
Hazardous Material
Business
Community
Populations at Risk
Citizen Groups

State/Quasi-Governmental Positions:

NH Homeland Security and Emergency
Management NH Office of Strategic Initiatives
Regional Planning Commission
Public Health Network

CERTIFICATION OF ADOPTION for Council signatures was included in agenda packet.

- C.** Discussion & Set Public Hearing for May 15, 2024: Ordinance #2024-06 to amend City Code Chapter 168, Vehicles and Traffic, to designate a portion of Church Street as a One-Way Street

Included in the agenda packet: **(All supportive documents and information can be found on [pages 181-183, Council agenda packet](#))**

1. Proposed Ordinance #2024-06
2. Proposed One-Way Church Street aerial image, dated April 15, 2024



City Manager Mulholland reviewed the background and reasons for the amendment to Ordinance 2024-06.

BACKGROUND

The City Council has approved the replacement of the Central Fire Station located at 12 South Park Street. The results of a recent geotechnical engineering study have indicated ground improvements are necessary for the construction of the proposed station. Completion of these ground improvements will require additional separation between the current fire station at 12 South Park Street and the Sunrise Buffet building located at 2 Mascoma Street. The separation will require the new fire station building to encroach further into Church Street limiting the width to approximately 15.79 feet at its narrowest point. Based on a collaborative meeting with the design team, civil engineers, and the Lebanon Department of Public Works, it is recommended that Church Street become a One-Way Street for the northerly 325 feet with a northward direction of travel as reflected in the attached aerial image above.

Assistant Mayor Below opened the discussion to the public. Hearing no comments from the public, the public discussion was closed.

Council Comments:

Councilor Liot Hill thought it was worth noting that a lot of people would like to see a grocery store return to Downtown Lebanon. The former grocery store was accessed through Church Street behind the Fire Station, and she further explained the accessibility situation for a grocery store. Her concern was how the proposed change in the traffic pattern could impact the ability of a grocery store to return to Downtown Lebanon.

ACTION:

Councilor Whittlesey MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, May 15, 2024, beginning at 7:00 p.m. in Council Chambers, City Hall, and Remote via the City's Virtual Platform, for the purpose of receiving public input and taking action on proposed Ordinance #2024-06 to amend City Code Chapter 168, Vehicles and Traffic, §168- 9, One-way streets, to designate the northerly 325 feet of Church Street in Lebanon as a one-way street with a northward direction of travel. Seconded by Councilor Simon.

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

- D. Discuss and Set Public Hearing for June 5, 2024: Supplemental Appropriation for \$1,100,000 for Replacement of Central Fire Station Capital Project**

Included in the agenda packet: **(All supportive documents and information can be found on [pages 184-185](#), Council agenda packet)**

1. April 17, 2024 Memorandum from Fire Chief Jim Wheatley to the City Manager

City Manager Mulholland reviewed the background and reasons for the Supplemental Appropriation as listed above.

BACKGROUND

The replacement of the Lebanon Central Fire Station (Station #1) was approved as part of the 2024 City of Lebanon Capital Budget. The engineering and design process for the new station is underway. The results of recent geotechnical surveys in areas directly around the existing

building indicate that ground improvements are required to ensure the long-term stability and durability of the new building. The ground improvements are estimated to cost \$1.1 million dollars.

Please see the memorandum in Council agenda packet from Fire Chief Jim Wheatley for further information about the request.

ACTION:

Councilor Wilkie MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, June 5, 2024, beginning at 7:00pm in Council Chambers, City Hall, and Remote via the City's Virtual Platform, for the purpose of receiving public input and taking action to appropriate \$1,100,000 to supplement current funding appropriations for the Lebanon Central Fire Station (Station #1) Replacement capital project, and to authorize the issuance of bonds/notes in accordance with the Municipal Finance Act (NH RSA 33). Seconded by Councilor Sykes.

