

FINAL

**LEBANON CITY COUNCIL  
REGULAR SESSION MINUTES  
Wednesday, April 16, 2025, 7:00 p.m.  
Council Chambers**

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

**MEMBERS PRESENT:** Mayor Douglas Whittlesey, Assistant Mayor Devin Wilkie, Erling Heistad, Nicole Ford Burley, Timothy McNamara, Laurel Stavis, Christian Simon, George Sykes, and Karen Zook

**MEMBERS ABSENT:**

**STAFF PRESENT:** City Manager Shaun Mulholland, Interim City Manager Jack Wozmak, Recreation, Arts & Parks Director Paul Coats, Chief Innovation & AI Officer Melanie McDonough, Deputy Finance Director Alesia Williams, Planning Administrative Assistant Crystal Taplin, Director of Planning & Development Nathan Reichert

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

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

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

**3. PUBLIC FORUM:** Mayor Whittlesey made the Public Forum announcement.

**4. OPEN TO PUBLIC: NO ONE CAME FORTH.**

**5. RECOGNITIONS: NONE**

**6. ACCEPTANCE OF MINUTES:**

- March 26, 2025 (Organizational Meeting)
- April 2, 2025 (Regular Meeting)

Amendments: Page 26, Lines 29 and 41; Remove Tim Whittlesey

*Assistant Mayor Wilkie MOVED to approve the March 26, 2025 (Organizational Meeting) and the April 2, 2025 (Regular Session) minutes as amended and presented in the April 16, 2025 City Council agenda packet.*

*Seconded by Councilor Heistad.*

*\*The Vote on the Motion was approved (8-0-1). Councilor McNamara abstained because he was not present at the April 2, 2025 meeting.*

**7. APPOINTMENTS: NONE**

**8. PUBLIC HEARING ITEMS:**

- A. Ordinance #2025-02** – A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 168, Vehicles and Traffic, §168-9, One-Way Streets, to Remove One-way Designation of East End of Memorial Drive

Included in the agenda packet: **(All supportive documents, maps, and information, as listed below, can be found on pages 28- 205, Council agenda packet)**

1. Proposed Ordinance #2025-02
2. Agenda Request submitted by former Assistant Mayor Below, received February 23, 2025
3. Map of Memorial Drive – Wolf Road Area
4. Lebanon Police Department Traffic Accident Reports
5. Agenda packets, a legal opinion, and minutes from the January 21, 2009 City Council meeting
6. February 26, 2025 Memorandum from Police Chief Phillip Roberts on behalf of the Public Safety Committee
7. Notice of Public Hearing as Published in the April 5, 2025 edition of the *Valley News*
8. Map of parcels receiving additional public hearing notice

## BACKGROUND

On February 23, 2025, former Assistant Mayor Clifton Below submitted an Agenda Request to discuss removing the one-way designation of the easterly portion of Memorial Drive, between Bassy Street and Wolf Road in Lebanon. Following receipt of the Agenda Request, the Public Safety Committee was asked to review the proposal and comment on any public safety concerns that were identified, which occurred on February 26th.

The existing one-way designation of the easterly portion of Memorial Drive dates to a City Council action in July 1987. However, the one-way designation of Memorial Drive was most recently discussed by the Council during a public hearing on January 21, 2009. Enclosed with this packet are the supporting materials from the 2009 discussion, which includes some of the background information that led to the original 1987 Council action.

When scheduling the public hearing, the City Council requested that additional notice be provided directly to property owners along Memorial Drive, Bassy Street, and Wolf Road north of the Memorial Drive intersection. Enclosed with the agenda packet is a map of the properties that were notified by mail sent on March 31st. In the case of condominium ownership, individual unit owners were notified.



**Note: For enlarged map of area, please refer to page 32, Council agenda packet**

**Mayor Whittlesey opened the Public Hearing, and the following came forth to give testimony:**

- **Ms. Kirthi Bellamkonda (Ward-1):** She spoke about her reasons supporting the removal of the one-way designation of the easterly portion of Memorial Drive, between Bassy Street and Wolf Road in Lebanon.
- **Mr. Clifton Below (original author of this proposal when he was on the Council):** He spoke about the history of this amendment, the reasons behind the proposed changes of the 240 ft. section on Memorial Drive and described the proposed change on map (page 32, agenda packet).
- **Ms. Barbara Sibun (Lives on Wolf Road):** She spoke about her reasons supporting the removal of the one-way designation of the easterly portion of Memorial Drive, between Bassy Street and Wolf Road in Lebanon., noting since the last meeting she had another car crash into her yard (cost her \$1,700). Over the last 15-18 years she has had 3 cars crash in her yard and at least another 5 (cars) drive across her yard. She also spoke about the traffic, more vehicles speeding.
- **Mr. Matthew Anton (Ward-1):** He spoke about the location of his home, and his reasons why he supported keeping Memorial Drive as a one-way street, noting there is no sidewalk and no way to keep the street safe. If this street is opened up, there is a very good chance of someone being hit by a vehicle.
- **Ms. Janice Lahaye (Ward 1):** She spoke about her reasons supporting keeping Memorial Drive as a one-way street. If this road was made one-way 25 years ago to keep people safe, it seemed to her it should continue to be one-way to keep people safe.
- **Ms. Rebecca Kidder (Ward-2):** She spoke about her reasons supporting keeping Memorial Drive as a one-way street, noting that people are using this road as a shortcut to get to work at DHMC and people are speeding.
- **Mr. Nicholas Mouzourakis (Ward-3):** He spoke about his reasons supporting the use of signage, as a compromise, that says “Not a Throughway” during the summer months, noting people’s safety is at stake with uncontrolled weather-related traffic.
- **Mr. Zipeng Zhou (Ward-3):** He spoke about his reasons supporting Memorial Drive as a two-way street, noting a car accident; safety issues during the winter, and it would be safer for pedestrians.
- **Mr. Konstantine Kourbatski (Ward-3):** He read his message to the Council expressing his strong opposition to the plans to make Memorial Drive into a two-way street, noting the safety and well-being of its residents; no sidewalks; people exceeding the speed limit; danger of bus stops; safety of children entering/exiting the school bus; weather issues. He also suggested installing a video camera along Memorial Drive and including signage about the one-way designation of Memorial Drive.
- **Mr. Matthew Brown (Ward-3).** He spoke about his reasons for supporting keeping Memorial Drive as a one-way street.
- **Mr. Daniel Mielcarz (Ward-3);** He spoke about the dangerous things happening on Wolf Road and wanted the Council to know.
- **Mr. Paul Roberts (Ward-2):** He used to be with the Lebanon Police Department (1982-1995) and spoke about the issues on Memorial Drive and Bassy Street and further spoke about his reasons for not supporting Memorial Drive being turned into a two-way street; high rates of speed coming down Wolf Rd.
- **Ms. Ulyana Lytvynuk (Lives on Memorial Drive):** She spoke about her reasons against changing Memorial Drive into a two-way street and the dangerous situations on Wolf Rd.

