

FINAL

**LEBANON CITY COUNCIL
REGULAR SESSION MINUTES
Wednesday November 20, 2024 7:00 p.m.
Council Chambers**

Remote Via Microsoft Teams: [LebanonNH.gov/Live](https://lebanonnh.gov/Live)

MEMBERS PRESENT: Mayor Tim McNamara, Assistant Mayor Clifton Below, Erling Heistad, George Sykes, Douglas Whittlesey, Karen Liot Hill (remote)

MEMBERS ABSENT: Christian Simon, Devin Wilkie, and Karen Zook

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager David Brooks, Airport Manager Carl Gross, Public Works Director Jay Cairelli, Fire Chief Wheatley, Solid Waste Manager Erica Douglas, HR Director Samantha Lauzon

- 1. CALL TO ORDER:** Mayor McNamara called the meeting to order at 7:00 p.m.
- 2. PLEDGE OF ALLEGIANCE:** Assistant Mayor Below led the Council in the Pledge.
 - City Manager Shaun Mulholland announced the meeting criteria for the public.
- 3. PUBLIC FORUM:** Mayor McNamara made the Public Forum announcement.
- 4. OPEN TO PUBLIC:** NONE
- 5. RECOGNITIONS:**
 - **LEBANON FIRE DEPARTMENT PEER SUPPORT TEAM**

WHEREAS, the health and safety of first responders is critical to public safety; and

WHEREAS, the Lebanon Fire Department has recognized the need for a peer support team to provide essential emotional and mental health support to its members during times of acute stress and personal crisis; and

WHEREAS, individual members of the Lebanon Fire Department have undertaken specialized training and have committed themselves to be available at a moment's notice, responding with empathy, understanding, and skill to assist their colleagues in times of need; and

WHEREAS, the Peer Support Team is a vital resource, fostering resilience and ensuring that members of the Lebanon Fire Department and other City departments have a safe, confidential, and supportive network available to them during and after traumatic events; and

WHEREAS, the Lebanon Fire Department Peer Support Team exemplifies the values of compassion, dedication, and courage, continually enhancing the well-being of first responders and helping to create a healthier, stronger, and more resilient fire department; and

WHEREAS, it is appropriate to recognize the value and commitment of peer support team members for their tireless service, as well as their impact on the morale, mental health, and overall well-being of the fire department and the wider community they serve.

NOW, THEREFORE BE IT RESOLVED, that the Lebanon City Council, on behalf of the City of Lebanon,

hereby recognizes and honors the Lebanon Fire Department Peer Support Team and thanks them for their service to the City.

BE IT FURTHER RESOLVED that this Resolution be written upon the minutes of the Lebanon City Council meeting.

Dated this 20th day of November 2024.

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

6. ACCEPTANCE OF MINUTES:

- October 23, 2024 (Special Meeting)
- October 29, 2024 (Work Session)
- November 6, 2024 (Regular Meeting)

*Councilor Heistad MOVED to approve the October 23, 2024 (Work Session), the October 29, 2024 (Work Session) and the November 6, 2024 (Regular Meeting) minutes as written and presented in the November 20, 2024, City Council agenda packet.
Seconded by Councilor Whittlesey.*

**The Vote on the Motion was approved (5-0)*

7. APPOINTMENTS: NONE

Councilor Liot Hill joined the meeting remotely at 7:10pm.

8. PUBLIC HEARING ITEMS:

- A. City Charter Amendments** – A public hearing for the purpose of receiving public input and taking action on three resolutions to direct the City Manager to file reports with the City Clerk, and subsequently with required State agencies, for review of three separate proposed Charter amendments in accordance with NH RSA 49-B:5, I(b).

Included in the agenda packet: *(All supportive documents and information can be found on pages 53-85, Council agenda packet)*

1. November 12, 2024 Legal opinion from Attorney Matthew Decker, RE: RSA 49-B City Charter Amendment – 2025 Amendment #1 – Reorganize and Renumber Charter Sections, including red-line versions of Charter Table of Contents and full Charter text.
2. November 12, 2024 Legal opinion from Attorney Matthew Decker, RE: RSA 49-B City Charter Amendment – 2025 Amendment #2 – Supervisors of the Checklist Terms of Office, including red-line version of amendment to §C419:8, Ward Officials
3. November 12, 2024 Legal opinion from Attorney Matthew Decker, RE: RSA 49-B City Charter Amendment – 2025 Amendment #3 – City Office Candidacy Filing Period, including red-line version of amendment to §C419:10, Preparation of Ballots

Deputy City Manager Brooks reviewed the background, and the proposed City Charter Amendments as listed above.

BACKGROUND

The Charter was first created and formally effectuated in 1957 when Lebanon chose to become a City with a City Council-City Manager form of government. As we continue to evolve with changes in laws, regulations, processes, and technology, it has become apparent that changes to the Charter are needed to create consistency and increase efficiency. At this time, three separate Charter amendments are proposed, each of which must be considered and acted upon independently of the others in accordance with NH RSA 49-B:5.

The first proposed amendment is to reorganize and renumber the existing Charter language to follow the model charter structure suggested by the National Civic League. This proposed amendment allows for the existing Charter language to be organized and presented in a more coherent and logical sequence but does not alter any existing Charter language. As proposed, the Sections listed in the table below have been relocated within the Charter. The other Charter sections not listed in the table have been assigned new section numbers but retain the same sequence as the current version of the Charter.

<u>Old Section</u> <u>(§C419:)</u>	<u>New Section</u>
23a	7.01
23b	7.02
29	3.11
34	1.05
35	10.08
62	3.12
68	6.15
69	1.03
70	1.04
73	12.01

Attached for the Council's review are red-line versions of the Table of Contents and the full Charter, which highlight the proposed reorganization and renumbering of existing sections within the Charter.

A second amendment is proposed to extend the terms of the Supervisors of the Checklist for each of the three city wards and to stagger the election of each Supervisor. Under the existing Charter language, the three Supervisors of the Checklist for each ward are elected every two years (in odd years) to serve two-year terms. This can result in three new Supervisors being elected at once with no institutional knowledge carrying over. The proposed amendment to City Charter Section II, Elections, §C419:8, Ward Officials, [Section 2.05 under the proposed renumbering system], would extend the Supervisors of the Checklist term of office to six years, and would stagger the terms of the three Supervisors in each ward, so that each ward would normally have two Supervisors already elected and serving, when a new Supervisor is elected. With this proposed amendment, the institutional knowledge of Supervisors would be more easily preserved and passed on to future elected Supervisors of the Checklist.

A third amendment is proposed to synchronize the candidate filing periods for School District office elections and City office elections. (The date of the City election is already synchronized

with the School District election per §C419:6, which specifies that the City election “shall be held annually on the same date as may be required by statute for the annual election of Lebanon School District Officers...”.) Under the existing Charter language, the candidacy filing periods for City offices and School District offices are not in sync. Additionally, the current filing period for City offices defined in §C419:10 ends just 28 days before the city election, leaving little time for the City Clerk to prepare the official ballots and publish sample ballots in advance of the annual election. The proposed amendment to City Charter Section II, Elections, §C419:10, Preparation of Ballots, [Section 2.07 under the proposed renumbering system], is intended to harmonize the School District and City candidacy filing periods by linking the City office filing period to the School District office filing period as set forth in NH RSA 669:19, which will also enable official ballots and sample ballots to be prepared further in advance of the annual election.

In accordance with the provisions of NH RSA 49-C, to change the Lebanon Charter, the City Council must first schedule a public hearing to determine that the proposed amendments are necessary. NH RSA 49-B:5, I(c) requires that each Charter amendment shall be limited to a single subject. Therefore, the three proposed amendments outlined above must be considered and acted upon individually and separately. Following the public hearing, if the Council decides to move forward with any or all of the proposed Charter amendments, the Council will be asked to adopt separate resolutions directing the City Manager to file reports with the City Clerk containing a final draft of the proposed Charter amendment(s). The City Clerk, in accordance with NH RSA 49-B:4-a, must then file a certified copy of each report with the NH Secretary of State, the NH Attorney General, and the Commissioner of the NH Department of Revenue Administration, each of whom has 45 days to review the proposed amendment(s) to ensure that each is consistent with the general laws of the state. Only after the three state agencies have approved the proposed amendment(s) can the Council take action to have the proposed Charter amendment(s) placed on the ballot of the next municipal election.

The 2025 Municipal Election will take place on March 11, 2025. If passed by the voters, the Charter amendment(s) would not be effective until July 1, 2025.

Mayor McNamara opened the Public Hearing.

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

Council Comments: NONE

ACTION:

Councilor Sykes MOVED the following:

RESOLUTION FOR PROPOSED AMENDMENT #1:

BE IT RESOLVED that the Lebanon City Council hereby determines that the proposed amendment to the Lebanon City Charter to reorganize and renumber the existing Charter language is necessary and appropriate.

Proposed amendment to the City Charter is as follows:

Amend the City Charter by reorganizing and renumbering the Charter language to organize and present the existing sections in a more coherent and logical sequence.

Explanation: The purpose of this amendment is to organize and present the existing City Charter sections in a more coherent and logical sequence following the model charter structure suggested by the National Civic League, but without altering any existing Charter language.

BE IT FURTHER RESOLVED that the Lebanon City Council hereby directs the City Manager to cause a report to be filed with the City Clerk containing the final draft of the proposed Charter amendment to reorganize and renumber the existing Charter language, as presented and summarized in the November 20, 2024 City Council agenda packet, after which the City Clerk, in accordance with NH RSA 49-B:4-a, I, shall cause a certified copy of such report to be filed with the New Hampshire Secretary of State, the New Hampshire Attorney General, and the Commissioner of the New Hampshire Department of Revenue Administration.

Seconded by Councilor Whittlesey.

Roll Call Vote:

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

None voted Nay.

Abstained: None

Absent from vote: Simon, Zook, and Wilkie

****The Vote on the MOTION was approved (6-0)***

ACTION:

Councilor Whittlesey MOVED the following:

RESOLUTION FOR PROPOSED AMENDMENT #2:

BE IT RESOLVED that the Lebanon City Council hereby determines that the proposed amendment to the Lebanon City Charter to extend and stagger the terms of office for the Supervisors of the Checklist for each ward is necessary and appropriate.