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

- E. Presentation of Patch Forest, LLC Settlement proposal and Set Public Hearing for June 5, 2024

Included in the agenda packet: **(All supportive documents and information can be found on pages 186-197, Council agenda packet)**

1. Patch Forest, LLC Settlement Proposal, Proposed Terms of Compromise, received April 18, 2024.
2. Draft Class VI Road Map
3. GPS depiction of proposed Connector segment
4. Draft – Proposed Concept Map of Class VI Road and Class A Trails on Patch Forest, LLC property, dated April 18, 2024
5. Proposed Parking Easement Plan

City Attorney Matt Decker and the Patch Family Attorney Wilder were present and reviewed the background and provided an overview of the current settlement proposal from Patch Forest, LLC, along with explanations of the new maps/pictures, which can be found on **pages 93-97 in the Council agenda packet.**



BACKGROUND

Patch Forest, LLC has submitted a new proposal to discontinue certain sections of Class VI public roads passing through the Patch Forest property in exchange for the dedication of Class A municipal trails and a public parking area.

The proposed discontinuances are a section of Class VI Road #14 (Barden Hill Road); a section of Class VI Road #19 (Durkee Road); a section of Class VI Road #20 (Atherton Road); and Class VI Road #21 (McCallister Road).

In conjunction with the proposed discontinuances, Patch Forest proposes to:

1. Identify, create, and dedicate an alternate Barden Hill Trail for acceptance by the City as a Class A Trail per NH RSA 231-A:5.
2. Grant an easement to the City for construction of a small public parking area off of Methodist Hill Road, to facilitate public access to the new Barden Hill Trail at its easterly end.
3. Identify, create, and dedicate a “Connector” segment between the remaining sections of Atherton Road and Durkee Road for acceptance by the City as a Class A Trail per NH RSA 231-A:5, in order to provide for a single, unbroken right-of-way from the southernmost point of Atherton Road, at the Enfield town line, to the westernmost point of Durkee Road, at Route 120.

The settlement proposal in agenda packet stems from litigation between Patch Forest, LLC and the City, which has been temporarily stayed to allow the parties to negotiate a potential resolution concerning the Class VI roads on the Patch Forest property that would avoid costs of litigation to both parties. The current proposal from Patch Forest, if approved by the Council, would end the litigation.

The City Council was asked to schedule a public hearing for June 5, 2024, to consider the provisional dedication and acceptance of the proposed Barden Hill Trail and the “Connector” segment between Atherton and Durkee Roads as Class A Trails pursuant to NH RSA 231-A:5; and to consider the discontinuance of a section of Class VI Road #14 (Barden Hill Road); a section of Class VI Road #19 (Durkee Road); a section of Class VI Road #20 (Atherton Road); and Class VI Road #21 (McCallister Road).

Attorney Wilder noted that the Wednesday, May 1, 2024 Valley News printed some misinformation about snowmobiles saying: “Snowmobiles would be allowed only on the trail west of Route 120.” That is certainly not the case and is not part of the proposal. He will reach out to the Valley News and inform them about the error.

ACTION:

Councilor Liot Hill MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, June 5, 2024, beginning at 7:00pm in Council Chambers, City Hall, and Remote via the City’s Virtual Platform, for the purpose of receiving public input and taking action on a proposal from Patch Forest, LLC for the provisional dedication and acceptance of the proposed Barden Hill Trail and the proposed “Connector” segment between Atherton Road and Durkee Road, both as Class A Trails pursuant to NH RSA 231-A:5; and for the discontinuance of a section of Class VI Road #14 (Barden Hill Road); discontinuance of a section of Class VI Road #19 (Durkee Road); discontinuance of a section of Class VI Road #20 (Atherton Road); and discontinuance of Class VI Road #21 (McCallister Road).

Seconded by Councilor Wilkie.

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

F. Discuss Revised Membership Composition for Pedestrian & Bicyclist Advisory Committee

Included in the agenda packet: **(All supportive documents and information can be found on page 198, Council agenda packet)**

Deputy City Manager Brooks reviewed the background behind this request.

