



**LEBANON CITY COUNCIL
AUGUST 21, 2024 - 7:00 PM
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE**

1. Call to Order

- A. To participate in this meeting, please [join live via Microsoft Teams](#) or call 929-229-5356 (access code: 435 927 250#). If you have trouble accessing this meeting, please [email David Brooks](#).

The August 21, 2024 Lebanon City Council Meeting is hereby called to order.

2. Pledge of Allegiance

3. 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.)**

4. Open to the Public

5. Recognitions: None

6. Approval of Minutes

- A. MOTION TO approve the minutes as presented in the August 21, 2024 agenda packet.

7. Appointments

- A. Upper Valley Subcommittee of the Connecticut River Joint Commissions, Jude Stull (Alternate Citizen Member)

8. Public Hearing Items: None

9. Old Business: None

10. New Business

- A. Reaffirm Discontinuance of Romano Circle in West Lebanon as a Class V Public Highway and Authorize the City Manager to Execute Documents for Conveyance of Land Underlying the Roadway to the Lebanon Housing Authority
- B. Discussion of Church Street and Fire Station Modifications

11. City Manager Report

12. Council Representatives to Other Bodies Report

13. Future Agenda Items

14. Non-Public Session

15. Adjournment

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 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.

Future Board/Committee/Commission Appointments
Board/Committee: Economic Development Commission
Position: Citizen Member
Applicant: B. Carter
City Councilor: D. Whittlesey
Assigned Date: 7/1/2024

Board/Committee: Housing Task Force
Position: Regular Member
Applicant: D. Duncan
City Councilor: C. Simon
Assigned Date: 8/12/2024

Board/Committee: Housing Task Force
Position: Regular Member
Applicant: E. Ahern
City Councilor: T. McNamara
Assigned Date: 8/13/2024

Board/Committee: Housing Task Force
Position: Regular Member
Applicant: R. Dube
City Councilor: G. Sykes
Assigned Date: 8/12/2024

Board/Committee: Upper Valley Local River Subcommittee
Position: Alternate Citizen Member
Applicant: M. Terhune
City Councilor: C. Below
Assigned Date: 7/23/2024

Proposed Future Agenda Items: Dates may be tentative, and this list is not considered all-inclusive.

September 4, 2024

New Business:

- A. Review and Discussion of 2024 2nd Quarter Budget Report and Release of Public School Impacts Fees
- B. Annual review and re-adoption of City Council Policy CC-100, Cash Management & Investment
- C. Annual review of City Council Policy CC-101, Fund Balance
- D. LEAC/Lebanon Energy Savings Project Presentation

September 18, 2024

New Business:

- A. Pattern Zones Presentation
- B. Discussion and Set Public Hearing for October 2, 2024: Ordinance #2024-11 to Amend City Code Chapter 23, Banners

**Agenda
Lebanon City Council
August 21, 2024**

6. Acceptance Of Minutes:

Minutes To Be Accepted

- August 7, 2024

MOVED, to approve the minutes as presented in the August 21, 2024 agenda packet.

DRAFT

LEBANON CITY COUNCIL
REGULAR SESSION MINUTES
Wednesday, August 7, 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, Douglas Whittlesey, Devin Wilkie, and Karen Zook

MEMBERS ABSENT: Mayor Tim McNamara, George Sykes

STAFF PRESENT: City Manager Shaun Mulholland, Deputy Finance Director Alesia
Williams

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

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

- City Manager Shaun Mulholland announced the meeting criteria for the public.
- Assistant Mayor Below chaired the meeting in Mayor McNamara's absence.
- Councilor Liot Hill was out of town and arrived remotely at approximately 7:43 PM.

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

4. OPEN TO PUBLIC:

- Ms. Terri Burbank-Grimes introduced herself to the Council as a candidate running for the Grafton County, NH Register of Deeds.
- Councilor Wilkie mentioned that the Arts & Culture Commission is currently working on filling the tunnel with public art in partnership with the Heritage Commission, who is commissioning RFPs on the transportation history of Lebanon. If anyone is interested, please reach out to Councilor Wilkie or any member of the Heritage Commission.

5. RECOGNITIONS: None

6. ACCEPTANCE OF MINUTES: July 17, 2024 (Regular Meeting)

Amendments: Page 11, Lines 19-20: Change to read: "The Council concurred and may discuss larger changes to the NHMA Policies at a future meeting": Page 20, Line 25: Add after 3.78% (actually 3.74%).

Councilor Wilkie MOVED to approve the July 17, 2024 minutes as amended and presented in the August 7, 2024 City Council agenda packet.

Seconded by Councilor Heistad.

**The Vote on the Motion was approved (6-0).* Councilor Liot Hill was not present at the time this vote was taken.

7. APPOINTMENTS:

- Heritage Commission, Matthew Smith (Reappointment Vice-Chair)

Councilor Wilkie MOVED to NOMINATE Matthew Smith for Reappointment as Vice-Chair to the Heritage Commission. Term: 07/24-07/27

1 **The Vote on the NOMINATION was approved (6-0).* Councilor Liot Hill was not present at the time
2 this vote was taken.

3
4 **8. PUBLIC HEARING ITEMS:**

- 5 **A. Re-Allocation of Previously Approved Borrowing Authorization for Kimball Street**
6 **Infrastructure Improvements Project** – A public hearing for the purpose of receiving
7 public input and taking action to consider the re-allocation among the General Fund, Water
8 Fund, and Sewer Fund of previously approved borrowing authorization for the 2022 Kimball
9 Street Infrastructure Improvements Capital Project.

10
11 Included in the agenda packet: **(All supportive documents and information can be found on pages**
12 **27--29, Council agenda packet)**

13
14 City Manager Mulholland reviewed the background for the Kimball Street Project as listed above.

15
16 **BACKGROUND**

17 On December 15, 2021, the City Council acted to approve the City budget for Fiscal Year 2022, including
18 the capital improvements budget and authorization to issue bonds or notes for capital improvements.
19 Among the capital projects funded was the Kimball Street Infrastructure Improvements project, which
20 included \$3,405,000 of funding allocated among the General Fund (35%), Water Fund (30%), and Sewer
21 Fund (35%) as follows:

<u>Capital Project</u>	<u>General Fund</u>	<u>Water Fund</u>	<u>Sewer Fund</u>
Kimball Street Infrastructure Improvements	1,191,750	1,021,500	1,191,750

22
23 Subsequently, the City elected to allocate available ARPA funds toward the Kimball Street project to
24 cover a portion of the Sewer Fund-supported improvements in the project. In addition, as the project has
25 commenced, it has been determined that less Sewer Fund-supported work is required than anticipated,
26 and that more General Fund-supported work is necessary as part of the project.

27
28 At this time, it is recommended that the previously appropriated project funding be re-allocated among
29 the General Fund, Water Fund, and Sewer Fund as follows:

<u>Capital Project</u>	<u>General Fund</u>	<u>Water Fund</u>	<u>Sewer Fund</u>
Kimball Street Infrastructure Improvements	1,941,750	1,021,500	441,750

30
31 Based on the language of the Resolutions approved in December 2021, the City Manager is not authorized
32 to modify the borrowing authorization with regard to the relative proportions and allocation of the project
33 financing from the various funds. As a result, the City Council has scheduled this public hearing to
34 consider the re-allocation of funds previously appropriated for the Kimball Street project.

35
36 Because additional funds are now being appropriated from the General Fund rather than the Sewer Fund,
37 this re-allocation request is being processed as a Supplemental Appropriation, even though the total
38 project cost is not changing. Pursuant to City Charter §C419:43, Appropriations After Budget is Adopted,
39 requests for appropriations that are not included in the annual budget require a two-thirds (2/3) majority
40 vote of the Council after a public hearing.

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

Council Comments:

City Manager Mulholland, in response to Councilor Whittlesey's question, explained how the allocations would be determined.

ACTION:

Councilor Whittlesey MOVED:

WHEREAS, the Lebanon City Council on December 15, 2021, under Resolution No. 10, authorized the issuance of bonds or notes in the amount of \$9,209,860 to finance 2022 capital improvements, including \$3,405,000 to finance the Kimball Street Infrastructure Project (the "Project") with the following distribution:

<u>Capital Project</u>	<u>General Fund</u>	<u>Water Fund</u>	<u>Sewer Fund</u>
<i>Kimball Street Infrastructure Improvements</i>	<i>1,191,750</i>	<i>1,021,500</i>	<i>1,191,750</i>

AND WHEREAS, the cost of the General Fund portion of the Project has increased, and the cost of the Sewer Fund portion of the project has decreased because the City has allocated ARPA funds to pay for portions of the Sewer Fund portion of the Project.