Proposed amendment to the City Charter is as follows:

Amend City Charter Section II, Elections, §C419:8, Ward Officials, [Article II, Section 2.05 under the reorganized numbering outlined in proposed Charter amendment #1], to extend the term of office for Supervisors of the Checklist for each ward to 6 years, and to stagger the terms of office for each of the three Supervisors for each ward.

Explanation: The purpose of this amendment is to allow for Supervisors of the Checklist for each ward to serve a longer term, and to stagger the terms, so that each ward would normally have two Supervisors already elected and serving, when a new Supervisor is elected. With this proposed amendment, the institutional knowledge of Supervisors would be more easily preserved and passed on to future elected Supervisors of the Checklist.

BE IT FURTHER RESOLVED that the Lebanon City Council hereby directs the City Manager to cause a report to be filed with the City Clerk containing the final draft of the proposed Charter amendment to extend and stagger the terms of office for the Supervisors of the Checklist for each ward, as presented and summarized in the November 20, 2024 City Council agenda packet, after which the City Clerk, in accordance with NH RSA 49-B:4-a, I, shall cause a certified copy of such report to be filed with the New Hampshire Secretary of State, the New Hampshire Attorney General, and the Commissioner of the New Hampshire Department of Revenue Administration.

Seconded by Assistant Mayor Below.

Roll Call Vote:

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

None voted Nay.

Abstained: None

Absent from vote: Simon, Zook, and Wilkie

****The Vote on the MOTION was approved (6-0)***

ACTION:

Assistant Mayor Below MOVED the following:

RESOLUTION FOR PROPOSED AMENDMENT #3:

BE IT RESOLVED that the Lebanon City Council hereby determines that the proposed amendment to the Lebanon City Charter to synchronize the candidate filing periods for School District office elections and City office elections is necessary and appropriate.

Proposed amendment to the City Charter is as follows:

Amend City Charter Section II, Elections, §C419:10, Preparation of Ballots, [Article II, Section 2.07 under the reorganized numbering outlined in proposed Charter amendment #1], to synchronize the candidate filing periods for School District office elections and City office elections.

Explanation: The purpose of this amendment is to link the City office filing period to the School District office filing period, so that both filing periods have the same beginning and end dates. Currently, (a) the annual City and School District election is held on the second Tuesday in March per §C419:6, RSA 197:1 and RSA 40:13, VII; (b) the School District officer candidate filing period is a 10-day period from 48 to 39 days before the City election (from the seventh Wednesday before the election to the Friday of the following week) per RSA 671:19 and RSA 669:19; and (c) the City officer candidate filing period is a 15-day period from 42 to 28 days before the City election per §C419:10. Linking the City office filing period to the School District office filing period is consistent with the Charter's linking of the City election day to the School District election day (§C419:6), and will establish a uniform filing period for

both City and School District offices. Moving the last day of the City filing period from 28 days before the election to 39 days before the election will also provide the City Clerk additional time needed to prepare the official ballots and allow publication of sample ballots further in advance of the annual election.

BE IT FURTHER RESOLVED that the Lebanon City Council hereby directs the City Manager to cause a report to be filed with the City Clerk containing the final draft of the proposed Charter amendment to synchronize the candidate filing periods for School District office elections and City office elections, as presented and summarized in the November 20, 2024, City Council agenda packet, after which the City Clerk, in accordance with NH RSA 49-B:4-a, I, shall cause a certified copy of such report to be filed with the New Hampshire Secretary of State, the New Hampshire Attorney General, and the Commissioner of the New Hampshire Department of Revenue Administration.

Seconded by Councilor Heistad.

Roll Call Vote:

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

None voted Nay.

Abstained: None

Absent from vote: Simon, Zook, and Wilkie

****The Vote on the MOTION was approved (6-0)***

- B. Ordinance #2024-11** – A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 23, Banners, to remove references to the Licensing Board, and to limit the allowable banners under the Code.

Included in the agenda packet: ***(All supportive documents and information can be found on pages 86-90, Council agenda packet)***

1. Ordinance #2024-11
2. Legal opinion from Attorney Christine Johnston, dated November 9, 2024.

Deputy City Manager Brooks reviewed the amendments to Ordinance #2044-11 as listed above.

BACKGROUND

During its periodic review of the City Code, the City Manager's Office has noted that Chapter 23, Banners, still contains references to the former Licensing Board, which was disbanded in April 2022 with the adoption of Ordinance #2022-01.

The City Manager recommends that the Council take action to remove the references to the former Licensing Board from Section 23-4, Fees. The permitting process for Banners has already been moved into the City's online permitting system, OpenGov, and there is no need for the City to charge a fee for the issuance of a permit by the City Manager.

In addition, the City Manager recommends that the list of allowable banners should be limited to

banners placed on public buildings, such as City Hall, the fire stations, or the libraries, or along the fence around Colburn Park. There is concern that erecting or placing banners over any public street or sidewalk could become a hazard to persons or motor vehicles if not properly installed or maintained.

Mayor McNamara opened the Public Hearing.

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

Council Comments: NONE

ACTION:

Councilor Sykes MOVED, that the Lebanon City Council hereby adopts Ordinance #2024-11 to amend City Code Chapter 23, Banners, to remove references to the former Licensing Board, and to limit the allowable banners under the Code, as presented in the November 20, 2024, City Council agenda packet. This Ordinance shall become effective upon passage. Seconded by Assistant Mayor Below.

Roll Call Vote:

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

None voted Nay

Abstained: None

Absent from vote: Simon, Zook, and Wilkie

****The Vote on the MOTION was approved (6-0)***

CITY OF LEBANON ORDINANCE #2024-11

AN ORDINANCE TO AMEND the Code of the City of Lebanon, Chapter 23, Banners, to delete references to the former Licensing Board, and to limit the allowable banners under the Code.

BE IT ORDAINED, by the City Council of the City of Lebanon, as follows:

Section 1:

The Code of the City of Lebanon is hereby amended to revise Chapter 23, Banners, as follows:

§ 23-1 Authority for issuance of permits.

The City Manager shall have authority to issue permits for the erection or placement of banners ~~across any public street, sidewalk,~~ on any public building, or along the fence around Colburn Park.

§ 23-2 Allowable banners.

No banner shall be erected and placed on any public building, or along the fence around Colburn Park ~~over any public street or sidewalk~~ except as follows:

- A. A banner announcing voting in federal, state and local elections.
- B. Banners relating to activities of civic groups, non-profit organizations, or other approved associations.

§ 23-3 Conditions.

Any banner erected on any public building, or along the fence around Colburn Park ~~over a public street or sidewalk~~ shall be based upon conditions set by the City Manager ~~Director of Public Works~~ for such period and upon such terms and conditions as will be in the best interests of the City. A refundable deposit may be required to ensure removal of the banner. Any such banner shall be safely installed in such a manner that it will not constitute a hazard ~~to any person or motor vehicle on the public street.~~

~~§ 23-4 Fees.~~

~~The fee for a permit shall be as provided in Chapter 31, Boards, Committees and Commissions, Article VI, Licensing Board, § 31-30.~~

~~§ 23-5~~ 4 Penalties for offenses.

Violation of any provision of this chapter shall be punishable as provided in Chapter 1, General Provisions.

Section 2: Severability

The provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses or part of this ordinance.

Section 3: Effective Date: November 20, 2024.

Ordinance shall be effective upon passage.

- C. Ordinance #2024-13** – A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 68, Fees, Article III, Miscellaneous Fees, to authorize an 8.0% increase to the Water Service Rate and a 6.0% increase to the Sewer Service Rate; to authorize a 15% increase in Ambulance Fees; to establish a fee schedule for applications to the Heritage Commission; to establish a fee schedule for the City Clerk’s Office to maintain a Landlord’s Agent Registry as required by NH RSA 540:1-b and 540:1-c; and to clarify that the City of Lebanon, Lebanon School District, and Lebanon Housing Authority shall not be required to pay applicable fees for City-, School District-, and Housing Authority-sponsored projects.

Included in the agenda packet: *(All supportive documents and information can be found on pages 91-108, Council agenda packet)*

1. Ordinance #2024-13
2. Legal opinion from Attorney Christine Johnston, dated November 9, 2024
3. Memorandum from Fire Chief Jim Wheatley, dated June 21, 2024
4. Lebanon Heritage Commission Fee Schedule, revised July 15, 2024
5. Excerpts of NH RSA 540, Actions against Tenants
6. 2025 Proposed Water and Wastewater Rates presentation

Deputy City Manager Brooks; Jay Cairelli, Public Works Director; and Fire Chief Wheatley reviewed the background and the proposed amendments to Ordinance #2-24-13 as listed above.

BACKGROUND

The City Administration is proposing Ordinance #2024-13 to recommend the following changes to fees outlined in City Code Chapter 68, Fees, Article III, Miscellaneous Fees, §68-15, Enumeration of Fees:

- An 8.0% increase to the Water Service Rates (base user rates and minimum charge) set forth in §68-15.B(1);
- A 6.0% increase to the Sewer Service Rates (base user rates, minimum charge, and residential flat rate) set forth in §68-15.B(7);
- A 15% increase to the Ambulance Fees set forth in §68-15.E.

The proposed increases to the Water and Sewer Service Rates are in line with the projections offered by Raftelis as part of the 2018 Water and Sewer Rate Study and are suggested in order to provide current and future resources to absorb projected operations and maintenance and debt service expenses in both enterprise funds.

The proposed changes to the Ambulance Fees are based on a comparative analysis conducted in June 2024 by the Fire Department of the City's costs to provide services versus the billing rates of other EMS transport services throughout the state. Please see the enclosed memorandum from Fire Chief Wheatley for further information.

In addition, the Administration is proposing new fees for the following:

- To establish and formalize a fee schedule for applications to the Heritage Commission pursuant to Section 408 of the Lebanon Zoning Ordinance;
- To establish an administrative filing fee for the City Clerk's Office to maintain a Landlord's Agent Registry as required by NH RSA 540:1-b; and to establish a penalty as allowed by NH RSA 540:1-c.