- **Ms. Margie Godfrey (Ward-2):** She spoke about, and read, her reasons for opposing Memorial Drive being turned into a two-way street. She submitted, to the Council, a signed version of this opposition and a petition from residents as listed in their entirety below:

To: Lebanon City Council

Re: Proposal to removal of the One-Way Designation of the East End of Memorial Drive

April 14, 2025

Dear City Council,

We are writing to express our strong opposition to the plans to make Memorial Drive a two-way street, due to serious concerns about the safety and well-being of residents on Memorial Drive, Bassey Street, and other neighboring areas that would be affected by this change.

**Safety Concerns on Memorial Drive:** Safety is the paramount concern. Memorial Drive is a heavily used street for pedestrians, including residents of Memorial Drive, Bassey Street, Stone Farm, Ivy Place, Boulders, and other housing units, who use it as a thoroughfare to access the walking/bicycle path along Mount Support Road. Lacking sidewalks, Memorial Drive is not wide enough to safely accommodate two-way vehicle, bicycle and pedestrian traffic. Even now, many drivers speed along the street, making it dangerous for those on foot. Of particular concern are drivers who illegally enter Memorial Drive from Wolf Road and then accelerate to speeds exceeding 40 mph, showing a disregard for neighbors and endangering pedestrians and bicyclists.

The connection of Memorial Drive to Mount Support Road includes two bus stops: one for the city bus and one for the school bus. Children and adults walk along Memorial Drive to these stops, and two-way traffic would jeopardize their safety. This is a primary concern for us, especially the safety of our children walking to and from the school bus stop.

Memorial Drive's narrow width and lack of sidewalks make it unsafe for both two-way traffic and pedestrians, especially in winter when snowbanks further reduce available space. Residents and visitors park along Memorial Drive, making it even more difficult and dangerous to navigate for two-way traffic. Two-way traffic on Memorial will also make emergency vehicle access to its residences and even to Stone Farm more difficult as emergency vehicles will be forced to navigate around two-way traffic thus delaying medical, firefighting or police services arrival to the apartment complexes and houses along Wolf Road.

**Rights of Long-Term Residents:** We have lived on Memorial Drive for over 17 years, during which time we have built strong connections to the community. The demand for this change to two-way traffic comes from renters, primarily from Stone Farm, who may not have the same long-term community ties as residents who have lived here for many years.

They typically rent for only 1-2 years before moving on. This proposal is frustrating because these short-term residents are attempting to compromise the well-being of long-term residents and our right to live in a safe, quiet neighborhood. All of this for a mere one- minute time saving (yes, we measured the time saving this change will take to get from the Memorial Drive -Wolf Road junction to Memorial Drive - Mount Support Road junction).

We respect our neighbors, and we hope they will respect us in return, and refrain from unreasonably encroaching on our neighborhood with their push to make Memorial Drive a two-way street.

**Perceived Concerns of Driving on Wolf Road:** Over the past 17+ years, we have driven extensively on Wolf Road in all kinds of weather, including winter. We have found Wolf Road to be safer and better maintained than Memorial Drive during winter weather. It is as safe as any other road in Lebanon, many of which have slopes. We have observed cars with out- of-state license plates driving along Wolf Road to and from Stone Farm. Our strong recommendation to those renters is to invest in good snow tires, which will significantly improve their experience driving on snow-covered roads in this area.

**Time and Convenience:** Converting Memorial Drive to a two-way street would only save those traveling north on Mount Support Road a single minute of commute time. This is to prioritize their short-term convenience over our long-term well-being. We have good news for them: thanks to the rapid development sprawl of affordable housing by the city, there are plentiful choices of convenient affordable rental options much closer to DHMC, Centerra and Hanover, such as Timberwoods, Juniper, and other places along Mount Support Road. If commute time is critical, these locations would be excellent choices for a shorter commute and ease of driving in winter.

**City Responsibilities:** The city has responsibilities to both its long-term and short-term residents. It has already been fulfilling its obligations to short-term residents by constructing multiple apartment complexes of affordable housing units. It also must respect the character of our communities and avoid unwarranted encroachment into our neighborhoods. The issue of two-way traffic on Memorial Drive has been raised and rejected before, and it must remain rejected.

**Proposed solutions:**

- Memorial Drive to remain a no-entry street from Wolf Road
- Enforce the no-entry rule by installing a video camera to record each violation of vehicles entering memorial Drive illegally
  - o This will generate revenue for the City to better maintain Wolf Road in winter even better
  - o Those who are in a justifiable rush and cannot afford 1 extra minute to drive around - can have the fine waived by producing a letter from their employer justifying the emergency nature of the specific instance.
- Require landlords of Stone Farm, Ivy Place, Wolf Run, Boulders to include a disclaimer in rental contracts about one-way designation of Memorial Drive, so new renters and those renewing leases know and can decide. If one extra minute of drive is critical to them - they can opt to rent at a more conveniently located place.

Sincerely,  
Konstantine Kourbatski and Ulyana Lytvynuk 20  
Memorial Dr, Lebanon, NH 03766

## **Proposal in Opposition to Ordinance #2025-02: Maintaining Memorial Drive One-Way Designation**

**Submitted by:** Concerned Residents Ward 2, Memorial Drive, Bassy Street, Wolf Road, Mount Support, Hanover Street and Dartmouth Avenue, Lebanon, NH

**Date:** April 14, 2024

**To:** Lebanon City Council

**Re:** Public Hearing on Proposed Removal of One-Way Designation (Memorial Drive, Bassy St. to Wolf Rd.)

### **I. Introduction**

We respectfully urge the City Council to **reject Ordinance #2025-02**, which proposes removing the one-way designation on Memorial Drive between Bassy Street and Wolf Road. The current one-way system was established in 1987 and reaffirmed in 2009 for critical public safety reasons, which remain just as relevant today if not more so given recent developments in the area.

### **II. Key Reasons to Retain the One-Way Designation**

#### **1. Public Safety Risks**

- **Historical Precedent:** The 1987 and 2009 decisions were based on documented safety concerns, including accident prevention and pedestrian protection. The enclosed 2009 materials and Police Department reports confirm this rationale.
- **Increased Traffic Volume:** With growing use of Mount Support Road and population density (addition of four new large residential housing units), reverting to two-way traffic would exacerbate congestion and create hazardous merge points near Bassy Street and Wolf Road.
- **Pedestrian Safety:** The addition of a walking paths across Memorial Drive and Mount Support makes the one-way flow more essential to protect pedestrians, particularly children and seniors.
- **Bus stop:** The addition of the Advanced Transit bus stop makes the one-way flow more essential to protect pedestrians crossing Mount Support to access the bus stop and when disembarking the bus to then cross Mount Support on the walking path to Memorial Drive. Multiple near misses of pedestrians being hit crossing Mount Support have been witnessed.

#### **2. Traffic Efficiency**

- The one-way system currently:
  - o Reduces conflict points for vehicles turning onto/off Wolf Road and onto Memorial Drive.
  - o Improves emergency vehicle access (per the 2009 review).
  - o Minimizes bottlenecks during peak hours.
  - o Decreases risk of human error by only requiring one-way visual traffic checks.

#### **3. Lack of Justification for Change**

- o The proposal lacks evidence that the 1987/2009 safety concerns have been resolved.
- No data suggests the one-way designation has failed its original purpose.

### **III. Community Impact**

- **Resident Safety:** Nearby schools, parks, and the walking path rely on predictable traffic patterns.
- **Property Values:** Sudden traffic increases could negatively impact residential areas.
- **Costs:** Reconfiguring signage, road markings, and public awareness campaigns would burden taxpayers.