NOW THEREFORE BE IT RESOLVED, by the City of Lebanon, that Resolution No. 10 adopted by the City Council on December 15, 2021, is hereby amended to re-allocate \$750,000 of previously authorized borrowing from the Sewer Fund portion of the Project to the General Fund portion of the Project, resulting in the following distribution:

<u>Capital Project</u>	<u>General Fund</u>	<u>Water Fund</u>	<u>Sewer Fund</u>
<i>Kimball Street Infrastructure Improvements</i>	<i>1,941,750</i>	<i>1,021,500</i>	<i>441,750</i>

BE IT FURTHER RESOLVED, that:

(i) the amounts indicated above for each portion of the Project are estimates and that the City Manager may allocate more funds to any one or more of such portion of the Project, and less to others, so long as, in the judgment of the City Manager, each of the portions of the Project described above can be completed within the total appropriation made by this Resolution; and,

(ii) all Resolutions adopted by the City Council authorizing the borrowing of funds for multiple projects, or a project or projects allocated among different Funds of the City, are hereby amended by adding the following to the end of each such Resolution: BE IT FURTHER RESOLVED, that the amounts indicated above for each project are estimates and that the City Manager may allocate more funds to any one or more of such projects, and less to others, so long as, in the judgment of the City Manager, each of the projects described above can be completed within the total appropriation made by this Resolution."

Seconded by Councilor Wilkie.

**The Vote on the Motion was approved (6-0). Councilor Liot Hill was not present at the time this vote was taken.*

1 **B. Supplemental Appropriation of \$250,000 for South Main Street Bridge Replacement**
2 **Project** - A public hearing for the purpose of receiving public input and taking action on
3 the supplemental appropriation amount of \$250,000 for South Main Street Bridge
4 Replacement Capital Project.
5

6 Included in the agenda packet: **(All supportive documents and information can be found on pages 30-**
7 **33, Council agenda packet)**

8 1. Memo from DPW Director Jay Cairelli, dated July 8, 2024
9

10 City Manager Mulholland reviewed the background and the purpose behind this proposal, as listed above.
11

12 **BACKGROUND**

13 This project location is along Route 12A, South Main Street, in West Lebanon at the existing bridge
14 crossing over the New England Central Railroad (NECR) rail corridor. The City is working with the New
15 Hampshire Department of Transportation (NHDOT) on final design and permitting for the new bridge
16 crossing in addition to a new access road into the rail yard, utility improvements and intersection
17 improvements at Seminary Hill. The project construction was originally planned to be over an active
18 railroad, which adds substantial complexity to the bridge and road construction activities, planning, and
19 schedule coordination. The NECR offered to close the track during construction with the condition that
20 a (temporary) transloading facility be built within the railyard, and with the new access road construction
21 occurring in the first phases of the project. This request for a supplemental appropriation is to fund the
22 design, permitting, and construction of the proposed transloading facility associated with the above-
23 referenced project. The City will be reimbursed 80 percent of these costs by NHDOT from State-Aid
24 Bridge funds.
25

26 Pursuant to City Charter §C419:43, Appropriations After Budget is Adopted, requests for appropriations
27 that are not included in the annual budget require a two-thirds (2/3) majority vote of the Council after a
28 public hearing.
29

30 **Assistant Mayor Below opened the Public Hearing. Hearing further comments from the public, the**
31 **Public Hearing was closed.**
32

33 **Council Comments:**

34 In response to Councilor Simon's question regarding using a portable transloader vs. a temporary
35 transloading facility, City Manager Mulholland noted this was discussed with the NHDOT but he has not
36 received an answer yet, along with five other requests. He also noted that if a temporary transloading site
37 were built, instead of making it permanent, the City would save \$20M on a bridge that we do not need to
38 build, replace or repair in 50 +/- years.
39

40 **ACTION:**

41 ***Councilor Wilkie MOVED the following:***
42

43 ***RESOLVED, by the City of Lebanon, that funds be appropriated in the amount of***
44 ***\$250,000 (Two Hundred Fifty Thousand Dollars) for expenditure in the Capital Improvements Fund***
45 ***to supplement current funding for the South Main Street Bridge Replacement Project.***
46

47 ***BE IT FURTHER RESOLVED, by the City of Lebanon, that the City Treasurer, with the approval of***
48 ***the City Manager, is authorized to issue, in accordance with the Municipal Finance Act (NH RSA***
49 ***33), a bond issue or bond issues in an amount not to exceed \$250,000, and that, except as***

1 *herein otherwise provided, discretion to fix the dates, maturities, denomination, interest rate, form,*
2 *and other details of said issue(s) is hereby delegated to the City Treasurer, with the approval of the City*
3 *Manager.*

4 *Seconded by Councilor Simon.*

6 **The Vote on the Motion was approved (6-0).* Councilor Liot Hill was not present at the time this vote
7 was taken.

9. OLD BUSINESS:

A. NHMA Policy Positions & Principles

12 Included in the agenda packet: **(All supportive documents and information can be found on pages 34-48, Council agenda packet)**

- 14 1. 2024-2025 Proposed NHMA Policy Positions and Principles
- 15 2. Proposed 2024 NHMA Policy Position Amendment

17 City Manager Mulholland reviewed what was discussed at the Council's last meeting on July 17, 2024
18 including the presentation of a proposed floor amendment to the 2024-2025 proposed NHMA Policy
19 Positions and Principles.

BACKGROUND

22 The City of Lebanon is a member of the New Hampshire Municipal Association (NHMA). Every two
23 years the NHMA conducts a process to update its legislative policy positions and principles which are
24 used by advocacy staff to support or oppose legislation before the NH Legislature.

25 Earlier this year, municipalities were invited to propose new policy positions or principles to be considered
26 as well as proposing changes to existing policy positions or principles. The existing policy positions and
27 principles as well as proposals for new positions/principles and proposed changes were reviewed by three
28 committees, as follows:

- 29 1. General Administration and Governance
- 30 2. Finance and Revenue
- 31 3. Infrastructure, Development, and Land Use

33 Municipal officials from across the state volunteer to work on the three committees from April until the
34 end of June. The three committees are assigned policies that are relevant to their scope of work which
35 they review and make any proposed changes. The draft proposed policies and principles are then sent
36 back to the governing body of each town and city for review and consideration.

37 At its July 17th meeting, the City Council voted to support all but two of the proposed Policy Positions
38 for 2025-26. The Council requested additional discussion of two policy positions, including: Labor and
39 Employment; and Substance Use, Prevention & Response. The Council also voted to designate the Mayor
40 to serve as the community's delegate at the NHMA Legislative Policy Conference in September.

42 In addition, the City Council suggested a potential floor proposal for amendments to the Policy Position
43 on Education Funding. The City Administration has drafted a Policy Position Amendment on Education
44 Funding for the Council's consideration as listed in **red** below:

2024 NHMA Policy Position Amendment

Education Funding

NHMA supports a revenue structure for funding an adequate education to meet the state's responsibilities as defined by the constitution, statutes, and the common law with revenue sources that are predictable, stable, and sustainable.

NHMA supports:

- A revenue structure that is not disruptive to the long-term economic health of the state;
- A revenue structure that is efficient in its administration; and,
- A revenue structure that is fair to citizens.
- **Recission of the tax cuts in the Interest & Dividends Tax, Business Profits Tax and the Business Enterprise Tax; and the revenue from the restored taxes to be added to the Education Trust Fund.**

NHMA opposes:

- Retroactive changes to the adequate education funding distribution formula after the notice of grant amounts has been provided to local governments;
- Education funding changes that would directly result in a reduction of the amount of municipal state aid and revenue sharing;
- Education funding changes that create a conflict in statute with any other taxing authority, tax statute, existing exemption or credit or create technical issues within the tax collection process.
- **Reductions in state taxes that could be used to address the education funding issue in the state such as the Interest & Dividends Tax, Business Profits Tax and the Business Enterprise Tax**

Council Comments:

Assistant Mayor Below noted that the State Legislature has recently been cutting or repealing these taxes in advance of actually knowing the revenue loss, which is less of revenue for the Education Trust Fund, so it means we have higher property taxes to make up the difference. Potential action is just to express our support for this (2024 NHMA Policy Position Amendment).

Councilor Wilkie MOVED that the Lebanon City Council supports the Policy Position Floor Amendments as presented on page 48 of the August 7, 2024 Council Packet in red text. Seconded by Councilor Whittlesey.

****The Vote on the Motion was approved (6-0).*** Councilor Liot Hill was not present at the time this vote was taken.

Assistant Mayor Below noted that under Labor & Employment in the Substance Use, Prevention & Responses section, the Council voted to support all but two of the previously proposed ones and wanted more discussion per Councilor Liot Hill's Motion as listed on page 20, lines 8-11, in the July 17, Council agenda packet as listed below:

"Councilor Liot Hill MOVED, that the Lebanon City Council endorses the policies and principles of 9 of the NHMA 2025-2026 Proposed Policies as provided in the City Council agenda packet of July 17, 2024 with the exception of the Labor & Employment section and the 3rd bullet in the Substance Use Prevention and Response section under the NHMA opposes."

Assistant Mayor Below also noted that if there are any additional amendments, these needed to be done tonight.

1 Councilor Simon spoke about how he and Councilor Wilkie echoed Councilor Sykes' opposition to the
2 Labor and Employment clauses section as printed. The last time we reviewed these, the Council was
3 completely opposed to any of the language and left it as such moving forward.