Section 408.7 of the Lebanon Zoning Ordinance outlines the procedures for applications for Certificates of Approval submitted to the Heritage Commission. Paragraph 408.7.A indicates that "the applicant shall pay an application fee as adopted by the City Council." Although the Planning & Development Department has a fee schedule for Heritage Commission applications, it does not appear that the fees were ever established or adopted by the City Council. The Planning & Development Department recommends that the proposed fee schedule be adopted into City Code Chapter 68.

NH RSA 540:1-b, adopted in 2011, requires the owner of certain properties rented for residential purposes, to file a statement with the Clerk of the municipality where the property is located that provides the name, address, and telephone number of a person within the state who is authorized to accept service of process for any legal proceeding brought against the owner relating to the property. A municipality may establish a reasonable filing fee to cover the cost to the Clerk of maintaining a record of the filings required by this section. In addition, as allowed by NH RSA 540:1-c, the governing body may establish a fine not to exceed \$100 for the failure to file a

statement designating an agent for service as required under RSA 540:1-b. Any such fine may be collected in the same manner as a fine for violation of a municipal ordinance and shall be for the use of the municipality.

Finally, the City Administration recommends that a general statement be added to Article III, Miscellaneous Fees, §68-11, Declaration of Purpose, to clarify that the City of Lebanon, the Lebanon School District (SAU #88), and the Lebanon Housing Authority (LHA) shall not be required to pay applicable fees as set forth in Chapter 68, or as outlined in any other chapters of the Code of the City of Lebanon, for permits, licenses, or reviews for City-sponsored projects or applications. As proposed, this exemption would not apply to water service rates under Section 68-15.B(1), hydrant fees under Section 68-15.B(3), and sewer service rates under Section 68-15.B(7).

As proposed, the above new fees and other changes would be effective as of January 1, 2025.

Mayor McNamara opened the Public Hearing.

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

Council Comments: NONE

ACTION:

Councilor Whittlesey MOVED, that the Lebanon City Council hereby adopts Ordinance #2024-13 to amend City Code Chapter 68, Fees, Article III, Miscellaneous Fees, to authorize the following changes, as presented in the November 20, 2024, City Council agenda packet:

- 1. An 8.0% increase to the Water Service Rates set forth in §68-15.B(1); and***
- 2. A 6.0% increase to the Sewer Service Rates set forth in §68-15.B(7); and***
- 3. A 15.0% increase to the Ambulance Fees set forth in §68-15.E; and***
- 4. A new fee schedule for applications to the Heritage Commission to be set forth in §68-15.I; and***
- 5. A new fee schedule for the City Clerk's Office to maintain a Landlord's Agent Registry as required by NH RSA 540:1-b, and applicable penalties as allowed in NH RSA 540:1-c, to be set forth in §68-15.D(4); and***
- 6. An amendment to §68-11, Declaration of Purpose, to clarify that the City of Lebanon, the Lebanon School District, and the Lebanon Housing Authority shall not be required to pay certain applicable fees as set forth in Chapter 68, or as outlined in any other chapter of the Code of the City of Lebanon, for permits, licenses, or reviews for any City-, School District-, and Housing Authority- sponsored projects or applications.***

This ordinance shall become effective on January 1, 2025.

Seconded by Councilor Heistad.

Roll Call Vote:

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

None voted Nay

Abstained: None

Absent from vote: Simon, Zook, and Wilkie

****The Vote on the MOTION was approved (6-0)***

CITY OF LEBANON ORDINANCE #2024-13

AN ORDINANCE TO AMEND the Code of the City of Lebanon, Chapter 68, Fees, Article III, Miscellaneous Fees, by amending §68-15, Enumeration of Fees, to increase water and sewer service rates, to increase ambulance fees, to establish filing fees for applications to the Heritage Commission, and to establish a filing fee and penalty for the City Clerk to maintain a Landlord's Agent Registry, and by amending §68-11, Declaration of Purpose, to clarify that the City of Lebanon, the Lebanon School District (SAU #88), and the Lebanon Housing Authority (LHA) shall not be required to pay certain applicable fees as set forth in Chapter 68, or as outlined in any other chapters of the Code of the City of Lebanon, for permits, licenses, or reviews for City- sponsored projects or applications.

BE IT ORDAINED, by the City Council of the City of Lebanon, as follows:
Section 1:

The Code of the City of Lebanon is hereby amended to revise Chapter 68, Fees, Article III, Miscellaneous Fees, §68-11, Declaration of Purpose, as follows:

§ 68-11. Declaration of purpose.

In 1989 the City adopted an ordinance establishing fees charged by the City for services, including but not limited to filing fees, costs of notice to abutters and permits. Council has since determined that having all fees in one ordinance did not provide the benefits originally envisioned. Fee for various permits, licenses and reviews are now in the individual ordinances which are included in the separate chapters of the Code of the City of Lebanon. Council adopts the following provisions which apply to fees not otherwise provided for in the Code of the City of Lebanon.

Notwithstanding anything in this or any other chapter of the City Code to the contrary, the City Council hereby confirms that the City of Lebanon, the Lebanon School District (SAU #88), and the Lebanon Housing Authority (LHA) shall not be required to pay applicable fees as set forth in Chapter 68, or as outlined in any other chapter of the Code of the City of Lebanon, for permits, licenses, or reviews for City-, School District-, or LHA-sponsored projects or applications. However, this exemption shall not apply to the following: water service rates under Section 68-15.B(1); hydrant fees under Section 68-15.B(3); and sewer service rates under Section 68-15.B(7) ~~Public Utilities (water/sewer) service fees outlined in Chapter 68-15.B.~~

Section 2:

The Code of the City of Lebanon is hereby amended to revise Chapter 68, Fees, Article III, Miscellaneous Fees, §68-15, Enumeration of Fees, for the purpose of effecting changes to the water and sewer service rates, as follows:

The Code of the City of Lebanon is hereby amended to revise Chapter 68, Fees, Article III, Miscellaneous Fees, §68-15, Enumeration of Fees, for the purpose of effecting changes to the

water and sewer service rates, as follows:

§68-15.B Public utilities (water/sewer) fees shall be as follows:

§68-15.B(1) Water Service Rates

§68-15.B(1)(a) Per 100 cubic feet:

- [1] Single-family residential: 0 to 1,200 cubic feet: \$~~4.36~~ 4.71.
- [2] Single-family residential: greater than 1,200 cubic feet: \$~~8.73~~ 9.43.
- [3] Non-residential and non-single-family residential: \$~~6.55~~ 7.07.

§68-15.B(1)(b) Fixed charge per quarter:

- [1] 5/8-inch: \$~~22.91~~ 24.74.
- [2] *3/4-inch: \$~~73.21~~ 79.07.
- [3] *One-inch: \$~~108.85~~ 117.56.
- [4] 1.5-inch: \$~~191.44~~ 206.76.
- [5] Two-inch: \$~~317.09~~ 342.46.
- [6] Three-inch: \$~~816.16~~ 881.45.
- [7] Four-inch: \$~~3,166.85~~ 3,420.20.
- [8] Six-inch: \$~~6,038.21~~ 6,521.27.
- [9] Eight-inch: \$~~11,601.02~~ 12,529.10.

§68-15.B(7) Sewer Service Rates

§68-15.B(7)(a) Fixed charge per quarter:

- [1] 5/8-inch: \$~~33.38~~ 35.38.
- [2] 3/4-inch: \$~~106.71~~ 113.11.
- [3] One-inch: \$~~158.68~~ 168.20.
- [4] 1.5-inch: \$~~279.06~~ 295.80.
- [5] Two-inch: \$~~462.25~~ 489.99.
- [6] Three-inch: \$~~1,189.78~~ 1,261.17.
- [7] Four-inch: \$~~4,616.62~~ 4,893.62.
- [8] Six-inch: \$~~8,802.56~~ 9,330.71.
- [9] Eight-inch: \$~~16,912.04~~ 17,926.76.

§68-15.B(7)(a) Per 100 cubic feet of metered water usage: \$~~12.60~~ 13.36.

§68-15.B(7)(c) Flat rate (limited to consumers who are not provided water service or a meter for computing flow):

- [1] Residential: \$~~411.83~~ 436.54 per quarter.
- [2] Commercial: estimated flow to be computed by the Department of Public Works based on facility use and occupancy at the rate contained in Subsection **B(7)(b)** above.

Section 3:

The Code of the City of Lebanon is hereby amended to revise Chapter 68, Fees, Article III, Miscellaneous Fees, §68-15, Enumeration of Fees, for the purpose of

effecting changes to the ambulance rates, as follows:

§68-15.E Ambulance fees shall be as follows:

- (1) Basic Life Support, nonresident: ~~\$694.08~~ 798.19.
- (2) Advanced Life Support 1, resident: ~~\$1,146.20~~ 1,318.13.
- (3) Advanced Life Support 1, nonresident: ~~\$1,230.84~~ 1,415.47.
- (4) Advanced Life Support 2, resident: ~~\$1,720.72~~ 1,978.83.
- (5) Specialty Care Transport: ~~\$2,248.40~~ 2,585.66.
- (6) Mileage: ~~\$14.98~~ 17.23.
- (7) Co-pay Waiver, resident: ~~\$117.29~~ 134.88.
- (8) Advanced Life Support, no transport: ~~\$527.79~~ 606.96.

Section 4:

The Code of the City of Lebanon is hereby amended to revise Chapter 68, Fees, Article III, Miscellaneous Fees, §68-15, Enumeration of Fees, for the purpose of establishing filing fees for applications to the Heritage Commission, as follows:

Add a new Subsection I to the end of Section 68-15:

§68-15.I Heritage Commission. The filing fee for an application to the Heritage Commission for a Certificate of Approval per Section 408 (“Historic District”) of the Zoning Ordinance shall be \$100. Advertising fees and legal notification fees shall be determined by the City Manager pursuant to Code Chapter § 68-14 (“Miscellaneous nonscheduled fees”).