### **IV. Request for Action**

We ask the Council to:

1. **Deny Ordinance #2025-02** and maintain the one-way designation.
2. **Require a traffic study** evaluating current safety data, pedestrian volume, vehicular volume related to the four new housing units and growth of Dartmouth Health services and projected growth *before* reconsidering this change.
3. **Host a community forum** to gather resident input beyond the April 16 hearing.

#### V. Conclusion

The one-way designation on Memorial Drive is a proven safety measure that aligns with Lebanon's commitment to "Vision Zero" principles. Until demonstrable evidence proves otherwise, altering this system would jeopardize public welfare. We appreciate your consideration and stand ready to provide further testimony.

Respectfully submitted,

Concerned Residents of Memorial Drive, Wolf Run, Bassy Street, Mount Support and Dartmouth Avenue.

*David E. Kelly* 53 Dartmouth Avenue  
*Matthew Kelly*  
*Jim Bell* 304 Hanover Street  
*Anna*  
*John I* 33 Wolf Rd  
*Amerine Anton* 1 Bassy Street  
*Ellen Patrick* 8 Bassy Street  
*Kelly & Carey* 13 Bassy Street  
*Helen E. Jendens* 1 Memorial Dr  
*Chris Shipp* 5 Bassy St.  
*M.A. Man* 20 Memorial Dr.  
*Yus* 20 Memorial Dr.  
*Betty Bennett* 15 Mem. Dr.  
*Paul Corran + family* 16 Memorial Dr.

- **Ms. Kirthi Bellamkonda (Ward-3):** She came forth again and gave her reasons why renters, and transient residents are important members of the community and contribute to the growth of the City.
- **Mr. Jimmy Jia (Ward-not given):** He spoke about his reasons against turning Memorial Drive into a two-way street.
- **Ms. Ulyana Lytvynuk (Lives on Memorial Drive):** She came forth again to dispute some of the allegations she heard previously about Memorial Drive.
- **Mr. Matthew Anton (Resident at DHMC):** He spoke about the specific concerns of safety and his reasons why he opposed turning Memorial Drive into a two-way street.
- **Mr. Nicholas Mouzourakis (Ward-3):** He came forth again and spoke about the risks of collisions on Memorial Drive.

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

#### Council/Staff Comments:

Councilor Heistad spoke about how two vehicles meeting on Memorial Drive was not a safe situation.

Councilor Sykes questioned if any traffic studies have been done since 2009. (City Manager Mulholland said no.) He requested that Ordinance #2025-02 needed to be looked at in more depth to see how traffic patterns may/or may not have changed relative to population growth.

Mayor Whittlesey concurred with Councilor Sykes, noting that more data is needed and suggested a Traffic Study be done to come up with potential solution(s).

Councilor Ford Burley also concurred with Councilor Sykes, noting she does not like to make decisions based on antidote. She would like to see a Traffic Study done. She disputed the reference that some residents are more deserving than others and was concerned about the safety issues and felt these needed to be looked into by the Council along with the School District and Advance Transit. If people are illegally driving the wrong way down one-way streets, this should also be addressed separately from this issue.

In response to Councilor Sykes' question regarding funding, City Manager Mulholland stated this could be done by a Supplemental Appropriation or the Council could wait until the end of the year to see what funds are left over in the budget. If the Council tells him which way to go, he will put this into action. He also suggested a site visit by the Council to look at the concerns the residents raised and noted he will get a price on the cost to do a Traffic Study.

Assistant Mayor Wilkie noted that this was not an urgent request and concurred with Councilor Sykes, but we should make sure this keeps moving forward.

The Council continued to discuss directing the City Manager to find out what the cost would be for a Traffic Study; putting off the study until the 3<sup>rd</sup> Quarter of the year to see if this can be done without raising taxes for the City's residents; if winter is the peak concern, it would make sense to have the study done under winter conditions; the pros and cons of having Memorial Drive as a two-way street; addressing concerns about the speed of motor vehicles; the potential of having speed bumps installed to slow down traffic; and having speed traps done by the Lebanon Police Department.

**ACTION: No Action Taken by the Council. Will revisit in the future once more data is collected.**

**B. Ordinance #2025-03** - A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 168, Vehicles and Traffic, §168-9, One-Way Streets, to Remove One-way Designation of North End of Church Street

Included in the agenda packet: **(All supportive documents, maps, and information, as listed below, can be found on pages 206-247, Council agenda packet)**

1. Proposed Ordinance #2025-03
2. Agenda Request submitted by former Assistant Mayor Below, received March 4, 2025
3. Excerpts from City of Lebanon CSO Plans, compiled by former Assistant Mayor Below
4. Agenda Packet and Minutes from August 21, 2024 City Council meeting
5. Updated Central Fire Station plans, dated revised October 7, 2024, and responses to specific questions from Agenda Request
6. Map of parcels receiving additional public hearing notice

Mr. Clifton Below (Ward-3) reviewed the background behind his proposed amendment to Ordinance #2025-03 and spoke about how the plan might be slightly modified to address the 20 ft. width and the safety of allowing such a narrow street to be two-way. He noted there were quite a few streets designed by the City engineers that were designed to be exactly 20 ft, and a number of streets that go below 20 ft but are still maintained as two-way streets.

**BACKGROUND**

On May 15, 2024, the City Council adopted Ordinance #2024-06 to amend City Code Chapter 168, Vehicles & Traffic, §168-9, One-way streets, to designate the northerly 325 feet of Church Street in Lebanon as a one-way street with a northward direction of travel. The one-way designation was implemented in conjunction with the reconstruction of the Central Fire Station, which at the time, was anticipated to encroach further into Church Street and limit roadway width to less than 19 feet at its narrowest point.

Subsequently, on August 21, 2024, the Council had further discussions about Church Street and potential modifications to the Fire Station project. Former Assistant Mayor Clifton Below noted that it appeared the Fire Station design could be modified to make the entire northerly segment of Church Street approximately 20 feet wide, which is as wide or wider than some other local streets reconstructed through the CSO programs. The Council ultimately voted 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 of pavement, of 20 feet be established or maintained or as close thereto as is reasonably practical and affordable.” However, the Council declined to take action to repeal Ordinance #2024-06 at that time noting that the roadway was entirely closed for the duration of construction of the Fire Station.

On March 4, 2025, former Assistant Mayor Below submitted an Agenda Request to discuss ending the one-way designation of the north end of Church Street in order to follow through on the Council discussion from August 2024.

When scheduling the public hearing, the City Council requested that additional notice be provided directly to property owners along Church Street. Enclosed with the agenda packet is a map of the properties that were notified by mail sent on March 31st.