4
5 Councilor Wilkie's understanding, and his personal opinion, is that the discussion generally trended
6 toward opposing opposition to the items on page 37, Council agenda packet (Substance Use, Prevention
7 & Responses). He also felt the 3rd bullet point with the three subsections (page 37, Council agenda
8 packet) was not appealing to him.

9
10 Councilor Whittlesey thought the Council had looked at opposing the inclusion of these (under the
11 Substance Use, Prevention & Responses) as a policy position and wanted to maintain a neutral position
12 that was neither for/against these items, as a compromise.

13
14 ***Councilor Wilkie MOVED that the Lebanon City Council rejects the proposed NHMA Policy Positions***
15 ***under Labor & Employment and the final points and three (3) subpoints under Substance Use and***
16 ***Prevention & Response beginning "Legislation that authorizes the sale of cannabis unless"***
17 ***Seconded by Councilor Whittlesey.***

18
19 City Manager Mulholland noted that as a practical matter, Mayor McNamara will be attending this
20 conference, and will need to make a recommendation to that committee to move this forward. The Mayor
21 will have a couple of choices: (1) He can simply vote no on it, or 2) The Council can ask him to make a
22 Floor Motion. He wanted one of these put in the Motion so it's clear what they want the Mayor to do.

23
24 The Council discussed what they felt should be included in the Motion and Councilor Wilkie moved the
25 following:

26
27 ***Councilor Wilkie MOVED to amended his original Motion by adding to the end "by amending the***
28 ***Substance Use Prevention Use & Response Policy Position or failing that, dividing the question to***
29 ***oppose just that final point."***

30
31 For clarity, the complete Final Motion by Councilor Wilkie is listed below:

32
33 ***Councilor Wilkie MOVED that the Lebanon City Council rejects the proposed NHMA Policy Positions***
34 ***under Labor & Employment and the final points and three (3) subpoints under Substance Use and***
35 ***Prevention & Response beginning "Legislation that authorizes the sale of cannabis unless"*** ***"by***
36 ***amending the Substance Use Prevention Use & Response Policy Position or, failing that, dividing the***
37 ***question to oppose/remove just that final point.***

38
39 **Councilor Liot Hill arrived remotely at approximately 7:43 PM.**

40
41 In response to Councilor Liot Hill's questions, Councilor Wilkie noted the vote on the Floor Amendment
42 had already been approved and this vote was specifically to ask the Mayor to reject the NHMA Policy
43 Position under Labor & Employment and to either amend the Substance Use Prevention & Response
44 Section by removing the last bullet point with the three (3) sub-bullet points or, failing that, to divide the
45 question and vote on the first three (3) primary bullet points and vote against the final primary bullet
46 point.

47
48 **Roll Call Vote:**

49 ***Voting Yea: Assistant Mayor Below and Councilors Heistad, Liot Hill, Simon, Sykes, Whittlesey,***
50 ***Wilkie, Zook***

Voting Nay: None
Absent from vote: Mayor McNamara and Councilor Sykes

**The Vote on Motion was approved (7-0).*

10. NEW BUSINESS:

A. Dog Licensing Civil Forfeiture Update

Included in the agenda packet: **(All supportive documents and information can be found on pages 49-52, Council agenda packet)**

1. July 22, 2024, Memo from City Clerk Jaseya Ewing, re: Dog Licensing – Civil Forfeiture Notice – Returns
2. Excerpts of NH RSA 466

City Manager Mulholland noted all the information was included in the agenda packet and there is no action needed.

Dog Licensing – Civil Forfeiture Notice – Returns

BACKGROUND

In accordance with RSA 466:14, at the June 19, 2024 City Council Meeting, City Clerk Jaseya Ewing presented the Dog Licensing Warrant for Civil Forfeiture Notice to the Council for approval. NH RSA 466:16 requires the City Clerk to report back to the Council on or before August 31st with the number of owners who received and paid the civil forfeiture, the number of dogs in the City that have been seized and held, and the number of owners who have received a summons to a district or municipal court for failure to pay the civil forfeiture or license their dog.

As of July 22, 2024:

Local Statistics	
The number of civil forfeiture notices mailed to residential dog owners	340
The number of residents who have paid the civil forfeiture fee	126
The number of residents who have moved or have a deceased dog	81
The number of new dogs since issuing the initial warrant	16
The number of residents who have received summons issued by the local PD*	0
The number of seized dogs in Lebanon, NH**	0

* A list of negligent owners will be provided to the Police Department who will contact the owners. Summons have not yet been issued but are expected to be soon.

** The Lebanon Police Department does not seize dogs as a result of failure to license.

ACTION: No Council Action was required; item was for discussion purposes only.

B. Review of Properties Qualified for Tax Deeding and Vote to Waive Tax Deeding

Included in the agenda packet: **(All supportive documents and information can be found on pages 53-57, Council agenda packet)**

1. July 24, 2024, Memo from City Clerk Jaseya Ewing, re: Tax Deeding
2. NH RSA 80:76

City Manager Mulholland briefly reviewed the background for Tax Deeding, noting there are no properties to Tax Deed this year, thus far.

BACKGROUND

Tax bills are mailed on or around June 1 and November 1 each year. Interest accrues at a rate of 8% per annum on property tax bills that are outstanding for more than 30 days. Within 18 months of the date assessed, the Tax Collector places a lien on properties for all uncollected property taxes. These liens have priority over other liens and accrue interest at 14% per annum.

In accordance with RSA 80:76, if a property owner has not redeemed their property taxes, penalties, and interest within the 2-year redemption period, the Tax Collector is required to deed the property unless the City Council waives acceptance of the tax deed.

If the City Council instructs the Tax Collector that it shall not accept a tax deed, the tax lien shall remain in effect indefinitely. The taxpayer's right of redemption as provided by RSA 80:69 shall likewise be extended indefinitely, with interest continuing to accrue until taxes, penalties, and interest have been satisfied.

Should the City Council decide that the reasons for refusing the tax deed no longer apply, and the tax lien has not been satisfied, they may instruct the Tax Collector to commence the statutory deeding process.

The taxpayers and their respective mortgagors were notified of the City's intent to lien in 2022. The tax deeding process began May 30, 2024, when certified notices were mailed to the property owners. Certified notices were mailed to mortgagors on June 4, 2024, in addition to multiple attempts to establish payment agreements with the property owners.

Waiver of Tax Deeding

City Administration is recommending that the City Council waive tax deeding on seven properties, totaling \$27,365.45 in taxes owed. Three property owners have an existing payment plan in process. Two properties will have their 2021 taxes paid by August 7, 2024, and two other properties are set to be paid in full by October 15, 2024.

Tax deeding is not recommended for these properties. However, should the property owners break their agreements, the City may reconsider tax deeding these properties.

Authorization for Tax Deeding

There are no properties recommended to commence the tax deeding process. However, should the property owners break their agreements, the City may reconsider tax deeding these properties.

ACTION:

Councilor Whittlesey MOVED, that the Lebanon City Council, in compliance with the provisions of NH RSA 80:76, has reviewed the following compilation prepared by the Tax Collector of tax liens outstanding for tax year 2021. The Lebanon City Council, hereby serves notice upon the Tax Collector that it waives acceptance of tax deeds on the immediately following properties because of existing payment plans between the property owners and the City of Lebanon as listed on page 54, Council agenda packet:

Billed Owner/Location	Map/Lot	Type	2021 Lien	Total Due
-----------------------	---------	------	-----------	-----------

Maville, Sandra 19 Mason St	91-59	Residence	\$4,712.29	\$10,706.93
Parker, Robin D ET AL+ 55 Eastman Hill Rd	125-20	Residence	\$2,080.62	\$12,749.94
Maville, Muriel 20 West St	91-71	Apartment Building	\$9,567.99	\$37,131.96
Maville, Muriel 24 Granite St	91-81	Apartment Building	\$7,746.49	\$34,942.35
Lavigne, John 4 White Avenue	73-21	Residence	\$651.02	\$29,124.79
Griffin, Heather 10 Pumping Station Rd	93-117	Residence	\$1,743.65	\$13,342.31
Oliveira, Guy & Ann 695 Dartmouth College Hwy Unit 18	99-8-1800	Mobile Home	\$863.39	\$ 2,321.28

Seconded by Councilor Wilkie.

Roll Call Vote:

Voting Yea: Assistant Mayor Below and Councilors Heistad, Liot Hill, Simon, Sykes, Whittlesey, Wilkie, Zook

Voting Nay: None

Absent from vote: Mayor McNamara and Councilor Sykes

**The Vote on Motion was approved (7-0)*

C. Authorization for the City Manager to Transfer Appropriated, Unencumbered FY2024

General Funds

Included in the agenda packet: **(All supportive documents and information can be found on pages 58-59, Council agenda packet)**

City Manager Mulholland reviewed the background and purpose for the above.

BACKGROUND

The City Council appropriates a budget on an annual basis. The FY2024 Budget was approved and appropriated on December 13, 2023. Occasionally, situations occur that require the transfer of appropriated, but unencumbered funds from one department to another for unanticipated expenses. Unanticipated expenses have occurred in the Department of Planning & Development and in the Legal Services budget, which is included within the City Manager's Office, as summarized in the attached Resolution, that will cause these department budgets to be over expended.