Section 5:

The Code of the City of Lebanon is hereby amended to revise Chapter 68, Fees, Article III, Miscellaneous Fees, §68-15, Enumeration of Fees, for the purpose of establishing filing fees for the City Clerk’s Office to maintain a Landlord’s Agent Registry, as required by NH RSA 540:1-b, and applicable penalties as allowed in NH RSA 540:1-c, as follows:

Add a new Subsection 4 to the end of Section 68-15.D:

§68-15.D(4) Landlord’s Agent Registry:

- (a) The fee to file a statement with the City Clerk to designate an agent for service of process in accordance with NH RSA 540:1-b shall be \$15.00.
- (b) The penalty for the failure to file a statement designating an agent for service of process as required under NH RSA 540:1-b shall be \$100.00

Section 6: Severability

The provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause, or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect

the validity of any remaining sections, subsections, sentences, clauses, or part of this ordinance.

Section 7: Effective Date

This ordinance shall become effective January 1, 2025.

D. Ordinance #2024-14 – A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 97, Landfill Regulations, including updating the current fee schedule in Appendix A.

Included in the agenda packet: *(All supportive documents and information can be found on pages 109-125, Council agenda packet)*

1. Ordinance #2024-14
2. Legal opinion from Attorney Christine Johnston, dated November 9, 2024
3. 2025 Proposed Solid Waste Rates presentation

Erica Douglas, Solid Waste Manager, reviewed the background and the proposed amendments to Ordinance #2024-24 as listed above.

BACKGROUND

City Code Chapter 97, Landfill Regulations, was fully updated in July 2019 to incorporate the language from the former Chapter 143, Solid Waste, (which was repealed on July 24, 2019), and to include a fee schedule for disposal of refuse and recycling of certain materials. The fee schedule, last updated in December 2023, is to be reviewed annually for possible updates based on current market rates.

Ordinance #2024-14 proposes to amend Chapter 97 to incorporate new and updated language in several sections of the chapter, to update the fees outlined in Appendix A to reflect increased disposal rates, and to propose new fees for contaminated or mixed load recycling, drive-off fees, and oil.

Based on the attorney's legal review, the wording of several sections has been modified slightly to improve clarity and consistency of format and terminology. These updated sections are highlighted on the attached Ordinance. With these clarifications, the attorney has no legal concerns about the proposed Ordinance.

Mayor McNamara opened the Public Hearing.

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

Council Comments:

In response to a question from Assistant Mayor Below, Ms. Douglas explained that, generally 1-2 electronic waste items are seen at a time. There has been feedback from the public that they would prefer to see the cost within the total price. Bulky items are generally charged the scale

minimum. The first four fluorescent bulbs are free, and the fifth is generally charged per the schedule.

ACTION:

Assistant Mayor Below MOVED, that the Lebanon City Council hereby adopts Ordinance #2024-14, to amend the Code of the City of Lebanon, Chapter 97, Landfill Regulations, as presented in the November 20, 2024 City Council agenda packet, with a modification that on page 114 of the Agenda Packet, for the line items Fluorescent Bulbs and Compact Fluorescent Lamps (CFLs) a notation be added, applicable to both rows, that up to four bulbs or CFLs per day be accepted without charge. This ordinance shall become effective on January 1, 2025.

Seconded by Councilor Sykes.

Roll Call Vote:

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

None voted Nay.

Abstained: None

Absent from vote: Simon, Zook, and Wilkie

****The Vote on the MOTION was approved (6-0)***

CITY OF LEBANON ORDINANCE #2024-14

AN ORDINANCE TO AMEND Chapter 97, Landfill Regulations, of the Code of the City of Lebanon, Section 97-4, Definitions; Section 97-5, Public Recycling Drop Off Center; Section 97-6, Permits; Section 97-7, Commercial generators/waste haulers' accounts and billing; Section 97-8, Fees; and Appendix A, Fee Schedule.

BE IT ORDAINED, by the City Council of the City of Lebanon, as follows: Section 1:

The Code of the City of Lebanon is hereby amended to revise Chapter 97, Landfill Regulations, §97-4, Definitions, as follows:

Add a new defined term:

RECYCLABLES, CONTAMINATED — Any recyclable material that is rendered unrecyclable through the presence of foreign material that cannot be removed by the recycling process.

Section 2:

The Code of the City of Lebanon is hereby amended to revise Chapter 97, Landfill Regulations, §97-5, Public Recycling Drop Off Center, as follows:

Amend Subsection §97-5.C:

~~€~~ Fees may be collected for the following items for recycling: mercury-containing devices

(fluorescent bulbs, thermometers, thermostats, etc.), televisions, computer monitors, computer central processing units, tires, oil, and food waste.

Section 3:

The Code of the City of Lebanon is hereby amended to revise Chapter 97, Landfill Regulations, §97-6, Permits, as follows:

Amend Subsection §97-6.B(5):

B. Commercial Permits.

- (5) Issued permits will ~~be valid for one year~~remain valid. New vehicles or changes to the license plate require re-permitting. and must be renewed before expiration of existing issued permit. Commercial Waste Hauler Account must be in good standing in order for permit to be renewed. Fees for permits will be as outlined in § 97-8.

Section 4:

The Code of the City of Lebanon is hereby amended to revise Chapter 97, Landfill Regulations, §97-6, Permits, as follows:

C. Municipal Recycling Permit.

- (1) Municipal Recycling Permit for disposal of certain recycling items that generates revenue for the City. A permit will be issued to a hauler or municipality that is outside of Lebanon and its participating communities. The Lebanon Recycling center makes money off of its ~~will take the following items under this permit: scrap metal, Aluminum, steel cans, paper and cardboard.~~
- (2) A completed application must be submitted electronically using the form provided on the City's website. Fees for permits will be as outlined in § 97-8.
- (3) In order to retain a permit under this section, permit holders must comply with all local, state, and federal regulations for disposal of waste. If a permit holder is found to have violated regulations, the permit and associated access to the facility may be revoked. ~~Fees for permits will be as outlined in § 97-8.~~
- (4) Loads of cContaminated loads of ~~recycling will be rejected. If they have already been comingled, they will be charged at the contaminated load fee.~~
- (5) Suspended or cancelled privileges: The recycling markets can be volatile. The City retains the right to suspend privileges for recycling drop- off under this section if rates of return on recyclables drop below a profitable margin as determined by the City. The City also can suspend privileges for operational considerations. 30 days' notice will be provided in writing to the Municipal permit holder.

~~D.~~ E. Implementation Provision. The effective date of this Section will be upon passage by the City Council. Implementation of requirements for updated Solid Waste Facility User Permits will be on- going until December 31, 2023, after which date all users will be required to have and display a valid permit issued through the EB2gov Software platform for entry into the Solid Waste Facility.

Section 5:

The Code of the City of Lebanon is hereby amended to revise Chapter 97, Landfill Regulations, §97-7, Commercial generators/waste haulers' accounts and billing, as follows: Amend

Subsection §97-7.B(3):

B. Billing.

- (3) If a permit is suspended for non-payment, it will not be reinstituted and access will not be permitted until such a time that payment is received in full, including interest, plus a \$ Fifty dollar ~~25~~ permit reactivation fee.

Section 6:

The Code of the City of Lebanon is hereby amended to revise Chapter 97, Landfill Regulations, §97-8, Fees, as follows:

Amend Subsection §97-8.E:

~~E.~~ Construction and demolition debris:

- (1) Tipping fee is based on weight (per ton), established annually by the City Manager and approved by the City Council (effective January 1 for the ensuing year). Tipping fees for C&D are subject to change based on market conditions. Therefore, the City Manager may make temporary fee adjustments for a period of no more than 90 days in duration. C&D debris shall be placed in the designated C&D processing area of the Solid Waste Facility.
- (2) C&D Wood; ~~Dirty~~ wood, clean lumber, treated lumber (pressure treated, painted, stained, etc.), wooden pallets, etc. shall be separated from the rest of the C&D.

Section 7:

The Code of the City of Lebanon is hereby amended to revise Chapter 97, Landfill Regulations, §97-8, Fees, as follows:

Add a new Subsection G to §97-8, renumber and amend existing Subsection G to H:

G. Contaminated or mixed load recycling:

- (1) Loads of recycling that ~~are include~~ contaminated recyclables ~~and cannot be recycled~~ or loads of MSW and bulky waste that contain more than 5% recycling as determined by the landfill operator shall be charged at the ~~C~~contaminated or mixed load recycling fee. Mixed loads with ~~dirty wood~~construction wood shall be rejected.

Section 7:

The Code of the City of Lebanon is hereby amended to revise Chapter 97, Landfill Regulations, §97-8, Fees, as follows:

Add a new Subsection G to §97-8, renumber and amend existing Subsection G to H:

H. Contaminated or mixed load recycling:

- (1) Loads of recycling that ~~are include~~ contaminated recyclables ~~and cannot be recycled~~ or loads of MSW and bulky waste that contain more than 5% recycling as determined by the landfill operator shall be charged at the ~~C~~contaminated or mixed load recycling fee. Mixed loads with ~~dirty wood~~construction wood shall be rejected.

G.H. Permit fees.

- (1) Residential.
 - (a) ~~Five~~~~teen~~ dollars annually.
 - (b) ~~Twenty-five~~~~Fifty~~ dollars reactivation fee if permit is suspended.
- (2) Commercial.
 - (a) Fifty dollars annually, per vehicle.
 - (b) ~~Twenty-dollar~~Fifty dollars reactivation fee if permit is suspended.
- (3) Temporary/one-time use: Fifty dollars ~~\$50~~ (per occurrence).
- (4) Municipal Recycling.
 - (a) Fifty dollars.
 - (b) Fifty dollars reactivation fee if permit is suspended.