BACKGROUND

The Lebanon Pedestrian & Bicyclist Advisory Committee (PBAC) was originally created in 1994 as a short-term committee. A new charge was established in October 2005 with the mission to help make the City of Lebanon more safely walk-able and bike-able by facilitating, enhancing, and encouraging safe pedestrian and bicyclist travel and connectivity in the City of Lebanon.

The composition of the committee is currently established as follows: six citizen members, up to six alternate citizen members, one Planning Board representative, one Council representative, one alternate Council representative, and one representative from Friends of the Northern Rail Trail.

At its meeting on April 2, 2024, PBAC requested that the City Council modify the membership composition of the committee to change the position designated for a member of the Friends of the Northern Rail Trail to a Regular Citizen Representative. The Friends of the Northern Rail Trail are not as active in Lebanon as they once were. Many of the initial proposed projects in Lebanon have been completed and the Friends of the Northern Rail Trail are focusing their efforts outside of Lebanon. There is no longer a resident of Lebanon serving on the Friends of the Northern Rail Trail board. Leaving this designation in place no longer serves the original purpose envisioned at the time of creation of the PBAC.

ACTION:

Councilor Wilkie MOVED, that the Lebanon City Council hereby amends the membership composition of the Pedestrian & Bicyclist Advisory Committee to change the designated seat for the Friends of the Northern Rail Trail representative to a regular citizen representative seat. The committee membership will now be comprised of seven (7) regular citizen members, up to six (6) alternate citizen members, one Planning Board representative, one City Council representative, and one alternate City Council representative.

Seconded by Councilor Heistad

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

G. Request for Approval of “Greyhawk Way” as the Street Name for the roadway serving a 204-unit residential development at 392 & 402 Mt. Support Road, Lebanon

Included in the agenda packet: **(All supportive documents and information can be found on pages 199-201, Council agenda packet)**

1. Marek 2, 392 & 402 Mt. Support Road, “Current Site Plan Overview” (Sheet EX1.1), prepared by Engineering Ventures, PC, dated September 11, 2023.
2. NH RSA 231:133

Deputy City Manager Brooks reviewed the background for this request as listed above.

BACKGROUND

On October 9, 2023, the Planning Board approved a modification to a previously approved site plan for a 204-unit, multi-family residential development on land situated at 392 & 402 Mt. Support Road. The developer, SPNH Lebanon North, LLC, is currently seeking a building permit to start construction on the project.

Since the development will consist of up to four separate buildings and more than 200 units, the private roadway serving the complex must have its own street name to comply with E-911 addressing requirements. The developer has requested “Greyhawk Way” as the proposed street name for the complex, which has been confirmed as acceptable with the State for E-911 purposes.

In accordance with NH RSA 231:133, Street Names and Markers, the governing body has the responsibility of naming and renaming streets.

ACTION:

Councilor Liot Hill MOVED, that the Lebanon City Council hereby names the private drive within the Marek 2 multi-family residential development situated at 392 & 402 Mt. Support Road as “Greyhawk Way”.

Seconded by Councilor Simon.

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

H. Presentation and Discussion of Proposed West Lebanon-to-Hanover Greenway Connection

Included in the agenda packet: **(All supportive documents and information can be found on pages 202-203, Council agenda packet)**

1. West Lebanon and Hanover Greenway (WaHG) handout (See page 203, agenda packet or for more detailed information, please visit their website at this link: <https://bit.ly/wahg>)

Sue Painter (Ward-1), Kevin Purcell (Ward-1), Colin Smith (Ward-3), and Jenny Chamberlin (Hanover) came forth to review the background of (WaHG) and their vision for a proposed West Lebanon-to-Hanover Greenway Connection. Each talked about their reasons for supporting this proposal.

West Lebanon and Hanover Greenway (WaHG)

THE VISION: A three mile path that brings the people of West Lebanon and Hanover together. The WaHG trail satisfies a critical need identified in multiple local and regional plans. This key active transportation connection would allow people in West Lebanon and Hanover to make many ordinary trips without the use of a vehicle.