**Mayor Whittlesey opened the Public Hearing, and the following came forth to give testimony:**

- **Mr. Robert Steve Silver (Ward-2 & Pastor of the First Congregational Church of Lebanon):** He spoke about his reasons supporting what former Assistant Mayor Below proposed. He read through all the materials and was not convinced that there was any reason to change upper Church St. to one-way. It is inconvenient for parishioners of the church, members of the arts community and others, who use their facility. We would like the church to be accessible so handicapped people and those with disabilities are able to come into the church just as safely as any Lebanon resident. He strongly encouraged the Council to restore the two-way directions on Church Street, noting there is a reason why it is called Church Street. While he appreciated the need to provide a safe corridor for our firefighters, he does not want it to come at the expense of people who navigate the roads around our church and further explained his reasoning.
- **Ms. Cindy Lahaye (Ward-2):** She spoke about her reasons supporting Church Street as a two-way street.
- **Mr. Paul Roberts (Ward-2 and former LPD officer):** He spoke about his reasons for keeping Church Street a one-way street.
- **Mr. Fran Casale (Ward-2):** He spoke about his reasons for keeping Church Street a one-way street.
- **Mr. Clifton Below (Ward-3):** He came forth again and explained the topography of Church Street and other streets in the vicinity of Church Street.
- **Ms. Susan Pratt (Member of the Congregational Church):** She spoke about how keeping Church Street a one-way street would be limiting access for the handicapped to the church, noting that they would have to get out of their car on that busy road, move into whatever they use (i.e.,

wheel chair, walker, etc.) on the street, get out of the street and walk down to the corner and then go all the way to the back of the church in order to find a way that they can get into the building. Many of the groups in the City area use our church as a concert hall and people are not going to get their safely if they are handicapped.

- **Ms. Julie (last name unclear) (Ward 2):** She spoke about her reasons for keeping Church Street a two-way road.

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

**Council/Staff Comments:**

Councilor McNamara spoke about his reasons why he felt the Council should move forward in approving this ordinance to change Church Street into a two-way street noting access to the church is extremely important.

Councilor Heistad, Sykes and Stavis also spoke about their reasons supporting Church Street as a two-way street.

**ACTION:**

***Councilor McNamara MOVED, that the Lebanon City Council hereby adopts Ordinance #2025-03 to amend City Code Chapter 168, Vehicles and Traffic, §168-9, One-way streets, to remove the one-way designation for the northerly 325 feet of Church Street in Lebanon, and to restore two- way traffic upon reopening of the roadway following the construction of the Central Fire Station, as presented in the April 16, 2025 City Council Agenda Packet.***

***Seconded by Councilor Ford Burley.***

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

**CITY OF LEBANON ORDINANCE #2025-03**

**AN ORDINANCE TO AMEND** the Code of the City of Lebanon, Chapter 168, Vehicles and Traffic, Section 168-9, One-way streets, in order to remove the existing one-way designation for the northerly 325 feet of Church Street, Lebanon.

**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 168, “Vehicles and Traffic”, §168-9, One-way streets, for the purpose of deleting and repealing language referring to Church Street, as follows:

| <b>Name of Street</b>                                         | <b>Direction of Travel</b> | <b>Limits</b>                                                                                  |
|---------------------------------------------------------------|----------------------------|------------------------------------------------------------------------------------------------|
| <del>Church Street [Added 6-15-2024 by Ord.No. 2024-06]</del> | <del>North</del>           | <del>Beginning 325 feet south of the intersection of Church Street and South Park Street</del> |

**Section 2: Severability.**

The provisions of this ordinance are declared to be severable, and if any section, subsection, sentence,

clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or parts of this ordinance.

### **Section 3: Effective Date.**

**The Ordinance shall become effective upon passage.**

- C. Ordinance #2025-05** - A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 31, Boards, Committees & Commissions, to Add the Lebanon Energy Advisory Committee (LEAC)

Included in the agenda packet: **(All supportive documents and information, as listed below, can be found on pages 248-251, Council agenda packet)**

1. Proposed Ordinance #2025-05

Assistant Mayor Wilkie reviewed the background behind his request and explained his reasoning, noting that this request was brought to him by the Lebanon Energy Advisory Committee (LEAC) Chair.

Mayor Whittlesey noted the Mayor has the authority to make the appointments of City Councilors to the Boards/Committees/Commissions. There is no vote from the Council. The one shift here is that the Mayor would make a recommendation and if it is not a Councilor then the full Council would have to vote on that appointment. This would invest a certain amount of oversight by the Council if we were to exercise that option.

### **BACKGROUND**

An agenda request was submitted by Assistant Mayor Devin Wilkie to amend the membership of the Lebanon Energy Advisory Committee (LEAC). As proposed, the Ordinance would expand the membership of LEAC to a total of nine members, including one City Council representative, one alternate Council representative, one Planning Board representative, seven at-large citizen representatives, and up to two alternate citizen representatives. The Ordinance also proposes to enable the Mayor to request that the City Council appoint a suitable person other than a City Councilor to fill the designated City Councilor position if the Mayor deems it appropriate to do so.

LEAC was created by the City Council in 2007, and the charge and membership have been amended several times since then. However, the establishment of LEAC was never adopted into City Code Chapter 31, Boards, Committees and Commissions. The proposed Ordinance would also amend Chapter 31 to add LEAC and to document its establishment, membership, purpose, and charge.

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

### **Council/Staff Comments:**

Councilor McNamara felt this request was appropriate, but only for this Committee.

Mayor Whittlesey wanted to make it clear that the motion, as it stands to approve the current ordinance, would include the language under membership: The Mayor may, in lieu of appointing a City Councilor to the LEAC Committee, asks the City Council to appoint a suitable person to fill the position that would normally be filled by a City Councilor. (“**suitable**” is highlighted in red in the Ordinance.)

**ACTION:**

***Councilor McNamara MOVED, that the Lebanon City Council hereby adopts Ordinance #2025-05 to amend City Code Chapter 31, Boards, Committees and Commissions, to establish a new Article XIV, Lebanon Energy Advisory Committee, as presented in the April 16, 2025 City Council Agenda Packet. Seconded by Councilor Wilkie.***

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

**THE CITY OF LEBANON ORDAINS AS FOLLOWS:**

**ORDINANCE NO. 2025-05**

An Ordinance to Amend the Code of the City of Lebanon, Chapter 31, Boards, Committees and Commissions, to add a new section for the Lebanon Energy Advisory Committee.

Section 1. Chapter 31 of the Code of the City of Lebanon is hereby amended to add a new section, Article XIV, as follows:

**ARTICLE XIV, Lebanon Energy Advisory Committee**

**§31-55. ESTABLISHMENT; MEMBERSHIP; QUALIFICATIONS.**

On July 18, 2007, the City Council established a charge and membership of the committee. Nine members (two Council Representatives, one Planning Board Representative, one Lebanon High School student Representative, one Thayer Engineering School Faculty member or student, and four at-large Citizen Representatives).

**Membership Amendments**

- February 18, 2009 - amended to include three alternate citizen members.
- July 7, 2010 - amended to consist of three at-large citizen representatives, two alternate citizen representatives, one Council representative and one alternate Council representative, one LHS Student representative and one Planning Board representative.
- April 2017 - amended to add one additional at-large citizen representative.
- September 21, 2017 - the Lebanon Energy Advisory Committee established a Subcommittee to work on aggregation projects, initiatives and assignments as the need arises.
- July 5, 2023 - amended membership to change the high school student representative position to a regular member position and clarified that committee membership would consist of five regular citizen members, two alternate citizen members, one Planning Board representative, one City Council representative, and one alternate Council representative.