H. Minimum charge for scaled waste is as shown in Appendix A. ~~The minimum weight scaled is 20 scale units or 200 pounds. As 200 pounds is~~

~~10% of a full ton, the minimum charge is calculated as .10 times the current fee for associated waste/recycling material. Example: If the charge for disposing of Municipal Solid Waste (MSW) is \$75 per ton, the cost to dispose the minimum amount of 200 pounds would be .10 x \$75 or \$7.50.~~

Section 8:

The Code of the City of Lebanon, Chapter 97, Landfill Regulations, Appendix A, Fee Schedule, is amended as follows

Item	Fee
MSW – Commercial	\$120.75 <u>\$05.00</u> /ton
MSW – Residential	\$24.00 /household bag \$84.00 /contractor bag \$4020.00 per punch card \$24.00 /15 Gallon PAYT household bag \$42.00 /30-Gallon PAYT household bag
Minimum Load – Scale Use	MSW – \$340.00 (15 punches) C&D – \$23.00 Bulky – \$22.00
Construction and demolition debris – NOTE: This does not include mixed aggregates	\$ 225.00 <u>\$58.75</u> /ton
Contaminated or mixed load recycling	\$300/ton
Mattresses -Box spring is under bulky	Twin or Full \$25.00 Queen or King \$3537.500
Bulky-Furniture, cabinets, sofa, chairs, box spring; excluding Mattresses	\$ 57.500 Small (10-35lbs) \$124.500 Medium (36lbs to 80lbs) \$220.500 Large (81lbs and up) \$15035.00 /ton Sectionals charged by the piece
Tires	\$1215.00 /tire Maximum of 10 tires per load.
Yard trimmings and brush	\$15.00/ton for commercial loads and non-Lebanon resident, up to 4 inches \$75.00/ ton over 4inches in diameter \$110 Stumps Lebanon Residents only are free for loads less than 2 Cubic yards_ NON Commercial drop off

	Leaves, wood chips and grass clipping free- 4 inches or less in diameter <u>Scale minimum ½ a ton.</u>
Bulk loads of , asphalt, brick and concrete and mixed aggregate	\$50 <u>75.00</u> /ton
Electronic waste – monitors and TVs	\$20 <u>22.50</u> /item
Electronic waste – solar panels	\$40 <u>42.50</u> /panel
Electronic devices – DVD, VCR, stereo, etc.	\$10 <u>12.50</u> /item
Freon-containing devices	\$22.50 00/unit-(
Fluorescent bulbs	<u>\$2.50 Base + 0.11</u> 5/ft.
Compact fluorescent lamps (CFLs)	<u>\$2.50 Base+0.60</u> \$0.60 /each
Cover materials	\$15.00/ton
Food waste	\$50.00/ton
Food scraps – household	No charge for food scrap composting-Residential
Glass-Bulk Load	\$35 <u>40.00</u> /ton
In Person permit fee	\$15.00 (including the cost of the permit)
Equipment Assist	\$75.00
Scale Use Fee	\$10.00
Propane tanks 20lb	\$12 <u>14.50</u>
Propane tanks 1lb	\$2 <u>4.50</u>
Change of scale ticket fee, next day	\$30.00 (day of is free)
Lost card Fee-commercial	\$25.00
Account reactivation Fee	\$50.00
Found in Load Fee	Additional \$10 <u>20.00</u> on top of cost of item
<u>Drive off Fee</u>	<u>\$250 first offense, \$500 second offense, 6-month suspension 3rd offense</u>
Mixed Loads	Charged at the highest Rate of items contained in load
<u>Oil</u>	<u>\$5 for up to a gallon. \$5 per a gallon after that.</u>

Section 9: Severability

The provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdictions, such decisions shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this ordinance.

Section 10: Effective Date

This ordinance shall become effective January 1, 2025.

E. Ordinance #2024-15 – A public hearing for the purpose of receiving public input and

taking action to amend City Code Chapter 8, Airport Operations, §8-4, Airport Rules and Regulations, to amend Airport Landing Fees.

Included in the agenda packet: *(All supportive documents and information can be found on pages 126-135, Council agenda packet)*

1. Ordinance #2024-15
2. 2024 Airport Operations and Landing Fee Collection presentation
3. Legal opinion from Attorney Christine Johnston, dated November 9, 2024

Carl Gross, Airport Manager, reviewed the amendment to Ordinance #2024-15.

BACKGROUND

Landing fees at the Lebanon Municipal Airport were last adjusted in December 2023. A comparison of the existing landing fees and the landing fees adjusted by the CPI-U Northeast was completed and the recommended adjustments to the existing landing fees are shown in Ordinance #2024-15. The airport will continue to monitor the CPI-U and existing fees to request adjustments as necessary.

Mayor McNamara opened the Public Hearing.

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

Council Comments: NONE

ACTION:

Councilor Whittlesey MOVED, that the Lebanon City Council hereby adopts Ordinance #2024-15 to amend City Code Chapter 8, Section 8.4, Airport Rules and Regulations, to amend Airport Landing Fees, as presented in the November 20, 2024, City Council agenda packet. This ordinance shall take effect on January 1, 2025.

Seconded by Assistant Mayor Below.

Roll Call Vote:

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

None voted Nay.

Abstained: None

Absent from vote: Simon, Zook, and Wilkie

****The Vote on the MOTION was approved (6-0)***

CITY OF LEBANON ORDINANCE #2024-15

AN ORDINANCE TO AMEND the Code of the City of Lebanon, Chapter 8, Airport Operations, Section 8.4, Airport Rules and Regulations.

BE IT ORDAINED, by the City Council of the City of Lebanon, as

follows: Section 1:

Part 5, Fees, of the Lebanon Municipal Airport Rules and Regulations, Section 1.A.1 regarding Aircraft Landing Fees is hereby amended to change the fees for Aircraft Landings as follows:

Section 1 - Fees

A. Aircraft Landing Fees

1. The Airport Manager is authorized to collect Landing Fees for Non-based Aircraft utilizing the Airport, which are as follows:

- Single Engine / Commercial N/A
- \$ 15: Light Twin-Engine
- \$ 15: Piston Helicopter
- \$ 20: Turbine Helicopters
- \$ 40: Turboprops < 9,001 pounds weight
- ~~\$ 80~~ 85: Turboprops 9,001- 27,000 pounds weight (SE/ME)
- ~~\$ 80~~ 85: Turboprops 9,001– 27,000 pounds weight (ME)
- ~~\$ 145~~ 150: Turboprops > 27,000 pounds weight
- ~~\$ 100~~ 105: Very Light Jets (VLJs)
- ~~\$ 275~~ 290: Jets 9,001 - 27,000 pounds weight
- ~~\$ 375~~ 395: Jets 27,000 - 60,000 pounds weight
- ~~\$ 475~~ 495: Jets >60,000 pounds weight
- ~~\$ 800~~ 830: Jets (Airline Category)
- \$50:

Aircraft Detailer

Section 2:

Severability

The provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses or part of this ordinance.

Section 3: Effective Date

Ordinance shall be effective January 1, 2025.

9. OLD BUSINESS: NONE

10. NEW BUSINESS:

A. Presentation of First Reading & Set Public Hearing for December 18, 2024:

Amendments to Ordinance #18, Salary Plan, to include implementation of a 3% General Wage Increase, and to retitle, reclassify, and add positions to the existing salary plan.

Included in the agenda packet: *(All supportive documents and information can be found on pages 136-147, Council agenda packet)*

1. Ordinance #18, Salary Plan

Samantha Lauzon, HR Director, reviewed the first reading of the proposed amendments to Ordinance #18, Salary Plan.

The Council was asked to take action to amend Ordinance #18, Salary Plan, as follows:

1. General Wage Increase (GWI) – 2025

Implement a 3% General Wage Increase for 2025, for all Non-Affiliated positions, and all positions within the following Bargaining Units:

- Lebanon Professional, Administrative, and Salaried Employees (LPASE)
- American Federation of State, County and Municipal Employees, Local #1348/Council 93 AFL-CIO (AFSCME)
- Lebanon Permanent Firefighters' Association, Local 3197/International Association of Fire Fighters (LPFFA/IAFF)
- Lebanon Police Benevolent Association (LPBA)/New England Police Benevolent Association (NEPBA)

The City Manager is responsible for maintaining the City's Compensation and Classification Plan. Within Ordinance No. 18, compensation for exempt (salaried) and non-exempt (hourly) Non-Affiliated employees is expressed as a minimum and maximum grade range, via hourly rates for non-exempt employees, and weekly rates for exempt (salaried) employees. Movement within ranges is achieved through annual General Wage Increases, and merit or step adjustments, applicable for employees who are not already at the top of their wage range. To be useful, it is imperative that compensation and classification systems be kept current. This is achieved primarily by revising compensation ranges through regular general wage adjustments and by systematically reviewing all positions on a regular basis. This is achieved by meaningful sampling of the labor market and internally relative to other positions.

For general wage adjustments, the City's practice is to use the percentage change in the Northeast Region CPI for June, from 12 months prior, with a minimum adjustment of 1% (floor), and a maximum adjustment of 3% (ceiling). This is true for Non-Affiliated (non-union) employees, as well as those that belong to our Collective Bargaining Units.

The increase in the Northeast Region CPI, for the period of June 2023-June 2024, was 3.8%. As a result, the City Council is asked to take action to implement a 3% General Wage Increase for all employees, as part of the 2025 City Budget. This change would be effective as of the first pay period of 2025.

2. Amend Article II, Non-Affiliated and LPASE Employees**A. Regular Full-Time and Part-Time Benefit Eligible Positions**

- I. Remove the Position of Library Assistant (listed in the table as a Grade 4).
- II. Add the non-exempt position of Youth Services Library Assistant as Grade 4.
- III. Add the non-exempt position of Technical Services Library Assistant as Grade 4.
- IV. Transfer the Police Communications Supervisor from LPASE to Non-Affiliated position. Position will remain a Grade 10.
- V. Add the exempt position of Director of Public Engagement and Communications, within the City Manager Department, as Grade 11. This proposed position will serve as the primary spokesperson and media liaison for the City. This role will develop and implement communication strategies to effectively convey public information, and the successful representation of the City's interests via social media and traditional news outlets. The position will work closely with all City departments to ensure timely, accurate, and consistent dissemination of information.
- VI. Retitle the Assistant Fire Chief to Deputy Fire Chief and reclassify the position to a Grade 15 to be consistent with other executive officer positions within the City.