The Council may authorize the City Manager to transfer funds from one department to another within the City's General Fund, pursuant to the provisions in City Charter §C419:45, Transfer of Appropriations. The City Manager intends to make budget recissions, as needed, to address the

unanticipated expenditures to ensure the overall budget does not exceed the total appropriations in the City's General Fund Budget for Fiscal Year 2024.

ACTION:

Councilor Whittlesey MOVED, that the Lebanon City Council, pursuant to City Charter §C419:45, hereby approves the Resolution for the Authorization to Transfer Fiscal Year 2024 General Fund Appropriations, as provided in the following table and as presented in the August 7, 2024 City Council Agenda Packet as listed on pages 58-59, Council agenda packet. (See below for complete Resolution.)

RESOLUTION-LEBANON CITY COUNCIL

Title: Authorization to Transfer FY2024 General Fund Appropriations

BE IT HEREBY RESOLVED by the Lebanon City Council, that:

WHEREAS, the City Council appropriates funds in December of each year for the ensuing fiscal year, and City Charter §C419:45, Transfer of Appropriations, provides that the Council may authorize the City Manager to transfer any unencumbered appropriation or a portion thereof from one department to another; and

WHEREAS, the costs associated with the operation of the Planning & Development Department will exceed the appropriations within the 2024 Budget; and

WHEREAS, the costs associated with the City's legal services, which are budgeted within the City Manager's Office, will exceed the appropriations within the 2024 Budget.

NOW, THEREFORE, the City Council hereby authorizes the City Manager to transfer unencumbered appropriations in the 2024 General Fund Budget in the amount of up to \$135,410 from the departments as indicated below to the departments as indicated below:

Transfer of Appropriated, but Unencumbered, FY 2024 General Funds Pursuant to City Charter §C419:45	
From:	Up To Amount:
Finance Department	\$135,410
Total:	\$135,410
To:	
Planning & Development	\$35,410
City Manager's Office (Legal Services)	\$100,000
Total:	\$135,410

BE IT FURTHER RESOLVED that this resolution be written upon the minutes of the Lebanon City Council meeting on August 7, 2024,
Seconded by Councilor Wilkie.

Roll Call Vote:

Voting Yea: Assistant Mayor Below and Councilors Heistad, Liot Hill, Simon, Sykes, Whittlesey, Wilkie, Zook

Voting Nay: None

Absent from vote: Mayor McNamara and Councilor Sykes

****The Vote on Motion was approved (7-0)***

1 **11. CITY MANAGER REPORT:**

2 City Manager Mulholland updated the Council on the following:

- 3 • Downtown Parking Lot Study
- 4 • Groundbreaking Ceremony for the New Fire Station: August 12, 2024, 9:00 AM
- 5 • Main Street Properties RFP reviews
- 6 • Westboro Yard
- 7 • Great Brook Bridge Funding
- 8 • Miracle Mile paving
- 9 • Sidewalk Projects: Grant from Senator Shaheen's Office is not moving forward (Mechanic Street
- 10 Sidewalk). Still hope for Senator Kuster's grant.
- 11 • DEI Climate Change Provision issue: The City does not take a position on national political
- 12 issues.
- 13 • The Budget Process: The budget presentation will be done the same way it has previously been
- 14 done. However, for the 10%, 7% and 3.4% tax rate increases, he will be providing the Council
- 15 with a narrative to these in a separate document that will list the reductions and what will be
- 16 removed from each department's budget, as well as the impacts for each of the budget reductions.
- 17 The Council will be sent a copy of the PDFs and will also be provided with paper copies in
- 18 advance of the 2025-2026 Budget Hearings to make it easier for them to review.
- 19

20 **12. COUNCIL REPRESENTATIVES TO OTHER BODIES: None**

21

22 **13. FUTURE AGENDA ITEMS: None**

23

24 **14. NON-PUBLIC SESSION: None**

25

26 **15. ADJOURNMENT:**

27 *Whittlesey MOVED for adjournment.*

28 *Seconded by Councilor Wilkie.*

29

30 **Roll Call Vote:**

31 *Voting Yea: Assistant Mayor Below and Councilors Heistad, Liot Hill, Simon, Sykes, Whittlesey,*

32 *Wilkie, Zook*

33 *Voting Nay: None*

34 *Absent from vote: Mayor McNamara and Councilor Sykes*

35

36 **The Vote on Motion was approved (7-0)*

37

38 **The meeting was adjourned at 8:07 PM.**

39

40 Respectfully submitted,

41 Dona E. Gibson

42 Recording Secretary

**Agenda
Lebanon City Council
August 21, 2024**

7. Appointments:

Appointments

Board/Committee Appointments as presented by City Clerk/Tax Collector Jaseya Ewing

- Upper Valley Subcommittee of the Connecticut River Joint Commission, Jude Stull (Alternate Citizen Member)

Included in this Section:

1. Memo from City Clerk/Tax Collector Jaseya Ewing dated August 21, 2024.



Office of the City Clerk & Tax Collector
51 N. Park Street
Lebanon, NH 03766

MEMORANDUM

DATE: August 21, 2024
TO: The Honorable Mayor & City Council
FROM: Jaseya Ewing, City Clerk & Tax Collector
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.

U.V. Sub-Committee of the Connecticut River Joint Commissions

- **Jude Stull** – Appointment as an Alternate Citizen Member.

Term: 8/24-N/A

From: [Kara Tracy](#)
To: [Kara Tracy](#)
Subject: FW: [EXTERNAL] Online Form Submission #10577 for Boards and Committees Contact Form
Date: Wednesday, July 17, 2024 1:58:21 PM

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Wednesday, July 17, 2024 9:55 AM
To: webmaster <webmaster@lebcity.com>; Beth Beraldi <beth.beraldi@lebanonnh.gov>; Manager <Manager@lebanonnh.gov>
Subject: [EXTERNAL] Online Form Submission #10577 for Boards and Committees Contact Form

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

Boards and Committees Contact Form

Please complete this form to contact a City of Lebanon board or committee. Your submission will be received by a city staff member who will forward your communication to members of the board or committee you choose below. Please be aware that your submission will become part of the public record.

Visit our [Boards and Committees page](#) to find rosters, agendas, meeting details, and more. Please [contact the City Manager's office](#) if you have questions about this form.

(Section Break)

Your First Name	Jude
-----------------	------

Your Last Name	Stull
----------------	-------

Email Address	
---------------	-------------

Contact Phone Number	Field not completed.
----------------------	----------------------

(Section Break)

Which board or committee do you wish to	City Council
---	--------------

contact?

Please enter your comments:	Application to join the Upper Valley Local River Subcommittee of the Connecticut River Joint Commissions as a member/alternate member of Lebanon.
-----------------------------	---

Do you need to attach a file?	Yes
-------------------------------	-----

Attach a File	LRSNominationForm_v2022-2-2.pdf
---------------	---

Attach another File	<i>Field not completed.</i>
---------------------	-----------------------------

Attach another File	<i>Field not completed.</i>
---------------------	-----------------------------

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

Councilor Interview Report Form

Councilor Name: __Devin Wilkie__

Date of Interview: __29 July 2024__

Applicant Name: __Jude Stull__

Board(s) to Which Applied: __UV Subcommittee of CT River Joint Commissions__

☒ Regular Seat

☐ Alternate Seat

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

(If yes, indicate date of meeting.) Date: _____

Recommend Appointment: ☒ Yes ☐ No

☒ Regular Seat

☐ Alternate Seat

General Comments: _The applicant and I had a wonderful conversation; he is an enthusiastic and dedicated new member of the community and wants to get involved in this commission, also has a local connection to the commission, and I am happy to recommend his appointment.____

(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?

Support and protect Connecticut River

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, yes

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?

Environmental Science background

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

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?

Not at all

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

Getting attention

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

Public awareness events? Volunteer event like the garlic mustard events.

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

Applicant wishes to learn more and get involved.

**Agenda
Lebanon City Council
August 21, 2024**

10. New Business:

10.A – Reaffirm Discontinuance of Romano Circle in West Lebanon as a Class V Public Highway, and Authorize the City Manager to Execute Documents for Conveyance of Land Underlying Roadway to the Lebanon Housing Authority

Background

On May 15, 2024, the City Council voted to discontinue Romano Circle in West Lebanon as a Class V public highway. The discontinuance was conditioned upon Lebanon Housing Authority (LHA) granting easements to the City for continued access to and maintenance of existing utility infrastructure in the roadway.

The discontinuance was requested by Lebanon Housing Authority, which owns property completely surrounding Romano Circle, in order to help facilitate the proposed construction of a new office building on the property.

While preparing the applicable utility easements, it was determined that the City of Lebanon owns the underlying land beneath Romano Circle in fee simple by virtue of a November 1973 deed, instead of simply having a public right-of-way over the land. As a result, even after the discontinuance of the roadway is complete, the City would still own the underlying land unless the Council also decides to convey title to the property to the Lebanon Housing Authority. Once the roadway has been discontinued as a public highway, with maintenance responsibility turned over to LHA, there will be no other reason for the City to retain fee simple ownership of the underlying land. The City will still require and obtain easements to access and maintain the existing utility infrastructure on the property.