**Membership**

Effective April 16, 2025, the membership of the LEAC shall consist of one City Council representative, one alternate City Council representative, one Planning Board representative, seven at-large citizen representatives, and up to two alternate citizen representatives. The Mayor may, in lieu of appointing a

City Councilor to the committee, ask the City Council to appoint ~~another~~ suitable person to fill the position that would normally be filled by a City Councilor.

### **§31-56. PURPOSE/CHARGE/MISSION.**

The Lebanon Energy Advisory Committee (LEAC) was established by the City Council and issued the following charge: To identify opportunities and make recommendations to the City Council with regard to reducing energy use, increasing energy efficiency, exploring alternative energy usage and reducing pollution, to the environmental and fiscal benefit of the City. Charge modified on February 18, 2009 to include: To promote energy conservation measures for city residents and businesses, thereby cutting greenhouse gas emissions and reducing energy costs for taxpayers.

### **Section 2. Severability**

The provisions of this ordinance are delated to be severable, and if any section, subsection, sentence, clause or part thereof, for any reason, is 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**

**This Ordinance shall become effective upon passage.**

## **9. OLD BUSINESS**

- A.** Discuss proposed Strategic Plan changes received during the public engagement session that occurred in January and February.

Included in the agenda packet: **(All supportive documents and information, as listed below, can be found on pages 252-258, Council agenda packet)**

1. Lebanon Strategic Plan recommendations received from Joan Townsend on March 10, 2025.
2. Strategic Plan recommendations from the Lebanon Energy Advisory Committee (LEAC) and the LEAC-EV Subcommittee

Information available but not included in the agenda packet:

1. [Lebanon Strategic Plan, 2025-2028](#)

City Manager Mulholland reviewed the background. At this time, the City administration is seeking direction from the City Council relative to the recommendations received thus far and any other guidance that can be provided to inform the ongoing review and update process by department staff and boards and committees.

## **BACKGROUND**

On May 8, 2024, the City Council adopted the current Lebanon Strategic Plan covering the three-year period from 2025-2028. The Plan details the Council's goals and priorities and complements the City's long-range Master Plan by concentrating on operational aspects of city governance and specific objectives and actions beyond the Master Plan's scope. The Strategic Plan also informs the City's budgeting process by ensuring that financial resources are allocated in alignment with the City's strategic objectives.

Each year, the Strategic Plan is developed and updated with input from numerous local residents, property owners, businesses, non-profits, organizations, elected officials, boards and committees, and City staff. This collaborative approach ensures the Plan reflects the community's needs and goals.

In preparation for updating the Strategic Plan for the next three-year period from 2026-2029, the City held multiple public engagement and listening sessions in January and February. City departments and boards and committees have reviewed and updated the Strategic Plan. Other questions, comments and recommendations have been received through contact forms on the City's website. Enclosed are some Strategic Plan recommendations received from members of the public and from individual boards and committees.

Similar to past years, administration and department staff will review proposed Strategic Plan updates and changes with the City Council during work sessions scheduled for April 22nd and 24th. Opportunities for additional public input will be provided during the Council's regular meeting of May 7th. Then the Council will be asked to make final revisions and adopt the 2026- 2029 Strategic Plan during a special meeting on May 14, 2025.

Mayor Whittlesey suggested it would be prudent to add the overall fees to the Financial Responsibility section under the Strategic Plan Objectives where it could be reviewed in September 2025.

**Mayor Whittlesey opened this discussion to the public and the following came forth to give testimony about their recommendations/comments:**

- **Ms. Joan Townsend (Ward-2):** She spoke about how Lebanon's residents can change every 5-years (i.e., nurses and medical staff) and it is important that they are comfortable in Lebanon when they are here, but when they leave then we (permanent residents) are stuck holding the debt (for projects the Council approved while they were living in Lebanon). The City has to start building, growing, and taking care of what we have. We have to say no to projects right now until we can get our feet back underneath us. We cannot keep borrowing on bonds and being in debt as a City if we cannot afford what we have now.
- **Mr. Fran Casale (Ward-2):** He spoke about his reason why he felt the 2012 Master Plan needs attention regarding borrowing funds and suggested putting forth an annual revenue campaign directed at the commercial areas of our City.
- **Mr. Jay Simms (Ward-2):** He spoke about his concerns over the future of the City's finances, noting the City was looking at 12% increases (for taxpayers) for the next 4-5 years. This is not sustainable. He is all for investing in the City if there are reasonable investments, but we are looking at projects now that we cannot afford (i.e., the Riverwalk; buying Westboro Yard; etc.). He noted the Strategic Plan should be developed so the City does not go bankrupt, and we need to look at costs now, which should be the priority in the Strategic Plan.
- **Samantha Townsend (Ward-2):** She spoke specifically about the addition of EV Charging Stations noting that if grants do not cover the entire cost of these, these should not be done. She also spoke about her reasons for eliminating the Lebanon Downtown District.
- **Mr. Steve Whitman (Ward-2):** He spoke about the issues of Westboro Yard and how it is an expenditure now that the City cannot afford. He would like the City to start taking back that railroad from the Department of the Railroad. Political problems need to be resolved by politicians and spoke about his reasoning. This could be a City revenue in the future.
- **Ms. Lori Key (Ward 3):** She spoke about her concerns regarding the City's bonds and read the statistics report she researched, particularly noting that Lebanon ranks #2 at almost 4.8% of total

bonds for the State. If we look at Lebanon's School District, which ranks #9, that gets us up to 7.25% of the total bonds for the whole State of NH. We are looking at a total of \$68M+ dollars in bonds. How do we even have a conversation about developing Westboro Yard or the other things, which are wonderful ideas, until we manage our fiduciary finances?

Mayor Whittlesey explained the City's fiduciary finances to Ms. Key, noting that the City has a responsibility to make sure, as a fiduciary, funds are being spent and used appropriately and in the best interests of the City and its residence. This is not something the Council takes lightly, and that is why we have our own self-imposed debt limit, which is quite a bit less than the Statutory Limit.

Ms. Key compared the City of Manchester's bond debt with the City of Lebanon's bond debt.

Councilor Sykes explained part of the debt is due to the combined sewer/water debt (CSO) consent decree that required the City to do this. He was uncertain where Ms. Key received her information about the City of Manchester, but he will look into this, noting that the City of Manchester will also be going into their own combined sewer/water over projects, which will impact their debt load significantly.

In response to Ms. Keys' question regarding why the City keeps spending funds when the City is topped out in its budget debt limit, Mayor Whittlesey explained that short of changing our policy, we have to find ways to work around it and work within the budget. In part, the situation we are in now, is why we chose to voluntarily impose a Debt ceiling, which is significantly less than the Statutory limit.

Ms. Keys, Mayor Whittlesey, and the Council continued to have a lengthy discussion and debate over the City's Debt and Bond Limits that included the new fire station and the need to have the City's firefighters work in a safe place; raising the rent for the Food Trucks; rising taxes; having the Strategic Plan be on a safe/solid financial footing; how no decisions should be made without a financial analysis of what the impact would be to the City; having Ms. Keys attend a State Legislative budget proceeding(s) to see how draconian budget cuts in the State will be downshifting costs to town and cities as never seen before.

Assistant Mayor Wilkie felt Ms. Keys' concerns and noted this keeps him and other Councilors awake at night. He spoke about his reasons about how the City needs to fill its obligations (i.e., not losing our public services; not losing a Fire Department; not failing to fulfill our obligations to the community).