B. Seasonal/Temporary & Stipend Employees

- I. Implement a wage range to the following positions, within the Library Department:
 - a. Library Clerk I
 - b. Library Custodian Substitutes
 - c. Library Clerk II

The tables below reflect all changes (as shown in **red** text), to include the addition of new positions, changes in position titles and/or classification, as well as the 3% General Wage Increase. These changes would be effective as of the first pay period of 2025.

REGULAR FULL-TIME/REGULAR PART-TIME NON-AFFILIATED & LPASE EMPLOYEES 2025 SALARY & GRADES TO INCLUDE 3% GWI					
Grade	Position Title	Hourly		Weekly	
		Minimum	Maximum	Minimum	Maximum
1	General Intern	\$18.73	\$27.37	-	-
2	Custodian	\$21.04	\$28.41	-	-

	Department Secretary	-	-	-	-
3	Airport Maintenance Worker	\$22.32	\$30.12	-	-
	Custodian I	-	-	-	-
	Accounting Clerk	-	-	-	-
4	Library Assistant	\$23.64	\$31.91	-	-
	Youth Services Library Assistant (New)				
	Technical Services Library Assistant (New)				
	Custodial Supervisor	-	-	-	-
	Facilities Maintenance Specialist	-	-	-	-
5		\$25.05	\$33.84	-	-
6		\$26.54	\$36.24	-	-
7	Administrative Secretary	\$28.16	\$39.83	-	-
	Assessing Clerk	-	-	-	-
	Assistant City Clerk	-	-	-	-
	Assistant Human Services Director	-	-	-	-
	Communications Specialist	-	-	-	-
	Library Administrative/Technical Assistant	-	-		-
	Public Works Crew Leader**				
8	Accounting Clerk III	\$30.97	\$41.80	-	-
	Administrative Assistant	-	-	-	-
	Benefits Specialist	-	-	-	-
	Payroll Specialist	-	-	-	-
	Police Communications Assistant Supervisor** (New)				
	Deputy City Clerk	-	-	-	-
	Deputy Tax Collector	-	-	-	-
	Deputy City Clerk/Deputy Tax Collector	-	-	-	-
	Field Inspector**	-	-	-	-
	Electrical Inspector**	-	-	-	-
	Utility Billing Clerk	-	-	-	-
	Outreach Librarian	-	-	\$1,238.72	\$1,672.21
	Children's Librarian	-	-	-	-
9	Code Health Inspector**	\$34.06	\$45.99	-	-
	Executive Assistant	-	-	-	-
	Public Relations Coordinator	-	-	-	-
	Digital Media Officer	-	-	-	-
	Deputy Assessor	-	-	-	-
	Cyber Services Technical Specialist	-	-	-	-
	Real Estate Appraiser II**	-	-	-	-
	Solid Waste Supervisor**				
	Cemetery Supervisor**	-	-	-	-
	Associate Planner**	-	-	\$1,362.57	\$1,839.73

10	Asset Manager**	\$37.51	\$50.63		-
	Assistant City Engineer**			-	-
	Financial Analyst	-	-	-	-
	Community Nurse	-	-	-	-
	Police Communications Supervisor**	-	-	-	-
	Recreation Program Coordinator**	-	-	\$1,500.59	\$2,025.37
	Youth Services Librarian	-	-	-	-
11	Technical Advisor I	\$39.76	\$53.66	-	-
	Cemetery Sexton**	-	-	-	-
	Fleet Maintenance Supervisor**	-	-	-	-
	Maintenance Superintendent**	-	-	-	-
	Utilities Maintenance Superintendent**	-	-	-	-
	System Administrator	-	-	-	-
	Airport Operations Supervisor**	-	-	\$1,590.36	\$2,146.43
	Assistant Recreation Director**	-	-	-	-
	Code Enforcement Director**	-	-	-	-
	Director of Public Engagement and Communications (New)				
	Fire Marshal**	-	-	-	-
	Planner/GIS Coordinator**	-	-	-	-
	Senior Planner**	-	-	-	-
	Systems Librarian	-	-	-	-
	Information Technology Librarian	-	-	-	-
12	Wastewater Treatment Superintendent**	\$42.14	\$56.89	-	-
	Water Treatment Superintendent**	-	-	-	-
	Administrative Services Manager**	-	-	\$1,685.43	\$2,275.29
	City Assessor**	-	-	-	-
	City Engineer**	-	-	-	-
	City Planner**	-	-	-	-
	Deputy Library Director	-	-	-	-
	Energy & Facilities Manager**	-	-	-	-
	Police Lieutenant**	-	-	-	-
	Prosecuting Attorney	-	-	-	-
	Solid Waste Manager	-	-	-	-
13	Chief Innovation and AI Officer	-	-	\$1,786.57	\$2,411.88
	City Clerk/Tax Collector				
	Cyber Security Analyst	-	-	-	-
	Deputy Finance Director	-	-	-	-
	Deputy Human Resources Director	-	-	-	-
	Deputy Fire Chief**	-	-	-	-
	Human Services Director				
	Information Systems Manager**	-	-	-	-

	Maintenance Manager	-	-	-	-
	Police Captain**	-	-	-	-
	Deputy Planning and Development Director	-	-	-	-
	Systems and Operations Administrator	-	-	-	-
	Chief Building Official & Health Officer				
14	Human Resources Specialist	\$47.35	\$63.92	-	-
	Airport Manager	-	-	\$1,893.86	\$2,556.51
	Assistant Director/Public Works	-	-	-	-
	Assistant Fire Chief	-	-	-	-

	Chief Assessor	-	-	-	-
	Human Resources Director	-	-	-	-
	Library Director	-	-	-	-
	Lead Network Infrastructure Engineer	-	-	-	-
	Recreation, Arts & Parks Director	-	-	-	-
15	Deputy Police Chief	-	-	\$2,127.64	\$2,709.73
	Deputy Fire Chief				
16	Technical Advisor II	\$58.27	\$73.74	-	-
	Chief of Police	-	-	\$2,330.59	\$2,949.55
	Planning and Development Director	-	-	-	-
	Public Works Director	-	-	-	-
	Finance Director	-	-	-	-
	Fire Chief	-	-	-	-
	Cyber Services Director	-	-	-	-
	Deputy City Manager	-	-	-	-

B. Seasonal/Temporary & Stipend Employees

POSITION TITLE	HOURLY	
ELECTION POSITIONS (HOURLY)		
Ballot Clerk	-	\$20.60
Election Assistant	-	\$16.10
Moderator	-	\$30.90
Ward Clerk	-	\$27.81
Chair Supervisor of the Checklist	-	\$27.81
Supervisor of the Checklist	-	\$25.75
FIRE DEPARTMENT POSITIONS		
Call Firefighter	\$12.94	\$32.81
RECREATION, ARTS & PARKS POSITIONS		
Front Desk Attendants – Pool	\$11.66	\$17.53
Lifeguards	\$11.66	\$20.12

Head/Lead Counselors	\$15.18	\$18.66
Head & WSI Lifeguards	\$14.00	\$20.98
Head Front Desk Attendant - Pool	\$14.00	\$17.51
Outdoor Adventurer - Educator	\$15.45	\$20.60
Day Camp Counselors	\$11.66	\$17.53
Arts & Craft Director	\$15.18	\$19.54
Farmers Market Coordinator	\$16.34	\$21.00
Market Assistant	\$14.00	\$17.51
Tennis Instructor	\$17.51	\$22.17
Stomp & Romp	\$17.51	\$22.17
Pool Operations Manager	\$17.51	\$24.13
Asst. Pool Director	\$17.51	\$24.13
Assistant Camp Director	\$17.51	\$24.13
Pool Director	\$18.66	\$27.58
Camp Director	\$18.66	\$27.58

RECREATION, ARTS & PARKS STIPEND POSITIONS:		
Sport Coaches – Seasonally (Lacrosse, Track, Youth – Basketball, Field Hockey, Football, Cheerleader Coach etc. – may vary due to Programs)	\$235.60	\$821.74
Softball Coordinator - Stipend	\$2,040.43	\$2,612.90
LIBRARY POSITIONS		
Library Clerk I	\$18.73	\$27.37
Library Custodian Substitutes	\$21.04	\$28.41
Library Clerk II	\$22.32	\$30.12
PUBLIC WORKS POSITIONS		
Engineering Clerk	\$12.84	\$16.34
GIS Clerk – (or Intern)	\$17.51	\$19.84
Seasonal Laborers – Summer & Fall DPW, Parks & Rec.& Airport	\$18.66	\$23.59
Tree Warden	\$23.69	\$26.78
CDL Seasonal Drivers	\$26.21	\$57.46
PLANNING POSITIONS		
Park Ranger	\$17.51	\$19.84
POLICE DEPARTMENT POSITIONS		
Crossing Guard	-	\$19.00
*Communications Specialist	\$28.16	\$39.83
Police Administrative Aide	\$23.34	\$26.83
Parking Control Officer	\$23.34	\$26.83
Police Officers	\$30.22	\$39.94
CITY CLERK POSITIONS		
*Assistant City Clerks (Part-Time/Temp. <20)	\$28.16	\$39.83
Lead Recording Secretary	\$26.22	\$31.91
Recording Secretary	\$25.08	\$27.41

Recording Secretary Coordinator	\$26.22	\$28.01
SHARED POSITION		
General Intern I	\$15.18	\$19.25

3. **Collective Bargaining Units**

The City Council is not directly responsible for the negotiation of Collective Bargaining Agreements; it is the City policy making body and the legislative body with authority to raise and appropriate tax revenues to fund Labor Agreements. Under the City Manager form of government, the City Manager is responsible for administering the affairs of the City, including the appointment of employees and the negotiation of Labor Agreements. The City Manager’s statutory obligation is to bargain in “good faith.” In the collective bargaining context, “good faith” negotiation “...involves meeting at reasonable times and places to reach agreement on the terms of employment, and to cooperate in mediation and fact- finding required by this chapter [RSA 273], but the obligation to negotiate in good faith shall not compel either party to agree to a proposal or to make a concession.” Failure to bargain in good faith constitutes an unfair labor practice.