The completion of this path will allow safe access between West Lebanon and Hanover and help ‘close the loop’ for walk and bike access creating a network with the MRG and Mt. Support shared use path.

WaHG Community Group Mission

WHAT WE ARE ABOUT: Connecting communities with non-car travel options, while improving the safety of people walking and bicycling. Foster commuter and recreational travel, while promoting healthy and active lifestyles.

HOW ARE WE GOING TO DO IT: Identify and construct an improved greenway from West Lebanon to Hanover.

WHY: There are no existing safe options for non-motorized travel between the densely populated areas along NH Route 10 of West Lebanon and Hanover.

BACKGROUND

In Fall 2023, a West Lebanon and Hanover Community Group was formed for the purpose of promoting the development of a greenway connection between West Lebanon and Hanover. The connection would allow people who live in West Lebanon or Hanover to make ordinary trips along the Route 10 corridor without the use of a vehicle. The proposed greenway would tie into the existing Mascoma River Greenway (MRG) and other potential trails and greenway networks.

The WaHG Community Group is working to further define its mission and scope and has asked for an opportunity to present its vision to the Lebanon City Council prior to setting up meetings with other communities and organizations in the Upper Valley.

Ms. Jenny Chamberlin (Hanover, Chair of Bike/Walk Committee) talked about the need to have a feasibility study done, noting they hear about this need so much. If this link is opened, we will gain participation and foster the needs of the community, and explained how this could be done.

Council Comments:

Assistant Mayor Below noted that back in the 1990's this was identified as one of the important links in the City and a transportation enhancement proposal was made. The State rejected the proposal at the time. A good place to start now would be to start looking at the feasibility for different options.

Councilor Simon officially invited WaHG to a West Lebanon Revitalization Advisory Committee meeting to make a presentation.

Councilor Heistad noted the Conservation Commission has been actively doing trail work at the Boston lot and spoke about the feasibility of getting around the ledge point.

In response to Councilor Liot Hill's question regarding what the cost of a feasibility study would be, Mr. Smith said they didn't know yet.

The Council and WaHG continued their discussions regarding who else WaHG would be giving a presentation to; the potential cost sharing for a feasibility study; potential grant funding options (CMAC Grant); next steps that need to be taken; and, the importance of getting ready to apply for the CMAC Grant ASAP since it will expire soon.

ACTION:

Councilor Simon MOVED that the Lebanon City Council supports the project as presented to us this evening and encourages the group to work with the City Manager's office on bringing forward more information on the scope and scale and cost of the project, but that we support it.

Seconded by Councilor Liot Hill.

Councilor Sykes wanted to make sure, because this will be a regional resource, that there is language in the motion reflecting that fact and that we support a regional approach to solving it.

In speaking to his motion, Councilor Simon felt a vote of support for this would not only help the committee, but, as we heard from the City Manager, it would offer some assistance in starting the grant funding process as step one. He rescinded his previous motion and amended his motion to read as follows:

Council Simon MOVED, that the Lebanon City Council supports the WaHG trail project as a regional project for the betterment of the greater community and encourages the City Manager's office to work with the WaHG project group to develop a plan for the feasibility study funding to be brought back at a time as so appropriate for the Council. Seconded by Councilor Liot Hill.

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

- I. Appointment of Alternate Representative to the Community Power Coalition of New Hampshire

Included in the agenda packet: **(All supportive documents and information can be found on [pages 204-205](#), Council agenda packet)**

1. March 26, 2024 Letter of Resignation from Gregory Ames

BACKGROUND

On September 15, 2021, the City Council appointed Assistant Mayor Clifton Below to serve as the City's primary representative to the Community Power Coalition of New Hampshire (CPCNH) and appointed then-LEAC Vice Chair Gregory Ames to serve as the City's alternate representative. On March 26, 2024, Greg Ames submitted a formal resignation as the City's alternate member representative to the CPCNH, after having stepped down from LEAC last fall.