- **Mr. Michael Long (Ward-1):** He spoke about his reasons why the City should tighten up their budget, noting the debt per capita in Lebanon is high. He read the metrics of debt services for Hanover, Claremont, Keene, and Hooksett and compared them to Lebanon, NH. The City needs to be more prudent in terms of adding more debt for the City and look at whether or not adding more debt is a payback or a loss to the taxpayer and further explained his reasoning.
- **Rachel Townsend (Ward-2):** She spoke about her reasons for having the Food Truck fees raised; eliminating the Downtown TIF; and questioned why the employee raises were 6%, which are unsustainable.
- **Mr. Paul Roberts (Ward-2):** He called the Bond Bank and was informed that the City of Lebanon has applied for another \$18M, which actually brings the City's bond debt up to \$86M as

of today. He questioned how many workers' claims the City has received from the Fire Department due to health issues because of its building. We need to understand the difference between what the (City) needs versus what the (City) wants. He also spoke about his reasons why the Council needs to tighten their belt by not increasing the debt ceiling.

- **Ms. Jennifer (last name was unclear) (Ward-3):** She spoke about her job as a civil servant and handles funds of up to \$20M/year and how she balances her budget – If we can't afford it, we don't do the project. She has never received a 6% pay raise. The City has to balance the budget and if we don't have the money in the budget, we can't do things, noting this needs to be the City's current strategy in the Strategic Plan. If the State is cutting things from their budget, then Lebanon will have to cut projects, too. We do not need traffic circles, and we do not need to buy Westboro. She named 3 individuals who were on the sex offender list in Lebanon, noting her reasons why she felt the homeless shelter was failing and how the treatment center has become a burden to the City.

#### **Council/Staff Comments:**

Mayor Whittlesey noted the Council should have a discussion about budgetary guidance and should provide this for the City in advance of making a final decision.

**ACTION: No Action taken by the Council. Item will be taken up at a future Council.**

#### **B. Public input on Potential Acquisition of Portions of Westboro Yard**

Included in the agenda packet: **(All supportive documents, maps, and information, as listed below, can be found on pages 259-261, Council agenda packet)**

1. Draft Boundary Line Adjustment Plan, State of New Hampshire Dept. of Transportation, and City of Lebanon, prepared by Paton Land Surveying, dated October 2, 2024 (2 sheets)

Mayor Whittlesey and City Manager Mulholland reviewed the background and the change in the Memo of Understanding (MOU) related to who owns the environmental liability around Westboro Yard if the City were to move forward in acquiring this property from them. City Manager Mulholland informed the Council that the City will be taking on a certain degree of environmental liability and we would have to negotiate with State to try to get them to take on this responsibility rather than us. There is a significant risk, in the City Manager's view, in terms of the environmental liabilities.

Attorney Decker, the City's attorney, provided a summary and explained the environmental liability language, which is currently proposed by the State in the draft Purchase & Sale Agreement (P&S) noting the Draft of the P&S that was circulated last year provided that the State would retain environmental liabilities so that if new environmental issues were discovered at the site, the State would remain responsible for that, as if it were the owner. The latest round of edits to the draft P&S agreement, instead bifurcates environmental responsibility to the City if new issues arise in the future, or if there are previously undiscovered issues, the City would have primary responsibility for those.

The areas of risk the City has with environmental contamination:

1. Environmental contamination going to surrounding properties are then going to look to the owner of the contaminated property for remedies. This is a lessor concern with respect to the Westboro Yard because the railyard has been (the owner of this property) so far back in the past.
2. Contamination of the site, itself, and whether or not the State DES or the Federal Government EPA will require some kind of cleanup or remediation. What has been proposed by the State in the latest MOU is that if there are new environmental standards or newly regulated materials that are

determined to be a problem in the future, then the State is proposing that this would be the responsibility of the City to address. An example of that is PFAS. While PFAS was not a known concern 5-10 years in the past, it is a fairly new development, so there is a future risk that there might be some chemicals or materials on the site that is not a concern now but could be identified as a concern in the future. If it is, the State is proposing that it would be the City's responsibility to primarily address that. However, the State is willing to engage in good faith discussions about sharing the burden. A promise to negotiate is not a promise to actually do something.

3. With respect to chemicals and hazardous materials, that as of now in 2025, that are known and understood to be hazardous materials, NH DOT said it would be responsible for mitigating those.

## **BACKGROUND**

On March 19, 2025, the City Council hosted a discussion with NHDOT Commissioner William J. Cass and Deputy Commissioner Andre J. Briere about the status of negotiations on the City's proposed acquisition of approximately 8.5 acres of land within the Westboro Yard from the State. It was noted during the discussion that negotiations are stalled on the subject of liability for environmental contamination that may be discovered or become regulated on the property in the future.

Following the discussion, the Council requested that a public discussion be scheduled during April to allow Lebanon residents to provide comments and input to the Council about whether the City should continue to pursue acquisition of the land under the terms currently offered by the State.

## **Council/Staff Comments:**

Councilor McNamara felt it was important to put this all in context, noting this started off many years ago as a simple discussion regarding the potential for the City obtaining a long-term lease on the Westboro Yard for an undetermined potential development. Following initial discussions contamination was discovered on the site, which complicated negotiations and also discussions with the prior NH DOT Commissioner resulted in the State declining to lease the property but offering to sell it. A dollar amount was never determined, but we just assumed it would be a nominal fee. We have been going round and round with the liability issues for years, and the promise that they would negotiate in good faith just holds no water with him at all. He spoke about the environmental situation and was not interested in entertaining this. Getting into the financial aspects of this: We've been told that in order to add the vehicular access to this site off the dry bridge, we would need \$1M+/- . Some of this amount would be funded by the State and some would be funded by the City. He also spoke about Mayor Whittlesey's projections, which could range in cost from \$350K to \$1M. We could save this amount by eliminating that (vehicular) access. On top of that, if we purchase the property, we still have to pay the costs of doing something with it (i.e., creating the playing fields). If these are the costs of getting playing fields, it is not worth it to him and there is no reasonable way to move forward with this project and further explained his reasoning. He could not justify the expenditures and could not depend on anything from the NH DOT.

Mayor Whittlesey spoke about the project costs now noting that prices have risen in general anywhere around 14% to \$50%, and this is just the inflation that has occurred in the past few months and further explained his thoughts.

**Mr. Michael Long (Ward-1):** He spoke about the liability of contamination and wanted to know about the financial liability for this whole project and how it would affect the tax rate. He also requested a written legal opinion. If it is true that there is no commercial real estate developer interested in this (property), he wondered why the City is entertaining this project.

**Councilor Wilkie *MOVED to extend the meeting until 10:30PM***

***Seconded by Councilor McNamara.***

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

The Council continued to discuss the feasibility and cost of the access road; whether or not there was any interest from the public/Council in purchasing Westboro Yard (No public support); how the acquisition of Westboro Yard has been a huge dream for Councilor Stavis and the neighbors she knows in West Lebanon; how walking down Main Street in Downtown West Lebanon is a picture of a City failing its residents; how the terms from the State is absurd and we should fight them vigorously to come up with a political alternative solution; how we cannot let West Lebanon degenerate further: There has to be some way to address this that does not go down this dark road of liability that the State has laid out for us. If they (State) is worried about liability, you better believe there is liability; if the purchase of Westboro does not go through, what is Plan B for Downtown West Lebanon; and, redoing the Plan and removing the access road.