State law requires that only cost items be submitted to the City Council for approval. Cost item means any benefit acquired through collective bargaining, whose implementation requires an appropriation by the legislative body of the public employer (City of Lebanon), with which negotiations are being conducted. Cost items shall be submitted within 30 days to the City Council for approval. Within 30 days of the receipt of the submission, the City Council shall vote to accept or reject the cost items. If the City Council rejects any part of the submission, or while accepting the submission takes any action which would result in a modification of the terms of the cost items submitted to it, either party may reopen negotiations on all or part of the entire agreement.

Legislative bodies may only raise and appropriate funds for the current fiscal year. Many Collective Bargaining Agreements cover several fiscal years. The New Hampshire Supreme Court held (Appeal of Sanborn Regional School Board) that a public employer was not bound by a Collective Bargaining Agreement where the legislative body, when approving and funding the cost items in the current year of the Labor Agreement, were not warned of the cost of the successive years. With known cost factors being disclosed for the life of the contract, collective bargaining agreements are considered “Sanbornized”.

ARTICLE II. LPASE

The City and Lebanon Professional, Administrative, and Salaried Employees (LPASE) have reached a tentative three-year (January 1, 2025 – December 31, 2027) Labor Agreement.

According to the tentative three-year Labor Agreement, annual General Wage Increases (GWI’s) for the life of the Contract will be based on the percent change in the Northeast Region CPI for June from 12 months prior but shall be no less than 1% (floor) and no greater than 3% (ceiling). Based on a 3.8% increase in the CPI as of June 2024, the GWI for 2025 will be 3%. Members will also be eligible for merit increases. The estimated wage and statutory benefit costs for 2025 is \$198,890.00.

In 2026, the second year of the Labor Agreement, LPASE members will be eligible for merit increases and will receive a minimum of 1% General Wage Increase (GWI), and no greater than

3% GWI, based on the Northeast Region CPI, for June 2024 – June 2025.

In 2027, the third year of the Labor Agreement, LPASE members will be eligible for merit increases and will receive a minimum of 1% General Wage Increase (GWI), and no greater than 3% GWI, based on the Northeast Region CPI, for June 2025 – June 2026.

Corresponding wage schedules for the subsequent two years are not provided, as the GWI for 2026 and 2027 will not be known until July of those years.

In addition to the GWI, the City Manager is proposing the following amendments to the LPASE Wage and Classification Scale:

- I. Remove the Public Works Crew Leader position (currently listed as a Grade 7). Position is being transferred to the AFSCME Bargaining Unit.
- II. Add the non-exempt position of Police Communications Assistant Supervisor as a Grade 8. This position has been created to assist the Police Communications Supervisor with the training of the on-shift personnel and will be in charge of the shift operations, in the absence of the Police Communications Supervisor.
- III. Remove the Grade 13 Deputy Fire Chief position in its entirety. The position is currently a LPASE position but has been replaced by the non-affiliated, Grade 15 Deputy Fire Chief position.

ARTICLE III, SECTION A, AFSCME Local 1348/Council 93 AFL-CIO

The City and the American Federal State, County and Municipal (AFSCME) have reached a tentative three-year (January 1, 2025 – December 31, 2027) Labor Agreement.

According to the tentative three-year Labor Agreement, annual General Wage Increases (GWI's) for the life of the Contract will be based on the percent change in the Northeast Region CPI for June from 12 months prior but shall be no less than 1% (floor) and no greater than 3% (ceiling). Based on a 3.8% increase in the CPI as of June 2024, the GWI for 2025 will be 3%. The estimated wage and statutory benefit costs for 2025 is \$289,050.00.

In 2026, the second year of the Labor Agreement, AFSCME members will receive step increases, and will receive a minimum of 1% General Wage Increase (GWI), and no greater than 3% GWI, based on the Northeast Region CPI, for June 2024 – June 2025.

In 2027, the third year of the Labor Agreement, AFSCME members will receive step increases, and will receive a minimum of 1% General Wage Increase (GWI), and no greater than 3% GWI, based on the Northeast Region CPI, for June 2025 – June 2026.

Corresponding wage schedules for the subsequent two years are not provided, as the GWI for 2026 and 2027 will not be known until July of those years.

In addition to the GWI, the City Manager is proposing the following amendment to the AFSCME Wage and Classification Scale:

- I. Add the Public Works Crew Leader (formerly a LPASE position) as a Grade 7.

The tables below reflect all changes (as shown in **red** text), to include the addition of new positions, changes in position titles and/or classification, as well as the 3% General Wage Increase. These changes would be effective as of the first pay period of 2025.

A. AFSCME LOCAL #1348/COUNCIL 93 AFL-CIO

Employees covered by the terms and conditions of the Collective Bargaining Agreement between the City and AFSCME (American Federation of State, County and Municipal Employees) Local #1348/Council 93 AFL-CIO, (effective January 1, 2025 to December 31, 2027) shall be paid in accordance with the accompanying pay plan covering the time period of the first pay period of 2025, through the last pay period of 2025, as provided in that Agreement, and as placed on file in the office of the City Clerk.

AFSCME POSITIONS	
GRADE	POSITION(s)
1	Laborer
2	Utility Operator Trainee
3	Operator; Recycling Attendant; Construction Utility Operator I; Meter/Backflow Technician; Scale Technician
4	Light Equipment Operator; Airport Maintenance Technician;
5	Heavy Equipment Operator; Utilities Operator I; Airport Maintenance Specialist; Maintainer (Cemetery Crew Leader); Utilities Operator I;
6	Mechanic; Water Treatment Plant Operator; Wastewater Treatment Plant Operator;
7	Laboratory Technician/ Utilities Plant Operator; Airport Maintenance Supervisor; Utilities Maintenance Mechanic; Engineering Technician; Public Works Crew Leader
8	Supervisor; Parks & Grounds Crew Supervisor
9	Chief of Quality Assurance, Electrician

The January 1, 2025, GWI shall be based on the Northeast Region CPI, for June 2023 – June 2024, but in no case

AFSCME LOCAL 1348 - 2025 SALARY GRADES							3%
GWI							
<u>Minimum</u>	<u>Maximum</u>						
<u>Grade</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>
1	\$20.56	\$21.14	\$21.75	\$22.37	\$22.94	\$23.65	\$24.38
2	\$22.18	\$22.82	\$23.48	\$24.12	\$24.76	\$25.52	\$26.32
3	\$23.95	\$24.67	\$25.39	\$26.07	\$26.82	\$27.66	\$28.51

4	\$25.86	\$26.67	\$27.43	\$28.22	\$29.05	\$29.94	\$30.88
5	\$28.03	\$28.87	\$29.73	\$30.58	\$31.48	\$32.46	\$33.46
6	\$30.34	\$31.25	\$32.26	\$33.25	\$34.26	\$35.28	\$36.24
7	\$32.88	\$33.91	\$34.98	\$36.05	\$37.13	\$38.24	\$39.27
8	\$34.53	\$35.62	\$36.75	\$37.88	\$39.10	\$40.29	\$41.86
9	\$37.49	\$38.67	\$39.93	\$41.18	\$42.45	\$43.71	\$45.51

ARTICLE III, SECTION B, Lebanon Permanent Firefighters/IAFF

The City and the Lebanon Permanent Firefighters/IAFF have reached a tentative three-year (January 1, 2025 – December 31, 2027) Labor Agreement.

According to the tentative three-year Labor Agreement, annual General Wage Increases (GWI's) for the life of the Contract will be based on the percent change in the Northeast Region CPI for June from 12 months prior but shall be no less than 1% (floor) and no greater than 3% (ceiling). Based on a 3.8% increase in the CPI as of June 2024, the GWI for 2025 will be 3%. Members will also receive step increases. The estimated wage and statutory benefit costs for 2025 is \$ 261,040.00.

In 2026, the second year of the Labor Agreement, IAFF members will receive step increases and will receive a minimum of 1% General Wage Increase (GWI), and no greater than 3% GWI, based on the Northeast Region CPI, for June 2024 – June 2025.

In 2027, the third year of the Labor Agreement, IAFF members will receive step increases and will receive a minimum of 1% General Wage Increase (GWI), and no greater than 3% GWI, based on the Northeast Region CPI, for June 2025 – June 2026.

Corresponding wage schedules for the subsequent two years are not provided, as the GWI for 2026 and 2027 will not be known until July of those years.

In addition to the GWI, the City Manager is proposing the following amendment to the LPFF/IAFF Wage and Classification Scale:

- I. Escalate the pay grades to the 60th percentile of the Wage and Salary Study, conducted in October 2024, by implementing additional wage adjustments beyond the GWI, to the following positions:
 - a. Lieutenant
 - b. Lieutenant - Paramedic
 - c. Captain – Paramedic

The tables below reflect all changes (as shown in **red** text), to include the addition of new positions, changes in position titles and/or classification, as well as the 3% General Wage Increase. These changes would be effective as of the first pay period of 2025.

A. LEBANON PERMANENT FIREFIGHTERS' ASSOCIATION LOCAL 3197 / INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (IAFF)

Employees covered by the terms and conditions of the Collective Bargaining Agreement between the City and Lebanon Permanent Firefighters' Association Local 3197/International Association of Fire Fighters (IAFF), (effective January 1, 2025 to December 31, 2027), shall be paid in accordance with the accompanying pay plan covering the time period of the first pay period of 2025, through the last pay period of 2025, as provided in that Agreement, and as placed on file in the office of the City Clerk.