In accordance with City Council Policy CC-102, Real Property Transactions, the City Manager has prepared a statement of public benefit which is attached for your review.

The City Manager recommends that the City Council reaffirm the discontinuance of Romano Circle, approve the conveyance of the underlying land to the Lebanon Housing Authority, and authorize the City Manager to execute the deed and take all other actions necessary to complete the conveyance transaction.

Action

The following motion is offered for City Council consideration:

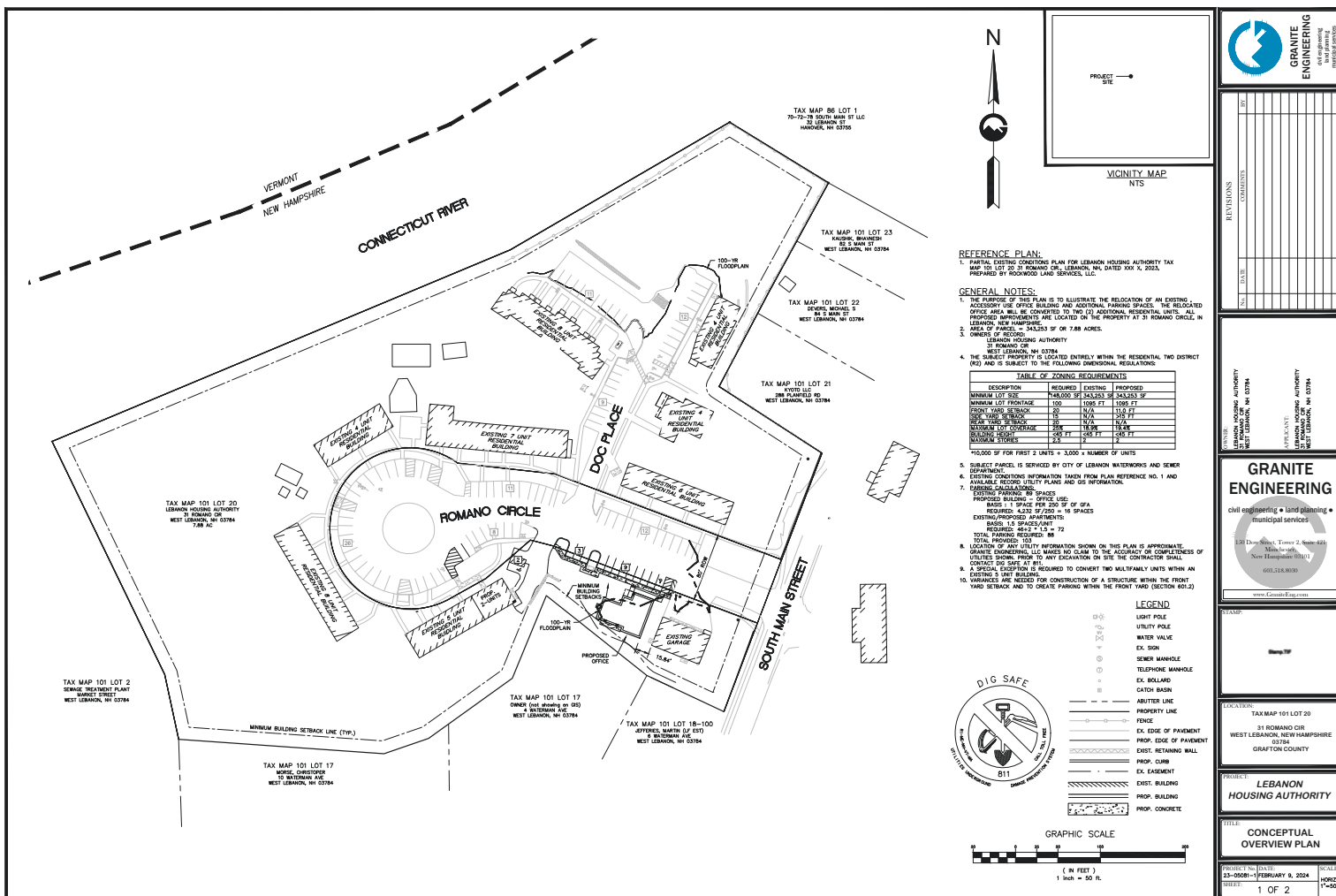
MOVED that the Lebanon City Council hereby reaffirms the May 15, 2024 decision to discontinue completely, and in its entirety, Romano Circle in West Lebanon, as a Class V Public Highway as shown on plans and information included in the May 15, 2024 City Council Agenda Packet.

BE IT FURTHER MOVED, that such discontinuance remains conditional upon, and shall not take effect unless and until, the Lebanon Housing Authority conveys to the City full easement rights for continued access to and maintenance of existing municipal utilities, including water, sewer, and storm drainage systems, located within such street subject to approval by the Public Works Director and the City's attorney.

BE IT FURTHER MOVED, that once the condition specified above is complete and the discontinuance becomes final, the Lebanon City Council hereby agrees to convey fee simple ownership of the underlying land area of Romano Circle to the Lebanon Housing Authority, and hereby authorizes the City Manager to execute the deed and take all other actions necessary to complete the conveyance transaction.

Included In This Section:

1. "Lot Merger, Ground Lease & Easement Plan in Lebanon, Grafton County, New Hampshire for Lebanon Housing Authority", prepared by Bruno Associates, dated June 5, 2009
2. Granite Engineering - Lebanon Housing Authority, Conceptual Overview Plan, dated February 9, 2024
3. July 26, 2024 Statement of Public Benefit from City Manager Mulholland.





CITY MANAGER'S OFFICE
City of Lebanon, NH
51 North Park Street
Lebanon, NH 03766
(603) 448-4220 fax (603) 966-3122

TO: Mayor McNamara and City Councilors
FROM: City Manager Shaun Mulholland
DATE: July 26, 2024
RE: Conveyance of City owned land under Romano Circle to Lebanon Housing Authority

On May 15, 2024, the City Council voted to discontinue Romano Circle in West Lebanon as a Class V public highway. The discontinuance was conditioned upon Lebanon Housing Authority (LHA) granting easements to the City for continued access to and maintenance of existing utility infrastructure in the roadway.

The discontinuance was requested by Lebanon Housing Authority, which owns property completely surrounding Romano Circle, in order to help facilitate the proposed construction of a new office building on the property.

While preparing the applicable utility easements, it was discovered that the City of Lebanon owns the underlying land beneath Romano Circle in fee simple by virtue of a 1973 deed, instead of simply having a public right-of-way over the land. As a result, even after the discontinuance of the roadway is complete, the City would still own the underlying land unless the Council also decides to convey the property to the Lebanon Housing Authority.

In accordance with Section 4.1(2)(A)(4) of City Council Policy CC-102, Real Property Transactions, this letter serves as my recommendation to convey the City owned land located under Romano Circle to the Lebanon Housing Authority. Once the roadway has been discontinued as a public highway, with maintenance responsibility turned over to LHA, there will be no other reason for the City to retain fee simple ownership of the underlying land. The City will still require and obtain easements to access and maintain the existing utility infrastructure on the property.

The Lebanon Housing Authority is the owner of the only parcel that abuts and is currently served by Romano Circle, and will continue to maintain the road as a private street. The Lebanon Housing Authority proposes to construct a new building on the property for its administrative offices, and proposes to renovate its existing office space into additional residential units, thereby benefitting the overall community.

**Agenda
Lebanon City Council
August 21, 2024**

10. New Business:

10.B – Discussion of Church Street and Fire Station Modifications

Background

On August 5, 2024. Assistant Mayor Clifton Below submitted an agenda request pursuant to *Rules § A191-7* regarding modification of Church Street to allow for two-way traffic. See the agenda request form for further explanation.

The agenda request submission states the following:

Move to establish a city policy that when significant city work is being done to a paved street where two-way traffic is allowed or has been since 2020, that a minimum width, curb to curb or to edge or pavement, of 20 feet be established or maintained where reasonably practical and affordable.

Move to request for a future agenda item to set a hearing for a proposal to repeal Ordinance No. 2024-06 to allow 2-way traffic along the entire length of Church Street to be effective upon a date after the completion of exterior building and site work on the east side of the new Fire Station along the northern 325 feet of Church Street.

Action

No action is required at this time.

Included In This Section:

1. Agenda Request Form submitted by Assistant Mayor Below
2. Letter from VHB Engineers regarding roadway width
3. Letter from Lavallee Brensinger Architects regarding building design
4. Letter from Lebanon Public Safety Committee

LEBANON CITY COUNCIL

AGENDA REQUEST FORM

1. Councilor Name: Clifton Below & Devin Wilkie (orig. submitted 7/21/24, rev. 8/5/24)

2. Preferred Date of Council Meeting to Consider Item: 8/21/24

Please keep in mind that if this request is for an agenda item and is not urgent in nature, a future date is preferable in order to allow proper time to prepare materials. See Council Rules § A191-7. Agenda, last amended 4-20-2011.