The Council decided not to sign the P&S agreement and the MOU on Westboro Yard. They would like to do a redesign and eliminate the access road.

Councilor Stavis questioned how we, as a Council, can commit to doing, if anything, to prevent further die-back of that vital neighborhood, which is the first area of settlement in the City.

City Manager Mulholland will work on the redesign, so the City will not spend \$2M on a road that is not needed.

**ACTION: NO ACTION TAKEN BY COUNCIL.**

- C.** Action to Adopt Amendment to City Council Rules: §A191-8, Order of Business, as presented on April 2, 2025

Included in the agenda packet: **(All supportive documents and information, as listed below, can be found on pages 262-271, Council agenda packet)**

1. Proposed amendment to City Council Rules, §A191-8, Order of Business
2. City Council Rules, as adopted on March 20, 2024

**BACKGROUND**

In accordance with §A191-13 of the Council Rules, proposed amendments must be presented in writing at the preceding regular meeting, prior to adoption. Adoption requires a 2/3 vote of all members of the Council.

On April 2, 2025, the Council reviewed and discussed proposed amendments to §A191-8, Order of Business, to better reflect the actual conduct of the Council's meetings. As proposed, item #13, Future agenda items, would be removed from the standard Order of Business. In addition, based on the Council's discussion, item #12, Council Representatives to Other Bodies Report, would be replaced by a new item #4, Open Council Discussion, and the remaining order of business items would be renumbered accordingly, as reflected in the enclosed redline document.

The business of all regular meetings of the Council shall be transacted in the following order, unless the Mayor elects to change the order of business for good cause. If any member of the Council objects to the proposed change to the order of business, the Mayor shall ask that the Council vote on the proposed change, by a vote of at least 2/3 of the members present, to suspend the rules and change the order of business.

1. Call to Order.
2. Pledge of Allegiance.
3. Announcement by Mayor. Public forum. "Any member of the public who

desires to speak on any agenda 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 Council Discussion

4.5. Open to public. (Limited to 10 Minutes)

5.6. Recognitions.

6.7. Acceptance of Minutes:

7.8. Appointments.

8.9. Public Hearings

i. Presentation

ii. Mayor Opens Public Hearing

iii. Questions and Comments by the Public

iv. Mayor Closes Public Hearing

v. Council Deliberation & Action

9.10. Old Business.

10.11. New Business.

11.12. City Manager Report

~~12. Council Representatives to Other Bodies Report~~

~~13. Future agenda items~~

14.13. Nonpublic sessions.

15.14. Adjourn.

**ACTION:**

***Councilor McNamara MOVED, that the Lebanon City Council hereby amends the Council Rules to include the amendments to §A191-8, Order of Business, as presented in the April 16, 2025 City Council agenda packet.***

***Seconded by Councilor Ford Burley.***

***\*The Vote on the Motion was approved (8-0-1). Councilor Sykes abstained.***

**10. NEW BUSINESS**

**A. Release of Collected Public School Impact Fees (1st Quarter 2025)**

Included in the agenda packet: **(All supportive documents and information, as listed below, can be found on pages 272-276, Council agenda packet)**

1. Impact Fee Report as of 03/31/2025

2. November 22, 2021, Memorandum of Understanding between the City of Lebanon and The Lebanon School District, SAU#88

City Manager Mulholland reviewed the background and noted this request is for the City Council to authorize the disbursement of \$25,348.80 in collected Public School Impact Fees (through 03/31/2025) to the Lebanon School District

**BACKGROUND**

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

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

To date \$1,040,790.39 in impact fees have been disbursed to the Lebanon School District.

|            |              |           |              |            |              |
|------------|--------------|-----------|--------------|------------|--------------|
| 7/17/2013  | \$83,690.78  | 11/6/2013 | \$14,651.99  | 5/21/2014  | \$19,407.00  |
| 8/6/2014   | \$2,122.75   | 2/18/2015 | \$723.00     | 5/20/2015  | \$2,819.00   |
| 7/15/2015  | \$1,627.50   | 11/4/2015 | \$936.00     | 3/2/2016   | \$3,156.00   |
| 5/18/2016  | \$864.00     | 5/17/2017 | \$5,230.00   | 12/6/2017  | \$6,140.75   |
| 2/7/2018   | \$41,262.70  | 9/5/2018  | \$12,564.45  | 2/6/2019   | \$1,833.10   |
| 8/7/2019   | \$8,822.20   | 4/15/2020 | \$40,432.02  | 7/15/2020  | \$123,709.65 |
| 12/2/2020  | \$57,567.42  | 1/21/2021 | \$102,409.40 | 8/4/2021   | \$12,695.86  |
| 1/19/2022  | \$9,035.45   | 4/20/2022 | \$3,216.15   | 10/19/2022 | \$261,738.35 |
| 2/1/2023   | \$2,185.00   | 4/19/2023 | \$3,824.44   | 9/6/2023   | \$3,142.57   |
| 11/15/2023 | \$9,740.60   | 2/27/2024 | \$6,341.26   | 5/15/2024  | \$11,899.60  |
| 9/4/2024   | \$140,359.34 | 1/22/2025 | \$46,642.06  |            |              |

#### **ACTION:**

***Councilor McNamara MOVED, that in accordance with Section 213.10 (Administration of Impact Fees) of the Lebanon Zoning Ordinance, and the November 22, 2021 Memorandum of Understanding between the City of Lebanon and the Lebanon School District, SAU 88, the City Council hereby authorizes the disbursement of \$25,348.80 in collected Public School Impact Fees to the Lebanon School District to be applied toward the construction, renovation, improvement or expansion of K-12 school buildings and related building systems, equipment, and furnishings***  
***Seconded by Councilor Sykes.***

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

#### **B. Storrs Hill Facility Planning Advisory Committee Presentation**

Included in the agenda packet: **(All supportive documents, information and Mr. Coates' presentation, as listed below, can be found on pages 277-299, Council agenda packet)**

1. March 7, 2025 Memorandum from Recreation, Arts & Parks Director Paul Coats
2. 2025 Storrs Hill Ski Area Facility Planning Advisory Committee Report

Mr. Paul Coats (Recreation, Arts & Parks Director) reviewed the background and gave a brief overview of his memo before presenting the report from the Storrs Hill Facility Planning Advisory Committee's recommendations for the facility. **(Please refer to pages 279-290, Council agenda packet, for presentation materials.)**

#### **BACKGROUND**

The Storrs Hill Facility Planning Advisory Committee (PAC) was formed in 2024 to work with and serve in an advisory capacity to the Lebanon Outing Club (LOC), Lebanon Recreation, Arts & Parks Department (RAP), and the City Manager regarding the development and prioritization of strategies for facility improvements at the Storrs Hill Ski Area. The PAC conducted a community needs assessment for recreation at Storrs Hill Ski Area, including soliciting public input, review of the City's Master Plan and Strategic Plan references to Storrs Hill, and consultation with the LOC Board of Directors.