At its meeting on March 21, 2024, LEAC approved a motion to recommend that James Mashal be appointed as the new alternate representative to the CPCNH following Mr. Ames' resignation:

B. Alternate Board Member Seat on CPCNH

Ms. Boschert said she would reach out to former Chair Greg Ames and ask him to formally resign from the CPCHN so James Mashal from LEAC can be appointed.

A MOTION was made by Sherry Boschert that the LEAC recommends the appointment of James Mashal as an alternate representative to the CPCHN after Greg Ames resigns. The MOTION was seconded by Clifton Below.

Roll Call Vote:

Voting in Favor –Mr. Bromberg, Mr. Benzel, Ms. Boschert, Mr. Below, Mr. Chaffee

Voting Against – None

Mr. Mashal abstained from the vote.

****The MOTION was approved (5-0).***

ACTION:

Councilor Wilkie MOVED, that the Lebanon City Council hereby appoints LEAC member James Mashal to serve as the City's alternate representative to the Community Power Coalition of New Hampshire (CPCNH).

***BE IT FURTHER MOVED, that this appointment shall be effective until further action by the Council to rescind or replace with other appointees.
Seconded by Councilor Liot Hill.***

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

- J.** Discussion and Authorization for City Manager to Enter into a New Lease Agreement with Execusuite, LLC for Use of Playing Fields at 75 Bank Street, Lebanon

Included in the agenda packet: **(All supportive documents and information can be found on [page 206](#), Council agenda packet)**

City Manager Mulholland reviewed the background and terms of entering into a New Lease Agreement with Execusuite, LLC for Use of the playing fields at 75 Bank Street, Lebanon.

BACKGROUND

On April 6, 2022, the City Council authorized the City Manager to enter into and execute a lease agreement with Execusuite, LLC, to permit the continued use of playing fields at 75 Bank Street, the location of the former Junior High School. The lease agreement was subsequently executed on April 8, 2022, with an initial two-year term ending on March 31, 2024. The current lease agreement provides for automatic renewal for additional two-year terms with lease rates to be renegotiated for such additional terms.

The City and Execusuite would like to extend the existing lease arrangement subject to the following terms:

- An additional two-year term, ending March 31, 2026.
- Automatic renewal for additional two-year terms, unless 90-day notice is provided by either party of their intent not to renew.
- Rent: First year - \$13,910.81; Second year - \$14,328.13. Rent to be renegotiated for any additional terms.

ACTION:

Councilor Sykes MOVED, that the Lebanon City Council hereby authorizes the City Manager to enter into and execute a lease agreement in the amount of \$28,239 with Execusuite, LLC to permit the continued use by the City of the playing fields at 75 Bank Street, Lebanon.

Seconded by Councilor Whittlesey.

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

11. CITY MANAGER REPORT:

City Manager Mulholland updated the Council on the following:

- Reviewed contents of upcoming Council meetings

Councilor Liot Hill wanted to go back to the one-way access to Church Street and spoke about her reasons why she was requesting that more information/plans from the developer be sent to her/Council verifying access on Church Street. She also noted that the approval of the Fire Station concept does not necessarily mean that we affirmatively decided to close off the public parking lot/roadway and wanted to know where in the process that would happen. Bringing a

grocery store back to Downtown Lebanon is something that has come up many times and she would like to make sure we have the needed Fire Station, but also to not close out the potential for a grocery store.

12. COUNCIL REPRESENTATIVES TO OTHER BODIES: NONE

13. FUTURE AGENDA ITEMS: NONE

14. NON-PUBLIC SESSION: NONE

15. ADJOURNMENT:

***Councilor Wilkie MOVED for adjournment.
Seconded by Councilor Whittlesey.***

****The Vote on the MOTION was unanimously approved (8-0)***

The meeting was adjourned at 8:51 PM.

Respectfully submitted,
Dona E. Gibson
Recording Secretary