3. Is there a deadline associated with this item, if so, what is it:

ASAP due to potential design modifications & before pouring foundations for new fire

4. Name of agenda topic item:

Consideration of Policies to allow future 2-way traffic on Church St. at North End.

5. Reason for topic item:

It appears that the plans for the Fire Station could be modified to make the entire length of Church St. at least 20' wide, which would be wider than 3 alternatives (Valley, Davis and Pine) to reach this neighborhood and also create an alternative to the 4th access, turning north from Spring St. onto a ~22% grade on Church. This would promote equity and inclusion by enabling better access to the parking area & accessible entrance for the Congregational Church for people with walking disabilities, inc. elderly parishioners, for services, concerts, etc., esp. in the winter.

6. Specific questions related to topic item:

1. Could a modification to the curb line along the south end of the church (east side of Church) be incorporated into the project to widen the south end of the constrained area to 20', aligning with curb to south of parking lot entrance and estimated cost?
2. What is the dimension of the projection of the main (public) entrance beyond the main building plane? It appears to be about 1'-10" based the plans available.
3. Is it feasible and what might it cost to modify the architectural design to reduce that current projection of the main (public) entrance along Church Street by about 10 inches to 1 ft. from approximately 1'-10" projection beyond the plane of the rest of the eastern facade of the new Fire Station to enable a minimum 20'-0" width the full length of the portion of Church Street that is becoming one way.
4. Related, are there structural steel beams that would need to be shortened and are they already in production, and is the interior "storefront" window from the public lobby to the "Firefighter EMS & Office" in production and can it be modified to 10" to 1' narrower to accommodate the interior wall of the vestibule being moved 10" to 1' further into the lobby?

7. Proposed or possible action, motion, goal, and/or code or policy amendment:

Move to establish a city policy that when significant city work is being done to a paved street where two-way traffic is allowed or has been since 2020, that a minimum width, curb to curb or to edge or pavement, of 20 feet be established or maintained where reasonably practical and affordable.

Move to request for a future agenda item to set a hearing for a proposal to repeal Ordinance No. 2024-06 to allow 2-way traffic along the entire length of Church Street to be effective upon a date after the completion of exterior building and site work on the east side of the new Fire Station along the northern 325 feet of Church Street.

8. Supporting documentation requested re: topic item:

Please see and include the attached.

Any plans that more clearly show the details and dimensions of the areas impacted might help.

Establishing a minimum 20 foot width along the northern 325 feet of Church Street (the one-way portion) would entail; 1) a change order to the site work to reset approximately 80' of granite curb along the east side of Church Street, so as to add about 1'-2" in width to the street at the south end of curb line where it ends at the entrance to the Church Parking lot, in alignment with indicated curb to the south of the entrance and extending a reset straight curb line north about 80' to a point near the oldest part of the Church where it would merge into the existing curb line, along with patching of asphalt on either side of the reset curb; And 2) a change order reducing the projection of the main public entrance door and vestibule beyond the eastern building facade from about 1'-10" to only 10" to 1', & move the new western curb line back accordingly, a minimum of ~10", so that the bow of the sidewalk and curb line is reduced to maintain a street width of at least 20' curb face to curb face.

9. Other:

1. Note that I have spoken with Rev. Silver and he has assured me that the First Congregational Church would be happy to work with the City to enable modification of the curb and street line along the south end of the church, even if such would entail an encroachment on to the property of the church.

2. The width of the asphalt skirt (including curb width) between Church Street and the oldest part of the church (north end) is only about 2'. The width of the skirt along the south ~80' of the church is about 5' to 6' except at the bay window where it is only 3'-3". The shift in the alignment of this curb line at the south end to make it 1'-2" closer to the church, would still leave at least 2'-1" of skirt space at the bay window, which is not less than the narrowest width of the skirt along the 75' long north end of the church.

CHURCH STREET NEIGHBORHOOD IMPACTS from making north end of Church Street one way northbound only. Impacted groups:

1. Fire Station employees and vehicles parked at rear, w/most on weekdays.
2. Church employees and people needing accessible parking and entrance to church services, concerts, and other gatherings - mostly weekends & evenings.
3. Employees of Headrest, near top of hill. FOR GROUPS 1-3: ALTERNATE ROUTES SHOWN BELOW ARE NOT BETTER OPTIONS
4. Residents of about 40 homes (some multi-family) in neighborhood.
5. Others passing through neighborhood to get to Storrs Hill Ski Area, Goodwin Park and other homes for whom Water & Spring Streets are already likely preferable for most (more width, fewer excessive grades).



Church Street rises 60' from Valley Street to the vicinity of entrances to the parking lots behind the Church and Fire Station, with **grades of up to 15%** - so not great traveling during a snow or ice storm compared to the level entrance off S. Park to those same parking lots if Church St. was restored to 2-way traffic after the end of construction.



Valley Street at Water is 20' wide at its entrance but within about a car's length reduces to 19'-6", enlarges up to 19'-10" mid-street with a high retaining wall within about 1' of the northerly granite curb line, but shrinks to **18'-11"** near the stop line at Valley and Church, curb to curb.

Davis Street is only **17'-4"** curb to curb at the west end and **17'-5"** at the east end at Church St. It has granite curbs. The stop lines are less than 9' long.

Prepared by Asst. Mayor Clifton Below, 7/21/24.

South end of Pine Street is **19'-11"** wide with a **steep grade of 25-30%** a short ways in.

Turning N. onto Church from Spring St. entails turning from a 12% grade onto a drop with a **20% to 22% grade**, where some cars, including my Prius, bottom out on this turn onto Church.

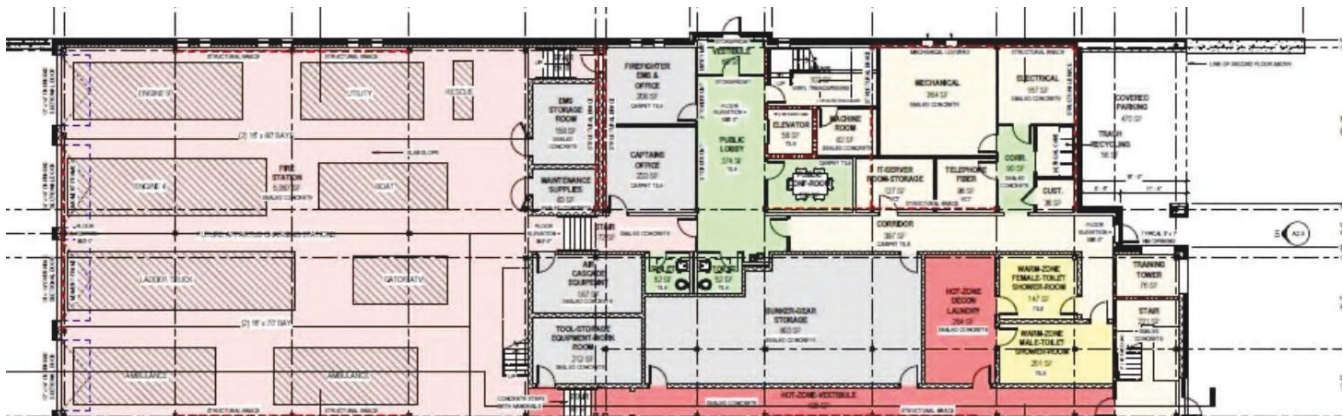
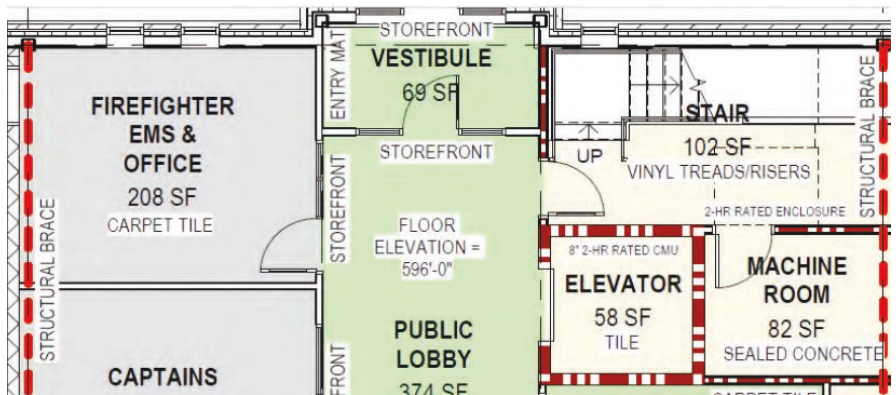