**Councilor McNamara MOVED to extend the meeting until 10:45PM  
Seconded by Councilor N. Ford Burley.**

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

**ACTION: No City Council action is required at this time; this item was for informational purposes only**

- C. Discussion of Potential Amendment to the Lebanon Zoning Ordinance to Establish a Northern Lebanon Environmental Overlay District**

Included in the agenda packet: **(All supportive documents, maps and information, as listed below, can be found on pages 300-308, Council agenda packet)**

1. April 7, 2025 Memorandum from Planning & Development Department RE: 2024-2025 Proposed Zoning Amendment for Northern Lebanon Environmental Overlay

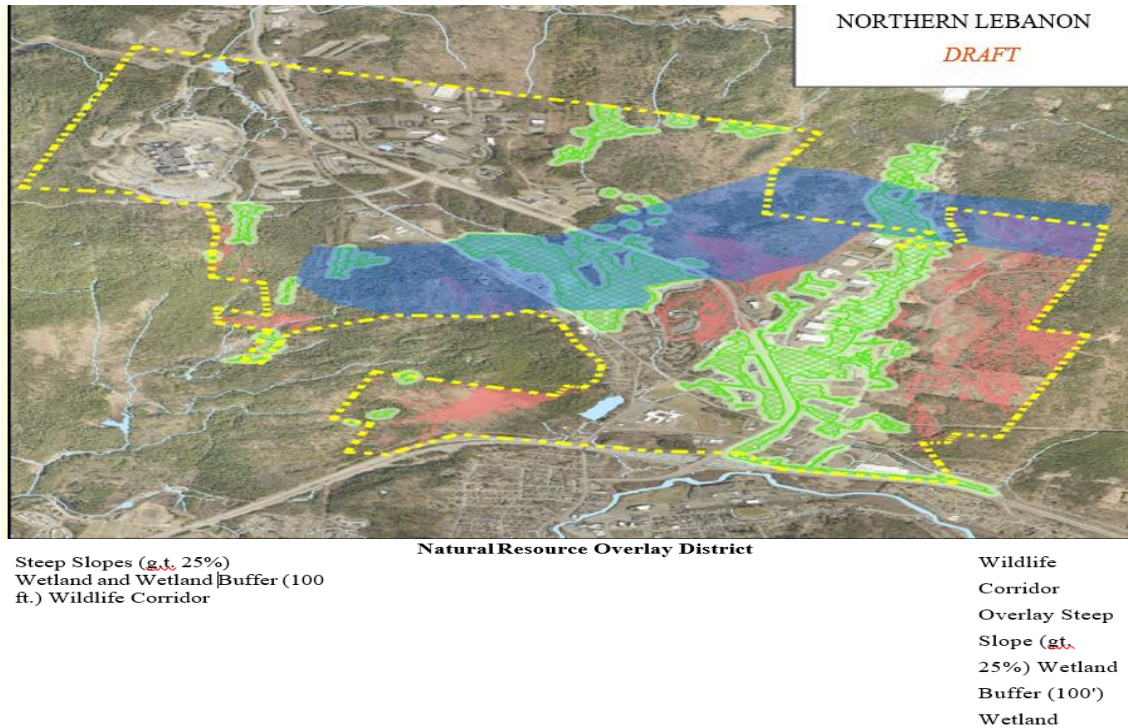
Director of Planning & Development/Zoning Director Nathan Reichert and Mr. Ash Ford Burley gave a brief background and spoke about the establishment of a Northern Lebanon Environmental Overlay District as a potential amendment to the Lebanon Zoning Ordinance.

## **BACKGROUND**

On March 19, 2025, the City Council paused consideration of various zoning amendments associated with the Route 120 Corridor and the North Lebanon Community Plan to give the Planning & Development Department time to provide additional notice and to conduct community outreach and engagement about the proposed zoning amendments with potentially affected property owners in the corridor. The pause in considering the zoning amendments also allowed the Planning Board and Conservation Commission to work jointly with Planning Department staff on language for a proposed “Northern Lebanon Environmental Overlay District”, which is another recommendation of the North Lebanon Community Plan.

Over the last several weeks, the Planning & Development Department and the City Engineer have worked with the Chairs and Vice Chairs of the Planning Board and Conservation Commission to develop a proposed Overlay District for the Council’s review and consideration. The enclosed memorandum from the Planning & Development Department summarizes the effort to develop the draft map and overlay district language.

The memo also outlined a proposed schedule in the event the City Council decides to move the proposed overlay district forward for review and comment by legal counsel and the land use boards pursuant to Section 1000 of the Zoning Ordinance. As proposed, the review schedule would allow the Northern Lebanon Environmental Overlay District to catch up with the remaining Route 120 corridor zoning amendments for a comprehensive public hearing to be scheduled in June.

**Council/Staff Comments:**

Councilor McNamara noted the map (included above, and in the agenda packet) is old. Director Reichert said a new aerial photo of the area is planned and the updated map will be placed in the GIS System in the near future.

**ACTION:**

**Councilor Sykes MOVED, that the Lebanon City Council, in accordance with City of Lebanon Zoning Ordinance, Article X, Section 1000.3, Amendment Procedures, submits the proposed zoning amendment for a new Section 411, Northern Lebanon Environmental Overlay District, as presented in the April 16, 2025 City Council Agenda Packet, to the Planning Board, Zoning Board of Adjustment, and Conservation Commission for their review and comment. The City Council hereby sets the following tentative review schedule:**

|                                             |                       |
|---------------------------------------------|-----------------------|
| <b>City Council Decision to Proceed:</b>    | <b>April 16, 2025</b> |
| <b>Legal Review:</b>                        | <b>by May 1, 2025</b> |
| <b>Zoning Board of Adjustment:</b>          | <b>May 5, 2025</b>    |
| <b>Conservation Commission:</b>             | <b>May 8, 2025</b>    |
| <b>Planning Board:</b>                      | <b>May 27, 2025</b>   |
| <b>City Council Setting Public Hearing:</b> | <b>June 4, 2025</b>   |
| <b>City Council Public Hearing:</b>         | <b>June 18, 2025</b>  |

**Seconded by Councilor Stavis.**

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

**11. City Manager Report:**

City Manager Mulholland updated the Council on the following:

- HB 707 Landfills
- HB 297 Health Trust

- HB 511 Anti-Sanctuary Cities
- HB 316 Ambulance Service Fees (by Interim City Manager Jack Wozmak)

***Councilor Wilkie MOVED to extend the meeting until 10:50PM***

***Seconded by Councilor Simon.***

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

- State House Bill #1 and #2 Budget Hearings
- Fire Station Project Tour

In response to Councilor Sykes' question regarding if an ICE Agent visited the Lebanon Police Department, City Manager Mulholland stated they just stopped to allow a migrant detainee from Turkey to use the restroom on their way to Vermont.

**12. COUNCIL REPRESENTATIVES TO OTHER BODIES: NONE**

**13. FUTURE AGENDA ITEMS: (PLEASE NOTE: This information was included in the agenda for this Council meeting.)**

**14. NON-PUBLIC SESSION: NONE**

**15. ADJOURNMENT:**

***Councilor McNamara MOVED for adjournment.***

***Seconded by Councilor Stavis.***

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

**The meeting was adjourned at 10:48 PM.**

Respectfully submitted,  
Dona E. Gibson  
Recording Secretary