LEBANON PERMANENT FIREFIGHTERS/IAFF - 2025 SALARY GRADES							3% GWI
<u>Minimum</u>	<u>Maximum</u>						
<u>Position Title</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>
Firefighter - EMT	\$26.58	\$27.44	\$28.28	\$29.17	\$30.00	\$30.86	\$31.81
Firefighter - Paramedic	\$30.11	\$31.01	\$31.97	\$32.85	\$33.74	\$34.67	\$35.63
Fire Alarm Technician	\$37.02	\$37.79	\$38.56	\$39.29	\$40.07	\$40.80	\$41.54
Lieutenant	\$35.79	\$36.28	\$36.79	\$37.31	\$37.81	\$38.30	\$38.81
Fire Inspector	\$37.31	\$37.90	\$38.55	\$39.15	\$39.79	\$40.40	\$41.07
Lieutenant - Paramedic	\$38.87	\$39.39	\$39.89	\$40.40	\$40.94	\$41.42	\$41.95
Captain	\$43.51	\$43.95	\$44.47	\$44.93	\$45.40	\$45.90	\$46.36
Inspector - Paramedic	\$38.65	\$39.24	\$39.83	\$40.45	\$41.04	\$41.62	\$42.29
Captain - Paramedic	\$44.63	\$45.10	\$45.55	\$46.02	\$46.50	\$46.95	\$47.48

The January 1, 2025, GWI shall be based on the Northeast Region CPI, for June 2023 – June 2024, but in no case shall be less than one percent (1%) nor greater than three percent (3%).

ARTICLE III, SECTION C. LPBA/NEPBA

The City and the Lebanon Police Benevolent Association (LPBA)/New England Police Benevolent Association (NEPBA) have reached a tentative three-year (January 1, 2025 – December 31, 2027) Labor Agreement.

According to the tentative three-year Labor Agreement, annual General Wage Increases (GWI's) for the life of the Contract will be based on the percent change in the Northeast Region CPI for June from 12 months prior but shall be no less than 1% (floor) and no greater than 3% (ceiling). Based on a 3.8% increase in the CPI as of June 2024, the GWI for 2025 will be 3%. Members will also receive a step increase. The estimated wage and statutory benefit costs for 2025 is \$ 228,260.00.

In 2026, the second year of the Labor Agreement, NEPBA members will receive step increases, and will receive a minimum of 1% General Wage Increase (GWI), and no greater than 3% GWI, based on the Northeast Region CPI, for June 2024 – June 2025.

In 2027, the third year of the Labor Agreement, NEPBA members will receive step increases, and will receive a minimum of 1% General Wage Increase (GWI), and no greater than 3% GWI, based on the Northeast Region CPI, for June 2025 – June 2026.

Corresponding wage schedules for the subsequent two years are not provided, as the GWI for 2026 and 2027 will not be known until July of those years.

No additional amendments are proposed.

The tables below reflect all changes (as shown in **red** text), to include the addition of new positions, changes in position titles and/or classification, as well as the 3% General Wage Increase. These changes would be effective as of the first pay period of 2025.

A. LEBANON POLICE BENEVOLENT ASSOCIATION (LPBA)/NEW ENGLAND POLICE BENEVOLENT ASSOCIATION (NEPBA)

Employees covered by the terms and conditions of the Collective Bargaining Agreement between the City of Lebanon and the Lebanon Police Benevolent Association (LPBA)/New England Police Benevolent Association (NEPBA), (effective January 1, 2025 to December 31, 2027), shall be paid in accordance with the accompanying pay plan covering the time period of the first pay period of 2025, through the last pay period of 2025, as provided in that Agreement, and as placed on file in the office of the City Clerk.

LEBANON POLICE BENEVOLENT ASSOCIATION – 2025 SALARY GRADES 3% GWI							
<u>Minimum</u>	<u>Maximum</u>						
<u>Position Title</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>
Patrol Officer	\$30.22	\$31.98	\$33.08	\$34.72	\$36.46	\$38.31	\$39.94
Corporal	\$41.10						
Sergeant	\$41.10	\$41.96	\$43.03	\$44.14	\$45.21	\$46.29	\$47.42

The January 1, 2025, GWI shall be based on the Northeast Region CPI, for June 2023 – June 2024, but in no case shall be less than one percent (1%) nor greater than three percent (3%).

Amendment Process

Amending Ordinance #18 requires three separate presentations (see City Charter subsections §419:22, §419:24, §419:25, §419:52), followed by a public hearing, and the vote of at least two-thirds (2/3) of all members of the City Council - six (6) members - to adopt.

The Council is asked to recognize the first of three presentations on November 20, 2024, and to schedule a public hearing for December 18, 2024, to amend the Ordinance. The second and third presentations will occur on December 4, 2024, and December 18, 2024,

respectively.

Council Comments: NONE

1. ACKNOWLEDGE FIRST PRESENTATION:

Assistant Mayor Below MOVED, that the Lebanon City Council acknowledges the first of three presentations to amend Ordinance #18, Salary Plan, as fully described and contained in the November 20, 2024, City Council Agenda Packet

2. SCHEDULE PUBLIC HEARING:

*Assistant Mayor Below Further MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, December 18, 2024, beginning at 6:00 PM, Council Chambers, City Hall, Lebanon, and Remote via City's Virtual Platform, for the purpose of receiving public input and taking action to amend Ordinance No. 18, Salary Plan, as fully described and contained in the November 20, 2024, City Council Agenda Packet.
Seconded by Councilor Whittlesey.*

Roll Call Vote:

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

None voted Nay.

Abstained: None

Absent from vote: Simon, Zook, and Wilkie

****The Vote on the MOTION was approved (6-0)***

Councilor Liot Hill exited the meeting at 8:00pm.

- B. Request for Zoning Map Amendment: ICV of NH, LLC – 67 Etna Road, Tax Map 26, Lot 2, Lebanon**

Included in the agenda packet: *(All supportive documents and information can be found on pages 148-156, Council agenda packet)*

1. October 30, 2024, letter from Dan Nash, of Advanced Geomatics & Design, including attachments.
2. Planning & Development Department memorandum, dated November 13, 2024

Dan Nash reviewed the request for the proposed Zoning Map amendment as listed above.

BACKGROUND

On October 30, 2024, Dan Nash, of Advanced Geomatics & Design, requested a zoning map amendment on behalf of his client, ICV of NH, LLC, for a property located at 67-69 Etna Road, Tax Map 26, Lot 2, Lebanon, NH. The property is currently zoned Light Industrial (IND-L) and is improved with a mixed-tenant building at 67 Etna Road and a 75-unit residential condominium

building at 69 Etna Road.

Mr. Nash requests to have the ICV property rezoned from IND-L to General Commercial-One (GC-1) in conjunction with other rezoning proposals derived from the Route 120 I Northern Lebanon Community Plan (NLCP), which was presented to the City Council in September 2024. Mr. Nash has suggested that the ICV property was overlooked in the study process and should be included for consideration for a zone change.

The Planning and Development Department has prepared a brief memo clarifying that the ICV property was not "overlooked" in the study. Rather, no zoning change was recommended for that property in light of the other findings and recommendations of the NLCP study.

Nevertheless, if the Council elects to move the zoning request forward for consideration, Mr. Nash has requested that it be allowed to catch up with same review timeline as the staff-initiated zoning amendments, which were "kicked off" on October 23, 2024. It is noted that as a map-only zoning amendment, the Zoning Board of Adjustment is not required to review the request.

Council Comments:

Nate Reichert, Director of Planning & Development, explained that the recommendations from the consultant included in the proposed plan leave everything on the left side of the road off of the zoning change recommendations. During discussions about the area in question, there was a recommendation made to consider the creation of a conservation wildlife overlay allowing for a wildlife crossing. This recommendation has been sent to the Conservation Commission for further development of a potential overlay district within that area. Based on the recommendation from the 120 Corridor Study, the proposal is to hand the overlay efforts off to the Conservation Commission to allow them to create a more nuanced corridor through the area over the course of the next year. This could then be brought back to the Council for consideration in the fall of 2025.

Assistant Mayor Below stated that, considering how critical of an issue more affordable and workforce housing is, it is possible that the Board should not foreclose a possibility that might be a benefit to the community in a place that is currently Industrial Zoned. If the whole south side of Etna Road is being proposed, the Board may wish to consider changing the remaining Light Industrial Zone to GC-1, which would allow for more housing. This could be acted on separately.

ACTION:

Assistant Mayor Below MOVED, that the Lebanon City Council, in accordance with the City of Lebanon Zoning Ordinance, Article X, Section 1000.3, Amendment Procedures, submits the proposed Zoning Map amendment as described in the October 30, 2024, letter from Dan Nash of Advanced Geomatics & Design, to the Planning Board and Conservation Commission for their review and comment. The City Council hereby sets the following tentative review schedule:

***Legal Review - by November 25, 2024
Planning Board - November 25, 2024***

Conservation Commission - December 12, 2024
City Council Work Session Review - January 8, 2025
City Council Public Hearing - January 22, 2025

Seconded by Councilor Whittlesey.

***The Vote on the MOTION was approved (5-0)**

C. Vote to Approve Annual Compensation for City Manager

Included in the agenda packet: *(All supportive documents and information can be found on page 157 of the Council agenda packet)*

Mayor McNamara reviewed the request to approve annual compensation for the City Manager.

BACKGROUND

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

ACTION:

Councilor Whittlesey MOVED, that in accordance with City Charter §C419:24, Salaries, the City Council hereby increases the compensation of the City Manager by six percent (6%) effective for the first pay period of 2025.

Seconded by Councilor Heistad.

***The Vote on the MOTION was approved (5-0)**

11. CITY MANAGER REPORT:

City Manager Mulholland updated the Council on the following:

- A public hearing notice needs to be posted regarding a potential additional \$3.5M bond for roadway preservation. The Board could vote to allow the City Manager to include that in the bond hearing notice so that it could later act on it, if it so chose.

ACTION:

Councilor Heistad MOVED, to request that the City Manager include in the public hearing notice for bonding for the 2025 budget, \$3.5 million for the Roadway Pavement Preservation Project, to allow the Council to exercise that option if it wishes to do so.

Seconded by Councilor Whittlesey.

***The Vote on the MOTION was approved (5-0)**

12. COUNCIL REPRESENTATIVES TO OTHER BODIES: NONE

13. FUTURE AGENDA ITEMS: NONE

14. NON-PUBLIC SESSION: NONE

15. ADJOURNMENT:

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

****The Vote on the MOTION was approved (5-0)***

The meeting was adjourned at 8:20 PM.

Respectfully submitted,
Kristan Patenaude
Recording Secretary