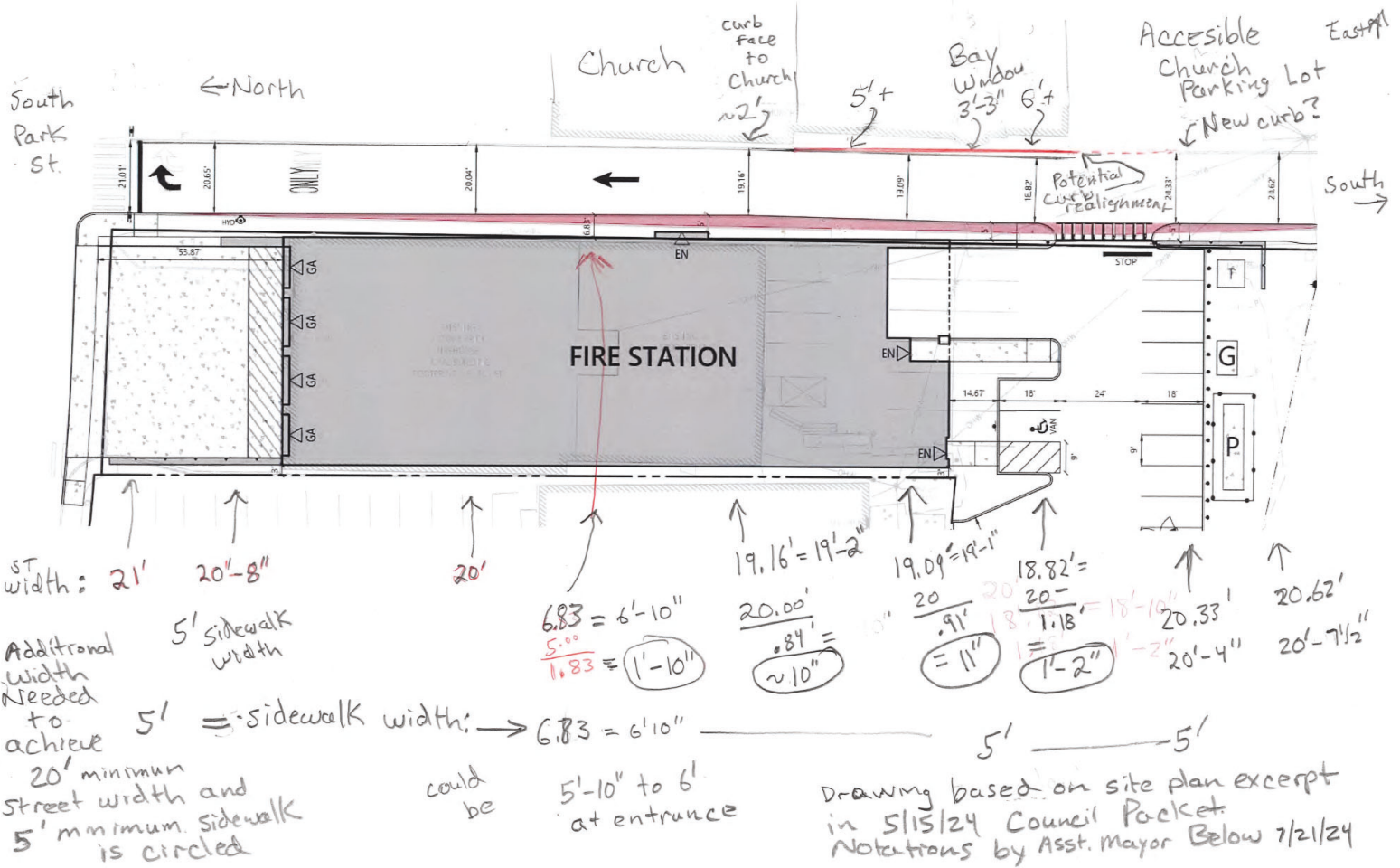
Church St. looking south at Spring St.

Allen St. (off Bank) is another example of a 2-way 19'-11" wide street, rebuilt as part of CSO.

New Fire Station: Potential to adjust vestibule to maintain 5' sidewalk width outside entrance door and 20' Church St. width.

The projection of the Public Vestibule and entrance door beyond the rest of the eastern building façade is about 1'-10" based on sidewalk bowing out to 6'-10" beyond the 5'-0" width at the north and south ends of the building. This projection seems to be about or less than the distance between the inner vestibule wall and the door to the stair well, so either bringing the outer vestibule flush to the façade or reducing the projection by about half (10" to 12") would allow 5' sidewalk width outside entrance door and 20'-0" street width at this point. With realignment of the curb on the east side of the street (only at the south end of the church) to match curb lines at either end of this ~80' section, the entire width of Church Street could be at least 20', which is wider than 3 of the other 4 alternate routes to the back of these 2 buildings.







August 6, 2024

Ref: 52635.00

Mr. Shaun Mulholland
City Manager
51 North Park Street
Lebanon, NH

Re: Church Street Traffic Pattern
Lebanon Fire Station
Map 91 Lot 253

Mr. Mulholland,

VHB has prepared the following letter in response to the Lebanon City Council Agenda Request Form by Clifton Below. In this form, Mr. Below is requesting consideration of the design of Church Street be modified to allow for two-way traffic with a minimum width of 20 feet along the entirety of Church Street. Upon review, VHB has produced the following findings in support of the current proposal.

Regulatory Requirements

Church Street is located along the Central Business District, outside of the designated "rural" districts in Lebanon, as such would be considered an "Urban Local Service Road". Per the "Street Widths and Horizontal Curves" table, located in Appendix A of the City of Lebanon Subdivision Regulations, the minimum required pavement width for an Urban Local Service Road is 24 feet. This also includes the requirement of a 4 foot shoulder on both sides and a minimum right-of-way width of 50 feet.

Also, within the International Fire Code, which is used by the City of Lebanon, under Section D103.1, Minimum Specifications, the code states "Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm) exclusive of shoulders".

Existing Conditions

Under existing conditions, Church Street is a two-way roadway. In the area north of the existing Lebanon Fire Station, Church Street has an average right-of-way width of approximately 30 feet. The minimum width along this portion of Church Street is 21.0 feet without a shoulder. There is a sidewalk on the south side that is 4.59 feet wide at its narrowest (including the curb). Both the street width and right-of-way widths are substandard in terms of the latest City roadway requirements.

Engineers | Scientists | Planners | Designers

2 Bedford Farms Drive
Suite 200
Bedford, New Hampshire 03110
P 603.391.3900
F 603.518.7495



Proposed Conditions

Under proposed conditions, Church Street will be converted to a one-way road in the westerly direction in the portion along the Lebanon Fire Station. At its narrowest, Church Street will be 18.82 feet wide with a 5 foot sidewalk (including the curb) on the south side of the roadway. This is the maximum cross section that can be fit within the right-of-way. These dimensions are being driven by two factors:

- On the east side of Church Street, there is an existing curb line adjacent to a building (approximately 2-ft).
- On the west side of Church Street, the Fire Station requires a side entrance onto the sidewalk on Church Street.
- The Fire Station can also not be moved south due to the proximity of the proposed building to the existing restaurant on the adjacent parcel. The building has been placed as far south as possible without jeopardizing the existing structure to the south and allowing room for construction.

Conclusion

In conclusion, the existing roadway is an existing non-conforming road. The proposed would also increase the existing non-conformance of Church Street as it would narrow the two-way traffic further than it currently exists. As previously presented to the City Council, the project recommends that a one-way roadway be utilized for the safety, circulation, and conformance of all applicable code and regulations.

Sincerely,

Vanasse Hangen Brustlin, Inc.

A handwritten signature in blue ink, appearing to read "DFenstermacher", with a long horizontal flourish extending to the right.

David Fenstermacher, PE

Project Manager

dfenstermacher@vhb.com

City of Lebanon – New Fire Station

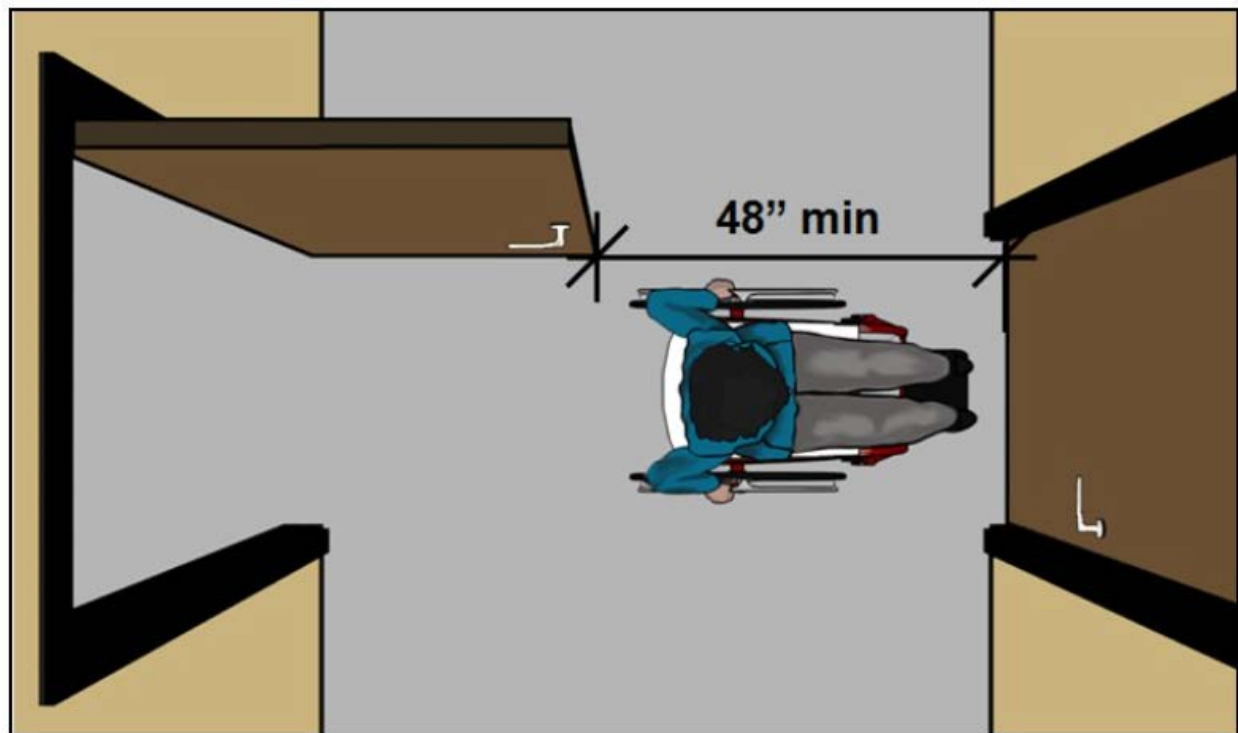
Church Street Traffic Pattern

August 14, 2024

LBA has prepared the following letter in response to the Lebanon City Council agenda request form by Clifton Below. In this form, Mr. Below is requesting consideration of the design of Church Street be modified to allow for two-way traffic with a minimum width of 20 feet along the entirety of Church Street. Upon review, LBA has produced the following findings to support the current proposed building design.

Main Entry:

The main entrance to the building bumps out from the main portion of the building 2'-0" toward Church Street allowing the proper clearance required between each door. Per the **Americans with Disabilities Act (ADA)** section 404.2.6 Doors in series and gates in series requires a minimum clearance between each door to be 4'-0" minimum (See diagram below for reference). If the Main Entrance bump was removed, this would not allow the proper clearance.



Building width:

The City of Lebanon - Fire Department requires four apparatus bays to properly function for the City of Lebanon, NH. Modern fire station guidelines recommend 16' to 18' wide bays to accommodate large apparatus and provide adequate and safe clearances around the apparatus. If we provide 4-18'-0" bays, the building width would require to be 72'-0". The proposed new Fire Station building is currently 66'-0" wide due to site restraints, making each apparatus bay 16'-8" wide with 14'-0" x 14'-0" bi-folding apparatus doors. This width allows for the layout of equipment beside the apparatus during daily "check-offs", monthly "deep cleaning" etc.

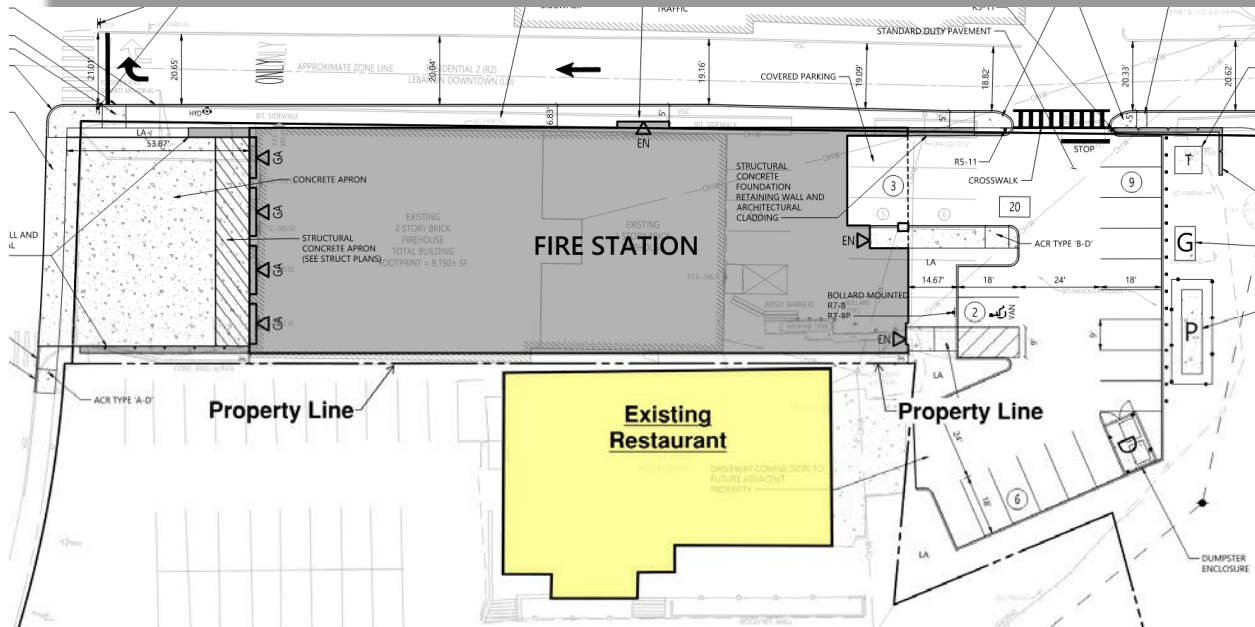
Typical apparatus bay:

Constructability:

The existing fire station is located at 12 South Park Street in the historic district of Lebanon, New Hampshire. There is a restaurant and parking area on the west side of the fire station where the restaurant appears to be within a few feet of the existing fire station. During the design process a geotechnical engineer tested the subsurface soils and determined that the site is made up of deep deposits of clays and silts. These soil conditions require various ground improvement to properly support the building to eliminate the risk of long-term consolidation of the clay portions and short-term elastic settlement of the silt and sand. To improve the subsurface of the site, large pile driving equipment is required. This equipment requires substantial clearances to properly perform the work (A 3'-0" clearance from the existing restaurant has been provided). If the building location was relocated on the current site in any way, this would compromise the contractor's ability to construct the new fire station safely. A few reference photos have been provided.

Pile driving equipment:

Proposed site plan:



Sincerely,

Robert C. Robicsek, AIA
Principal, Civic Studio Leader
Lavallee Brensinger PLLC (dba Lavallee Brensinger Architects)



CITY of LEBANON, NH

Public Safety Committee

Lebanon, NH 03766

www.LebanonNH.gov

August 14, 2024

RE: Church Street

The Lebanon Public Safety Committee was requested to evaluate the continuation of two-way traffic on the northerly 325 feet of Church Street following the completion of the Central Fire Station project. After thorough review, the committee recommends against continuing two-way traffic for the following reasons:

- **Insufficient Road Width:** The recommended standard for travel lane width is 11 feet, which necessitates a total road width of 22 feet for two-way traffic. The final proposed width of Church Street at its narrowest point is 18.82 feet, which is insufficient for safe two-way traffic.
- **Snow Removal Constraints:** The smallest vehicle utilized by the Public Works Department for snow removal on this section of Church Street is an F-550 dump truck, which, with a wing, has an operating width of 14 feet during snow removal. This would leave only 4.82 feet of available space for another vehicle to pass, which, combined with the steep grade and limited line of sight, could pose significant risks during snow removal operations.
- **Pedestrian and Bicycle Safety Concerns:** Under current conditions, the sidewalk on Church Street often becomes unusable due to snow accumulation, forcing pedestrians and cyclists to use the roadway. The combination of two-way vehicle traffic with pedestrian and bicycle traffic in such confined conditions significantly increases the risk of accidents and poses a serious safety concern for the community.
- **Emergency Response Considerations:** The new Central Fire Station includes a training tower on the south end of the building, and fire apparatus will occasionally exit the rear of the building in response to emergencies. The minimum width of a modern fire apparatus is 8.25 feet, leaving only 10.57 feet of travel lane for other vehicles. Given that the average automobile is 6 feet wide, this would leave insufficient space for safe passage between vehicles, especially in emergency situations.
- **Fire Code Compliance:** According to the International Fire Code, any street intended to accommodate two-way traffic and equipped with a fire hydrant should have a minimum width of 26 feet. This width allows fire apparatus to safely pull over and access the hydrant without obstructing other traffic. Church Street, as proposed, does not meet this requirement.
- **Sidewalk Realignment:** The planned realignment of the sidewalk does not provide adequate space for snow storage between the sidewalk and the adjacent church, further complicating snow management and pedestrian safety.

Page 2

RE: Church Street

In conclusion, the Public Safety Committee has thoroughly considered the potential risks associated with continuing two-way traffic on this section of Church Street. Balancing these risks against the convenience, accessibility, and safety concerns, particularly for pedestrians and cyclists, the committee strongly recommends that Church Street remain a one-way street and not revert to two-way traffic.

Public Safety Committee

Jim Wheatley

Jim Wheatley, Fire Chief

Phil Roberts

Phil Roberts, Police Chief

Jay Cairelli

Jay Cairelli (Aug 14, 2024 16:18 EDT)

Jay Cairelli, Public Works Director